



City of Gainesville
City Commission Regular Meeting
AGENDA

Thursday, June 15, 2023, 10:00 a.m.

City Hall Auditorium
200 East University Avenue
Gainesville, FL 32601

Commission Members

Mayor Harvey L. Ward, Jr.
Mayor Pro Tempore Desmon Duncan-Walker (District 1)
Reina Saco (At Large, Seat A)
Cynthia Moore Chestnut (At Large, Seat B)
Ed Book (District 2)
Casey Willits (District 3)
Bryan Eastman (District 4)

The City Commission makes policy and conducts City business in an open forum. For information on how to attend the meeting and submit public comment, visit the City [Agendas & Meetings website](#).

Neighbors are welcome to attend meetings in person. Seating capacity may be limited. Fill out a comment card and give it to the meeting clerk to request to speak. Speakers will be called to share their comments in the order of sign-up.

The City Hall Auditorium and Roberta Lisle Kline Conference Room are equipped with hearing loop assistive listening systems. When using your own hearing aid, you must switch your device to Telecoil or "T" mode. If your hearing aid does not have a Telecoil mode, broadcast staff can provide a headset.

If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equity and Inclusion at (352) 334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8773. For STS French Creole relay, please call 1-877-955-8707.

A. CALL TO ORDER - 10:00 AM

Agenda Statement: The City of Gainesville encourages civil public speech. The Gainesville City Commission expects each person entering this chamber to treat others with respect and courtesy. Speakers are expected to focus on agenda items under discussion and avoid personal attacks or offensive comments. Threatening language is not allowed. Anyone who repeatedly disrupts the proceedings will be asked to leave. Signs, props, posters, food and drink should be left outside the auditorium.

B. INVOCATION

Pastor Gerard Duncan, Prayers by Faith Outreach Ministries

C. ADOPTION OF THE AGENDA

Includes Consent and Regular Agenda Items

D. CONSENT AGENDA

Approval of Minutes from the May 25 and June 1, 2023 Meetings (B)

Recommendation: The City Commission approve the minutes from May 25, and June 1, 2023.

2023-538 NE 8th Avenue Curb Ramp Improvements Construction (B)

Department: Public Works

Description: Pavement Management Continuing Services Work Order for NE 8th Avenue Curb Ramp Improvements.

Fiscal Note: Funding for construction of the project is available in the FY 2023 operating budget.

Recommendation: City Commission authorize the City Manager or designee to enter into a Work Order Agreement with Watson Construction Company, LLC, in the amount of \$422,375.00 for the NE 8th Avenue Curb Ramp Improvements project, subject to the approval of the City Attorney or designee as to form and legality.

2023-541 Sixth Amendment to Contract for Redi-mix Concrete with Argos USA, LLC. (B)

Department: Public Works

Description: This item is a request for the City Commission to authorize the Sixth Amendment to the Contract for the pick-up of Redi-Mix Concrete with Argos USA LLC, increasing the annual contract limit from \$97,500.00 to \$200,000.00.

Fiscal Note: Funding is available from the Roadway Resurfacing Program and the FY 2023 operating budget in the Public Works Department.

Recommendation: The City Commission authorize the City Manager to enter into the Sixth Amendment to the Annual Contract for Pickup of Redi-mix Concrete with Argo USA LLC for purchases up to \$200,000 for Fiscal Year 2023 subject to approval by the City Attorney as to form and legality.

2023-554 Linda Delaney v. City of Gainesville, Case No. 2021-CA-2935; Eighth Judicial Circuit, in and for Alachua County, Florida (NB)

Department: City Attorney

Fiscal Note: Funds are available in the City's General Insurance Fund

Recommendation: The City Commission authorize the City Attorney to enter into a settlement agreement to resolve the claim of Linda Delaney arising from an incident that occurred on or about October 13, 2018, when Plaintiff allegedly stepped on a loose water meter cover on the sidewalk and was injured.

2023-560 Competitive Process for Selection of GRU Financial Advisor (B)

Department: GRU BFA

Description: This item is related to the process of competitively selecting a financial advisor for GRU.

Fiscal Note: Funds for this service are included in the Finance Department budget.

Recommendation: The City Commission authorize the General Manager or his designee to execute a contract with PFM Financial Advisors LLC to provide financial advisory services to GRU, subject to approval by the City Attorney as to form and legality.

2023-564 Resignation of Dejeon Cain from the Gainesville Human Rights Board and Michael Hill from the Historic Preservation Board (B)

Department: Office of the City Clerk

Fiscal Note: This item does not have a fiscal impact.

Recommendation: The City Commission accept the resignations of Dejeon Cain and Michael Hill, effective immediately.

2023-466 Magnolia Street Hospitality LLC - Downtown Hyatt Request (B)

Department: Gainesville Community Reinvestment Area

Description: Magnolia Street Hospitality LLC, the developer of the Downtown Hyatt hotel, is requesting additional funds to cover additional costs incurred with public right-of-way upgrades as well as a time extension through the completion date of the project.

Fiscal Note: Funding for the additional expense (\$22,106.08) is available in the Gainesville Community Reinvestment Area FY 2023 operating budget.

Recommendation: City Commission to: 1) approve Magnolia Street Hospitality LLC's (Downtown Hyatt) request that the City modify the developer's agreement to align with actual project costs, Not-to-Exceed \$446,406.84, 2) approve an extension to the developer's agreement timeline through February 28, 2023 so the project and agreement may be fully invoiced and closed out in alignment with the above requested increase.

2023-602 Assistance to Firefighters Grant for Personal Protective Equipment (B)

Department: Fire Rescue

Description: This item requests that the Commission to accept an Assistance to Firefighters grant award from the U.S. Department of Homeland Security Federal Emergency Management Agency.

Fiscal Note: The amount of the grant is \$47,122.49. The grant requires a 10% match from the City, totaling \$4,712.26. The matching funds have been identified in the Gainesville Fire Rescue operating budget.

Recommendation: The City Commission: 1) accept the grant award and 2) authorize the City Manager to execute the grant award and other necessary documents pending approval by the City Attorney as to form and legality.

E. EARLY PUBLIC COMMENT ON AGENDA ITEMS

Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

F. BUSINESS DISCUSSION ITEMS - MORNING

2023-533 FY22 Audited Financial Statements, Independent Auditor's Reports, and Annual Audit Governance Letters (B)

Department: City Auditor

Description: FY22 Audited Financial Statements, Independent Auditor's Reports, and Annual Audit Governance Letters for: Annual Comprehensive Financial Report, Retiree Health Insurance Program, Employees' Pension Fund, Consolidated Police Officers and Firefighters Retirement Plan, and Wild Spaces and Public Places Funds.

Fiscal Note: N/A

Recommendation: The Audit Committee recommends that City Commission accept the General Government Audited Financial Statements, Independent Auditor's Reports, and Annual Governance Letters.

2023-523 American Rescue Plan Act (ARPA) Quarterly Update (B)

Department: Office of the City Manager

Description: The City Manager's Office will address follow-up comments from the American Rescue Plan Act (ARPA) Quarterly update presented on June 1, 2023.

Fiscal Note: Project and administrative expenses are funded by the Coronavirus State and Local Fiscal Recovery Funds allocated to the City of Gainesville by the American Rescue Plan Act of 2021. The City received its first half of the \$32.4 million allocation (\$16.2 million) on June 14, 2021 and the second tranche on June 16, 2022.

Recommendation: The City Commission: 1) reduce the Vision Zero SW 6th Street Project by \$100,000, 2) increase the Vision Zero NW 8th Avenue/6th Street Lane Repurposing by \$100,000, 3) close the Human Rights Coalition – Community ID Project effective July 1, 2023, and 4) close the NAMI-Gainesville Aid to Nonprofit Organizations allocation of \$20,000 effective June 15, 2023.

2023-324 American Rescue Plan Act (ARPA) Affordable Housing Recommendations (B)

Department: Housing & Community Development

Description: Presentation of the \$7.2 million ARPA Affordable Housing funding recommendation to the City Commission.

Fiscal Note: Funding for this initiative has been allocated through the American Rescue Plan Act (ARPA) funding.

Recommendation: The City Commission hear a presentation and award American Rescue Plan Act (ARPA) Affordable Housing funds to the Commission selected applicants.

2023-350 SUB22-000008 Finley Reserve Design Plat (B)

Department: Sustainable Development

Description: This petition is to review a Design Plat application for the Finley Reserve residential development.

Fiscal Note: N/A

Recommendation: The City Commission approve petition SUB22-000008 Finley Reserve Design Plat.

2023-577 Contract for Purchase and Sale – Hill’s Mini-Storage, LLC (B)

Department: Sustainable Development

Description: This item requests the City Commission approve a Contract for Purchase and Sale for approximately six acres of land located proximate to the corner of Waldo Road and NE 39th Avenue.

Fiscal Note: The contract price offered is \$300,000 or \$50,000 per acre and a recent appraisal values the subject property at \$290,000.

Recommendation: The City Commission: 1) hear a brief presentation 2) direct the City Manager to execute the Contract for Purchase and Sale regarding the subject property and all related documents subject to approval of form by the City Attorney; and, 3) authorize the Mayor, or designee, to execute and deliver, and the City Clerk, or designee, to attest the Special Warranty Deed conveying fee simple title.

G. RESOLUTIONS – MORNING (Roll Call Required)

(Unless mandated by statute to occur in the evening; may include Advocacy Resolutions and Binding Resolutions)

2023-574 Resolution Authorizing Issuance of Variable Rate Utilities System Revenue Bonds 2023 Series C; if not issued an Advance Under Existing Revolving Line of Credit; and Amendment of 2023 Swap Agreement with Wells Fargo (B)

Department: GRU BFA

Description: This item is related to the issuance of not to exceed \$155 million dollars in new money bonds to fund GRU capital infrastructure needs through a direct purchase agreement with TD Bank N.A. (“TD Bank”) and associated financial transactions.

Fiscal Note: As of the date of this writing, after factoring in the effects of the fixed to floating rate swap, the net effective synthetically fixed borrowing rate on the 2023C Bonds is ~3.08%. At this time applying the MMD yield scale, which represents a benchmark for projected fixed rate issuances, the projected fixed rate issuance cost for a utility with GRU’s credit rating is in excess of 4.3%. Further, as of the date of this writing, the effective interest rate on draws under the line of credit is 4.50%, however, this is a variable rate that will change periodically in accordance with the line of credit.

Recommendation: The City Commission approve the resolution authorizing (1) the issuance of the 2023 Series C Bonds to be purchased by TD Bank in the principal amount of not to exceed \$155 million, (2) advances on the revolving line of credit with U.S. Bank if the 2023C Bonds are authorized but unable to be issued, and (3) the amendment of the 2023C Swap with Wells Fargo.

2023-604 State of Florida, Department of Management Services (DMS), Local Government Cybersecurity Grant Program (B)

Department: Transportation

Description: This item requests City Commission adopt a Resolution authorizing the City Manager to execute the grant agreement between the City of Gainesville and the State of Florida to receive capabilities and technical assistance for improvements and enhancements to the City's traffic management infrastructure.

Fiscal Note: There is no fiscal impact to the city.

Recommendation: The City Commission adopt the resolution.

12:00-1:00 PM Lunch Break

H. CALL TO ORDER – 1:00 PM

I. GAINESVILLE HISTORY MOMENT

Vivian Filer and Linda Bassham

J. EARLY PUBLIC COMMENT ON AGENDA ITEMS

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K. GENERAL PUBLIC COMMENT

Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. General Public Comment may be submitted in advance by pre-recorded voice message only (see page 2 for details). The General Public Comment period shall not exceed 30 minutes total.

L. BUSINESS DISCUSSION ITEMS - AFTERNOON

2023-548 Ironwood Update and Discussion (B)

Department: Office of the City Commission

Fiscal Note: This item is in an information gathering stage and does not have a fiscal impact at this time.

Recommendation: The City Commission discuss and take action deemed necessary.

2023-565 Interim City Clerk Selection (B)

Department: Human Resources

Description: On April 19, 2023, the City Clerk submitted her resignation notice, effective June 30, 2023. At the May 4, 2023 City Commission meeting, the Commission directed the Department of Human Resources to conduct an internal recruitment process for the Interim City Clerk position.

The position was advertised internally from May 10, 2023, through and including May 24, 2023. A total of four candidates submitted resumes for the position. Of those four, three of the candidates met the minimum requirements for the position.

At the June 1, 2023 City Commission meeting, the Commission decided to meet individually with each of the candidates and agreed to make a selection at the June 15, 2023 City Commission meeting.

Fiscal Note: The funds for salary and benefits are available in the City Clerk's FY 2023 personal services budget.

Recommendation: The City Commission select an Interim City Clerk.

2023-571 Recruitment Plan for City Auditor (B)

Department: Human Resources

Description: Implement the search for the vacant City Auditor position

Fiscal Note: The search for a City Auditor is estimated to cost approximately \$30,000. Funds for this search will come from the Human Resources FY 2023 operating budget for Charter Officer Recruitment.

Recommendation: The City Commission (1) approve the recruitment plan for filling the City Auditor vacancy and (2) authorize the Human Resources Department to engage the services of Baker Tilly to initiate the search for the City Auditor vacancy.

- M. RESOLUTIONS - AFTERNOON (Roll Call Required)
- N. ORDINANCES: ADOPTION READING - AFTERNOON (Roll Call Required)
- O. ORDINANCES: SECOND READING - AFTERNOON (Roll Call Required)

2023-477 – Expenditure, Reporting, and Audit of Gainesville Community Reinvestment Area Funds – Second Reading (B)

Department: Gainesville Community Reinvestment Area

Description: Second Reading - Ordinance No. 2023-477: An ordinance of the City of Gainesville, Florida, amending Section 2-407 – *Annual work plan; annual report; action requiring county commission approval* and Section 2-409 – *GCRA fund* in the City of Gainesville Code of Ordinances relating to expenditure, reporting, and audit requirements of applicable funds; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: The cost of this additional audit will be included as part of the annual audit work performed by the external auditor, which is budgeted for in the Department of Financial Services operating budget.

Recommendation: The City Commission adopt the proposed ordinance.

P. ORDINANCES: FIRST READING - AFTERNOON (Roll Call Required)

Q. COMMISSION COMMENT

4:30 - 5:30 PM Dinner Break

R. CALL TO ORDER - 5:30 PM

S. PLEDGE OF ALLEGIANCE

T. PROCLAMATIONS & SPECIAL RECOGNITIONS

U. EARLY PUBLIC COMMENT ON AGENDA ITEMS

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V. RESOLUTIONS - ROLL CALL REQUIRED

(Required by state law to be heard at 5:00 pm or later)

2023-336 Commissioner Saco: Resolution Supporting Gender Affirming Care (B)

Department: Office of the City Commission

Fiscal Note: This action does not have a financial impact.

Recommendation: The City Commission discuss and take action deemed necessary.

2023-563 Fire Assessment – Amended Initial Assessment Resolution (B)

Department: City Attorney

Description: Resolution No. 2023-563.

A resolution of the City of Gainesville, Florida, relating to the provision and funding of fire services, facilities and programs in the City of Gainesville, Florida; providing for the imposition and computation of fire services special assessments; providing for legislative determinations of special benefit and fair apportionment; describing the method of assessing fire services assessed costs against assessed property located within the City of Gainesville; establishing the estimated assessment rate for fire assessments for the fiscal year beginning October 1, 2023; directing the preparation of an assessment roll; providing for hardship assistance; providing for method of collection; authorizing a public hearing and directing the provision of notice; providing for application of assessment proceeds; providing for severability; and providing an immediate effective date.

Fiscal Note: N/A

Recommendation: The City Commission: 1) establish the Fire Services Special Assessment as follows:

<u>Residential Property Use Categories</u>	<u>Rate Per Square Foot</u>
Single Family Residential	\$ 0.0878
Multi-Family Residential	\$ 0.0870
<u>Non-Residential Property Use Categories</u>	<u>Rate Per Square Foot</u>
Commercial	\$ 0.1156
Industrial/Warehouse	\$ 0.0862
Institutional	\$ 0.2211

2) set the public hearing on the Final Assessment Resolution at 6:00 pm (or as soon thereafter as may be heard) on September 7, 2023; and 3) adopt the proposed amended Initial Assessment Resolution.

- W. BUSINESS DISCUSSION ITEMS - EVENING**
- X. PUBLIC HEARINGS (Including Planning Petitions)**
- Y. ORDINANCES: ADOPTION READING A - EVENING (Roll Call Required)**

2023-276 LD23-000007 300 Club Land Use Change (B)

Department: City Attorney

Description: Ordinance No. 2023-276: An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 7.11 acres of property generally located at 3715 NW 12th Avenue, as more specifically described in this ordinance, from Conservation (CON) to Recreation (REC); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Recommendation: The City Commission adopt the proposed ordinance.

Z. ORDINANCES: FIRST READING A - EVENING (Roll Call Required)

2023-277 Quasi-Judicial Rezoning LD22-000154 300 Club (B)

Department: City Attorney

Description: Ordinance No. 2023-277: An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 7.11 acres of property generally located at 3715 NW 12th Avenue, as more specifically described in this ordinance, from Conservation (CON) to Planned Development (PD); providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Recommendation: The City Commission adopt the proposed ordinance.

AA. ORDINANCES: ADOPTION READING B - EVENING (Roll Call Required)

2023-273 LD23-000002 Blues Creek Land Use Change (B)

Department: City Attorney

Description: Ordinance No. 2023-273: An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 36.7 acres of property generally located at the 7000-8000 block of NW 57th Drive, as more specifically described in this ordinance, from Single-Family (SF) to Conservation (CON) and Planned Use District (PUD); providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Recommendation: The City Commission adopt the proposed ordinance.

AB. ORDINANCES: FIRST READING B - EVENING (Roll Call Required)

2023-275 Quasi-Judicial Rezoning LD23-000003 Blues Creek and Planned Development Amendment (B)

Department: City Attorney

Description: Ordinance No. 2023-275: An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas pertaining to approximately 36.7 acres of property referred to as Blues Creek Unit 5, Phase 2 located at the 7000-8000 block of NW 57th Drive, as more specifically described in this ordinance, by rezoning a certain portion of the property from Planned Development (PD) to Conservation (CON) and by amending development conditions for the existing Planned Development (PD) portion of the property; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Recommendation: The City Commission adopt the proposed ordinance.

AC. ORDINANCES: SECOND READING - EVENING (Roll Call Required)

AD. COMMISSION COMMENT

AE. ADJOURNMENT - 10:00 PM OR EARLIER

If later than 10:00pm, the Commission may waive the rules to extend the meeting or may schedule a date/time to continue the meeting.