

# City of Gainesville

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Meeting Agenda - Final**

**June 17, 2021**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Lauren Poe (At Large)  
Commissioner Reina Saco (At Large, Seat A)  
Mayor-Commissioner Pro Tem Gail Johnson (At Large, Seat B)  
Commissioner Desmon Duncan-Walker (District 1)  
Commissioner Harvey Ward (District 2)  
Commissioner David Arreola (District 3)  
Commissioner Adrian Hayes-Santos (District 4)*

*If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equal Opportunity 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.*

## Welcome to the City Commission meeting! Learn about the meeting process and how to participate.

The public may attend this meeting *virtually* or *in person*. Limited in-person capacity is available during the State of Emergency for the COVID-19 Pandemic. Safety protocols including facial coverings and social distancing will be observed at all times.

The City Commission makes policies and conducts City business in an open forum. The **agenda** outlines what will happen during the meeting. It includes the following sections:

**Consent Agenda (CA):** Business items that the Commission approves together in one motion to save time. The Commission may remove an item to discuss separately.

**Regular Agenda:** Includes Business Discussion (**BD**) items considered by the Commission for action during the meeting. The Commission may re-order or remove discussion items.

Note: The **(B)** after an agenda item's title means that Backup materials are included. Click the links on the agenda to view the documents. An **(NB)** after the title means there are no Backup materials for the item.

**Public Comment.** Share your opinion with the Commission for the official record. Please see the city's [Public Meeting Calendar](#) for specific public comment options for upcoming meetings.

The following public comment opportunities may be available for this meeting. Verbal comments are limited to three (3) minutes unless otherwise specified.

**General Public Comment:** Share a comment about a topic or issue *not* on the Meeting Agenda.

Note: *In-person General Public Comment is not available during the COVID-19 health emergency.*

- **Record a comment *before* the meeting:** Dial 352-334-5003 to leave a voice message with a general public comment. The line is open from 8:00am on Friday until Noon on Wednesday prior to the meeting. All pre-recorded comments will be played during the meeting.
- **Comment by phone *during* the meeting:** At the start of the afternoon session (1:00 pm), dial toll-free 1-800-876-7516. A moderator will call on you to speak. Mute the sound on your computer/device if you are watching the meeting online. State your name clearly for the record.

### Public Comment on Agenda Items

- **Speak in person:** Safety protocols will be observed at all times.
- **Comment by phone *during* the meeting:** Dial toll-free 1-800-876-7516. A moderator will call on you to speak. Mute the sound on your computer/device if you are watching the meeting online. State your name clearly for the record.

**Written Public Comment:** Submit a general comment or a comment on the meeting agenda. Your comments will be sent to the City Commissioners and added to the official meeting record.

- **Mail** to the City of Gainesville, City Clerk: P.O. Box 490, Station 19, 32627-0490
- **Email** to [citycomm@cityofgainesville.org](mailto:citycomm@cityofgainesville.org)
- **E-Comment:** Visit the "Agenda & Minutes" page on the City's website [www.cityofgainesville.org](http://www.cityofgainesville.org). Click the "eComment" link for a meeting agenda to leave comments on specific items.

The City of Gainesville encourages civil public speech. Disruptive behavior is not permitted during City Commission meetings. Please do not bring food, drinks, props, signs, posters, or similar materials into the Auditorium. Cheering and applause are only permitted during the Proclamations/Special Recognitions portion of the meeting.

**1:00pm - CALL TO ORDER - Afternoon Session****AGENDA STATEMENT**

*"The City of Gainesville encourages civility in public discourse and requests that speakers direct their comments to the Chair. Signs, props and posters are not permitted in the meeting room."*

**ROLL CALL****INVOCATION****CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items****CA-1      [210081.](#)      Approval of Minutes from the June 3 (2) and June 7, 2021 City Commission Meetings (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of June 3 (2) and June 7, 2021.*

[210081 June 3, 2021 BOT Minutes 20210617.pdf](#)

[210081 June 3, 2021 Minutes 20210617.pdf](#)

[210081 June 7, 2021 Minutes 20210617.pdf](#)

**CA-2      [210058.](#)      Special City Commission Meeting - Equitable and Sustainable Solution for Solid Waste Service Usage (NB)**

*Explanation: At the City Commission meeting held on May 20, 2021 the Commission requested a special meeting to discuss an equitable and sustainable solution for the solid waste service usage.*

**RECOMMENDATION**      *The City Commission approve a special City Commission meeting scheduled for July 21, 2021 at 1:30 P.M.*

**CA-3      [201106.](#)      Rebalancing Boards and Filling Vacancies (NB)**

*Explanation: At its October 7, 2019 Regular Meeting, the City Commission requested that staff present a solution to reestablish staggered terms of city boards. A few boards have a number of members whose terms end at the same time, thereby leaving few members with institutional knowledge left on the board. It is important to achieve a balance between retaining a certain portion of members with institutional knowledge while also reinvigorating the board with new members who may have fresh ideas.*

*In order to rebalance those boards, the City Clerk proposes to send a letter to the affected boards requesting current members volunteer to lengthen or shorten their terms. If more members volunteer than are needed to rebalance the board or not enough members volunteer, the Clerk will select members at random to lengthen their terms. If lengthening a member's term would violate a term limit in the Code, the Clerk will request volunteers to shorten terms. If more members volunteer than are needed to rebalance the board or not enough members volunteer, the Clerk will select members at random to shorten their terms. Another option is for boards in which member terms are unlimited, the Clerk can request volunteers to shorten their current term and then reappoint the member to a full term upon expiration of the shortened term. When the Clerk has developed a plan to rebalance a specific board/committee with lengthened and/or shortened member terms, the Clerk's Office will place the plan on a Commission meeting agenda for approval of the appointments for those new terms. The Clerk requests City Commission direction in establishing procedures for filling vacancies after the boards have been rebalanced. Moving forward, the Clerk proposes certain procedures for filling vacancies. It takes approximately 2-3 months from the date the Clerk advertises an opening to filling the position. If a member resigns with less than 6 months remaining in the term, the new appointee will be appointed for the remainder of the partial term and the next full term. If a member resigns with more than 6 months left in their term, the Clerk will advertise the position for a term to fill the number of months remaining in the vacant position's term. When a member's resignation is effective, the Clerk will remove that member from the quorum roster and leave the position open until the position is filled with a new appointee.*

*Fiscal Note: N/A*

**RECOMMENDATION**

*The City Commission approve the board rebalancing plan.*

**Legislative History**

5/6/21            City Commission            Withdrawn

**CA-4            [210009.](#)**

**Contract Award for Digital Signage and Content Management Software (B)**

**This item is a request to approve the recommended award for Request for Proposal (RFP) #RTSX-210030-DS and execute a contract with Clever Devices Ltd for Digital Signage and Content Management Software.**

*Explanation: On March 12, 2021, the City's Purchasing Division issued a Request for Proposals (RFP) for Digital Signage and Content Management Software for the Regional Transit System (RTS). The RFP process was implemented in compliance with, and as required by, the Federal Transit*

*Administration (FTA), Florida Statutes and City of Gainesville policies.*

*Six (6) proposals were submitted by the deadline. The submission contained technical and written proposals and a cost component of \$131,497. An evaluation team consisting of City staff evaluated and ranked the proposals. The highest ranked proposal was submitted by Clever Devices Ltd. RTS desires to enter into a contract with Clever Devices Ltd for Digital Signage and Content Management Software.*

*Strategic Connection: This item is connected to Goal 5: "Best in Class" Neighbor Services.*

*Fiscal Note: Funds in the amount of \$131,497 have been provided by a combination of federal and state grants and RTS Enterprise funds, and are available in the FY21 RTS budget.*

**RECOMMENDATION**

*The City Commission authorize the City Manager or his designee to execute a contract with Clever Devices Ltd, for Digital Signage and Content Management Software, subject to approval by the City Attorney as to form and legality.*

[210009A RFP RTS Digital Signage 20210617](#)

[210009B Alpine Systems Inc Response 20210617](#)

[210009C BCI Integrated Solutions Response 20210617](#)

[210009D Clever Devices Ltd Response 20210617](#)

[210009E Evogence Response 20210617](#)

[210009F Instyle Technologies LLC Response 20210617](#)

[210009G Redmon Group Response 20210617](#)

[210009H Bid Record 20210617](#)

[210009I DRAFT Contract 20210617](#)

[210009J Evaluation Summary with Backup 20210617](#)

[210009K CC Bid Tab-RFP 20210617](#)

**CA-5**

[210053.](#)

**Bid Award - SW 27th Street Multimodal Project (B)**

*Explanation: This item is a request to authorize the bid award to American Design Engineering Construction Inc. for the construction of SW 27th Street from SW Williston Road to SW 35th Place. On May 3, 2021, the Procurement Division received three bids from responsible, responsive bidders for the construction of the project. The lowest evaluated bid meeting the specification submitted by American Design Engineering Construction Inc. in the amount of \$543,465.00.*

*SW 27th Street Multimodal project consists of the construction of an 8 foot asphalt bicycle and pedestrian facility along the east side of the SW 27th Street corridor, south side of the SW 40th Place corridor and west*

side of the SW 25th Terrace corridor. The project is partially funded by a federal grant administered by the Florida Department of Transportation. The construction is scheduled to commence Fall 2021 and be complete early 2022.

#### *Strategic Connection*

*This item is connected to Goal 3: A Great Place to Live and Experience in the City's Strategic Plan and is a high priority item.*

*Fiscal Note: This project is partially funded by federal grant administered through FDOT in the amount of \$341,308; the remaining construction cost is funded by Transportation Mobility Program (TMPA) Zone C funds in the amount of \$202,157.*

#### **RECOMMENDATION**

*The City Commission: 1) award the bid to American Design Engineering Construction Inc. in the amount of \$543,465.00; and 2) authorize the City Manager to execute the contract and all related documents, subject to approval by the City Attorney as to form and legality.*

[210053A RESPONSE SW 27th St MultiUse Path-Submittal VE Whitehurst 20;](#)

[210053B BRESPONSE SW 27th St MultiUse Path-Submittal DB Civil 202106](#)

[210053C RESPONSE SW 27th St MultiUse Path-Submittal American Design](#)

[210053D Final ITB 210312 SW 27th Street 20210617](#)

[210053E 210036-ITB SW 27th St. Multi-Use Trail-ADD#1-FINAL 20210617](#)

[210053F 210036-ITB SW 27th Street Multi Use Path-Tabulation Sheet Deman](#)

[210053G MAP 210409 SW27thSt Location Map 20210617](#)

**CA-6**

[210055.](#)

#### **Gainesville Multifamily Pilot Composting Grant Application (B)**

*Explanation: This item is a request for the City Commission to authorize community builders to submit a grant application to the United States Department of Agriculture (USDA)-Natural Resources Conservation Service Community Compost and Food Waste Reduction (CCFWR) Project Grant. The CCFWR Grant award is estimated to be in an amount of up to \$90,000 and this award would be used toward the implementation of a two-year pilot composting program in multifamily communities.*

*The City applied for this grant last year and was awarded funding for a single family home pilot program using community composter Beaten Path Compost to collect and process food waste within the program area.*

*The City has adopted a goal of Zero Waste by 2040 and the Zero Waste Subcommittee has made diverting food waste a priority. Landfilled organic material contributes significantly to the production of methane gas, which is about 30 times more potent than carbon dioxide as a*

greenhouse gas.

*Specifically, the pilot program would evaluate the feasibility of providing door side collection of food waste at participating multifamily locations serving approximately 200 units. The City Commission will soon consider a mandatory food waste ordinance and pilot programs such as this will provide information to community builders, multifamily property managers, and the compost industry on the viability of this innovative program.*

#### *Strategic Connection*

*This item addresses Commission Goal 2: Sustainable Community and is a high priority item, as well as, Goal 4: Resilient Local Economy and is a normal priority*

*Fiscal Note: The CCFWR Grant requires the City of Gainesville to provide a 25% match. The City's match source has been identified in the Solid Waste Fund and will require up to \$30,000 over a two-year period.*

#### RECOMMENDATION

*The City Commission: authorize the City Manager or designee to execute the grant application, grant award and any related documents, subject to approval by the City Attorney as to form and legality.*

[210055A General Terms and Conditions -Jan. 2020 20210617](#)

[210055B USDA-NRCS-NHQ-CCFWR-21-NOFO0001112 Notice of Funding Op](#)

#### **CA-7      [210064.](#)**

#### **Henderson Voluntary Annexation Petitions For 280+/- Acres Of Property On SW Williston Rd (B)**

**This is the submission of petitions for the voluntary annexation of parcels 06982-000-000, 07002-000-000 (a portion of), 07231-000-000 (a portion of), and 06980-000-000, which are owned by James D. Henderson II, Prairie View Trust Co-trustee, Frederick L. Henderson, Prairie View Trust Co-trustee, and Gary Williams respectively. These parcels are located on the west side of SW Williston Rd. south of SW 62nd Avenue and the City of Gainesville city limits, north of SW 78th Lane and east of SW 63rd Boulevard.**

*Explanation: The total annexation area is approximately 280 +/- acres and is located on the west side of SW Williston Rd south of the existing city boundary.*

*James D. Henderson II and Frederick L. Henderson, Co-trustees of the Prairie View Trust, have submitted a petition to the City of Gainesville for voluntary annexation of parcels 06982-000-000, 07002-000-000 (a portion of), and 07231-000-000 (a portion of) which are currently vacant.*



*Gary Williams, VP, Imperial Distributions of Florida, has submitted a petition to the City of Gainesville for voluntary annexation of parcel 06980-000-000 which is currently vacant.*

*In order to annex these parcels into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation. Staff has reviewed the requirements of the the Municipal Annexation or Contraction Act (Chapter 171, Florida Statutes). This area meets the requirements of the Act and is appropriate for annexation.*

*Strategic Connection: This item is connected to Goal 5: "Best in Class" Neighbor Services in the City's Strategic Plan.*

*Fiscal Note: The fiscal impacts of this annexation will be addressed in the urban services report.*

**RECOMMENDATION**

*The City Commission: 1) receive the petitions for annexation and make findings that it contains the signature of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

[210064A Henderson Annexation Petitions 20210617](#)

**CA-8**

[210065.](#)

**Fred Bear Health Park Voluntary Annexation Petitions for 60 +/- Acres of Property on SW Archer Road and Fred Bear Road (B)**

**This is the submission of petitions for the voluntary annexation of parcels 06800-007-001, 06813-000-000, 06813-001-000, 06974-040-000, 07240-001-008, and 07240-050-000, which are owned by 4454 Properties, LLC; North Florida Regional Medical Center, Inc.; I-75 Business Park & Self Storage, Inc.; and Prairie View Trust, respectively. These parcels are located south of SW Archer Road, west of Interstate 75, north of current city limits, and east of SW 44th Street.**

*Explanation: The total annexation area is approximately 60 +/- acres and the parcels are located on SW Archer Road and Fred Bear Road.*

*Brian Aurilio, owner of 4454 Properties, LLC., has submitted a petition to the City of Gainesville for voluntary annexation of parcel 06800-007-001, which has two one-story commercial buildings.*

*Eric Lawson, CEO of North Florida Regional Medical Center, Inc., has*



*submitted a petition to the City of Gainesville for voluntary annexation of parcels 06813-000-000, 06813-001-000, and 06974-040-000, which have some utility facilities on the property, but are otherwise vacant.*

*John Kish, Jr., president of I-75 Business Park & Self Storage, Inc., has submitted a petition to the City of Gainesville for voluntary annexation of parcel 07240-001-008, which has multiple one-story buildings used for office and storage facilities.*

*James D. Henderson, II, co-trustee of Prairie View Trust, has submitted a petition to the City of Gainesville for voluntary annexation of parcel 07240-050-000, which has some utility facilities on the property, but is otherwise vacant.*

*In order to annex the parcel into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation. Staff has reviewed the requirements of the Municipal Annexation or Contraction Act (Chapter 171, Florida Statutes). This area meets the requirements of the Act and is appropriate for annexation.*

*Fiscal Note: The fiscal impacts of this annexation will be addressed in the urban services report.*

**RECOMMENDATION**

*The City Commission: 1) receive the petitions for annexation and make findings that they contain the signatures of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the City Clerk to advertise ordinances relating to the annexation of the area, if appropriate.*

[210065A Fred Bear Health Park Annexation Petitions 20210617](#)

[210065B Incumbency Certificate - NFRMC Inc 210126 20210617](#)

## **ADOPTION OF REGULAR AGENDA**

**EARLY PUBLIC COMMENT** - 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.

**GENERAL PUBLIC COMMENT** - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Under the City Commission meeting rules during the COVID-19 health emergency, General Public Comment may be given by phone or by pre-recorded voice message only (see page 2 for details).

**BD BUSINESS DISCUSSION ITEMS (BD) - GRU and General Government items placed on the agenda by the Charter Officers or moved from Consent.****BD-1 [200718.](#) Advisory Board and Committee Annual Reports (B)**

*Explanation: At the September 17, 2020 meeting the Commission moved to request annual reports from all Advisory Boards and Committees.*

*In accordance with the motion, the reports in the backup have been compiled. The City Clerks' Office will continue working with the Advisory Boards and Committees to submit outstanding reports.*

*Fiscal Note: N/A*

**RECOMMENDATION**

*The City Commission receive and review the advisory board and committee annual reports and hear a presentation.*

**Legislative History**

1/21/21	City Commission	Approved as Recommended
1/28/21	General Policy Committee	Heard
2/11/21	General Policy Committee	Heard
2/18/21	City Commission	Approved, as shown above
3/4/21	City Commission	Approved as Recommended
3/25/21	General Policy Committee	Heard
4/8/21	General Policy Committee	Heard
4/15/21	City Commission	Striken From the Agenda
4/22/21	General Policy Committee	Heard

[200718 2021 PRC FY20 City Commission Presentation Final 20210520](#)

[200718 Gainesville Police Advisory Council Annual Report 20210617](#)

**BD-2 [210061.](#) Appointment to the Joint Water and Climate Policy Board (NB)****RECOMMENDATION**

*The City Commission discuss and appoint a city commissioner to the opening on the Joint Water and Climate Policy Board.*

**BD-3 [210056.](#) Department of Sustainable Development Fee Study (B)**

This is a request for the City Commission to hear a presentation from Berry

Dunn McNeil & Parker, LLC and provide direction to staff.

*Explanation: The City of Gainesville retained Berry Dunn McNeil & Parker, LLC (BerryDunn) to conduct a Permit Fee Study for the Department of Sustainable Development. The focus of the project was reviewing all fees for services provided by the Department of Sustainable Development's Building and Planning Divisions in order to better understand the current cost of service delivery at the aggregate as well as individual process level and to ensure that the Department is able to maintain and in some areas enhance the provision of service into the future.*

*The Department's overall cost recovery rate for the services analyzed for this study is 55.3%. This study encompassed two divisions that provide fee-applicable services offered by the Department; after identifying and assigning revenue and expense, their specific cost-recovery rates are as follows: Building Division - 73.1%, and Planning Division - 9.9%. BerryDunn will present the results and findings of the study, outline the methodology used to determine full cost, and offer recommendations for consideration related to cost recovery policy development, divisional cost recovery level goals, and setting fee levels for future fiscal years.*

*Strategic Connection: Goal 5 of the City's Strategic Plan encourages the City to foster neighbor satisfaction with city services and service response. The Department of Sustainable Development prides itself on providing a high level of service to our neighbors. Conducting routine analysis of cost of service and calibrating fees with that level of service will ensure that the Department will continue to support this goal into the future.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission 1) receive a report and presentation from Berry Dunn McNeil & Parker, LLC and 2) provide direction on a cost-recovery percentage policy.*

[210056A Gainesville ProjectReport FINAL 20210617](#)

[210056B PowerPoint GainesvilleFL SustainableDevelopmentFeeStudy\\_FINAL](#)

**BD-4**      [210042.](#)

**Commissioner Harvey Ward - Discussion of Resolution In Support of the City of Gainesville Being Certified a BEE CITY USA (B)**

**RECOMMENDATION**

*The City Commission discuss and take such action that is deemed appropriate.*

[210042\\_HLW City of Gainesville Resolution Bee City\\_061721](#)

**BD-5**      [210082.](#)

**Settlement of State Opioid Litigation (B)**

*Explanation: The City Attorney's Office received correspondence in April 2021 from the Office of the Attorney General for the State of Florida advising of negotiations to resolve ongoing opioid litigation throughout the State. A copy of that correspondence is included in the back-up to this agenda item. In summary, numerous lawsuits have been brought against the opioid industry in recent years, with large judgements and settlements, prompting some major manufacturers and distributors to proceed to bankruptcy. The State has been litigating and in lengthy settlement negotiations with several pharmaceutical supply chain entities (opioid manufacturers Purdue Pharma L.P. and Mallinckrodt PLC, and distributors Cardinal Health, Inc., McKesson Corp. and AmerisourceBergen Corp.) who are defendants in the pending litigation. In order to maximize the State's overall recovery, the Attorney General is now seeking the participation of all counties and municipalities in a global settlement between the State and the defendants. To that end, the Attorney General hosted question and answer sessions with local governments throughout the State and provided a form of Resolution and a proposed Memorandum of Understanding (MOU) that has been negotiated, but is not yet finalized. The proposed MOU establishes a distribution scheme for all settlement proceeds within the State and directs that money (less amounts used for administrative costs and litigation expenses) be spent for approved opioid addiction treatment and abatement activities, as described in the MOU. The net proceeds would be divided into several funds - a city/county fund, a regional fund, and a State fund. The distribution recipients and the amounts to be distributed are contingent on overall participation by local governments. Local governments opting not to participate in the settlement would not be entitled to any distribution. And the fewer local governments participating in the settlement reduces the overall recovery. The Attorney General believes this MOU will also serve as a model for future settlements with other opioid supply chain entities.*

*In mid-May, the Alachua County Attorney's Office coordinated a meeting with the attorneys representing the municipalities within Alachua County to discuss the State's request and proposed Resolution and MOU. The County Attorney's Office has now prepared a County Resolution (a copy of which is in the back-up for this agenda item) that expresses general support for the Statewide unified plan for the allocation and use of the State opioid settlement proceeds and agrees that upon receipt of a final version of the State MOU, the County Commission will consider participating in and approving the State MOU.*

**RECOMMENDATION**

*The City Commission review the County's draft resolution and discuss whether to direct City staff to draft a similar City resolution for adoption at the July 15th Regular Meeting of the City Commission.*

[210082A County Resolution 20210617](#)

[210082B Attorney General Letter 20210617](#)

**BD-6      [201103.](#)      Update on St. Johns River Water Management District Lake Brooklyn and Geneva Minimum Flows and Levels (MFLs) (B)**

*Explanation:* St. Johns River Water Management District staff will present information on the Minimum Levels for Lakes Brooklyn and Geneva and associated Recovery Strategy to recover the lakes. GRU staff will also provide an update and comments as needed.

*Fiscal Note:* The exact cost for complying with the MFL has not yet been defined.

**RECOMMENDATION**

City Commission hear a presentation from St. John River Water Management District staff and an update from GRU staff.

**Legislative History**

4/15/21      City Commission      Approved as Recommended

[201103\\_CCom\\_Ltr to SJWMD Re Keystone Lakes Project 20210415](#)

[201103\\_SJRWMD Brooklyn-Geneva MFLs 20210617](#)

**BD-7      [210015.](#)      Gainesville Police Department and State Attorney Office Memorandum of Understanding for Pre-Arrest Deflection Program (B)**

*Explanation:* The purpose of this MOU is to solidify the collaboration between the City of Gainesville and the State Attorney's Office with the focus to outline the partnership of the SAO pre-arrest Deflection Program and the Gainesville Police Department (hereafter GPD) Gainesville Pre-Arrest Initiative. The MOU also defines the responsibilities of both GPD and SAO as to each other regarding the same.

*In addition, this MOU is to acknowledge the goal of the Gainesville Pre-Arrest Adult Civil Initiative which is to better serve the neighbors of Gainesville and address minor criminal behavior and behavior patterns, as well as social/emotional, mental health, and substance abuse issues. Within this goal is to hold individuals accountable, meet the needs of the victims, and address underlying factors that contributed to the behavior and behavior patterns, while deflecting participants in the program from the Criminal Justice System.*

*Strategic Connection:* This is in line with Goal 5: Best in Class Neighbor Services. This is a high priority as it provides community engagement program enhancements.

*Fiscal Note:* No money included in this agreement

**RECOMMENDATION**

The City Commission to (1) approve the City Manager to sign the MOU (2) legal to approve as to form and legality

[210015\\_MOU GPD\\_SAO for Deflection\\_20210617](#)

**BD-8      [210090.](#)      Proposed Development Incentive for Grocery Store Project (B)**

**AGENDA UPDATE - ADDITIONAL BACK-UP ADDED**

*Explanation: Staff has been working with the prospective purchaser of the property at 2286 SE Hawthorne Road who desires to renovate and reactivate the existing supermarket space and to locate a medical care facility that can provide urgent and/or primary care (along with a pharmacy) or another use that meets community needs. To that end, staff has been discussing with the developer the potential use of American Rescue Plan Act and/or GCRA funds to provide financial incentives to bring this project to fruition. Term sheets are non-binding and serve as an expression of the deal points. If approved as proposed or amended by the City Commission on June 17th, staff would then work with the City Attorney to draft the final documents.*

*The basic concept of the incentive package is that the City would provide a loan to the developer at the time the elements of the projects receive their Certificates of Occupancy (ready to open). The loan would reimburse the developer for specific costs that would be detailed in the final documents. Over a period of time, based upon demonstrated job creation over 5 years and sustained operations over 10 years, the loan would be forgiven. At this point the loan would be in the amount of approximately \$3.3 million.*

*Specific elements of the term sheet include:*

*Job Creation*

*Local Hiring*

*Living Wage Requirement*

*Local Contracting Requirement*

*99-year Lease of Land to City for Eastside Mobility Hub*

*Establishment of a Community Advisory Group*

*SNAP/WIC Acceptance*

*Supermarket Energy Efficiency Standards*

*Supermarket Operations During Emergency Requirement*

*Supermarket Disposal of Products*

*Local Sourcing of Product*

*Strategic Connection: All goals are met for this item.*

*Fiscal Note: Potential use of American Rescue Plan Funds and/or GCRA funds.*

**RECOMMENDATION**

*The City Commission hear an update, discuss and take action as deemed appropriate.*

[210090. Grocery Store Term Sheet 20210617.pdf](#)

[210090. Gainesville Food Desert\\_PPT\\_20210617.pdf](#)

**BD-9      [210087.](#)      Appointment of City Commissioner for Annual Meetings of Elected**

## **Officials regarding Coordination of Land Use and School Facilities Planning (NB)**

This is a request for the City Commission to appoint a member of the Commission to represent the City at the Annual Meetings of Elected Officials.

### **AGENDA UPDATE - ADDED ITEM**

*Explanation: The City of Gainesville needs to appoint a City Commissioner to represent the City at the annual meetings of elected officials regarding the coordination of land use and school facilities planning. This is required by the Updated Interlocal Agreement for Public School Facility Planning among the School Board of Alachua County (SBAC), Alachua County Board of Commissioners, and the Commission or Council of Alachua, Archer, Gainesville, Hawthorne, High Springs, LaCrosse, Micanopy, Newberry and Waldo. As described in the interlocal agreement, the meetings are an opportunity to discuss issues of mutual concern regarding coordination of land use and public school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities. The meetings are to be attended by one or more official representatives from the School Board, the County Commission, each municipality that is a party to the agreement, and a representative from the North Central Florida Regional Planning Council.*

*The next annual meeting of the Elected Officials is scheduled for July 1, 2021.*

*Staff recommends that the City Commission appoint one of the City Commissioners as the representative to attend the Annual Meetings of Elected Officials regarding the coordination of land use and school facilities planning.*

*Fiscal Note: None*

### **RECOMMENDATION**

*The City Commission appoint a member of the City Commission to represent the City at the Annual Meetings of Elected Officials.*

## **CC COMMISSION COMMENT**

**4:30 - 5:30pm DINNER BREAK**

**5:30pm - CALL TO ORDER - Evening Session**

**PLEDGE OF ALLEGIANCE**

**PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)**



**PR-1      [210083](#)      Local Students Drop Savers Water Conservation Contest Winners (NB)**

*Explanation: As a means to reach future generations and spread the water conservation message, the annual Florida Section of the American Water Works Association (FSAWWA) Drop Savers Poster Contest is sponsored by GRU to help teach local youth about the importance of conserving our most valuable resource - water.*

*Winners and Honorable Mentions were selected from each class division. Each winner will have their poster advance to the state-level competition.*

*Winners:*

*Division 1 (K/1): Hendrix Robinson (1st Grade) - Ms. Johnson's class, Glen Springs Elementary*

*Division 2 (2nd/ 3rd): Roman Estevez (2nd Grade) - Ms. Quirk's class, Glen Springs Elementary*

*Division 3 (4th/5th): Alexis Cannon (5th Grade)- Ms. Hausfeld's class, Glen Springs Elementary*

*Division 4 (Middle School): Emory Espinosa (6th Grade) - Ms. Miller's class, Oak View Middle School*

*Division 5 (High School): Addison Joseph (12th Grade) - Ms. Larsen's class, Gainesville High School*

*Honorable Mention:*

*Division 1: First grader - Ms. Bowlin's class, Lake Forest Elementary*

*Division 2: Svetlana Stasko (2nd Grade) - Ms. Cannon's class, Glen Springs Elementary*

*Division 4: Jane Fanelli (6th Grade) - Ms. Miller's class, Oak View Middle School*

*Eighth grader-Ms. Steward's class, Hawthorne Middle/High School*

*Division 5: Kaylee Bleeker (9th Grade)- Ms. McIntyre's class, Gainesville High School*

*Eleventh grader- Ms. Paxson's class, Gainesville High School*

*Tom Li (9th Grade)-Mr. Pettit's class, Buchholz High School*

*In support and recognition of the winning poster contributors, GRU and FSAWWA is providing gift cards to the winners and recognizing the teachers involved in helping educate the students in the value of water conservation.*

*Fiscal Note: The fiscal impact is less than \$1,000. The funds were budgeted in the Water & Wastewater Systems Operations & Maintenance Budget as part of the GRU water conservation education efforts to support our community's consumptive use permit.*

**RECOMMENDATION**

*The City Commission recognize local student winners from the Drop Savers Water Conservation*

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*Poster Contest.*

**PR-2      [200544.](#)      FCCMA Centennial Council Management Award (NB)**

*Explanation: The Florida City and County Management Association (FCCMA) would like to present the City Commission a certificate recognizing 100 years of operating under the Commission-Manager form of government.*

RECOMMENDATION      *The commission accept the award.*

**EARLY PUBLIC COMMENT - 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.**

**RE      RESOLUTIONS - ROLL CALL REQUIRED (RE)**

**RE-1      [210002.](#)      Quasi-Judicial - Final Plat for Oaks Preserve Phase I, a Cluster Subdivision (B)**

Resolution No. 210002

A resolution of the City of Gainesville, Florida, approving the final plat named "OAKS PRESERVE PHASE I, A CLUSTER SUBDIVISION" located in the vicinity of the 5200 block of Archer Road, south side, Gainesville, Florida, as more specifically described in this resolution; authorizing the City Manager to execute a security agreement to secure required public improvements; accepting the dedication of the public rights-of-way, easements, and other dedicated portions as shown on the plat; providing directions to the City Clerk; and providing an immediate effective date.

*Explanation: The platting of land, which is governed by Chapter 177, Florida Statutes, and the City of Gainesville Land Development Code (LDC), serves to establish the legal identity of all lands included on the plat to provide for conveyance (i.e., the sale of land) by reference to such plat. Platting also ensures that adequate and necessary physical improvements will be installed in subdivisions by the subdividers. Sections 30-3.38 and 30-6.6 of the LDC describe the subdivision improvements that the subdivider must construct for plat approval. The subdivider may choose to provide security (i.e., surety bond, letter of credit, cash deposit, or construction loan agreement) to ensure that the improvements get constructed within 12 months of plat approval, and in such case the subdivider may record the plat and sell lots therein immediately upon City Commission approval.*

*In this case, the owner has submitted a security agreement along with a surety bond to secure the construction of the required subdivision public improvements. This resolution will approve a Final Plat for Oaks Preserve - Phase 1, a cluster subdivision, which is located in the vicinity of the 5200 block of Archer Road, south side. The property totals 19.77 acres. The plat subdivides the land into 76 single-family residential lots, plus additional parcels for stormwater management, utilities, common area, and other amenities.*

*On December 6, 2018, the City Commission approved the design plat (a preliminary and temporary development order that is a prerequisite of a final plat) for the overall subdivision (295 lots total). As approved in the design plat, this subdivision is a Cluster Subdivision of the Infill Category in accordance with Section 30-6.7 of the Land Development Code. The purpose of a cluster subdivision is to allow residential development without strict adherence to the dimensional requirements of the zoning code in order to provide for infill development where appropriate; to provide for better utilization of land; to provide for zero lot line development; to promote efficiency through design; and to provide for design flexibility to meet changing market conditions.*

**RECOMMENDATION**            *The City Commission adopt the proposed resolution.*

[210002A\\_Oaks Preserve Phase 1\\_20210603](#)

[210002B\\_Resolution\\_20210603](#)

[210002\\_StaffPPT\\_PB-21-46SUB\\_Oaks Preserve Cluster Phase I\\_20210617.pc](#)

RE-2

[210088.](#)

**Resolution Authorizing the Execution of Gainesville Regional Utilities Financial Transactions (B)**

*Explanation: Like other multi-system utilities GRU is a capital intensive operation. Every two to three years we need to access the financial markets to secure the funding necessary to assist us in acquiring, constructing and maintaining our capital infrastructure. Staff is planning a new money bond issue of up to approximately \$130 million for the July-August time frame to replenish construction funds used for such infrastructure improvements. Staff is proposing issuing these bonds in two series, one of which will be issued as "green bonds" given that a portion of the proceeds will be going to fund renewable water and wastewater projects. Additionally, working with our financial advisor PFM LLC, we have identified an opportunity to create significant present value debt service savings through a refunding of a portion of our outstanding 2012 Series A bonds. The refunding candidates bonds have maturities ranging from 2023 to 2028; the bonds issued to refund these bonds will not have a maturity longer than the refunded bonds. Given current market conditions, depending upon the refunding method chosen, the transaction could generate between \$3.75 and \$5.5 million in present value savings. Outlined below are the details associated with the various refunding methodology options. We are requesting that the City Commission*

provide authorization to the General Manager or his designee to execute any of these prescribed options dependent upon what is most beneficial to GRU based on market conditions. This authorization will provide staff the flexibility to execute the transaction in a timely fashion and deliver the projected savings.

*Taxable Advance Refunding* - Several years ago Treasury regulations were changed to eliminate the authority for tax-exempt advance refundings (issuing tax-exempt bonds more than 90 days prior to the official "call" date to refund the bonds). The initial call date of the 2012 bonds is October 1, 2022. With taxable interest rates at near historic lows, it is economically viable to issue taxable debt to advance refund the 2012 bonds and achieve savings.

*Tax-exempt Forward Delivery* - A forward delivery transaction allows GRU to lock in savings based on current favorable interest rates. This transaction would be accomplished through a forward delivery direct purchase with a single investor whereby GRU agrees to deliver the refunding bonds within 90 days of the redemption date of the 2021 bonds.

*Tax-Exempt Advance Refunding* - There is currently momentum towards Congressional reauthorization of tax-exempt advance refundings. In the event this occurs, GRU would potentially pursue this avenue versus the taxable refunding described above and utilize the most economically efficient transaction.

The attached resolution authorizes these potential approaches.

Additionally, the proposed resolution satisfies federal tax law requirements to permit GRU to reimburse from tax-exempt bond proceeds eligible costs on the capital projects paid prior to the issuance of this debt.

*Fiscal Note:* The new money issue will provide construction fund monies to support acquisition, construction and maintenance of utility infrastructure. The refunding of the portion of the 2012 Series A Bonds will potentially provide significant present value debt service savings.

**RECOMMENDATION**

The City Commission authorize the General Manager or his designee to negotiate and execute the listed transactions, and approve the

1) Thirty-fifth Supplemental Utilities System Revenue Bond Resolution

2) forms of the Escrow Deposit Agreement, Bond Purchase Contract, Preliminary Official Statement and Continuing Disclosure Certificate,

3) forms of a Forward Bond Purchase Agreement and Continuing Covenant Agreement used in connection with the forward delivery private placement of the refunding bonds and

4) the intent of the City for purposes of compliance with federal tax law to reimburse the expenditure of costs of certain capital projects with the proceeds of tax-exempt bonds, and authorize the execution and delivery thereof, subject to approval of the City Attorney as to form and legality.

[210088 Thirty-Fifth Award Resolution with Exhibits A-H 20210617](#)

RE-3      [210089.](#)**Resolution Authorizing the Cash Defeasance of Certain Outstanding Utility System Debt (B)**

AGENDA UPDATE - REVISED BACK-UP

*Explanation:* During fiscal year 2020 there were two initiatives executed which generated significant savings to GRU. First was the 2020 GRU debt restructuring process. This undertaking encompassed seven individual transactions completed between December 2019 and July 2020 that resulted in just over \$134 million in reduced debt service costs through 2047. The second initiative was the issuance by General Government of the 2020 Pension Obligation Bonds in September of 2020. Funding 95% of the then-existing Unfunded Actuarial Accrued Liability in the Employees' Pension Plan with the proceeds of this bond issue will reduce GRU's expected pension expense by approximately \$64 million through 2042.

As part of the City Commission's approval of these initiatives, the Commission directed that the savings realized from these transactions be utilized to defease existing GRU debt. The resolution presented here for the City Commission's consideration authorizes the cash defeasance of certain utility system debt as directed by the Commission, as well as approving the selection of an escrow agent and execution of escrow deposit agreements necessary to accomplish this debt defeasance.

*Fiscal Note:* Accelerating principal repayment through cash defeasance will reduce annual GRU debt service expense.

**RECOMMENDATION**

The City Commission approve:

- 1) the resolution authorizing the cash defeasance of certain outstanding utility system debt and
- 2) the form, execution and delivery of one or more escrow deposit agreements with respect to this cash defeasance and the appointment of the escrow agent.

[210089 Resolution GRU Cash Defeasance w Exhibits A-B Revised 20210](#)

RE-4      [201115.](#)**Third Budget Amendment to the FY 2021 General Government Financial and Operating Plan Budget****Resolution No. 201115**

A Resolution of the City Commission of the City of Gainesville, Florida; relating to its general government budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021; amending Resolution No. 200316, as amended by Resolution No. 200933 and Resolution No. 201058, by making certain adjustments to the General Government Financial and Operating Plan Budget; and providing an immediate effective date.

## AGENDA UPDATE - ADDED ITEM

*Explanation:* The General Government Financial and Operating Plan, which includes budgets for the General Fund, Special Revenue, Debt Service, Capital Projects, Proprietary, and Pension & OPEB Trust Funds for Fiscal Year 2021, was adopted by the Mayor and City Commission on September 24, 2020 via Resolution No. 200316. The First Budget Amendment was adopted by the Mayor and City Commission on April 1, 2021 via Resolution No. 200933. The Second Budget Amendment was adopted by the Mayor and City Commission on April 15, 2021 via Resolution No. 201058.

As the fiscal year progresses, certain routine and periodic budget adjustments and transfers of appropriated funds continue to be appropriate and necessary to ensure prudent financial management. Additionally, certain obligations, plans and projects extend between fiscal years and require an uninterrupted and sufficient source of appropriated funds to meet obligations and complete projects in progress.

This resolution seeks authorization to recognize revenue an appropriate funding and process other housekeeping budget transactions as explained in the attached memorandum and as shown in Attachment "A".

*Strategic Connection:* This item is connected to Goal 5 "Best in Class" Neighbor Services.

*Fiscal Note:* The recommended amendments are funded either by increases in revenue appropriations or offset by decreases in expenditures.

**RECOMMENDATION** City Commission adopt the proposed resolution.

[201115 A\\_FY2021 Third Budget Amendment Resolution\\_20210617.pdf](#)

[201115 B\\_FY2021 Third Budget Amendment Memorandum\\_20210617.pdf](#)

[201115 C\\_FY2021 Third Budget Amendment - Attachment A\\_20210617.pdf](#)

## RESOLUTIONS (NBR) - NON BINDING

NBR-1 [201080.](#)

**Commissioner Harvey Ward - Resolution Condemning/Denouncing Genocide (B)**

**RECOMMENDATION** The City Commission adopt the proposed resolution.

**Legislative History**

4/15/21 City Commission Approved, as shown above

[201080\\_HLW City of Gainesville Resolution Opposing Genocide\\_20210617](#)

NBR-2      [201081.](#)**Commissioner Harvey Ward - Resolution In Support of a National Infrastructure Bank (B)****RECOMMENDATION**

*The City Commission adopt the proposed resolution.*

**Legislative History**

4/15/21      City Commission      Approved, as shown above

[201081\\_HLW City of Gainesville Resolution National Infrastructure Bank\\_2021](#)

**PUBLIC HEARINGS (PH)**PH-1      [200729.](#)**Community Character Overlay District Text Change (B)**

**Petition PB-21-08 TCH. City of Gainesville. Amend the Land Development Code to modify the purpose, objectives, effect, criteria, and procedures for implementation of the community character overlay district.**

*Explanation: The Community Character Overlay Text Change item was first heard by the City Commission on November 5, 2020. After hearing the item again on November 19, 2020, the Commission directed staff to move forward with drafting changes to the text centered on the following: focusing the goal of the overlay district on supporting equity and equitable development in Gainesville; improving the process of overlay district creation and implementation with increased assistance provided by city staff; and enhancing community engagement and input in the development of overlay districts.*

*City Staff then presented the item to the City Plan Board to get input on a variety of proposed changes to the text. The Plan Board reviewed the item at three separate meetings and worked with staff to refine the proposed changes and work towards an improved version of the overlay district language. During their final meeting reviewing the item on April 22, 2021, the Plan Board decided to not recommend proposed changes to the overlay district. Instead, they recommended striking the overlay district language from the Land Development Code entirely. In deliberating this item, the Plan Board concluded that rewriting this portion of the code language would not be effective in working towards the goals the City Commission laid out.*

*Staff is bringing this item to the City Commission for their review. Staff has provided previous iterations of the overlay district text language, as well as existing code language, in backup for review. Staff is seeking input from the City Commission on further direction for this item.*

**RECOMMENDATION**

*The City Plan Board recommended to strike the Heritage Overlay District from the Code in a 5-2 vote.*



*Staff recommends the City Commission review the materials related to this item provided in backup and provide direction to staff for further action.*

[200729A\\_Background-HeritageOvrlyZoning\\_20201105](#)

[200729B\\_heritage\\_overlay\\_draft\\_map\\_20210112](#)

[200720\\_19PB-21-08TCH\\_Heritage\\_Overlay\\_District\\_Text\\_Change\\_Backup\\_Docur](#)

[200729\\_draft\\_community\\_character\\_overlay\\_text\\_20210405](#)

[200729\\_prospective\\_process\\_for\\_property\\_owner\\_20210407](#)

[200729\\_staff\\_update\\_drb\\_vs\\_hpb\\_vs\\_other\\_20210405](#)

[200729\\_heritage\\_overlay\\_text\\_change\\_presentation\\_city\\_commission\\_june17](#)

## **SR ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)**

**SR-1**      [201147.](#)

### **Code Amendments Regarding Residential Rental Unit Permits (B)**

Ordinance No. 201147

An ordinance of the City of Gainesville, Florida, amending Chapter 14.5, Article I titled "Residential Rental Unit Permits"; amending Appendix A. titled "Schedule of Fees, Rates and Charges" to revise Residential Rental Unit Permit fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing effective dates.

*Explanation: At the May 6th Regular City Commission Meeting, the Commission discussed desired revisions to the Residential Rental Unit Permit requirements and directed the preparation of this ordinance. This ordinance includes the following: (1) revised definitions to make clear that owner occupied units are not required to obtain a permit; (2) revised definitions to make clear that units that are not owner occupied, but are occupied solely by certain defined persons who are related to the owner are also not required to obtain a permit; (3) creates a re-inspection fee of \$100 to be charged by the City each time an inspection must be re-scheduled due to the owner, agent or occupant not being present; (4) clarified the permit fee language for units that are rented between April 1 - September 30; (5) clarified that energy efficiency requirements for fireplaces apply only to working fireplaces that are not sealed off; and (6) requires only one contact person for purposes of the permit - either the owner or a local agent specified by the owner.*

*In addition, the Commission requested that staff return with how staff plans to work with Homeowner Associations and Condominium Associations regarding approvals for required rental unit improvements that are located in shared/common element areas. Upon request by the owner of any regulated residential rental unit, staff will provide information regarding the City's Residential Rental Unit Permit requirements to the*

*Homeowner Association or Condominium Association. Whether a particular Association will approve or allow required improvements to be made within shared/common element areas is a private property matter to be resolved by those parties. If required improvements are not allowed, the unit owner will not be able to obtain a permit from the City. The Commission could consider future ordinance amendments to address such matters.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

5/6/21	City Commission	Approved, as shown above
6/3/21	City Commission	Adopted on First Reading (Ordinance)

[201147A\\_Residential Rental Unit Presentation FAQs\\_20210506](#)

[201147\\_draft ordinance\\_20210603](#)

**AR ORDINANCES, ADOPTION READINGS - ROLL CALL REQUIRED**

**FR ORDINANCES, 1ST READING - ROLL CALL REQUIRED (FR)**

**COMMISSION COMMENT**

**10:00pm or earlier - Adjourn - 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**