



City Commission Regular Meeting
MINUTES

September 15, 2022, 10:00 a.m.
City Hall
200 East University Avenue
Gainesville, FL 32601

Members Present: Mayor Poe, Mayor-Commissioner Pro
Tem Saco, Commissioner Hayes-Santos,
Commissioner Arreola, Commissioner
Ward, Commissioner Duncan-Walker,
Commissioner Chestnut

-
- A. **CALL TO ORDER - 10:00 AM**
B. **INVOCATION**
C. **ADOPTION OF THE AGENDA - Includes Consent and Regular Agenda Items**

Moved by Commissioner Hayes-Santos
Seconded by Commissioner Chestnut

Carried Unanimously

D. **CONSENT AGENDA**

D.1 **Approval of Minutes from the September 1, 2022 City Commission Meeting (B)**

The City Commission approve the minutes from the September 1, 2022
City Commission Meeting.

Approved

D.2 Amending City and County Interlocal Agreement to Expand the GCRA Reinvestment Area Boundary at NE 8th Avenue and Waldo Road - 2022-505 (B)

Approved

The City Commission approve the amendment to the City and County Interlocal Agreement extending the GCRA Reinvestment Area boundary to include the City owned site located at the NW corner of NE 8th Avenue and Waldo Road, and 1) Authorize the Mayor to execute the said amendment, subject to the approval by the City Attorney as to form and legality

D.3 2nd Amendment to the Agreement between the City and Contractors Enterprise for Exterior Maintenance Service Downtown Gainesville 2022-311 (B)

Approved

The City Commission authorize the City Manager or designee to execute the agreement, agreement amendments or any other necessary documents, up to \$345,928.00 annually, through September 2026 with Contractors Enterprise for the Exterior Maintenance Service, Downtown Gainesville subject to approval by the City Attorney as to form and legality.

D.4 Contract for Purchase and Sale of Real Property – White Electric and Battery Service Inc. 2022-478 (B)

Approved

The City Commission direct: 1) the City Manager, or designee, to execute the Contract for Purchase and Sale of Real Property regarding the subject property and all related documents subject to approval of form by the City Attorney; 2) 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; and, 3) authorize and direct pursuant to 270.11, Fla. Stat. that the Special Warranty Deeds include a release and discharge of all of the City's oil, gas, and mineral rights on the subject property.

D.5 Ratification of Police Benevolent Association (PBA) Bargaining Agreement 2022-493 (B)

Approved

The City Commission ratify the Agreement between the PBA Bargaining Unit and the City of Gainesville, extending the Agreement through September 30, 2025.

D.6 Contract Award for HVACR Preventative Maintenance and Repair Services for RTS 2022-495 (B)

Approved

The City Commission: 1) award the bid to the lowest responsive, responsible bidder; and 2) authorize the City Manager or designee to execute a contract, subject to the approval by the City Attorney as to form and legality.

D.7 Approval of the Updated Regional Transit System (RTS) Transit Asset Management Plan for FY22/23 2022-499 (B)

Approved

The City Commission approve the updated RTS Transit Asset Management Plan for FY 22/23.

D.8 Letter of Support for Gainesville Regional Utilities Sweetwater Branch Bank Stabilization Project FY 2023-24 Resilient Florida – Project Implementation Grant Application – 2022-506 (B)

Approved

The City Commission authorize the mayor to execute a letter of support for the project grant application.

D.9 Renewal of Contract for Electric Distribution Line Clearance, Tree Trimming, Right-of-Way Maintenance, Weed Control and Related Work 2022-520 (B)

Approved

The City Commission: 1) authorize the General Manager, or his designee, to execute an amendment for a two-year renewal of the initial contract with Asplundh Tree Expert Company, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order in not-to-exceed budgeted amounts for these services for each year of the contract, subject to the final appropriation of funds for each year.

D.10 Audit Updates: 1) ARPA Grant Compliance Audit – Phase I, 2) City Auditor Quarterly Update and 3) Citywide Cybersecurity Audit – Phase II 2022-482 (B)

Approved

The Audit Committee approved and recommends the City Commission accept the City Auditor's reports.

D.11 Fourth Amendment with Fleet Response 2022-354 (B)

Approved

The City Commission award Fourth Amendment with Fleet Response.

D.12 Recommendation for Bid Award for Vehicle Accident Management Services 2022-358 (B)

Approved

The City Commission award bid to Element Fleet Management and authorize the City Manager or designee to execute the contract pending approval by the City Attorney as to form and legality.

D.13 Resignations of Bruce Blackwell from the Nature Centers Commission and Rachel Iannelli from the Historic Preservation Board 2022-549 (B)

Approved

The City Commission accepts the resignations of Bruce Blackwell and Rachel Iannelli, effective immediately.

E. EARLY PUBLIC COMMENT ON AGENDA ITEMS

F. BUSINESS DISCUSSION ITEMS - MORNING

F.1 Possum Creek Skate Park Lighting 2022-459 (B)

Betsy Waite, Director of Wild Spaces/Public Places gave a presentation.

Moved by Commissioner Hayes-Santos

Seconded by Commissioner Chestnut

The City Commission 1) award the project to Musco Sports Lighting, LLC for the lighting of Possum Creek Skate Park; and 2) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

Carried Unanimously

F.2 Distributed Solar Generation Intake to GRU System – 2022-507 (B)

Anthony Cunningham, Interim GRU General Manager introduced the item.

Anthony Carroll, Energy Delivery Officer gave a presentation.

Moved by Commissioner Hayes-Santos

Seconded by Commissioner Arreola

The City Commission hear a presentation from staff and accept a memo confirming the validity of GRU's distributed solar generation intake policy from the Interim General Manager.

Carried Unanimously

F.3 Status Update of the Department of Financial Services and the Fiscal Year 2021 Annual Audit – 2022-550 (B)

Cynthia Curry, Interim City Manager introduced the item.

Sue Wang, Director of Finance gave a presentation.

Citizen Comment: Jo Beaty

Heard

The City Commission hear an update on the Status of the Department of Financial Services and the Fiscal Year 2021 Annual Audit.

G. SW 62nd Blvd Connector Construction Award 2022-345 (B)

Cynthia Curry, Interim City Manager introduced the item.

Brian Singleton, Interim Public Works Director gave a presentation.

Citizen Comment: Jo Beaty

Moved by Commissioner Chestnut

Seconded by Commissioner Arreola

The City Commission Award Bid #PWDA-220069-DH – SW 62nd Blvd Connector (LAP 211365-6-58-01) to Watson Construction Company, LLC in the amount of \$16,137,456.98 and authorize the City Manager or designee to enter into a Construction Agreement with Watson Construction Company, LLC and any other

necessary documents for SW 62nd Blvd Connector, subject to approval of the City Attorney or designee as to form and legality.

Carried Unanimously

H. Solar Powered Litter and Recycling Containers and Online Monitoring and Service 2022-394 (B)

Cynthia Curry, Interim City Manager introduced.

Michael Heimbach, Sustainability Manager spoke to the item.

Citizen Comment: Jo Beaty

Moved by Commissioner Hayes-Santos

Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission award Bid #PWWM-20075-MS-Solar Powered Litter Containers for Street Side Garbage & Recycling to Big Belly Solar, LLC up to the amount of \$400,000.00 and authorize the City Manager or designee to execute the agreement, amendments or any other necessary documents for solar powered litter and recycling containers and online monitoring and service, subject to approval by the City Attorney as to form and legality.

Carried Unanimously

I. RESOLUTIONS: MORNING (Roll Call Required)

I.1 Acceptance of FAA AIP Grant No. 3-12-0028-051-2022 In The Amount Of \$14,882,613 From The US Department Of Transportation (USDOT), Federal Aviation Administration (FAA) 2022-477 (B)

Erik Bredfeldt, Director of Economic Development and Innovation spoke to the item.

Citizen Comment: Jo Beaty

Recess - 11:44 AM

Moved by Commissioner Hayes-Santos

Seconded by Commissioner Chestnut

The City Commission adopt the resolution and authorize the Mayor and City Attorney to execute and the City Clerk to certify said Grant Agreement.

Aye (6): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Chestnut

Absent (1): Commissioner Arreola

Approved (6 to 0)

12:00-1:00 PM Lunch Break

J. CALL TO ORDER – 1:00 PM

K. EARLY PUBLIC COMMENT ON AGENDA ITEMS

Sheila Payne

Commissioner Duncan-Walker arrived at 1:03 PM.

L. GENERAL PUBLIC COMMENT

Jo Beaty, Tana Silva, King Johnny Booth

M. BUSINESS DISCUSSION ITEMS - AFTERNOON

N. RESOLUTIONS - AFTERNOON (Roll Call Required)

N.1 Quasi-Judicial – Final Plat for Oaks Preserve Phase II, a Cluster Subdivision 2022-488 (B)

Juan Castillo, Planner gave a presentation.

Mayor-Commissioner Pro Tem Saco arrived at 1:19 PM.

Moved by Commissioner Hayes-Santos

Seconded by Commissioner Chestnut

The City Commission adopt the proposed resolution.

Aye (6): Mayor Poe, Commissioner Hayes-Santos, Commissioner Arreola, Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Chestnut

Absent (1): Mayor-Commissioner Pro Tem Saco

Approved (6 to 0)

N.2 Quasi-Judicial – Final Plat for Grand Oaks at Tower – Phase 3, a Cluster Subdivision 2022-504 (B)

Forrest Eddleton, Interim Director of Sustainable Development gave a presentation.

Moved by Commissioner Hayes-Santos

Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission adopt the proposed resolution.

Carried Unanimously

N.3 2022-346 Sixth Budget Amendment to the FY 2022 General Government Financial and Operating Plan Budget 2022-346 (B)

Cynthia Curry, Interim City Manager introduced the item.

Susan Boyd, Budget Manager gave a presentation.

Moved by Commissioner Arreola

Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission adopt the proposed resolution.

Aye (4): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Arreola, and Commissioner Ward

Nay (3): Commissioner Hayes-Santos, Commissioner Duncan-Walker, and Commissioner Chestnut

Approved (4 to 3)

O. ORDINANCES: ADOPTION READING - AFTERNOON (Roll Call Required)

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

P.1 Ordinance Amending the Residential Rental Unit Permit Program 2022-360 (B)

Daniel Nee, Interim City Attorney spoke to the item.

Citizen Comment: Melanie Barr, Jenn Powell, Tyler Forrest, Wendy Noon

Moved by Commissioner Hayes-Santos

Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission adopt the proposed ordinance.

Carried Unanimously

P.2 Repealing the Student Community Relations Advisory Board 2022-343 (B)

Moved by Commissioner Hayes-Santos

Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission adopt the proposed ordinance.

Aye (6): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Chestnut

Absent (1): Commissioner Arreola

Approved (6 to 0)

P.3 Noise Ordinance Amendment 2022-275 (B)

Commission Comment: Rick Stransky

Moved by Commissioner Hayes-Santos

Seconded by Commissioner Chestnut

The City Commission adopt the proposed ordinance.

Aye (6): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Chestnut

Absent (1): Commissioner Arreola

Approved (6 to 0)

P.4 Voluntary Annexation – 25.38 Acres of Privately-Owned Property on the west side of I-75 and north of SW 8th Avenue 2022-228 (B)

Moved by Commissioner Hayes-Santos

Seconded by Commissioner Chestnut

The City Commission adopt the proposed ordinance.

Aye (5): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, Commissioner Duncan-Walker, and Commissioner Chestnut

Absent (2): Commissioner Arreola, and Commissioner Ward

Approved (5 to 0)

P.5 Voluntary Annexation – 9.945 Acres of Privately-Owned Property Generally Located Northeast of the Intersection of SW Williston Road and SW 13th Street 2022-323 (B)

Moved by Commissioner Hayes-Santos

Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission adopt the proposed ordinance.

Aye (6): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, Commissioner Arreola, Commissioner Duncan-Walker, and Commissioner Chestnut

Absent (1): Commissioner Ward

Approved (6 to 0)

P.6 Ordinance Amending the Duties of the City Internal Auditor 2022-366 (B)

Refer item to the General Policy Committee.

The City Commission adopt the proposed ordinance and repeal the Resolution 150127.

P.7 Comprehensive Plan Amendment – Transportation Mobility Element 2022-522 (B)

Moved by Commissioner Hayes-Santos

Seconded by Commissioner Chestnut

Aye (6): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, Commissioner Arreola, Commissioner Duncan-Walker, and Commissioner Chestnut

Absent (1): Commissioner Ward

Approved (6 to 0)

P.8 Text Change – Amending the Land Development Code Relating To Right-Of-Way Vacations 2022-525 (B)

Moved by Commissioner Hayes-Santos
Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission adopt the proposed ordinance.

Carried Unanimously

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

R. COMMISSION COMMENT

S. RECESS

1:57 PM

4:30 - 5:30 PM Dinner Break

T. CALL TO ORDER - 5:34 PM

U. PLEDGE OF ALLEGIANCE

V. PROCLAMATIONS & SPECIAL RECOGNITIONS

V.1 Peace Takes Practice 365 Day 2022-516 (B)

Pam Marshall-Koons accepted the proclamation.

Heard

That the WELLness Network Executive Director Pamela D. Marshall-Koons to accept the proclamation.

V.2 Ronald McDonald House Charities Day of Action 2022-518 (B)

Heard

Ronald McDonald House Executive Director Sherry Houston to accept the proclamation.

V.3 Essential Workers Appreciation Month 2022-540 (B)

Glenn Terry accepted the proclamation.

Heard

Glenn Terry to accept the proclamation.

W. EARLY PUBLIC COMMENT ON AGENDA ITEMS

Alexander Posa, Jason Sanchez

X. RESOLUTIONS - Required by state law to be heard at 5:00 pm or later (Roll Call Required)

X.1 Resolution Supporting Dual Naming NE 25th Street Dual Name in Honor of Willie Fred Powers I 2022-479 (B)

Brian Singleton, Interim Director of Public Works spoke to the item.

Moved by Commissioner Hayes-Santos

Seconded by Commissioner Chestnut

The City Commission adopt the Resolution supporting the request to dual name NE 25th Street between NE 8th Avenue and NE 10th Ave as 'Willie Fred Powers I Way.'

Carried Unanimously

Y. BUSINESS DISCUSSION ITEMS - EVENING

Y.1 Amend Future Land Use Map from Urban Mixed Use High (UMUH) to Planned Use District (PUD) 2022-536 (B)

Motion: Approve with exception of creating smaller stand-alone building within parameters of Option 3, with the remainder of Option 2 (as presented in applicants presentation).

Forrest Eddleton, Interim Director of Sustainable Development gave a presentation.

Gerry Dedenbach, VP of GHW gave a presentation.

Kathleen Kauffman, Planner spoke to the item.

Andrew Persons, spoke to the item.

Patrice Boyes, spoke to the item.

Citizen Comment: Taylor Simmons, William Warriner, Vishnv Malholta, Peter McNiece, Melanie Barr, Bridgette Murphy, Jenny Tucker, Robert Mounts, Thomas Hawkins

Moved by Commissioner Arreola

Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission approve Petition PB-21-00219 LUC with conditions.

Aye (4): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, and Commissioner Arreola

Nay (3): Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Chestnut

Approved (4 to 3)

Y.2 Quasi-Judicial - Rezoning from Urban Transect Zone U9 to Planned Development (PD) 2022-537 (B)

Forrest Eddleton, Interim Director of Sustainable Development spoke to the item.

Gerry Dedenbach, VP of GHW gave a presentation.

Patrice Boyes, spoke to the item.

Recess - 8:18 PM

Reconvene - 8:30 PM

Moved by Commissioner Hayes-Santos

Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission approve petition PB-21-0020 ZON with conditions.

Aye (4): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, and Commissioner Arreola

Nay (3): Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Chestnut

Approved (4 to 3)

Z. PUBLIC HEARINGS (Including Planning Petitions)

AA. ORDINANCES: ADOPTION READING - EVENING - Required by state law to be heard at 5:00 pm or later (Roll Call Required)

AA.1 Land Use Change – 1.63 Acres of Property Located at 1905 South Main Street 2022-424 (B)

Forrest Eddleton, Interim Director of Sustainable Development gave a presentation.

Clay Sweger, EDA Consultant gave a presentation.

Moved by Commissioner Hayes-Santos
Seconded by Commissioner Chestnut

The City Commission adopt the proposed ordinance.

Aye (7): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, Commissioner Arreola, Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Chestnut

Carried Unanimously (7 to 0)

AA.2 Land Use Change: 13.943 Acres of Property Located Northeast of the Intersection of SW Williston Road and SW 13th Street and West of SW 13th Street and South of SW 36th Place 2022-519 (B)

Jason Simmons, Planner gave a presentation.

Commissioner Arreola left the meeting at 9:40 PM.

Moved by Commissioner Hayes-Santos
Seconded by Commissioner Chestnut

The City Commission adopt the proposed ordinance.

Aye (6): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Chestnut

Absent (1): Commissioner Arreola

Approved (6 to 0)

AB. ORDINANCES: SECOND READING - EVENING - Required by state law to be heard at 5:00 pm or later (Roll Call Required)

AC. ORDINANCES: FIRST READING - EVENING - Required by state law to be heard at 5:00 pm or later (Roll Call Required)

AC.1 Quasi-Judicial – Rezoning 1.63 Acres of Property Located at 1905 South Main Street 2022-425 (B)

Forrest Eddleton, Interim Director of Sustainable Development spoke to the item.

Dan Nee, Interim City Attorney spoke to the item.

Omichele Gainey, City Clerk swore in Jane Burman-Holtom as an affected party.

Clay Sweger, EDA Consultant gave a presentation.

Jane Burman-Holtom, affected party gave a presentation.

Applicant Clay Sweger, presented his rebuttal.

Forrest Eddleton, Interim Director of Sustainable and Development presented his closing item.

Applicant Clay Sweger presented his closing.

Motion by Commissioner Hayes-Santos, Motion failed for lack of a second.

Moved by Commissioner Ward

Seconded by Mayor-Commissioner Pro Tem Saco

The City Commission adopt the proposed ordinance.

Aye (6): Mayor Poe, Mayor-Commissioner Pro Tem Saco, Commissioner Arreola, Commissioner Ward, Commissioner Duncan-Walker, and Commissioner Chestnut

Nay (1): Commissioner Hayes-Santos

Approved (6 to 1)

AD. COMMISSION COMMENT

Commissioner Hayes-Santos - Awesome events over the weekend, exciting time for the City.

Commissioner Arreola - Schedule at next meeting a discussion on inclusionary zoning.

AE. ADJOURNMENT - 9:53 PM

City Clerk

