

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**July 21, 2016**

**1:00 PM**

**MODIFIED AGENDA**

**City Hall Auditorium**

## **City Commission**

***Mayor Lauren Poe (At Large)***

***Commissioner Harvey Budd (At Large)***

***Mayor-Commissioner Pro Tem Helen Warren (At Large)***

***Commissioner Charles Goston (District 1)***

***Commissioner Todd Chase (District 2)***

***Commissioner Craig Carter (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.***

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

*"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited."*

**ROLL CALL****INVOCATION****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**[150872.](#)**FIRE PROTECTION AND PREVENTION CODE AMENDMENT (NB)**

**This item requests that the City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending the Code of Ordinances of the City of Gainesville Chapter 10 Fire Protection and Prevention Article IV False Alarms Section 10-40 Alarm Contractors and Appendix A. Schedule of Fees, Rates and Charges - Fire/Rescue to provide for amendments to s. 553.7931, F.S. effective July 1, 2016.**

*Explanation: Prior to July 1, 2016, local governmental entities could apply fines and penalties to contractors and alarm system monitoring companies for activating or servicing unpermitted alarms.*

*Section 553.7931 F.S. created by House Bill 535, effective July 1, 2016 requires the owner, lessee, or occupant, or an authorized representative to register an alarm system and requires contractors and alarm system monitoring companies that activate alarm systems to provide notice to the owner, lessee, or occupant, or authorized representative that the local governmental entity may require the registration of the alarm system. It further holds that contractors or alarm system monitoring companies cannot be held liable for civil penalties and fines for failing to register an alarm system, for dispatch to an unregistered user, or for*

*excessive false alarms not attributed to alarm system monitoring company error or improper installation by the contractor or alarm system monitoring company.*

*The City's Deputy Fire Chief, JoAnne Rice, is recommending amendments to the City's Code of Ordinances Sec. 10-40. - Fire alarm system contractors, by amending subsections (e) and (g) and amending Appendix A. Schedule of Fees, Rates and Charges - Fire/Rescue to correspond with the statutory changes effective July 1, 2016.*

*Fiscal Note: The fiscal impact is expected to be minimal.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending the City's Fire Protection Code and Appendix A. Schedule of Fees, Rates and Charges - Fire/Rescue of the City of Gainesville Code of Ordinances to correspond to changes to s. 553.7931 F.S.*

[160161.](#)

**FY17 and FY18 Cultural Affairs Outside Agency Funding (B)**

**This item requests that the City Commission approve the funding recommendation of the Gainesville-Alachua County Cultural Affairs Board for the Outside Agency cultural grants program.**

*Explanation: The Gainesville-Alachua County Cultural Affairs Board uses the Cultural Plan to evaluate*

*Outside Agency grant applications, assessing each application for its ability to meet criteria specified in the Plan, including arts and cultural accessibility, education and audience development.*

*A public scoring workshop was conducted on May 14, 2016, to review applications and score agencies for funding. Applications were received from sixteen agencies this year and fifteen are recommended for funding. Evaluation of applicants takes into consideration the City's Cultural Plan, the applicants' fiscal and artistic history, verification of 501(c)(3) status as a not-for-profit agency, and how well the agency's application meets specific criteria outlined in the grant guidelines, such as audience development, project management and program merit. Prior to submitting their applications, all applicants are provided with a complete copy of evaluative criteria. Applicants must score 75 points or better to be eligible for funding.*

*In keeping with the City's two-year budget cycle, grant awards are for a two-year period, similar to granting procedures of the State's Division of Cultural Affairs. Applicants' requests and award amounts are based on a tiered funding system for small, medium and large agencies, with request caps based on agencies' last closed fiscal year expenditures budget. This results in awards more closely aligned with each agency's*

operational needs.

The recommended agency awards are specified in the attachment entitled, "Gainesville/Alachua County Cultural Affairs Board Funding Recommendations for FY17 and FY18 Outside Agency Grants".

*Fiscal Note:* The current funding level for the Outside Agency grant program is \$56,979. Award recommendations are based on current funding level, subject to final budget deliberations and allocations in the budget process; should the funding level decrease, agency grant awards will be decreased proportionately to ensure the total award amounts do not exceed the total amount available for the Outside Agency grant program.

**RECOMMENDATION**

The City Commission approve the FY17 and FY18 Outside Agency cultural grant awards as recommended by the Gainesville-Alachua County Cultural Affairs Board, contingent upon adoption of the final FY17 and FY18 City of Gainesville budget.

[160161\\_FY17-FY18CAB OA Funding Recom\\_20160721.pdf](#)

[160162.](#)

**Tree planting, design, permitting, bidding, and construction administration (B)**

**This item requests approval by the City Commission of a contract with Chen Moore & Associates for design, permitting, bidding, and construction administration for multiple tree planting projects within the City of Gainesville.**

*Explanation:* The Parks, Recreation and Cultural Affairs Department (PRCA) wishes to engage the services of Chen Moore and Associates to undertake the design, permitting, bidding, and construction administration for multiple tree planting projects within the City of Gainesville. The projects include tree planting at the Gainesville Empowerment Center, Southwest 6th Street Rail Trail, NW 34th Street Right of Way, NW 6th Street Right of Way, Waldo Road Bicycle Path, NE 8th Avenue Right of Way, and Citizens Field Overflow Parking Lot.

In August 2015, the Parks, Recreation and Cultural Affairs Department was asked to compile a list of projects that could use the Tree Mitigation Fund. Utilizing an existing citywide continuing service contract, the Parks, Recreation and Cultural Affairs Department requested a proposal from Chen Moore & Associates for seven of those projects. On September 24, 2015, a final proposal was submitted by Chen Moore & Associates.

During one of the Citizen Comment portions of the July 16, 2015 City Commission meeting, a citizen spoke regarding the City's tree ordinance. The matter was referred to the Community Development

Committee for further discussion. At the September 3, 2015 City Commission meeting, the issue of the Tree Ordinance and Appeals Process was also referred to the Community Development Committee. The Committee's discussion has included the Tree Mitigation Fund.

Several projects from Public Works have already used Tree Mitigation Funds (SW Depot Ave and NW 6th St Rail Trail Phase I). Public Works submitted three projects (NW 6th St Rail Trail Phase II, SW 6th St, and SE 2nd Ave Median) and PRCA submitted the Chen Moore Projects to the Tree Advisory Board on November 9, 2015. The Tree Advisory Board recommends approval for all projects.

Given the legal constraints on how tree mitigation funds may be expended, PRCA staff has discussed this project with the City Attorney's Office and staff believes this project is a legally defensible use of the funds.

*Fiscal Note:* The total cost of the projects is \$78,405.00. Funds for these projects are available in the Tree Mitigation Fund.

**RECOMMENDATION**

The City Commission authorize the City Manager to execute the Professional Services Contract and other related documents with Chen Moore & Associates for tree planting, design, permitting and construction administration, subject to approval by the City Attorney as to form and legality.

[160162A Chen Moore Proposal 20160721.pdf](#)

[160162B Chen Moore Executed contract 20160721.pdf](#)

[160166.](#)

**Non-Ad Valorem Assessment for Solid Waste Management (B)**

**This item is a request for the City Commission to authorize the City Attorney to draft an ordinance allowing the assessment for solid waste management to continue inside the city limits for two (2) additional years.**

*Explanation:* Since October 1, 1997, the Alachua County Commission has approved a non-ad valorem assessment for solid waste management in order to cover the cost of the Waste Alternatives program, the Household Hazardous Waste program and approximately 36% of the Rural Collection Center program. Beginning with the 1997-98 fiscal year, all municipalities in Alachua County, except for LaCrosse, have approved ordinances allowing the collection of the assessment within their respective municipal limits. The City's ordinance expires September 30, 2016. The Board of County Commissioners is requesting that the City of Gainesville adopt an ordinance allowing the assessment for solid waste management to continue inside the municipal limits for an additional year, effective October 1, 2016 through September 30, 2017; and to

*auto-renew each year unless the city provides notification to the county before May 1 preceding any fiscal year that the city does not intend to renew the assessment.*

*The Waste Alternatives Program provides public education and resources for our community emphasizing a new philosophy in waste reduction: Embrace Zero Waste. Zero Waste encourages the elimination of the inefficient use of our resources. Waste Alternatives programs help accomplish this by focusing on source reduction, reuse, recycling, composting, household hazardous waste and litter prevention through a variety of learning tools. Waste Alternatives Specialists visit schools throughout the County using a curriculum approved by the school board for students in grades Pre-K through 12. Waste Alternatives staff also provides presentations to civic groups and businesses. A large multi-media campaign supports the program and serves as an additional outreach mechanism to our community. Waste Alternatives also provides recycling containers for special events, manages the Alachua County commercial recycling program, sponsors special recycling events, operates a reusable resource center for teachers (Tools for Schools) in cooperation with the Alachua County School Board, and acts as liaison between the waste haulers and recyclers and residents and businesses. These activities are county-wide and include all municipalities.*

*The Alachua County Environmental Protection Department's Hazardous Waste program provides collection, recycling and disposal of Household Hazardous Waste (HHW) including automotive fluids, paints, toxic chemicals, fluorescent lamps and electronic scrap through the Alachua County Household Hazardous Waste Collection Center at the Leveda Brown Environmental Park, at the Rural Collection Centers and through periodic mobile HHW collection events throughout the county. In addition, the program provides emergency response for hazardous materials incidents, inspection and monitoring of small quantity hazardous waste generators and complaint investigations regarding hazardous materials and wastes. The program also provides, on a fee basis, hazardous waste disposal services for conditionally exempt small quantity generators of hazardous waste. All activities are county-wide and include all municipalities.*

*The Rural Collection Centers provide drop-off sites for residential solid waste, recycling and non-toxic household hazardous waste. The Rural Collection Centers are funded through two sources. Approximately 64% of the funds come from the Rural Collection Center assessment (assessed to rural residents of unincorporated Alachua County) and about 36% from the Solid Waste Management assessment (assessed to all residents of the county except for rural, unincorporated residents). The proportion from each funding source is based upon a survey of users of the collection centers to determine what percentage are rural residents as compared to municipal and County mandatory curbside collection residents.*

*The Solid Waste Facilities Cost includes the cost of providing, maintaining, operating, and monitoring the Solid Waste Management Facilities known as “closed landfills” (including the Northeast, the Northeast Auxiliary, the Southeast and the Northwest closed landfills) and the property intended for future Solid Waste Management Facilities known as Balu Forest. These costs are currently being accounted for in the tipping fee charges.*

*Renewing the solid waste management assessment for two (2) years will continue the current arrangement through the end of FY 2018. The City’s Interlocal Agreement for Solid Waste Management Services with Alachua County expires December 31, 2018.*

*Fiscal Note: The City’s Solid Waste Utility will cover the cost of advertisement of the ordinance hearings.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney to draft and the Clerk to advertise an ordinance allowing the assessment for solid waste management to continue inside the municipal limits of Gainesville for two (2) additional years.*

[160166\\_County Resolution\\_20160721.pdf](#)

[160168.](#)

**Guaranteed Maximum Price (GMP) for the Construction of the Stephen Foster Neighborhood Street Improvements (B)**

**This item is a request for the City Commission to approve the GMP with Oelrich Construction Inc. for Construction of the Stephen Foster Neighborhood Street Improvements.**

*Explanation: On January 15th, 2015 the City Commission authorized the use of Koppers Superfund Settlement Funds to be used on public infrastructure improvements in the areas surrounding the Koppers Superfund Site, including the Stephen Fosters Neighborhood; \$424,500 was allocated for roadway repaving. JBrown Professional Group was retained to prepare construction documents for the project which includes resurfacing and/or reconstruction of nine (9) streets in the Stephen Foster Neighborhood.*

*This item supports the City Commission Strategic Initiative 6.2: Develop a community partnership for long-term clean-up and revitalization of the Cabot/Koppers Superfund site and surrounding neighborhoods.*

*Public Works is utilizing the construction management firm Oelrich Construction Inc. to facilitate the project and has negotiated a GMP of \$420,177.00.*

*Fiscal Note: The project is funded with \$350,177 remaining from the Koppers Superfund Settlement Funds and \$70,000 in the Capital Improvements Resurfacing account.*

**RECOMMENDATION**

*The City Commission: 1) approve the GMP and*



2) authorize the City Manager or designee to execute all documents, subject to approval by the City Attorney as to form and legality.

[160168A\\_GMP Stephen Foster Roadway\\_20160721.pdf](#)

[160168B\\_Master Plan Stephen Foster\\_20160721.pdf](#)

[160168C\\_Map\\_20160721.pdf](#)

[160170.](#)

**Approval and Authorization of a Quitclaim Deed to the Gainesville Housing Authority for property located at 716 SE 4th Avenue (B)**

**This is a request to approve a quitclaim deed for property located at 716 SE 4th Avenue to Gainesville Housing Authority (GHA).**

*Explanation: Parcel number 12202-000-000, located at 716 SE 4th Avenue (Property) was conveyed from Transitional Living of North Central Florida to Gainesville Housing Authority on June 9, 1994 by Warranty Deed recorded in OR Book 1968, page 1776 (Deed). That deed contains conditions and restrictions benefiting the City of Gainesville.*

*According to City records, around 1992-1993, Home Investment Partnerships Program (HOME) funds were invested in the subject property (approximately \$57,600).*

*The Deed requires that the subject property be occupied by low-income persons, as defined by the United States Department of Housing and Urban Development, for a period of fifteen (15) years from the date of recording of the Deed. If GHA were to breach this restriction, at the option of the City, the title would be forfeited to the City upon an affirmative vote of the City Commission. GHA also had the option of buying out the prorated sum of \$57,600. However, upon reviewing the records, it appears that GHA has met the fifteen-year recapture requirements, and therefore the City does not retain any interest in the property.*

*GHA desires to sell the parcel to an interested party who requires a handicap-accessible residence, which this home is, and is requesting that the City approve the sale of the Property. GHA intends to take the proceeds and purchase another home in an effort to continue providing affordable housing in our community. In order to sell the property with clear title, the City's interest must be released. This may be accomplished by the recording of a quitclaim deed from the City to GHA.*

*Fiscal Note: There is no fiscal impact associated with this item.*

**RECOMMENDATION**

*The City Commission 1) authorize the City to release its interest in parcel number 12202-000-000 and 2) authorize the Mayor to execute a quitclaim deed, subject to review and approval by the City Attorney as to form and*



legality.

[160170A\\_Deed - Quit Claim for GHA\\_20160721.pdf](#)

[160170B\\_Deed ORB 1968-Page 1776\\_20160721.pdf](#)

[160170C\\_Map- Aerial - 716 SE 4th Ave\\_20160721.pdf](#)

[160176.](#)

**Ratification of Agreement between the Fraternal Order of Police (FOP) Gator Lodge 67, Inc. Bargaining Unit and the City of Gainesville for October 1, 2013 through September 30, 2016 (B)**

*Explanation: This Agreement has been reached through negotiations between the Fraternal Order of Police Gator Lodge 67, Inc. and the City of Gainesville, and was ratified by the Fraternal Order of Police Gator Lodge 67, Inc. Bargaining Unit on July 5, 2016. Tentative agreement on all items was reached following a period of impasse, which was declared on June 18, 2015. The parties continued to negotiate, presented arguments over the disputed issues on November 2, 2015, and ultimately reached tentative agreement June 28, 2016. This Agreement extends the current Collective Bargaining Agreement through September 30, 2016.*

*A number of changes to the 2010-2013 contract were negotiated. Where necessary, dates, policy references, and article reference numbers changed throughout the Agreement. In addition, several substantive changes were agreed to, including the following:*

*Article 11 - Hours of Work: The parties agreed to memorialize the 11 hour, 25 minute Patrol Shift that has been in place since April 2014.*

*Article 12 - Sick Leave: Replaced "on or after the ratification date of this Agreement" with the date in ordinance, establishing the cut-off date beyond which sick leave may not be used as credited service for pension purposes. As was required by State law, this was a change negotiated in 2013.*

*Article 13 - Bereavement Leave: Deleted obsolete verbiage addressing Bereavement Leave accrual for part-time employees. All employees are granted Bereavement Leave on a workday basis, regardless of the length of an employee's shift.*

*Article 14 - Premium Pay: Clarified administration of Out of Class pay. Reduced Out of Class pay when working up as a Lieutenant from 10% to 5%. Reduced the threshold for triggering Out of Class pay when working up as a Corporal or Sergeant from 60 consecutive scheduled workdays to 40 hours in a pay period (and for all hours beyond the first 40).*

*Article 15 - Special Duty/Assignments Pay: Eliminated a number of units or assignments currently eligible for \$60 monthly stipend, particularly those units or assignments that represent an officer's regular duty assignment. The units or assignments removed from eligibility will be the Drug Task Force, K-9 Unit, Forensic Crime Unit Investigators, Crime Prevention Officer, School Resource Officer, Mounted Unit, Aviation Unit, Traffic Safety Team, Training Unit, Downtown Unit, and Special*

*Operations Unit. The Advanced Law Enforcement Rifle Team (ALERT) has been redesigned and replaced with the Emergency Services Unit, which will continue to be eligible for Special Duty/Assignments Pay. In addition to these changes, the parties agreed to change the amount paid to Field Training Officers, who are assigned an officer to train, from \$90 monthly to \$1.875/hour for each hour assigned to field training. A Field Training Officer working 160 hours in a month as a trainer will now receive \$300/month for such duty.*

*Article 19 - Miscellaneous Employee Benefits: Reinstated the Dry Cleaning, Clothing and Leather allowances, for the duration of the Agreement. In addition, the parties agreed to eliminate the cell phone stipend. At present, officers are either issued a City cell phone for work purposes, or he/she may choose to use his/her personal cell phone for work purposes.*

*Article 23 - Job Vacancy-Probation-Promotion: Newly hired officers will now need to serve at least a one year probation, which will include a minimum of six months following completion of the Field Training Program. Previously, officers served a one year probation, regardless of how much solo time they had, post-Field Training. In addition to this change, the parties agreed to a new paragraph outlining the process for filling assignment vacancies at Grace-Dignity Village, the Oaks Mall, North Florida Regional Medical Center, the Downtown Unit, and the Gainesville Airport. Assignments to these vacancies will be done first on a volunteer basis, with the Chief of Police assigning the least senior employee (who has at least one year of solo experience and has not already worked six months in one of the listed assignments) to any remaining vacancy.*

*Article 29 - Wages: Eligible members may receive a base rate increase and/or a one-time, non-pensionable payment, per Exhibit II of the Agreement. There are 265 employees listed in the exhibit. Increases will range from \$1.22/annually to \$8,859.13/annually, with 51 receiving no increase. For those due to receive an increase, the average will be \$3,261/annually. The total annualized cost associated with base rate increases will be \$698,000. In addition to the base rate increases, members may receive a one-time, non-pensionable payment. One-time payments will range from \$119.30 to \$6,171, with 13 receiving no one-time payment. The total annualized cost associated with these one-time payments will be \$759,000, of which \$204,000 will be incurred over the remainder of this fiscal year.*

*The amount distributed as one-time, non-pensionable payments was arrived at by allocating the accumulated amount that would have been paid to the bargaining unit had they agreed to and received the FY 14 budgeted increase of 1½%, as well as the amount that would have been paid to the bargaining unit had the agreed-to base rate increases been effective retroactively to January 2016. Payments under the Wages article are separate from payments as allowances under Article 19 - Miscellaneous Employee Benefits.*

*A copy of the Agreement is on file in the office of the Clerk of Commission. After July 21, 2016, the Agreement will be on file in the Human Resources Department.*

*Fiscal Note: The FY16 cost of the contract is \$1,386,462. Of this \$618,464 is budgeted within GPD's FY16 budget and \$536,688 was assigned in the FY15 year-end General Fund fund balance. \$231,310 will need to be appropriated in excess of the budgeted and assigned amounts.*

**RECOMMENDATION**

*The City Commission ratify the Agreement between the City of Gainesville and the Fraternal Order of Police Gator Lodge 67, Inc., extending the Agreement through September 30, 2016; and that the Commission appropriate \$536,688 from the assigned General Fund fund balance and \$231,310 from unassigned General Fund fund balance to GPD's FY16 budget to cover the cost of the contract.*

[160176A\\_FOP Contract \(strikethrough\)\\_20160721.pdf](#)

[160176B\\_FOP Contract \(Final\)\\_20160721.pdf](#)

[160176C\\_Summary of Changes FOP Agreement\\_20160721.pdf](#)

[160184.](#)

**Agreement between University of Florida Board of Trustees and City of Gainesville for Bus Service for UF Students (B)**

**This is a request for the City Commission to authorize the City Manager to execute a new Agreement with the University of Florida Board of Trustees (UF) and the City of Gainesville for Regional Transit System (RTS) to provide unlimited access to public transit for UF students.**

*Explanation: There is currently an Agreement between the University of Florida Board of Trustees (UF) and the City of Gainesville to provide unlimited access to public transit to UF students. This Agreement expires on August 19, 2016. Attached and recommended for City Commission approval is a proposed new 3-year Agreement that would start on August 20, 2016 and expire August 19, 2019.*

*Enhanced services to UF during the 2016-2017 academic year will consist of an additional 2,000 hours of service for new and enhanced service starting in the fall. The projected cost of providing these services is approximately \$129,760. With the additional service hours anticipated for FY17, RTS will need to add two (2) new Transit Operators to keep up with the demand. The recruitment and training period for these new positions will require that current RTS staff operate the service until the new employees are available.*

*RTS staff has negotiated an hourly rate of \$64.88 per hour to cover operating costs starting with FY17 of the new Agreement. The UF Transportation Fee Committee and RTS meet on an annual basis to evaluate the current service and determine the need to modify or add services. The proposed Agreement provides for negotiated annual price*

adjustments for FY18 and FY19 or else the prior year's rate remains in effect. In order to streamline the rate approval process for FY18 and FY19, staff is requesting that the City Commission authorize the City Manager or his designee to execute amendments to this Agreement for rate changes of 5% or less.

*Fiscal Note:* The total anticipated revenue from UF of approximately \$12,775,628 will cover budgeted expenses and the additional RTS positions.

**RECOMMENDATION**

The City Commission: 1) approve the two (2) new Transit Operator positions effective August 20, 2016; 2) authorize the City Manager or his designee to execute the Agreement Between University of Florida Board of Trustees and City of Gainesville for Bus Service for UF Students, subject to approval by the City Attorney as to form and legality; and 3) authorize the City Manager or his designee to negotiate and execute amendments that do not increase rates by more than 5% from the prior year, and any related documents, subject to approval by the City Attorney as to form and legality.

[160184A\\_2013-2016 Agreement\\_20160721.pdf](#)

[160184B\\_Proposed Agreement\\_20160721.pdf](#)

[160185.](#)

**FY 2016 Internet Crimes Against Children Task Force Program (B)**

**This is a request for City Commission approval to apply for funding under the FY 2016 Internet Crimes Against Children (ICAC) Task Force Program Continuation.**

*Explanation:* The United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention requests that the City of Gainesville apply for funding under the FY 2016 Internet Crimes Against Children Task Force Program Continuation. This funding will allow the continuation of the Gainesville Police Department's North Florida ICAC Task Force which provides equipment, training, and investigative support to agencies investigating crimes involving the victimization of children through the use of technology. The Task Force serves 38 counties in the State of Florida and the US Virgin Islands.

*Fiscal Note:* The City is eligible to receive grant funding up to a maximum of \$381,353. No matching funds are required. The effective dates of the grant are July 1, 2016 - June 30, 2017.

**RECOMMENDATION**

The City Commission: 1) authorize the City Manager to apply for these funds; and 2) execute any additional documents that may be required, pending review of the City Attorney as to form and legality.

[160185\\_FY2016\\_ICAC\\_Task\\_Forces\\_Letter\\_of\\_Invitation\\_20160707](#)

[160186.](#)

**Solid Waste Partnership with Alachua County (NB)**

**This item is a request for the City Commission to refer the Solid Waste Partnership with Alachua County to the General Policy Committee.**

*Explanation:* The City of Gainesville and Alachua County entered into an Interlocal Agreement for Solid Waste Management Services, which expires December 31, 2018. Alachua County and New River Solid Waste Association have an Interlocal Agreement for solid waste disposal that also expires December 31, 2018. Alachua County is in the process of evaluating alternatives for solid waste disposal; City of Gainesville should also evaluate these alternatives and be ready to discuss the Solid Waste Partnership with Alachua County beyond December 31, 2018.

*Fiscal Note:* There is no fiscal impact associated with this item at this time.

**RECOMMENDATION**

The City Commission refer the Solid Waste Partnership with Alachua County to the General Policy Committee.

[160189.](#)

**FY 2017 Visit Florida Cultural, Heritage, Rural and Nature (CHRN) Grant (NB)**

**This item requests City Commission approval for Parks, Recreation and Cultural Affairs (PRCA) Department to accept, if awarded, a grant from Visit Florida Cultural, Heritage, Rural and Nature Grant program to install interpretative signage for each of the 352 Walls located in the downtown area.**

*Explanation:* The City of Gainesville Parks Recreation and Cultural Affairs (PRCA) Department has submitted a grant application to the Visit Florida Cultural, Heritage, Rural and Nature (CHRN) Grant program to support the installation of interpretative signage for each of the 352 Walls located in the downtown area. The funds, if awarded, will enable the 352Walls project to add areas where visitors and residents will gravitate to and explore as well as develop the area's pedestrian potential. It is estimated that the newly installed interpretative panels will have an impact on the local economy whereby visitors will spend money in local restaurants, shops and parks.

*Fiscal Note:* PRCA has submitted a grant application in the amount of \$5,000 to the Visit Florida Cultural, Heritage, Rural and Nature (CHRN) Grant program for marketing funds to support the 352 Walls interpretative panels. The cash match will be met with funds from the Tourism Product

*Development Grant. No additional funds will be necessary to facilitate this request.*

**RECOMMENDATION**

*The City Commission authorize the City Manager or designee to execute the grant award agreement, if awarded, and other grant-related documents, subject to approval by the City Attorney as to form and legality.*

[160206.](#)

**Resignation of Jacob Adams and Kathryn Horter from the Bicycle/Pedestrian Advisory Board (BPAB) (B)**

**RECOMMENDATION**

*The City Commission accepts the resignation of Jacobs Adams and Kathryn Horter, effective immediately.*

[160206\\_ResignationJacobAdamsKathrynHorter\\_20160721.pdf](#)

**ADOPTION OF REGULAR AGENDA**

**GENERAL CITIZEN COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total**

**BUSINESS DISCUSSION ITEMS - GRU and General Government items placed on the agenda by the Charter Officers or moved from Consent.**

[160012.](#)

**Agreement for Purchase of Easement and Stormwater Improvements (B)**

**This item is a request for the City Commission to approve an agreement with Southpark Investment Group, LLC (SIG) for the construction of the second portion of the Innovation Square Storm Pipe Upgrade project.**

*Explanation: The stormwater conveyance system in and around Innovation Square was installed over time and in a manner that proved to be insufficient to prevent flooding upstream. The pipe network from SW 2nd Avenue to the headwall in the 900 block of SW 5th Avenue was identified in the Tumblin Creek Watershed Management Plan as needing to be upgraded in certain sections to remove constriction points in order to alleviate upstream flooding conditions.*

*The original project routed a new pipe system around the former Alachua General Hospital site west in SW 2nd Avenue, south in SW 10th Street, and east in SW 5th Avenue. With the master planning associated with the Innovation Square and the demolition of Alachua General Hospital, the project was modified to be a straight corridor to reduce the pipe lengths, roadway impacts, and costs.*

*The first portion of the 72" storm pipe upgrade in Innovation Square was completed in 2014 as part of the construction of SW 9th Street. This project terminated the 72 inch pipe on the north side of SW 4th Avenue. This project will extend the pipe from its current location on the north side of SW 4th Avenue to the headwall on the south side of SW 5th Avenue, crossing both SW 4th Avenue and SW 5th Avenue.*

*Southpark Investment Group (SIG) is in the process of redeveloping the western portion of a parcel located between SW 4th Avenue and SW 5th Avenue through which the existing 72 inch pipe is located. SIG and Public Works have worked together to include the installation of a new City's 72 inch pipe extension concurrent with SIG's site work.*

*This project will also include the relocation and upgrade of the existing headwall to which is currently located approximately 4 feet from the edge of pavement which requires guard rail. Additional improvements along the corridor will include a multi-use path with a pedestrian overlook of the creek at the southern limit, but are not a part of the work associated with Public Works. SIG has also agreed to provide the City with an easement for the 72 inch pipe for future maintenance.*

*The cost for the proposed easement which would also include the completion of the storm pipe extension and headwall improvements is \$784,057.00. The cost of the improvements includes*

- Costs for the open cut and repair for SW 4th Avenue and SW 5th Avenue.*
- Costs for the installation of the 72" storm pipe and its associated structures.*
- Costs for the installation of the secondary storm infrastructure improvements that needed to be removed due to the new path for conveyance.*
- Costs for the new headwall, which includes a large amount of fill in order to move the headwall to an appropriate distance from the SW 5th Avenue pavement edge.*

*The originally proposed route would have cost an estimated \$1,500,000. This would have included open cut and repair as well as temporary roadway closures for the following sections of roadway:*

- SW 4th Avenue from SW 9th Street to SW 10th Street*
- SW 10th Street from SW 4th Avenue to SW 5th Avenue*
- SW 5th Avenue from SW 10th Street to SW 9th Street*

*The proposed improvements through SIG's property provides for a more efficient system, lower cost for the City, as well as less interruptions to the traffic patterns for the area.*

*Fiscal Note: Funding in the amount of \$784,057.00 is available through SMU funding identified in the Capital Improvement Plan for Pipe Replacements.*

**RECOMMENDATION**

*The City Commission: 1) approve the agreement; 2) authorize the City Manager or designee to execute the appropriate documents subject to*



approval by the City Attorney as to form and legality.

[160012A EasementAgreement 20160721.pdf](#)

[160012B InnovationSquarePipeUpgrade 20160721.pdf](#)

[160012C InnovationSquarePipeExtension CityCommission 20160721.pdf](#)

[160181.](#)

**SAP Enterprise Management System to include Re-implementation of Financial Management System (FMIS) and Customer Care System (CCS) and additional Work Management and Asset Management modules (EAM). (B)**

*MODIFICATION - ADDITIONAL BACK-UP*

*Explanation: This item was brought before the City Commission on July 7, 2016. The Commission asked for additional information and continued the item to a later date.*

*On November 6, 2014, the City Commission authorized GRU to transition the Financial Management System (FMIS) and Customer Care System (CCS) to the current product version. This authorization provided for a 2-3 year implementation plan to upgrade the system and included authorization to amend existing master services software license agreements, negotiate with SAP as a specified source for FMIS implementation services, and authorized a not to exceed \$6 million budget for FMIS. Since this authorization, GRU has upgraded its current hardware system and has redefined the Enterprise Management system implementation plan. Work and Asset management for the operational areas to plan, schedule, execute work orders, and report on assets has been added to the Enterprise Management System to allow greater efficiencies and work flow within the organization.*

*Staff will work directly with the software provider, SAP, for the re-implementation of the Financial Management System but believes there is a competitive advantage to negotiating an RFP/RFI for the CCS and EAM implementation.*

*This item was presented to the Utility Advisory Board on June 29, 2016 and was discussed on July 6, 2016. The Utility Advisory Board voted 6-0 to recommend that the City Commission accept staff recommendations for items 1-6 of the recommendation and to modify number 5 of the recommendation so that GRU cannot exceed 20 million for CCS and EAM implementations. The Utility Advisory Board also recommended that the Utility Advisory Board receive updates from GRU on the status of this item every 3 months.*

*Fiscal Note: Funds for the initial phases of this project are available in the FY 2016 budget and will be requested in FY17, FY18, and FY19 budgets, subject to the final appropriation of funds.*

**RECOMMENDATION**

**The City Commission:**

1. *Authorize the General Manager, or his designee, to execute a Statement of Work for FMIS implementation services with SAP as the system integrator in the amount of \$4,778,805.*
2. *Authorize the General Manager, or his designee, to execute a Premium Engagement Support Services Agreement beginning August 1, 2016 for three years payable as follows:  
Year 1: \$400,732  
Year 2: \$578,512  
Year 3: \$563,422*
3. *Authorize the General Manager, or his designee, to extend the projected FMIS, CCS, and EAM implementation plan timeline to include FY 16, FY 17, FY18, and FY19.*
4. *Authorize the General Manager, or his designee, to issue and negotiate an RFP/RFI for blueprint and implementation services for CCS and EAM modules.*
5. *Authorize the General Manager, or his designee, to allocate an additional \$20 million for CCS and EAM implementations.*
6. *Authorize the General Manager, or his designee, to execute any contracts and/or documents as may be necessary or desirable to proceed with the transaction authorized above, subject to the approval of the City Attorney as to form and legality, and to take such other actions as may be necessary or advisable to proceed with such transaction in accordance with this City Commission authorization.*

Legislative History

7/7/16 City Commission Continued

[160181\\_buzzworddoc\\_20160706](#)

[160181\\_ppt\\_20160706](#)

[160181 Business Critical Software Systems Presentation\\_20160721](#)

[160181 CCS Assessment-Planning Draft 20160721](#)

[160181 FMIS Detailed Design Draft 20160721](#)

[160181 Sample Fit Gap Workshops 20160721](#)

[160181 Strategy and Technical Design for SAP HANA 20160721](#)

[160181 One SAP Project 20160721](#)

**COMMITTEE DISCUSSION ITEMS - Items placed on the agenda by the Audit & Finance Committee or General Policy Committee or moved from Consent**

**OTHER POLICY DISCUSSION ITEMS - If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs**

**INFORMATIONAL PRESENTATIONS - Items that do not request or require any Commission action. If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs.**

**4:30 - 5:30pm Dinner Break**

**5:30 - Call to order Evening Session**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[160205.](#)

**Bonnie H. Johns Day - July 31, 2016 (B)**

RECOMMENDATION

*Bonnie Johns to accept the proclamation.*

[160205\\_BonnieHJohnsDay\\_20160721.pdf](#)

**GENERAL CITIZEN COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total**

**PUBLIC HEARINGS**

**RESOLUTIONS - ROLL CALL REQUIRED**

[160146.](#)

**Resolution Reestablishing ConnectFree Program and Directing the Expenditure of Program Funds (B)**

**This item is a resolution to re-establish the ConnectFree Program.**

*Explanation: The City of Gainesville, in accordance with Sections 27-128 and 27-169 of the Code of Ordinances, imposes a 25 percent surcharge on water and wastewater connection charges incurred beyond the municipal boundaries of the City. In 2003, the City created the ConnectFree Program (Resolution No. 030223, as amended by Resolution Nos.*

050601, 130718, and 140313), which was funded by surcharges collected on water and wastewater connections, to assist with the extension, construction, and connection to the City's water, wastewater, and reclaimed water systems. In July 2014, the City Commission suspended the surcharges on water and wastewater connections for the 2015 fiscal year (Ordinance No. 140171) and discontinued the ConnectFree Program (Resolution No. 140313). The City Commission on May 7, 2015, voted to reinstate the ConnectFree Program (Legislative File No. 140680) and reinstated the surcharges starting in FY 2016 with the adoption of Ordinance No. 150246 on September 17, 2015.

The Community Development Committee and the City Commission decided on the criteria to identify and prioritize projects eligible to receive ConnectFree Program assistance. The ConnectFree Program policy established in this resolution is as follows: 1) grants shall assist with the payment of costs associated with the extension, construction, and connection to the City's water, wastewater, and reclaimed water systems throughout the entire Gainesville Regional Utilities (GRU) service area; 2) households with incomes at or below the 80% median income level for Gainesville, as established by the U.S. Department of Housing and Urban Development, are eligible to receive additional funding to assist with any necessary on-site plumbing modifications; 3) priority is given to low-income households and areas, as well as projects that promote the elimination or reduction of threats to public health, safety and environmental welfare; 4) a maximum funding limit is provided per customer and per neighborhood, with the limit to be evaluated annually; 5) the City Commission shall approve any projects receiving \$50,000 or greater; 6) criteria for the use of program funds by non-profits/governments that serve special needs populations; and 7) staff reporting back in eighteen (18) months to provide an assessment of the administration of the ConnectFree Program.

*Fiscal Note:* Projections indicate that the re-instated 25% surcharge on water and wastewater connection charges in the unincorporated area will generate approximately \$250,000 annually to fund the ConnectFree Program.

**RECOMMENDATION**

Staff recommends that the City Commission adopt the resolution.

The Utility Advisory Board recommends that the City Commission suspend the 25% connection fee and find another way to fund ConnectFree and reimburse GRU for the unfunded mandate connected with this program.

[160146A\\_ConnectFree Resolution\\_20160721.pdf](#)

[160146B\\_ConnectFree presentation\\_20160721.pdf](#)

[160141.](#)

**Qualified Target Industry (QTI) Resolution - Nationwide Mutual Insurance Company (B)**

**This item seeks City Commission approval for a QTI Resolution associated with prospective expansion and job creation within the City of Gainesville for Nationwide Insurance.**

*Explanation:* In this particular case, Nationwide Mutual Insurance Company has indicated that it will create up to 130 net new jobs beginning in FY 2017 at an average wage of approximately \$42,482 (with benefits) within the City of Gainesville. In addition to the creation of jobs this firm has pledged a total capital investment of approximately \$7.4 million.

The QTI incentive is a state tool available to Florida communities to encourage job growth in targeted, high value added businesses. Pre-approved applicants creating jobs in Florida receive refunds on the various State taxes they pay including corporate, sales, ad-valorem, insurance premium and other taxes. The QTI incentive is performance based and the firm will only receive funds based upon jobs created and meeting other criteria as required by Florida statute.

Due to the incentive calculated per job (\$3,000 per job per QTI incentive and \$2,000 for jobs located in an Enterprise Florida designated High Impact Business Sector) the total incentive would be \$650,000. Of this, the City would be asked to provide a 10% match (\$65,000) with an equal 10% match (\$65,000) coming from Alachua County for a total local match of \$130,000.

The Gainesville Area Chamber of Commerce and its economic development arm, the Council for Economic Outreach (CEO) have worked with Enterprise Florida and Nationwide Mutual Insurance Company and recommend approval of this request.

*Fiscal Note:* If this item is approved, the City Commission agrees to budget and appropriate up to \$65,000 in the event that tax refunds are approved by the State.

**RECOMMENDATION**

The City Commission: 1) adopt the QTI Resolution; 2) authorize the Mayor to execute and the Clerk to attest to the QTI Resolution regarding Nationwide Mutual Insurance Company; and 3) direct the City Manager to forward the executed QTI Resolution to Enterprise Florida.

[160141\\_Resolution QTI Nationwide Insurance\\_20160721.pdf](#)

[160144.](#)

**Withdrawal from the First Florida Governmental Financing Commission (B)**

*Explanation:* The City of Gainesville is a member of the First Florida Governmental Financing Commission (FFGFC) which in the past served as a conduit to allow local governments to jointly issue bonds, taking advantage of economies of scale which were especially effective when purchasing

*bond insurance.*

*Due to changes in the financial markets and the downgrading of bond insurance providers, this structure is no longer advantageous to the City. With a prepayment of the FY 2017 final payment due on the City's last outstanding FFGFC bond issue, the City will be eligible to withdraw from the FFGFC, which will save the City in administrative costs.*

*Fiscal Note: FY 2017 prepayment of the final FFGFC 2007 of \$75,000 in principal and \$3,000 in interest would be funded from General Fund fund balance in FY 2016 and the FY 2017 budget would be reduced by that amount. Administrative expenses of \$7,000 will be saved in FY 2017.*

**RECOMMENDATION**

*The City Commission: 1) approve the resolution authorizing withdrawal from the FFGFC; and 2) authorize the use of General Fund fund balance to prepay the final payment of the FFGFC 2007 bond issue.*

[160144 Resolution 20160721.pdf](#)

[160204.](#)

**AMEND CITY COMMISSION RULES REGARDING RECONSIDERATION (B)**

Resolution No. 160204

A resolution amending and restating in its entirety the rules of the City Commission to revise the rules regarding reconsideration; providing a repealing clause and providing an immediate effective date.

*Explanation: At its meetings on May 19, June 2 and June 16, 2016, the City Commission debated its current rules concerning reconsideration which read as follows:*

*"After the decision of any question, it shall be in order for a member voting on the prevailing side to move reconsideration at the same meeting or at the next Regular Meeting. If the motion to reconsider is approved by a majority of those members present, the item shall be placed on a future agenda for reconsideration. In the case of a tie vote on any question, any member may move the reconsideration at the same meeting or at the next Regular Meeting. If a motion to reconsider be lost, it shall not be renewed without the unanimous approval of the Commission; and no decision shall be a second time considered."*

*Recognizing the City Commission is an elected, public deliberative body that may from time to time desire to change course or direction on a matter, the City Attorney's Office has prepared this resolution to amend the rules concerning reconsideration to read as follows:*

*"After the decision of any question, it shall be in order for any member to move reconsideration. If the motion to reconsider is approved by a majority of those members present, the item shall be placed on a future agenda for reconsideration, subject to legal, contractual, fiscal, quasi-judicial and other constraints as staff may advise the*

*Commission."*

*This resolution is submitted to assist the Commission with this issue, there is no legal or policy requirement that it be adopted.*

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

[160204\\_draft\\_resolution\\_20160721.pdf](#)

## **ORDINANCES, 1ST READING - ROLL CALL REQUIRED**

## **ORDINANCES, 2ND READING/ADOPTION READINGS - ROLL CALL REQUIRED**

[160122.](#)

### **LAND USE CHANGE - PORTION OF 1125 NE 8TH AVENUE (B)**

Ordinance No. 160122; Petition No. PB-16-74 LUC

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of property generally located at 1125 NE 8th Avenue adjacent to and south of NE 8th Avenue, west of NE 12th Street, and east of NE 11th Street, as more specifically described in this ordinance, from Public Facilities (PF) to Mixed-Use Low-Intensity (MUL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**MODIFICATION - ADDITIONAL BACK-UP FROM PETITIONER**

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT*

*This ordinance will change the land use category for a developed, 3.2-acre property located at 1125 NE 8th Avenue adjacent to and south of NE 8th Avenue, west of NE 12th Street (approximately 1,155 feet west of Waldo Road), and east of NE 11th Street. This land use change from Public and Institutional Facilities (PF) to Mixed-Use Low-Intensity (MUL) will allow a broad mix of residential and non-residential uses, including offices and retail scaled to serve the surrounding neighborhood.*

*The property is west of and adjacent to a place of religious assembly and two-family residences (duplexes) that front NE 12th Street. Duplexes and single-family houses are west across NE 11th Street, and the City's vacant 3.6-acre parcel is adjacent to the south. To the north across NE 8th Avenue are a convenience store and single-family houses. This property is within the Gainesville Innovation Zone.*

*This developed property contains a vacant 29,935 sq. ft. building that was owned by the federal government since 1950, and was used for*



many years by the U.S. Army Reserve. The property was the subject of a City of Gainesville visioning workshop in 2012. Ownership of the property (including the adjacent 3.6-acre parcel to the south) reverted to the City of Gainesville within the past year. The City issued a Request for Proposals for the reuse and redevelopment of the property in early March. The proposal that was selected by the City is from a small, innovative and successful Gainesville company that has outgrown its space in the former FAA building at Gainesville Regional Airport. The company, Phalanx Defense Systems, designs and manufactures body armor and related safety equipment for public safety workers (e.g., fire, police, as well as the U.S. military) using previously processed recycled materials.

City staff determined that the MUL land use category would be the most appropriate land use category for the use proposed by Phalanx, and filed the application for this small-scale land use change. This land use change ordinance has a corresponding rezoning ordinance as well as an ordinance that will amend the Land Development Code to allow armor systems manufacturing and assembly in the proposed zoning district (i.e., MU-1).

This land use change ordinance is consistent with the City's Comprehensive Plan and supports infill redevelopment and economic development.

At a public hearing on June 30, 2016, the City Plan Board voted to recommend approval of this land use change to the City Commission.

#### CITY ATTORNEY MEMORANDUM

This proposed amendment to the Comprehensive Plan involves a use of 10 acres or fewer and qualifies as a small-scale development amendment. The City Commission may adopt small-scale development amendments with a single public hearing.

Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining that the adopted amendment is in compliance with Chapter 163, Florida Statutes. If unchallenged, this amendment shall become effective 31 days after adoption.

#### RECOMMENDATION

The City Commission: (1) approve Petition No. PB-16-74 LUC; and (2) adopt the proposed ordinance.

[160122 Staff report and Appendices A-C\\_20160630](#)  
[160122B Staff report and Appendices A-C\\_20160721](#)  
[160122C AlHadeed Comment ltr\\_20160721](#)  
[160122D CPB minutes draft\\_20160721](#)  
[160122E Staff ppt\\_20160721](#)  
[160122A draft ordinance\\_20160721.pdf](#)  
[160122 MOD Memo to City Comm'n re FLUM Amendment Petit. 16-74 for Pha](#)

[160123.](#)

**QUASI-JUDICIAL - REZONING - PORTION OF 1125 NE 8th AVENUE (B)**

Ordinance No. 160123; Petition No. PB-16-75 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning property generally located at 1125 NE 8th Avenue adjacent to and south of NE 8th Avenue, west of NE 12th Street, and east of NE 11th Street, as more specifically described in this ordinance, from Public Services and Operations District (PS) to Mixed-Use Low-Intensity District (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*MODIFICATION - ADDITIONAL BACK-UP FROM AFFECTED PARTY.*

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT*

*This ordinance will change the zoning district for a developed, 3.2-acre property located at 1125 NE 8th Avenue adjacent to and south of NE 8th Avenue, west of NE 12th Street (approximately 1,155 feet west of Waldo Road), and east of NE 11th Street. This rezoning from Public Services and Operations District (PS) to Mixed-Use Low-Intensity District (MU-1) will allow a broad mix of residential and non-residential uses, including offices and retail scaled to serve the surrounding neighborhood.*

*The property is west of and adjacent to a place of religious assembly and two-family residences (duplexes) that front NE 12th Street. Duplexes and single-family houses are west across NE 11th Street, and the City's vacant 3.6-acre parcel is adjacent to the south. To the north across NE 8th Avenue are a convenience store and single-family houses. This property is within the Gainesville Innovation Zone.*

*This developed property contains a vacant 29,935 sq. ft. building (two-story and one-story components) that was owned by the federal government since 1950, and was used for many years by the U.S. Army Reserve. The property was the subject of a City of Gainesville visioning workshop in 2012. Ownership of the property (including the adjacent 3.6-acre parcel to the south) reverted to the City of Gainesville within the*

past year. The City issued a Request for Proposals for the reuse and redevelopment of the property in early March. The proposal that was selected by the City is from a small, innovative and successful Gainesville company that has outgrown its space in the former FAA building at Gainesville Regional Airport. The company, Phalanx Defense Systems, designs and manufactures body armor and related safety equipment for public safety workers (e.g., fire, police, as well as the U.S. military) using previously processed recycled materials.

City staff determined that the MU-1 zoning district would be the most appropriate for the use proposed by Phalanx and filed the application to rezone the property. This proposed rezoning to MU-1 will broaden the range of permitted uses for this property and is supportive of economic development in the eastern part of the City. The proposed rezoning is consistent with the City's Comprehensive Plan and supports mixed-use development at an appropriate location. This rezoning ordinance has a corresponding land use change ordinance as well as an ordinance that will amend the Land Development Code to allow armor systems manufacturing and assembly in the MU-1 zoning district.

At a public hearing on June 30, 2016, the City Plan Board voted to recommend approval of this rezoning to the City Commission.

#### CITY ATTORNEY MEMORANDUM

This ordinance requires one hearing. This ordinance shall become effective immediately upon adoption; however, the rezoning implemented by this ordinance shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 160122 becomes effective as provided therein.

**RECOMMENDATION**            The City Commission: (1) approve Petition No. PB-16-75 ZON and (2) adopt the proposed ordinance.

[160123 Staff report and Appendices A-B 20160630](#)

[160123B Staff report and Appendices A-B 20160721](#)

[160123C AlHadeed Comment ltr 20160721](#)

[160123D CPB minutes draft 20160721](#)

[160123E Staff ppt 20160721](#)

[160123A draft ordinance 20160721.pdf](#)

[160123 MOD PB-16-75-ZON Formal Quasi-Judicial Petition by Al Hadeed.pdf](#)

[160124.](#)

**TEXT CHANGE - ADD ARMOR SYSTEMS MANUFACTURING  
& ASSEMBLY AS A PERMITTED USE BY RIGHT TO MU-1  
ZONING DISTRICT (B)**

Ordinance No. 160124, Petition PB-16-76 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-64 - Mixed-Use Low-Intensity District (MU-1) of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to add Armor Systems Manufacturing and Assembly as a permitted use by right with Indoor Gun Range as an accessory use; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation:* **PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

*This ordinance will add Armor systems manufacturing and assembly as a permitted use, with conditions, in the Mixed-Use Low-Intensity (MU-1) zoning district. Armor systems include armor safety products and personal protective equipment such as body armor, bullet proof vests and similar products. The conditions for the proposed use include that all manufacturing and assembly be within completely enclosed structures that are at least 100 feet from properties with residential land use, that there is no outdoor storage, that loading docks and mechanical equipment be screened, and that sound attenuation be provided. An indoor gun range will be allowed as an accessory use, but shall be limited to product testing and demonstration and shall have sound attenuation.*

*The similarly named use of Hard armor systems manufacturing and assembly was added in 2012 by Ordinance no. 140392 to the Airport Facility District (AF) at Gainesville Regional Airport to enable a high-tech, local start-up company to operate in the AF zoning district. That company designs and manufactures body armor and related safety equipment for public safety workers (e.g., fire, police, and the U.S. military). This ordinance will allow such businesses to operate within the MU-1 zoning district.*

*At a public hearing on June 30, 2016, the City Plan Board voted to recommend that the City Commission approve this amendment to the list of permitted uses within the MU-1 zoning district.*

#### **CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and shall become effective immediately upon adoption at second reading.*

#### **RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

#### **Legislative History**

7/7/16	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance)
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[ccc160124 Staff report and Appendices A - B 20160630](#)

[160124A draft ordinance 20160707.pdf](#)

[160124B Staff report and Appendices A - B 20160630](#)

[160124C MOD CPB minutes draft 20160707](#)

[160124D MOD Staff PPT 20160707](#)

[160121.](#)

**QUASI JUDICIAL - AMEND THE LIST OF USES PERMITTED BY RIGHT IN THE PS ZONING DISTRICT FOR DEPOT PARK (B)**

Ordinance No. 160121; Petition No. PB-16-80 ZON

An ordinance of the City of Gainesville, Florida, amending the list of permitted uses specified in Ordinance No. 081040 for the existing Public Services and Operations District (PS) zoning for certain property generally located south of Depot Avenue, east of South Main Street, north of SE Veitch Street and west of SE 4th Street, commonly known as "Depot Park," as more specifically described in this ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT*

*This ordinance will amend the list of permitted uses for Depot Park that was established in 2009 per the adoption of Ordinance No. 081040. The approximately 39.5-acre property is on the south side of Depot Avenue, east of S Main Street, north of SE Veitch Street and west of SE 4th Street. Depot Park is the culmination of major, long-term efforts of the City of Gainesville to remediate environmental contamination caused by a coal gasification plant that was located along Depot Avenue, and to redevelop this City-owned property into a unique city park with components that include but are not limited to public greenspace, the renovated and historic train depot building, and the Cade Museum.*

*In consideration of the uses that are planned for the Depot Building (historic train depot building), the need to amend the list of permitted uses established in 2009 for this PS zoning district has become evident. Among the proposed uses envisioned for the Depot Building are indoor events such as concerts and cultural events (currently permitted in this PS district only as outdoor events), eating places, outdoor cafes, barber shop, and retail sales. This will expand the allowance for eating places, outdoor cafes, and retail sales, which are currently allowed only as accessory uses to museum, art galleries and botanical and zoological gardens (MG-84).*

*This ordinance will allow for uses that are complimentary to and supportive of the City's Depot Park, supportive of increased economic*

activity in East Gainesville, and consistent with City of Gainesville Comprehensive Plan.

At a public hearing on June 30, 2016, the City Plan Board recommended approval to the City Commission.

#### CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption.

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

#### Legislative History

7/7/16      City Commission      Approved (Petition) and Adopted on First Reading (Ordinance)

[160121 Staff report and Appendices A - C 20160630](#)

[160121A draft ordinance 20160707.pdf](#)

[160121 petition form 20160707.pdf](#)

[160121B Staff report and Appendices A - C 20160707](#)

[160121C MOD CPB minutes draft 20160707](#)

[160121D MOD Staff PPT 20160707](#)

[160121A MOD revised draft ordinance 20160707.pdf](#)

[160121 MOD petition form 20160707.pdf](#)

[160121A draft ordinance 20160721.pdf](#)

[140292.](#)

#### **REVISIONS TO LANDLORD PERMITS SECTIONS OF CODE OF ORDINANCES (B)**

Ordinance No. 140292

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances related to landlord permits by amending Section 2-377 - Applicability; jurisdiction; amending Chapter 14.5 - Miscellaneous Business Regulations, Article I. - Landlord Permits; amending Appendix A. - Schedule of Fees, Rates and Charges; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: CODE ENFORCEMENT DEPARTMENT STAFF REPORT*

*This ordinance will amend the Landlord Permits sections of the Code of Ordinances in accordance with the direction provided by the City Commission at its meetings on September 7, 2015, and November 19, 2015. The amendments include: revising the ordinance exemption to*

*include dwellings occupied by the owner or certain family members; providing for the transfer of permits to the new owner(s) of a dwelling; incorporating the code enforcement board or special magistrate into the permit revocation hearing process; revising the permit fees regarding proration for permits received in second half of permit year, late fees, permit transfers, and multiple dwelling unit discounts; as well as other general clarification revisions.*

#### CITY ATTORNEY MEMORANDUM

*This ordinance requires two hearings and shall become effective immediately upon adoption at second reading.*

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

#### Legislative History

8/21/14	City Commission	Referred to the Community Development Committee
3/4/15	Community Development Committee	Discussed
9/2/15	Community Development Committee	Discussed
9/17/15	City Commission	Approved, as shown above
10/14/15	Community Development Committee	Discussed
11/19/15	City Commission	Approved as Recommended
12/2/15	Community Development Committee	Discussed
1/21/16	City Commission	Approved as Amended
7/7/16	City Commission	Adopted on First Reading (Ordinance)

[140292\\_Landlord Permit Review\\_20150304.pdf](#)

[140292\\_FY14 GAINESVILLE \(FL\) - LL CAP FINAL\\_20150902.pdf](#)

[140292A\\_Landlord Permit Program\\_20150917.pdf](#)

[140292B\\_fee study\\_20150917.pdf](#)

[140292C\\_3-4-15 CDC Minutes\\_20150917.pdf](#)

[140292\\_Landlord Permit PPT\\_20151014.pdf](#)

[140292\\_Landlord Permit presentation\\_20151119.pdf](#)

[140292\\_LLQ presentation\\_20151202.pdf](#)

[140292\\_Landlord Permit presentation\\_20160121.pdf](#)

[140292A\\_draft ordinance\\_20160707.pdf](#)

## PLANNING PETITIONS



**CITIZEN COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total**

**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**