



City of Gainesville
City Commission Regular Meeting
AGENDA

Thursday, March 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

Prophet George Young

C. ADOPTION OF THE AGENDA

Includes Consent and Regular Agenda Items

D. CONSENT AGENDA

Approval of Minutes from the February 20, 2023 City Commission Meeting (B)

11

Recommendation: The City Commission approve the minutes from the February 20, 2023 City Commission Meeting (B)

2023-111 Authorization to Accept the State of Florida Department of Environmental Protection Grant Award, and Authorization to Execute Award Agreement (B)

13

Department: Transportation

Description: This item requests City Commission approval for the Regional Transit System to accept a grant award by the State of Florida Department of Environmental Protection for its Electric Transit Bus Grant Program in the amount of \$1,200,000 for the purchase of up to four electric buses over the span of four fiscal years beginning in FY23.

Fiscal Note: Reimbursement funds will be received from the FDEP in the amount of \$1,200,000 over a four year period: \$300,000 per electric bus purchased, for a total of four buses.

Recommendation: The City Commission: 1) authorize the City Manager or their designee to accept an award by the State of Florida Department of Environmental Protection for its Electric Transit Bus Grant Program; and 2) authorize the City Manager or their designee to execute the grant award agreement and any other necessary documents, subject to approval by the City Attorney as to form and legality.

<p>2023-143 Risk Management Settlement of Workers' Compensation Claims (NB) Department: Risk Management</p> <p>Description: This item involves the full and final settlement of Justin Poirot's workers' compensation claims, which include all future medical and indemnity payments. The total settlement amount is \$120,000.00 and represents a significant cost advantage to the city.</p> <p>Fiscal Note: The \$120,000.00 settlement amount is included in the Fiscal Year 2023 operating funds of the General Insurance Fund.</p> <p>Recommendation: The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of Justin Poirot's Worker's Compensation claims of \$120,000.00.</p>	59
<p>2023-174 Tree City USA Application (B) Department: Public Works</p> <p>Description: A consent requesting the City Commission's approval for the Mayor or equivalent to sign the Tree City USA Application.</p> <p>Fiscal Note: No funds are required.</p> <p>Recommendation: The City Commission approve and authorize the Mayor to sign the Tree City USA Application.</p>	61
<p>2023-177 Amendment to the Gainesville Community Reinvestment Area Advisory Board Rules (B) Department: Gainesville Community Reinvestment Area (GCRA)</p> <p>Description: Amendment to the GCRA Advisory Board Rules, pursuant to Ordinance No. 210356; that revised Article V of Chapter 2 of the City Code of Ordinances relating to boards and committees.</p> <p>Fiscal Note: None</p> <p>Recommendation: The City Commission approves the amendment to the Gainesville Community Reinvestment Area Advisory Board Rules as presented.</p>	63
<p>2023-189 Resignation of Madilena Campbell from the Nature Centers Commission and Stan Kiser from the Public Recreation and Parks Board (B) Department: Office of the City Clerk</p> <p>Fiscal Note: N/A</p>	73

Recommendation: The City Commission accept the resignations of Madilena Campbell and Stan Kiser, effective immediately.

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

2023-175 Gainesville Fire Rescue Quarterly Update (B)

75

Department: Gainesville Fire Rescue

Description: This is a request for the City Commission to hear a quarterly update presentation from Gainesville Fire Rescue.

Fiscal Note: N/A

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

2023-179 American Rescue Plan (ARPA) Quarterly Update (B)

109

Department: City Manager

Description: The City Manager’s Office will provide an update on the American Rescue Plan Act (ARPA) funded projects.

Fiscal Note: Project and administrative expenses are funded by the Coronavirus State and Local Fiscal Recovery Funds allocated to the City of Gainesville by the American Rescue Plan Act of 2021. The City received its first half of the \$32.4 million allocation (\$16.2 million) on June 14, 2021 and the second tranche on June 16, 2022.

Recommendation: The City Commission: 1) reduce the Personal Protective Equipment project budget to \$134,602.40; 2) allocate \$134,602.40 to the Affordable Housing Downpayment Assistance project, and 3) approve the feasibility study project name change to “Feasibility Study – Cultural Arts Center”.

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

Donna Waller

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

2023-190 Appointments to the City Plan Board and Development Review Board (B)

152

Department: Office of the City Clerk

Fiscal Note: N/A

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

2023-99 Fiscal Year 2022 City Investment Performance Report (B)

189

Department: Financial Services

Description: Fiscal Year 2022 Investment Performance Summary Report and detailed backup reporting for the City's Operating Fund, General Employees' Pension Plan, Police Officers' and Firefighters' Pension Plan, Retiree Health Insurance Trust Fund, and Evergreen Cemetery Trust Fund.

Fiscal Note: City Operating Fund – The Fund's FY22 year-end balance was \$232,073,638. The FY22 annualized investment return was on the City's SBA Prime Fund Account was 0.84%, and FY22 accrued interest earned on the City's Bond Portfolio was 0.43%. The Bond Portfolio's annualized return at 9/30/22 was 4.23%. Total FY22 City Operating Fund interest earned and accrued was \$1,811,859. The City Bond Portfolio's unrealized mark to market value loss at 9/30/2022 was - \$1,408,172. City Operating Fund interest is allocated to all applicable City Funds that maintain cash balances during the fiscal year.

General Employees' Pension Plan – The Plan's FY22 year-end balance was \$516,847,066. The Plan's FY22 investment rate of return was - 20.79%, and the investment loss was -\$144,081,021. General

Employees' Pension Plan investment returns only impact the Plan, but they have an indirect effect on the City's required employer pension contribution rate which is determined through actuarial valuations performed annually by the Plan's actuary.

Police Officers' & Firefighters' Pension Plan – The Plan's FY22 year-end balance was \$245,371,697. The Plan's FY22 investment rate of return was -16.30%, and the investment loss was -\$53,724,928. Police Officers' & Firefighters' Pension Fund investment returns only impact the Plan, but they have an indirect effect on the City's required employer pension contribution rate which is determined through actuarial valuations performed annually by the Plan's actuary.

Retiree Health Insurance Trust Fund – The Fund's FY22 year-end balance was \$56,450,903. The Fund's FY22 investment rate of return was -17.93%, and the investment loss was -\$12,299,951. Retiree Health Insurance Trust Fund investment returns only impact the Fund, but they have an indirect effect on the City's required Fund contribution rate which is determined through actuarial valuations performed regularly by the Fund's actuary.

Evergreen Cemetery Trust Fund – The Fund's FY22 year-end balance was \$1,174,048. The Fund's FY22 investment rate of return was -26.44%, and the investment loss was -\$475,955. Evergreen Cemetery Trust Fund investment returns only impact the Trust Fund.

Expected investment returns for the City's Operating Fund, General Employees' Pension Plan, Police Officers' and Firefighters' Pension Plan, Retiree Health Insurance Trust Fund, and Evergreen Cemetery Trust Fund are included in the City's annual budgets.

Recommendation: The City Commission review and accept the submitted FY2022 City Investment Performance Summary Report as recommended by the Finance Committee.

2022-762 Open Container Discussion and Direction (B)

289

Department: Sustainable Development

Description: This item requests direction from the City Commission regarding potentially scaling back the hours when open container possession and consumption of alcohol is permitted from 2:30 am to 11:30 pm.

Fiscal Note: N/A

Recommendation: The City Commission discuss the draft ordinance(s), provide direction to staff, and if appropriate, direct the City Attorney's office to schedule the ordinance for first reading.

2023-209 - Potential Sale of the Public Radio System to Alachua County (B)

351

Department: Gainesville Regional Utilities, GRUCom

Description: GRU staff have been in talks with Alachua County regarding the County's desire to purchase the public safety radio system. Staff is seeking approval to develop and execute an agreement with the County for the sale of the system.

Fiscal Note: \$8 million cash payment in return for the sale of the Trunked Radio System to Alachua County effective October 1, 2023. The net book value of the assets as of December 31, 2022, was \$3.7 million. Outstanding debt on TRS assets is \$10.8 million.

Recommendation: The City Commission direct the GRU General Manager to work with Alachua County to develop an agreement for the sale of the Public Safety Radio System to be brought back to the City Commission for final approval.

2023-189 GRU Solar Contract (B)

367

Department: GRU Sustainability

Description: Further discussion about the solar contract.

Fiscal Note: The energy provided under this contract is not projected to cause upward rate pressure.

Recommendation: The City Commission discuss the amended solar contract and take any action deemed appropriate.

- 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)
- Q. COMMISSION COMMENT
4:30 - 5:30 PM Dinner Break
- R. CALL TO ORDER - 5:30 PM
- S. PLEDGE OF ALLEGIANCE
Girl Scouts of Gateway Council Troops
- T. PROCLAMATIONS & SPECIAL RECOGNITIONS

2023-182 Girl Scout Day Proclamation (B) 399

Department: Office of the City Clerk

Fiscal Note: N/A

Recommendation: To be received by Membership Manager for Girl Scouts of Gateway Council Heddy Vernon.

2023-217 News Literacy Day Proclamation (B) 402

Department: Office of the City Clerk

Fiscal Note: N/A

Recommendation: To be accepted by the Bateman Team.

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)

2023-140 Third Budget Amendment to the FY 2023 General Government Financial and Operating Plan (B) 404

Department: Office of Management and Budget

Description: This item is a request to amend the FY 2023 General Government Financial and Operating Plan to reflect additional revenue and expenditure appropriations through September 30, 2023.

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

Recommendation: The City Commission adopt the proposed resolution as recommended by the Finance Committee.

W. BUSINESS DISCUSSION ITEMS - EVENING

X. PUBLIC HEARINGS (Including Planning Petitions)

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

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

2023-70 Residential Rental Unit Permit Program (B)

435

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.

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

444

Department: Sustainable Development

Description: Ordinance No. 2022-380: An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close certain portions of a public right-of-way generally located near 4232 and 4210 NW 6th Street, as more specifically described in this ordinance; providing directions to the City Clerk; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: N/A

Recommendation: City Commission to adopt the proposed ordinance.

2023-105 Consolidated Police Officers and Firefighters Retirement Plan (B)

497

Department: Office of the City Attorney

Description: Ordinance No. 2023-105: An ordinance of the City of Gainesville, Florida, amending the Definition of eligible member in Section 2-596; Retirement dates and benefits in Section 2-600(k) and (n); Section 2-609(2)c of Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Fiscal Note: No fiscal impact, changes are cost neutral to the plan in both contribution levels and do not change the liabilities associated with providing the retirement benefit.

Recommendation: The City Commission adopt the proposed ordinance.

2022-703 Quasi-Judicial Rezoning LD22-84 ZON Located at 4100 North West 16th Boulevard (B)

527

Department: Sustainable Development

Description: Ordinance No: 2022-703: An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.95 acres of property generally located in the vicinity of 4100 NW 16th Boulevard, as more specifically described in this ordinance, from Planned Development (PD) to Mixed-Use Medium-Intensity (MU-2); providing directions to the City Manager; 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.

2022-704 LD22-129 TCH Certified Mail Requirement (B)

637

Department: Sustainable Development

Description: Ordinance No. 2022-704: An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) relating to public notice requirements by amending Sections 30-3.7 – *Public Participation* and 30-3.8 – *Public Notice*; providing directions to the codifier; 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. The City Plan Board recommends approval of the proposed ordinance.

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.



**City Commission Workshop
MINUTES**

**February 20, 2023, 3:00 p.m.
Historic Thomas Center, Long Gallery
302 NE 6th Ave
Gainesville, FL
32601**

Members Present: Mayor Ward, Commissioner Book, Commissioner Eastman,
Commissioner Saco, Commissioner Willits

Members Absent: Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker

A. CALL TO ORDER - 3:09 PM

B. ADOPTION OF THE AGENDA

Motion: The City Commission adopt the agenda.

Aye (5): Mayor Ward, Commissioner Book, Commissioner Eastman,
Commissioner Saco, and Commissioner Willits

Absent (2): Commissioner Chestnut, and Mayor Pro Tempore Duncan-Walker

Approved (5 to 0)

C. BUSINESS DISCUSSION ITEMS

1. 2023-183 Land Use and Zoning Workshop (B)

Sean McDermott, Assistant City Attorney gave a presentation.

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

Cynthia Curry, City Manager spoke to the item.

Andrew Persons, Assistant to Charter Officer spoke to the item.