



**City Commission Regular Meeting
MINUTES**

**October 19, 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 a.m.

B. INVOCATION

Father J. Fletcher Montgomery, Rector, Holy Trinity Episcopal Church

C. ADOPTION OF THE AGENDA

CONSENT AGENDA UPDATES:

2023-954 Approval of Amended Employment Agreement for the City Manager
(B) Added Backup Explanation: Provided from Human Resources

2023-1027 2023 Holiday Parade Memorandum of Understanding with the
Gainesville Area Chamber of Commerce Foundation (B) Added Item
Explanation: Requested by the City Manager

2023-964 Assign Task Assignment for Construction of NW 53rd Ave Sidewalk to
Blackwater Construction Svcs, LLC (B) Added Item Explanation: Requested by
the City Manager

2023-1018 Invitation to Bid Award Recommendation for the Lincoln Yard Trail
Project Added Item Explanation: Item added after Agenda Review

REGULAR AGENDA UPDATES:

2023-1003 City Auditor Recruitment (B) Backup Added Explanation: Requested by the Human Resources Director

Public Comment: Billy Rohan

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Motion: The City Commission adopt the agenda with the following modifications:

1) Move item 2023-954 Approval of Amended Employment Agreement for the City Manager (B) to the Afternoon Business Discussion Items section.

2) Remove item 2023-546 Consolidation of the City Clerk's Office under the City Manager's Office (B) from the agenda.

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

Approved (7 to 0)

D. CONSENT AGENDA

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

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

Approved On Consent

1. Approval of Minutes from the September 14, September 19, September 21 (2), September 28, and October 9, 2023 City Commission Meetings (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission approve the minutes from the September 14, September 19, September 21 (2) September 28, and October 9, 2023 City Commission meetings.

Approved On Consent

2. 2023-917 Request for Proposal Award for Ecological Analysis and Tree Inventory (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: City Commission 1) approve the rankings RFP #PWDA-230046-DH – Ecological Analysis and Tree Inventory; 2) authorize the City Manager or their designee to enter into a contract with the University of Florida to provide an Ecological Analysis and Tree Inventory in the amount of \$429,916, subject to approval of the City Attorney or designee as to form and legality.

Approved On Consent

3. 2023-934 Authorization for Fire Rescue to Purchase Knox Retrofit Kits (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission authorize the City Manager or designee to execute the purchase order for the Knox Company not to exceed \$138,710 pending approval by the City Attorney as to form and legality.

Approved On Consent

4. 2023-951 Second Amendment to Agreement with Alachua County Board of County Commissioners for Age-Based Fare Free Transit Program (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation:
The City Commission, authorize the City Manager or their designee to execute the Second Amendment to the Agreement with Alachua County Board of County Commissioners for Age-Based Fare Free Transit Program, subject to approval by the City Attorney as to form and legality.

Approved On Consent

5. 2023-952 Fire Rescue Northeast Florida Regional Council Funding for Hazardous Materials Response Supplies (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission authorize the City Manager or their designee to execute the Memorandum of Agreement not to exceed \$36,000 and other necessary documents subject to approval by the City Attorney as to form and legality.

Approved On Consent

6. 2023-955 Transit Services Agreement with Alachua County Board of County Commissioners (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation:

The City Commission authorize the City Manager or their designee to execute the Transit Services Agreement with Alachua County Board of County Commissioners, subject to approval by the City Attorney as to form and legality.

Approved On Consent

7. 2023-974 Non-Compliance with Attendance Requirements (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission approve the removal of Kaitlyn Dickinson from the Infrastructure Surtax Oversight Board, effective immediately.

Approved On Consent

8. 2023-989 Resignation of Savannah Partridge from the Historic Preservation Board (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission accept the resignation of Savannah Partridge, effective immediately.

Approved On Consent

9. 2023-1000 Appointments to the City Commission Advisory Boards and Committees (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission Appoint:

- Eric Milch to the City Beautification Board for a full term ending November 1, 2025;
- Ellen Chulak to the Gainesville Art In Public Places Trust for a full term ending September 30, 2026;
- Taylor Spangler to the Gainesville Cultural Affairs Board for a term ending September 30, 2026;
- Bradford Freeman to the Police Advisory Council for a full term ending October 18, 2027;
- Tate Miller to the Public Recreation and Parks Board for a full term ending June 1, 2026.

Approved On Consent

10. 2023-1001 Sherron McClellon v. City Of Gainesville, Florida; Case No. 2022-CA-3282; Eighth Judicial Circuit, in and for Alachua County, Florida (NB)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission authorize the City Attorney to accept a Proposal for Settlement of the claim of Sherron McClellon, arising from an incident that occurred on August 3, 2021.

Approved On Consent

11. 2023-1002 Rianna Washington v. City of Gainesville, Florida; Case No. 2022-CA-1631; Eighth Judicial Circuit, in and for Alachua County, Florida (NB)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission 1) approve the terms of the negotiated settlement agreement; and 2) authorize the City Attorney to settle the claim of Rianna Washington, arising from an accident that occurred on or about May 23, 2021.

Approved On Consent

12. 2023-1013 Rachel Hargy, as Parent and Next Friend of Z.M. v. City of Gainesville; Case No. 2022-CA-1327: Eighth Judicial Circuit, in and for Alachua County, Florida (NB)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission authorize the City Attorney to enter into a settlement agreement to resolve the claim of Rachel Hargy, as parent and next friend of Z.M., a minor child, arising from a skateboarding incident that occurred at Depot Park on May 22, 2021.

Approved On Consent

13. 2023-1009 Financial Assistance Agreement between Florida Department of Law Enforcement and City of Gainesville Police – Police Department for the Drone Replacement Program (B)

Public Comment: Billy Rohan

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission: 1) approve the Financial Assistance Agreement with the Florida Department of Law Enforcement for the Drone Replacement Program and 2) authorize the City Manager or their designee to proceed with executing the Financial Assistance Agreement, subject to review and approval by the City Attorney as to form and legality.

Approved On Consent

14. 2023-963 Request for Proposals Award for Mobility-On-Demand Software App (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation:
The City Commission: 1) approve the Request for Proposal for a Mobility-On-Demand Software App rankings, 2) award the Request for Proposal to Via Transportation, Inc., and 3) authorize the City Manager or designee to negotiate and execute a contract with the top ranked firm, subject to approval by the City Attorney as to form and legality.

Approved On Consent

15. 2023-1011 Settlement of Workers' Compensation Claim (NB)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of Michelle Foster's workers' compensation claim of \$75,000.

Approved On Consent

16. 2023-1018 Invitation to Bid Award Recommendation for the Lincoln Yard Trail Project (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission 1) approve the Invitation to Bid award to Joyner Construction Partners, LLC in the amount of \$346,082.00 and 2) authorize the City Manager, or their designee, to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

Approved On Consent

17. 2023-1027 2023 Holiday Parade Memorandum of Understanding with the Gainesville Area Chamber of Commerce Foundation (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission retroactively approve the Memorandum of Understanding between the City of Gainesville and the Gainesville Area Chamber of Commerce Foundation for the 2023 holiday parade.

Approved On Consent

18. 2023-964 Assign Task Assignment for Construction of NW 53rd Avenue Sidewalk to Blackwater Construction Services, LLC (B)

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Eastman

Recommendation: The City Commission: 1) approve the Task Assignment to Blackwater Construction Services, LLC in an amount of \$328,237.00 and 2) authorize the City Manager, or their designee, to execute all necessary contract/task assignment documents, subject to approval by the City Attorney as to form and legality.

Approved On Consent

E. EARLY PUBLIC COMMENT ON AGENDA ITEMS

Tana Silva spoke to item 2023-992

F. BUSINESS DISCUSSION ITEMS - MORNING

1. 2023-1003 City Auditor Recruitment (B)

Laura Graetz, Director of Human Resources, introduced Yolanda Howze, Baker Tilly Director.

Yolanda Howze, Baker Tilly Director, gave a presentation regarding the selection process for the City Auditor employment search and provided additional background on candidates.

Moved by Commissioner Chestnut

Seconded by Commissioner Eastman

Recommendation: 1) select candidate(s) to move forward in the City Auditor Interview process; and 2) authorize Baker Tilly to invite the selected candidate(s) to participate in the process.

Motion: The City Commission invite City Auditor candidates Rory Galter, Stephen Mher, and Thomas Alger to be interviewed for a period not to exceed three days.

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. 2023-992 Invitation to Negotiate Award Recommendation for the Redevelopment of Old RTS Administration and Maintenance Facility (B)

Andrew Persons, Chief Operating Officer for Governmental Operations, provided a background explanation of the item.

Cynthia Curry, City Manager, when asked about a conflict of interest between the City Manager's Office and parties involved in the negotiations, said she would prefer to confer with the City Attorney before answering.

Public Comment: Chuck Ross, Billy Rohan

Cynthia Curry, City Manager, responded to a question regarding the unsolicited proposal process and explained there is no current process for unsolicited proposals.

Moved by Commissioner Eastman

Seconded by Commissioner Saco

Recommendation: The City Commission 1) approve the ranking of the evaluation committee, 2) award ITN #DOSD-230051-GD, Redevelopment of Old RTS Administration and Maintenance Facility to The Knot Climbing Gym, 3) authorize the City Manager or their designee to work with the awardee to undertake the proposed due diligence activities for a period not-to-exceed one year from the date of the Commission approval, and 4) request the City Manager return to the City Commission with periodic updates during the due diligence period.

Motion: Approve as Recommended.

Aye (6): Mayor Ward, Commissioner Book, Commissioner Chestnut, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Nay (1): Mayor Pro Tempore Duncan-Walker

Approved (6 to 1)

3. 2023-977 Gainesville Fire Rescue Quarterly Update (B)

Joseph Hillhouse, Deputy Fire Chief, introduced Krista Ott, Community Resource Paramedic Program Coordinator.

Krista Ott, Community Resource Paramedic Program Coordinator presented the Gainesville Fire Department Quarterly Update.

Recommendation: The City Commission hear a presentation from Gainesville Fire Rescue.

Heard

G. RESOLUTIONS – MORNING (Roll Call Required)

Meeting recessed at 12:10 p.m.

12:00-1:00 PM Lunch Break

H. CALL TO ORDER

Meeting called to order at 1:00 p.m.

I. GAINESVILLE HISTORY MOMENT

Ms. Donna Waller

J. EARLY PUBLIC COMMENT ON AGENDA ITEMS

Public Comment: Kali Blount, Milford Griner

K. GENERAL PUBLIC COMMENT

Public Comment: Jim Konish, Chuck Ross, Jonny Law

L. BUSINESS DISCUSSION ITEMS - AFTERNOON

1. 2023-1012 Appointments to the Development Review Board and the Historic Preservation Board (B)

Mark Robinson, Candidate for the Development Review Board, spoke to his candidacy.

Sebastian Reina, Candidate for the Development Review Board, spoke to his candidacy.

Bridgette Murphy, Candidate for the Historic Preservation Board, spoke to her candidacy.

Moved by Commissioner Saco

Seconded by Mayor Pro Tempore Duncan-Walker

Recommendation: The City Commission discuss the appointments to the Development Review Board and the Historic Preservation Board and take appropriate action.

Motion 1: Approve both candidates, Mark Robinson and Sebastian Reina, for member seats on the Development Review Board for a full term to end November 1, 2026.

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

Approved (7 to 0)

Moved by Commissioner Chestnut

Seconded by Mayor Pro Tempore Duncan-Walker

Recommendation: The City Commission discuss the appointments to the Development Review Board and the Historic Preservation Board and take appropriate action.

Motion 2: Approve Bridgette Murphy for a member seat on the Historic Preservation Board for a term to end June 1, 2026.

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. 2023-546 Consolidation of the City Clerk’s Office under the City Manager’s Office (NB)

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

Removed from agenda at adoption.

M. RESOLUTIONS - AFTERNOON (Roll Call Required)

1. 2023-993 Hurricane Idalia Grants (B)

Todd Tuzzolino, Grant Fiscal Coordinator, spoke to the item.

Commissioner Saco left the meeting at 1:41 p.m.

Moved by Commissioner Book

Seconded by Commissioner Chestnut

Recommendation: The City Commission adopt the Resolution which authorizes the City Manager or designee to execute and enter into agreements, grant applications and any other necessary documents with the Florida Division of Emergency Management for Public Assistance and the Public Assistance (PA) related to Hurricane Idalia, DR-44734-FL, subject to approval by the City Attorney as to form and legality.

Motion: Approve as Recommended.

Aye (6): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, and Commissioner Willits

Absent (1): Commissioner Saco

Approved (6 to 0)

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. 2023-278 Voluntary Annexation – 2.296 Acres of Privately-Owned Property Generally Located on the Northwest Corner of the Intersection of SW 13th Street and SW Williston Road (B)

Jason Simmons, Planner I, gave a presentation on the voluntary annexation of privately owned property generally located on the northwest corner of the intersection of SW 13th Street and SW Williston Road.

Commissioner Saco joined the meeting at 1:46 p.m.

Moved by Commissioner Eastman

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)

Q. 2023-954 Approval of Amended Employment Agreement for the City Manager (B)

Cynthia Curry, City Manager, spoke to the item.

Moved by Commissioner Eastman

Seconded by Commissioner Saco

Recommendation: The City Commission approve the amended employment agreement for the City Manager.

Motion: Approve as Recommended.

Aye (6): Mayor Ward, Commissioner Book, Commissioner Chestnut, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Nay (1): Mayor Pro Tempore Duncan-Walker

Approved (6 to 1)

R. COMMISSION COMMENT

Mayor Ward - PRCA 100% score on reaccreditation; GFR and GPD are nationally accredited. Overlooked the evening session agenda.

Mayor Pro Tempore Duncan-Walker - house moved to property in District 1. Porters Quarters Community Center is open for scheduled events or scheduled regular programming. Cynthia Curry, City Manager, and Andrew Persons, Chief Operating Officer, spoke to the issue.

Commissioner Book - it was Florida City Government Week for 5th Graders, kudos to Communications and the program that was put together.

Commissioner Chestnut - proclamations to department chairs on those that have won awards.

Commissioner Willits - Pride Festival is this Saturday in Bo Diddly Plaza. Expansion of new apartments has brought rent down in Class B housing. Mentioned the conflict between Israel and Palestine, and prays for peace.

Commissioner Eastman - Friends of the Library Sale, Tom Petty Weekend, Cycling Festival, and Native Plant Sale, lots to do in Gainesville over the weekend. Have staff bring back unsolicited proposal process to a future General Policy Committee.

Meeting recessed at 2:24 pm.

4:30 - 5:30 PM Dinner Break

S. CALL TO ORDER

Meeting called to order at 5:30 p.m.

Commissioner Chestnut was absent.

T. PLEDGE OF ALLEGIANCE

Eastside High School Navy Junior Officers Training Program

U. PROCLAMATIONS & SPECIAL RECOGNITIONS

1. 2023-976 Chief Jones Day (B)

Recommendation: Chief Tony Jones to receive the proclamation.

Heard

2. 2023-956 Community Rating System Certificate of Recognition (B)

Recommendation: To be presented to Andy Renshaw, Floodplain Administrator.

Heard

3. 2023-958 American Pharmacists Month (B)

Recommendation: To be presented to Matthew Molk, APhA Policy Vice President.

Heard

V. EARLY PUBLIC COMMENT ON AGENDA ITEMS

W. RESOLUTIONS - EVENING (Roll Call Required)

1. 2023-978 Resolution Supporting the Designation of Dylan Roberts Memorial Crosswalk on East University Avenue and Dual Naming NE 26th Terrace as “Dylan Roberts Road” (B)

Public Comment: Vanessa Henry, Milford Griner

Moved by Mayor Pro Tempore Duncan-Walker

Seconded by Commissioner Saco

Recommendation: The City Commission: (1) adopt the resolution supporting the request to name the crosswalk on East University Avenue between NE 26th Terrace and SE 26th Terrace in memory of Dylan Roberts, and (2) support the request to dual name NE 26th Terrace as “Dylan Roberts Road.”

Motion: Approve as Recommended.

Aye (6): Mayor Ward, Commissioner Book, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Absent (1): Commissioner Chestnut

Approved (6 to 0)

X. BUSINESS DISCUSSION ITEMS - EVENING

1. 2023-598 Advisory Board and Committee Reports (B)

Eric Smith, Chair of the Tree Advisory Board, gave an overview of the Board's annual report.

Brian Singleton, Director of Public Works, spoke to the item regarding using the Tree Mitigation Fund to purchase land to protect trees.

Recommendation: The City Commission hear a presentation and take action deemed necessary.

Heard

Y. PUBLIC HEARINGS (Including Planning Petitions)

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

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

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

AC. COMMISSION COMMENT

Commissioner Eastman - Congratulate staff for meeting the State Auditor General report and bringing it to a close.

AD. ADJOURNMENT

Meeting adjourned at 6:52 p.m.

Kristen J. Bryant, Interim City Clerk