



City of Gainesville  
City Commission Regular Meeting  
AGENDA

Thursday, February 2, 2023, 10:00 a.m.

City Hall Auditorium  
200 East University Avenue  
Gainesville, FL 32601

Commission Members

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

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

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

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

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

**A. CALL TO ORDER - 10:00 AM**

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

**B. INVOCATION**

Pastor Catherine Dearlove, Trinity Metropolitan Community Church of Gainesville

**C. ADOPTION OF THE AGENDA**

Includes Consent and Regular Agenda Items

**D. CONSENT AGENDA**

**Approval of Minutes from the January 5 (2) 2023 Meetings (B)**

9

**Recommendation**: The City Commission approve the minutes for the January 5, 2023 meetings.

**2023-46 Appointments to City Commission Advisory Boards and Committees (B)**

22

**Department**: Office of the City Clerk

**Fiscal Note**: N/A

**Recommendation**: The City Commission appoint:

- Faith Corbet, Omar Hernandez and Corey Williams to the Citizens' Advisory Committee for Community Development for terms ending 11/1/2025.

- Nathaniel Courtney to the Gainesville Cultural Affairs Board for a term ending 9/30/2025.

- Harrison Scoville to the Regional Transit System Advisory Board for a term ending 9/30/2024.

**DRAFT: 2023-32 Heartwood Dreams2Reality Construction Contract Amendments (B) - 2023-32**

**Department:** Gainesville Community Reinvestment Area

**Description:** Staff is requesting the City Commission increase the cost-plus contracts for the 11 Dreams2Reality due to increases in labor and materials costs in the amount of \$655,737.27.

**Fiscal Note:** The total amount needed to increase the cost-plus contracts is \$655,737.27 and funding is available in the GCRA FY 2023 budget.

**2023-87 Mayor Harvey L. Ward, Jr. – Bloomberg Philanthropies, Letter of Support (B)**

59

**Department:** Office of the City Commission

**Fiscal Note:** N/A

**Recommendation:** The City Commission authorize Mayor Harvey L. Ward, Jr. to write a letter of recommendation supporting the UF College of Arts for a Bloomberg Grant.

**DRAFT: 2023-88 Approval of Employment Contracts for the City Manager, City Attorney, Equity and Inclusion Director and General Manager of the Utility (B) - 2023-88**

**Department:** Office of the City Commission

**Fiscal Note:** N/A

**DRAFT: 2023-61 Task Assignment Amendment for Jones, Edmunds & Associates, Inc. (B) - 2023-61**

**Department:** Parks, Recreation & Cultural Affairs

**Description:** This item is to modify design plans for a multiuse trail that was expected to run alongside a GRU asphalt access road. That road is no longer needed, so this item asks the City Commission to approve a revised total project cost of \$177,987.88 for the professional redesign. The work on the Wild Spaces & Public Places (WSPP) Multiuse Trail (SE Williston Road to Sweetwater Branch Creek) is done by Jones, Edmunds & Associates, Inc.

**Fiscal Note:** Funds in the amount of \$61,249.88 are available for professional design services for the WSPP Multiuse Trail: \$11,249.88 from the Sweetwater Recreational Trail WSPP ½ cent sales tax project account and \$50,000.00 from GRU Water/Wastewater. GRU agrees to transfer funds to WSPP in the amount of \$50,000.00 upon City Commission approval of the task assignment with Jones, Edmunds & Associates, Inc.

**E. EARLY PUBLIC COMMENT ON AGENDA ITEMS**

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

**F. BUSINESS DISCUSSION ITEMS - MORNING**

**DRAFT: 2023-98 Gainesville Police Department 4th Quarter Update (B) - 2023-98**

**Department:** Gainesville Police Department

**Description:** The Gainesville Police Department will provide an update on events and statistics to the City Commission for the October 1, 2022 through December 31, 2022 time period.

**Fiscal Note:** N/A

**2023-104 Commissioner Desmon Duncan-Walker: Local State of Emergency resulting from Gun Violence (B)**

**Department:** Office of the City Commission

**Fiscal Note:** N/A

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

65

**G. RESOLUTIONS – MORNING (Roll Call Required)**

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

**12:00-1:00 PM Lunch Break**

**H. CALL TO ORDER – 1:00 PM**

**I. GAINESVILLE HISTORY MOMENT**

**J. EARLY PUBLIC COMMENT ON AGENDA ITEMS**

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**K. GENERAL PUBLIC COMMENT**

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

**L. BUSINESS DISCUSSION ITEMS - AFTERNOON**

**M. RESOLUTIONS - AFTERNOON (Roll Call Required)**

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

**2022-536 Amend Future Land Use Map from Urban Mixed Use High (UMUH) to Planned Use District (PUD) (PB21-00219) (B)**

68

**Department:** Sustainable Development

**Description:** This is an ordinance amending the land use of approximately 1.11 acres generally located at the NW corner of the intersection of SW 2<sup>nd</sup> Avenue and SW 10<sup>th</sup> Street. This ordinance proposes amending the land use of the approximately 1.11 acres by overlaying the Planned Use District (PUD) land use category (the property will retain its underlying land use category of Urban Mixed-Use High-Intensity (UMUH)).

**Fiscal Note:** N/A

**Recommendation:** The City Commission adopt the proposed ordinance.

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

**2023-07 An Ordinance Revising Civil Citation Penalties and Code Enforcement Fines/Liens (B)**

486

**Department:** City Attorney

**Description:** Ordinance No. 2023-07 An ordinance of the City of Gainesville, Florida, amending Section 2-339, Applicable codes and ordinances, to revise civil citation penalties for violations of certain ordinances; amending Section 2-388.1, Administrative fines and liens, to authorize the reduction of assessed costs in code enforcement cases; amending Section 13-17, Adoption of the International Property Maintenance Code, to require the removal or remediation of hazardous trees; amending Section 30-8.44, Violations, enforcement and penalties, to delete procedures for landscape and tree management provisions that are being recodified in Section 13-17; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**Fiscal Note:** N/A

**Recommendation:** The City Commission adopt the proposed ordinance.

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

**2023-70 Residential Rental Unit Permit Program (B)**

513

**Department:** Office of the City Attorney

**Description:** Ordinance No. 2023-70: An ordinance of the City of Gainesville, Florida, amending the Residential Rental Unit Permits program by amending Section 2-339 – *Applicable Codes and Ordinances* and by amending Chapter 14.5, Article I titled “Residential Rental Unit Permits”; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

**Fiscal Note:** N/A

**Recommendation:** The City Commission adopt the proposed ordinance.

**2022-366 Ordinance Specifying the Standards and Duties Of The City Internal Auditor (B)**

522

**Department:** Office of the City Attorney

**Description:** Ordinance No. 2022-366: An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances by revising the duties of the City Internal Auditor; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**Fiscal Note:** N/A

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

**2022-380 Request To Vacate A Right-of-way (LD22-000009 SVA) (B)**

552

**Department:** Description: Fiscal Note: N/A

**Department:** Sustainable Development

**Description:** This item is an ordinance of the City of Gainesville, Florida to vacate, abandon, or close a certain public right-of-way generally located near 4234 and 4210 NW 6<sup>th</sup> Street. This was a request made by Gary Dounson (Agent) on behalf of Steph and Hans Solutions, LLC (Owner).

**Fiscal Note:** N/A

**Recommendation:** City Commission to adopt the proposed ordinance.

**2022-537 Rezone from Urban Transect Zone U9 to Planned Development (PD) (PB21-00220 ZON) (B)**

604

**Department:** Sustainable Development

**Description:** This is an ordinance amending the zoning of approximately 1.11 acres generally located at the NW corner of the intersection of SW 2<sup>nd</sup> Avenue and SW 10<sup>th</sup> Street. This ordinance proposes rezoning the approximately 1.11 acres from Urban 9 to Planned Development. The change started with an application from a private property landowner.

**Fiscal Note:** N/A

**Recommendation:** The City Commission adopt the proposed ordinance.

**Q. COMMISSION COMMENT**

4:30 - 5:30 PM Dinner Break

**R. CALL TO ORDER - 5:30 PM**

**S. PLEDGE OF ALLEGIANCE**

**T. PROCLAMATIONS & SPECIAL RECOGNITIONS**

**2023-94 Black History Month Proclamation (B)**

1037

**Department:** Office of the City Clerk

**Fiscal Note:** N/A

**Recommendation:** Mrs. Vivian Filer to accept the proclamation.

**U. EARLY PUBLIC COMMENT ON AGENDA ITEMS**

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**V. RESOLUTIONS - ROLL CALL REQUIRED**

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

**W. BUSINESS DISCUSSION ITEMS - EVENING**

**2023-59 Perpetual Easement between NE 26th Terrace and SE 26th Terrace (B)**

1040

**Department:** Sustainable Development

**Description:** The Florida Department of Transportation is asking the City Commission for a perpetual easement. This would give FDOT permanent access to install and maintain traffic signals and equipment between NE 26<sup>th</sup> Terrace and SE 26<sup>th</sup> Terrace.

**Fiscal Note:** N/A

**Recommendation:** The City Commission authorize the Mayor to sign and the City Clerk to attest the perpetual easement to the Florida Department of Transportation, subject to the approval by the City Attorney as to form and legality.

**2023-60 Perpetual Easement between NW 13th Street and NW 23rd Avenue (B)**

1058

**Department:** Sustainable Development

**Description:** This agenda item requests the City Commission grant a perpetual easement to the Florida Department of Transportation for signal pole construction at NW 13th Street and NW 23rd Avenue.

**Fiscal Note:** N/A

**Recommendation:** The City Commission: 1) Grant the land rights to the Florida Department of Transportation for the Northwest 13<sup>th</sup> Street/NW 23<sup>rd</sup> Avenue project as detailed, and 2) Authorize the Mayor to sign and the City Clerk to attest the perpetual easement to the Florida Department of Transportation, subject to approval by the City Attorney as to form and legality.

- X. PUBLIC HEARINGS (Including Planning Petitions)
- Y. ORDINANCES : ADOPTION READING - EVENING (Roll Call Required)
- Z. ORDINANCES: SECOND READING - EVENING (Roll Call Required)
- AA. ORDINANCES: FIRST READING - EVENING (Roll Call Required)
- AB. COMMISSION COMMENT
- AC. ADJOURNMENT - 10:00 PM OR EARLIER  
If later than 10:00pm, the Commission may waive the rules to extend the meeting or may schedule a date/time to continue the meeting.