



City Commission Regular Meeting
MINUTES

August 17, 2023, 10:00 a.m.
City Hall Auditorium
200 East University Avenue
Gainesville, FL 32601

Members Present: Mayor Ward, Commissioner Book,
Commissioner Chestnut, Mayor Pro
Tempore Duncan-Walker, Commissioner
Eastman, Commissioner Saco,
Commissioner Willits

A. CALL TO ORDER

Meeting called to order at 10:00 am.

B. INVOCATION

Reverend Catherine Dearlove, Trinity Metropolitan Community Church of
Gainesville

C. ADOPTION OF THE AGENDA

REGULAR AGENDA UPDATES:

2023-622 - Ordinance Amending the Code of Ordinances Relating to the Sale,
Dispensing, Possession and Consumption of Alcohol (B); Added Backup;
Explanation: Requested by Commissioner Book

2023-808 North Central Florida Regional Planning Council Membership
Discussion (NB); Updated Text; Explanation: Requested by the Interim City Clerk

2023-806 Amended and Restated ConnectFree Resolution (B); Removed Item;
Explanation: Removed by City Manager

Moved by Commissioner Chestnut

Seconded by Commissioner Eastman

Motion: The City Commission adopt the modified regular and consent agenda.

Approved

D. CONSENT AGENDA

Moved by Commissioner Chestnut

Seconded by Commissioner Eastman

Motion: The City Commission adopt the modified regular and consent agenda.

Aye (7): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved On Consent (7 to 0)

1. Approval of Minutes from the August 3, and August 9, 2023 City Commission Meetings (B)

Moved by Commissioner Chestnut

Seconded by Commissioner Eastman

Recommendation: The City Commission approve the minutes from the August 3, and August 9, 2023 meetings.

Approved On Consent

2. 2023-786 City of Gainesville General Government Banking Services Agreement Extension (B)

Moved by Commissioner Chestnut

Seconded by Commissioner Eastman

Recommendation: The City Commission: 1) approve the five-year extension of the City's 2017 Banking Services Agreement with Truist Bank for the period of October 1, 2022 to September 30, 2027; and 2) authorize the City Manager to execute all related documents, including contract

amendments and extensions, subject to approval of the City Attorney as to form and legality.

Approved On Consent

3. 2023-800 City Commission/Children's Trust of Alachua County Joint Workshop (NB)

Moved by Commissioner Chestnut

Seconded by Commissioner Eastman

Recommendation: The City Commission approve a joint workshop with the Children's Trust of Alachua County on September 12, 2023 at 4:00 pm.

Approved On Consent

4. 2023-793 2023 Edward Byrne Memorial Justice Assistance Grant Program (B)

Moved by Commissioner Chestnut

Seconded by Commissioner Eastman

Recommendation: The City Commission 1) approve the grant application amount of \$91,061.00 for equipment at the Gainesville Police Department and 2) authorize the City Manager or designee to apply for, accept, and execute the grant application and any other necessary documents, subject to review by the City Attorney as to form and legality.

Approved On Consent

E. EARLY PUBLIC COMMENT ON AGENDA ITEMS

F. BUSINESS DISCUSSION ITEMS - MORNING

1. 2023-748 Authorization to Accept the FHWA Safe Streets and Roads for All Grant Award (B)

Cynthia Curry, City Manager, introduced the item.

Deborah Leistner, Planning Manager-Public Works, spoke to the item giving an overview and what the next steps will be.

Moved by Commissioner Eastman

Seconded by Commissioner Willits

Recommendation: The City Commission: 1) authorize the City Manager to accept the FHWA Safe Streets and Roads for All grant award; 2) authorize the City Manager or designee to execute all necessary contract documents, subject to approval by the City Attorney as to form and legality; and 3) authorize approval of related appropriations, procurement and expenditures, to include design, land acquisition, construction, and any other associated activities required for the completion of the project in the grant.

Motion: Approve as Recommended.

Aye (7): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

2. 2023-561 GPD FY23 3rd Quarter Report (B)

Lonnie Scott, Sr., Chief of Police, gave a presentation on the Fiscal Year 2023 Gainesville Police Department (GPD) Quarterly Update, clearance rates for homicides, overtime for officers, incentivizing applications for service technicians, and an update on Reichert House returning as a private entity.

Captain Robert Fanelli gave a presentation on GPD Operations Prevention Efforts, Operations Gun Violence Suppression Efforts.

Captain Victoria Young gave a presentation on GPD Operations Intervention Efforts.

Chief Inspector Jamie Kurnick gave a presentation on GPD Criminal Investigations Division Investigations and the co-responder team.

Assistant Police Chief, Nelson Moya, spoke to the item regarding zero tolerance rules.

Sergeant Lynne Valdes gave a presentation on traffic crashes and traffic safety team events.

Cynthia Curry, City Manager, spoke to the item giving an update on the nuisance ordinance to be brought to a future General Policy Committee meeting.

Commissioner Willits: Bring back crime rates from identified peer cities.

Mayor Ward: Would like direct staff to bring back a plan for businesses that are not good neighbors allowing criminal activity on their property.

Public Comment: Farzad Pakdel

Recommendation: The City Commission hear the GPD quarterly update.

Heard

G. RESOLUTIONS – MORNING (Roll Call Required)

1. 2023-624 Resolution for Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT) (B)

Emmanuel Posadas, Traffic Operations Manager, spoke to the item.

Moved by Commissioner Eastman

Seconded by Commissioner Chestnut

Recommendation: The City Commission adopt the Resolution for the Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation and authorize the City Manager to execute all necessary documents, subject to review and approval by the City Attorney as to form and legality.

Motion: Approve as Recommended.

Aye (7): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

Meeting recessed at 11:57 am.

12:00-1:00 PM Lunch Break

H. CALL TO ORDER

Meeting called to order at 1:00 pm.

I. GAINESVILLE HISTORY MOMENT

Ms. Vivian Filer

J. EARLY PUBLIC COMMENT ON AGENDA ITEMS

Public Comment: Debbie Martinez, Vivian Filer, Mark Goldstein

K. GENERAL PUBLIC COMMENT

Public Comment: Jonny Law, Donny Hughes, Debbie Martinez, Chuck Ross, Jim Konish, Kali Blount

L. BUSINESS DISCUSSION ITEMS - AFTERNOON

M. RESOLUTIONS - AFTERNOON (Roll Call Required)

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

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

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

1. 2023-622 - Ordinance Amending the Code of Ordinances Relating to the Sale, Dispensing, Possession and Consumption of Alcohol (B)

Forrest Eddleton, Acting Director of Sustainable Development, spoke to the item giving the legislative history.

Morgan Spicer, Policy Oversight Administrator, gave a summary of the research report. (attached as 2023-622C)

Lonnie Scott, Sr., Police Chief, spoke to the item as to how the compromise works for the police. Presented charts of yearly data of shots fired and people shot from 2017 onward.

Captain Robert Fanelli - We are limited on resources regardless of the staffing issues in GPD. Shifting the end of open container from 2:00 am to 11:30 pm helps officers deal with problems early. 2:00 am is a very busy time for GPD.

Brian Kramer, State Attorney, open-container law made a regional draw to Gainesville from outlying areas.

Public Comment: Donny Hughes, Jonah Neville, Robert Mounts, Michael Warren.

Moved by Commissioner Chestnut

Seconded by Mayor Pro Tempore Duncan-Walker

Motion 1: Direct the City Attorney to draft an ordinance in form and principle to what was in effect prior to the start of the pandemic and bring for first reading to a Special Meeting on September 14, 2023; and 2) Direct staff to the best of their ability to concurrently return an ordinance for a downtown entertainment district.

Aye (4): Mayor Ward, Commissioner Book, Commissioner Chestnut, and Mayor Pro Tempore Duncan-Walker

Nay (3): Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (4 to 3)

Moved by Commissioner Saco

Seconded by Commissioner Willits

Recommendation: The City Commission adopt the proposed ordinance.

Motion 2: Approve as Recommended.

Aye (2): Commissioner Saco, and Commissioner Willits

Nay (5): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, and Commissioner Eastman

Failed (2 to 5)

2. 2023-528 LD23-000054 Text Change Amendment to Nonconforming Lot Requirements (B)

Juan Castillo, Planner III, gave a presentation on the text change amendment to nonconforming lot requirements.

Forrest Eddleton, Acting Director of Sustainable Development, spoke to the item regarding flag lots.

Andrew Coffey, applicant, gave a presentation on the text change amendment to nonconforming lot requirements.

Public Comment: Monica Frazier, Casey Fitzgerald, Robert Mounts, Carolyn Webber

Moved by Commissioner Eastman

Seconded by Commissioner Willits

Recommendation: The City Commission adopt the proposed ordinance.

Motion: Approve as Recommended.

Aye (4): Mayor Ward, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Nay (3): Commissioner Book, Commissioner Chestnut, and Mayor Pro Tempore Duncan-Walker

Approved (4 to 3)

Q. COMMISSION COMMENT

Meeting recessed at 5:21 pm.

4:30 - 5:30 PM Dinner Break

R. CALL TO ORDER

S. PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Mayor Harvey L. Ward, Jr.

T. PROCLAMATIONS & SPECIAL RECOGNITIONS

U. EARLY PUBLIC COMMENT ON AGENDA ITEMS

V. RESOLUTIONS - ROLL CALL REQUIRED

W. PUBLIC HEARINGS (Including Planning Petitions)

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

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

1. 2023-275 Quasi-Judicial: LD23-000003 Blues Creek Rezoning and Planned Development Amendment (B)

Brittany McMullen, Planner IV, introduced the item and gave the legislative history for the Blues Creek rezoning and planned development amendment.

Clay Sweger, EDA Consultants, applicant, spoke to the item.

Public Comment: Teresa Howell, Monica McDowell, Katrina Alford, Gouri Kumar, Dan Hackman, Michael Turco

Moved by Commissioner Eastman

Seconded by Commissioner Saco

Recommendation: The City Commission adopt the proposed ordinance.

Motion: Approve as Recommended.

Aye (4): Mayor Ward, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Nay (3): Commissioner Book, Commissioner Chestnut, and Mayor Pro Tempore Duncan-Walker

Approved (4 to 3)

2. 2023-408 Quasi-Judicial: LD23-000015 Dance Alive Rezoning (B)

Clay Sweger, EDA Consultants, applicant, spoke to the item.

Moved by Commissioner Book

Seconded by Commissioner Chestnut

Recommendation: The City Commission adopt the proposed ordinance.

Motion: Approve as Recommended.

Aye (7): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

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

1. 2022-678 Quasi-Judicial: LD22-69 Alachua County Courts Complex Planned Development Petition (B)

Jason Simmons, Planner I, gave a presentation on the Alachua County Courts Complex Planned Development Petition.

Clay Sweger, EDA Consultants, applicant, gave a presentation on the Alachua County Courts Complex Planned Development Petition.

Dan Whitcraft, County Facilities, spoke to the item as to the timeline, completion by the end of 2025.

Forrest Eddleton, Acting Director of Sustainable Development, spoke to the item clarifying there are no ancillary uses of the planned development rezoning, but the plan does fit staff criteria.

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Willits

Recommendation: The City Commission adopt the proposed ordinance.

Motion: Approve as Recommended.

Aye (7): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

AA. BUSINESS DISCUSSION ITEMS - EVENING

1. 2023-808 North Central Florida Regional Planning Council Membership Discussion (NB)

Forrest Eddleton, Acting Director of Sustainable Development, introduced the item.

Scott Koons, Executive Director, North Central Florida Regional Planning Council (NCFRPC), gave a presentation on the value to the city of membership in NCFRPC.

Cynthia Curry, City Manager, spoke to the item.

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

Heard

AB. COMMISSION COMMENT

Mayor Pro Tempore Duncan-Walker: Spoke about an analysis of what programs are included in the FY 2023-24 budget addressing gun violence/public health crisis (root cause and issues), mirror what the County is doing to have a robust conversation at the joint meeting. Cynthia Curry, City Manager stated that staff is working on a first draft of a matrix that will go department-by-department. The Joint City/County meeting scheduled for August 28th will have a list of services across the City of Gainesville with a total and brief description.

Commissioner Willits: At the Joint Water Climate and Policy Board meeting, there was discussion to advocate to lobby the federal government to receive dollars from the Inflation Reduction Act (High-Efficiency Electric Home Rebate Act) to sign off and approve some preliminary funding, that the State vetoed. Mayor Ward will write a letter from the City Commission.

Commissioner Eastman: Giving direction to staff as to where we want to go with the Streatery GNV. Mayor Ward suggested putting this discussion on a GPC agenda in the Fall.

Mayor Ward: Search firm has posted the opening for City Auditor.

Moved by Commissioner Willits

Seconded by Commissioner Eastman

Motion: Send a letter urging the Federal Government to facilitate all governments or utilities in Florida to utilize the High-Efficiency Electric Rebate Act funds that otherwise would have routed through the State of Florida.

Aye (7): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

AC. ADJOURNMENT - 10:00 PM OR EARLIER

Meeting adjourned at 8:08 pm.

Kristen J. Bryant, Interim City Clerk

