

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

March 16, 2017

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**[160767.](#)**Human Resources Policy L-8, Military Leave (B)**

This item is a request for the City Commission to approve amending HR Policy L-8, to renew Military Leave benefits through March 2018.

Explanation: Human Resources Policy L-8, Military Leave, is amended to extend the previously ratified supplement to an employee's military pay by an amount not to exceed the employee's regular base pay, (i.e., no overtime, certification pay, educational incentive pay or special duty pay, etc.), for those employees called to active military duty. This amendment also extends the City health and basic life insurance coverage for employees called to active military duty at the same rates as for active employees. Both benefits expire April 1, 2017. In order to be effective, the benefits must be renewed by commission action.

Fiscal Note: Funds are currently budgeted for Fiscal Year 2017.

RECOMMENDATION

The City Commission approve revision to Human Resources Policy L-8, Military Leave.

[160767 L-8 Military Leave Policy 20170316.pdf](#)

[160823.](#)**Ratification of Amendments to the Agreement between the**

Amalgamated Transit Union (ATU) Bargaining Unit and the City of Gainesville for October 1, 2015 through September 30, 2018 (B)

This item is a request for the City Commission to ratify amendments to the three year collective bargaining agreement between the City and the ATU Bargaining Unit.

Explanation: At its December 15, 2016 regular meeting, the City Commission provided direction to staff aimed at establishing a 'Living Wage' for all employees, to be set at \$12.25 per hour. Currently, that rate applies to all non-represented employees. Only the Amalgamated Transit Union and the Communications Workers of America, Non-Supervisory bargaining units have pay plans with pay range minimums that are lower than \$12.25 per hour. The Living Wage for employees of the ATU and CWA Non-Supervisory units is presently governed by ordinance in Chapter 2, Article IX. As provided by ordinance, the current Living Wage rate is \$11.8269 per hour (health benefit wage) and \$13.08 per hour (non-health benefit wage).

State law requires that certain changes to terms and conditions of employment for represented employee groups be bargained, one of which is wages. The ATU and the City have an agreement that is effective through September 30, 2018. Accordingly, the change to the Living Wage required mutual consent to renegotiate terms of the Agreement. The ATU agreed to negotiate the Living Wage provision, the result of which is amendments to Article 31 - Wages, and Exhibit A - Pay Plan.

The amendments to the Agreement between the ATU and the City were ratified by the ATU on February 28, 2017. The amendments will be effective for the remainder of the term of the Agreement, through September 30, 2018.

Copies of the amendments to the Agreement are on file in the Office of the Clerk of the Commission. After March 16, 2017, the amendments to the Agreement will be on file in the Human Resources Department.

Fiscal Note: The cost impact of the Living Wage adjustments for ATU employees is estimated to be approximately \$7,000 for nine months and was not included in FY 17 budgeted payroll for RTS. RTS is projected to have sufficient vacancy savings in FY 17 to cover this increased cost. The full year impact of just under \$10,000 will be included in the FY 18 budget for RTS.

RECOMMENDATION

The City Commission ratify amendments to the Agreement between the ATU Bargaining Unit and the City of Gainesville.

[160823A_ATU 2015-2018 Living Wage Amendment-Strikethrough_20170316-.j](#)

[160823B_ATU Living Wage - Consensus Proposal Pay Plan Exhibit_20170316.](#)

[160823C_ATU 2015-2018 Living Wage Amendment - Pay Plan Exhibit-Clean_2](#)

[160841.](#)**City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of March 2, and March 6, 2017.*

[160841_Minutes_20170316.pdf](#)

[160822.](#)**Resignation of Michael Aquilia from the City Beautification Board (B)**

RECOMMENDATION *The City Commission accepts the resignation of Michael Aquilia, effective immediately.*

[160822_ResignationMichaelAquila_20170316.pdf](#)

[160837.](#)**Appointments to City Commission Advisory Boards and Committees (NB)**

MODIFICATION - CHANGED TEXT FILE LANGUAGE

RECOMMENDATION *The City Commission appoint:*
Mary Lou Hildreth to the City Beautification Board for a term to expire 11/1/20
E.J. Bolduc, III reappointed to the Tree Advisory Board for a term to expire 1/1/20
James Tyger and Thomas D. Rider reappointed to the Student Community Relations Advisory Board as Voting Non-Student Members for a term to expire 9/30/19
Melissa D. Causey Harris and Richard S. Fulmer to the Nature Centers Commission for a term to expire 11/1/19
Brandon M. Morris, Jameel Brannon and Jamie S. Bell to the SHIP Affordable Housing Advisory Committee for a term to expire 7/1/20
Diane M. Wilson to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan for a term to expire 4/19/19.

[160813.](#)**FCHR CHARGE - DENISE BURNS V. CITY OF GAINESVILLE;
FCHR CHARGE No. 2017-00520 (NB)**

Explanation: On February 22, 2017, the City of Gainesville received a Charge of Discrimination from the Florida Commission on Human Relations. Ms. Burns, a current City employee, alleges unlawful retaliation.

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Denise*

Burns v. City of Gainesville; FCHR CHARGE No. 2017-00520.

[160824.](#)

DEREK K. WILLIAMS VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2017-CA-382 (B)

Explanation: On March 2, 2017, the City was served with a Summons and Complaint filed by Derek K. Williams in the Circuit Court against the City of Gainesville. Derek K. Williams alleges that he was involved in an automobile accident with a City bus on March 3, 2015 at the intersection of SW 34th Street and SW 20th Avenue, in Gainesville. Derek K. Williams claims to have suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. Mr. Williams seeks money damages in excess of \$15,000.00.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Derek K. Williams vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2017-CA-382.

[160824_Derek Williams Consent_20170316.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.

[160751.](#)

Strike Out Hunger Food Drive (B)

The purpose of this agenda item is to provide the City Commission with the results and outcomes of the 2016 Strike Out Hunger Food Drive for Gainesville/Alachua County and request continued support from the City during the 2017 Strike Out Hunger Food Drive. ** ESTIMATED PRESENTATION 10 MINUTES**

Explanation: The City of Gainesville and its employees, along with community partners, have been collecting food for the needy in Gainesville/Alachua County for several years. The City has been a co-sponsor of the event since its inception and has provided in-kind services (meeting space and staff time) to support the event. The food drive is organized by MLK Chairperson Rodney Long who started the event when he was a member of the Alachua County Board of County Commissioners. The

City has been a committed partner in the effort to reduce poverty in Gainesville and Alachua County. Additionally, the City has been a major partner in the creation and development of the Hunger Abatement Plan for Gainesville and Alachua County.

The Strike Out Hunger Food Drive collects food and donations to restock food pantries throughout Gainesville and Alachua County for needy families. Without the annual food drive, many of the local food pantries would run out of food during the most critical time of the year which is the holiday season. Mr. Long has requested an opportunity to report the results and outcomes of the 2016 Strike Out Hunger Food Drive and to request continued support from the City Commission for the 2017 Strike Out Hunger Food Drive.

Fiscal Note: There is little or no cost to the City to participate in the annual Food Drive other than minimal staff time and meeting space. The Thomas Center hosted 11 meetings in the Spanish Court for the 2016 planning committee. If in-kind fees were not waived the costs of hosting these meetings would have been approximately \$2,090.

RECOMMENDATION

The City Commission: 1) hear a presentation on the 2016 Strike Out Hunger Food Drive for Gainesville/Alachua County; and 2) consider the request for continued City support and participation in the 2017 Strike Out Hunger Food Drive.

[MOD_160751A_Strike Out Hunger Week 2016 Outcomes Report -City of Gaine](#)

[MOD_160751B_2017 Strike Out Hunger Food Drive Brochure_20170316.pdf](#)

[MOD_160751C_Florida Department of Agriculture & Consumer Services Solici](#)

[MOD_160751D_IRS Determination Letter_20170316.pdf](#)

[MOD_160751E_Strike Out Hunger Week - Basket Giveaway Proposal20170316](#)

[160295.](#)

Wild Spaces Public Places: Alachua County Joint Project Grant Application (B)

This is a request for the City Commission to approve the City's proposed list of grant submissions for the Wild Spaces Public Places, Alachua County Joint Project Grant Application.

Explanation: The County has established a \$3 million grant program to jointly fund municipal projects, entitled Alachua County Joint Project Grant. These are 50/50 matching funds that are reimbursed to the municipalities after the projects are completed. This was a commitment made to the municipalities to further extend the County's Wild Spaces Public Places (WSPP) ½-cent sales tax appropriations. Listed below are some of the City of Gainesville's projects that were included on the City's 99 possible

projects eligible for WSPP funding. These projects all meet the grant criteria: 1. acquire and improve environmentally sensitive lands to protect drinking water sources, water quality, and wildlife habitat, and 2. create, improve and maintain parks and recreational facilities as permitted by Florida Statutes, the referendum ballot language, and ordinances. The County's deadline for applying for these funds is March 31, 2017. City staff proposes three projects in the following priority:

1) *Construction of the Prairie Tower at Sweetwater Wetlands Park-* This two-tiered observation deck at the park's southeastern corner would allow a panoramic bird's-eye view of both Sweetwater Wetlands Park and Paynes Prairie, and provide a destination point and a much-needed source of shade for visitors venturing to the far edge of the park. GRU and the City of Gainesville Public Works Department unsuccessfully sought grant funding to install this tower during the first phase of park development, and user groups have contacted PRCA about their interest in having an observation tower added at this location.

Total construction cost is estimated at \$450,000.

2) *Improvements to Split Rock Preserve-* City of Gainesville Parks, Recreation and Cultural Affairs Department (PRCA) is requesting a 50% match for acquisition of land adjacent to Split Rock Preserve. This acquisition will provide a much needed public parking and access point for visitors to Split Rock Preserve. It will also provide an opportunity for public visitation and interpretation of the unique natural feature known as Haile Sink which is currently privately owned and not accessible to the public. The property provides a perfect opportunity to educate visitors about water resources, geology, natural, cultural and archaeological resources.

Total land value was estimated at \$620,000 at the time of this writing but new appraisals are pending.

3) *Transformation of the Hartman House into a Nature Center at the Hogtown Creek Headwaters Nature Park-* Renovation of the Historic Hartman House located at Hogtown Creek Headwaters Nature Park would complete the park development and meet the City's commitment for programming as required by the Florida Communities Trust. The house structure dates to circa 1910 and was the residence of the Hartman family that operated a dairy farm on the property. The family owned and occupied the house for more than 100 years. The requested funds will go towards necessary repairs to make the structure stable and functional for use as a nature and historical education center. Evaluation and recommendations by the architect state that the following renovations are required: Foundation pier repair (masonry), roofing, flooring, windows, interior renovations, exterior renovations, electrical, plumbing, insulation, HVAC, required ADA upgrades and ADA ramp. We propose to use the house for a nature and historical education center while keeping its historic character and defining features intact.

Total renovation cost is estimated at \$250,000.

Fiscal Note: The Wild Spaces Public Places sales tax was approved by voters for 8 years and is expected to generate \$46,551,152 in revenue to the City. Collection of the revenues began January 1, 2017. The City will begin to receive revenue April 1st, approximately \$484,000 per month, or \$5,808,000 per year.

RECOMMENDATION *The City Commission approve the proposed projects for submission to the Alachua County Joint Project Grant.*

Legislative History

8/22/16	City Commission	Approved, as shown above
1/5/17	City Commission	Approved, as shown above
1/19/17	City Commission	Approved as Recommended
2/16/17	City Commission	Approved as Recommended
3/6/17	City Commission	Approved, as shown above

[160295B Project List 20160822.pdf](#)

[160295C WSPP Staff Analysis 20160822.pdf](#)

[160295D Alachua County Backup WSPP 20160822.pdf](#)

[160295A Letter 20160822.pdf](#)

[160295A WSPP Gainesville Interlocal Agrmnt 20170105.doc](#)

[160295B Project List 20170105.pdf](#)

[160295C WSPP Presentation for Joint City County Projects 20170105.pdf](#)

[160295 Interlocal Agreement with Project List 20170119.pdf](#)

[160295 interlocal agreement 20170119.pdf](#)

[160295A Minutes from 8-22-16 Joint Meeting 20170306.pdf](#)

[160295B BOCC WSPP Letter Staff Analysis Project List 20170306.pdf](#)

[160295C Interlocal Between Alachua County and Gainesville WSPP One-Half I](#)

[160295A Joint Project Grant Application 20170316.pdf](#)

[160295B WSPP Presentation 20170316.pdf](#)

[150908.](#)

License Agreement for Parking for City Parking Lot #2 (B)

MODIFICATION - CHANGED RECOMMENDATION

RECOMMENDATION *The City Commission continue this item to the April 6, 2017 City Commission meeting.*

Legislative History

4/21/16	City Commission	Approved as Recommended
2/16/17	City Commission	Approved, as shown above

[150908A Lot 2 Addendas Docs 20160421.pdf](#)
[150908B Lot 2 Award Docs 20160421.pdf](#)
[150908C Lot 2 Bid Docs 20160421.pdf](#)
[150908D Lot 2 Presentation Materials 20160421.pdf](#)
[150908E Lot 2 Memo re Recorded Oral Presentations 20160421.pdf](#)
[150908F Lot 2 Oral Evaluation 20160421.pdf](#)
[150908G Lot 2 Vendor Submittals & Bid Record 20160421.pdf](#)
[150908H Lot 2 Written-Technical Evaluation 20160421.pdf](#)
[150908 238 University Parking Memo, dated 9-30-16 20161215.pdf](#)
[150908A Appraisal of Lot 2 Addendum 20161215.pdf](#)
[150908B Appraisal of Lot 2 20161215.PDF](#)
[150908C DRB 20160927 Agenda 20161215.pdf](#)
[150908D DRB Attachment A-3 20161215.pdf](#)
[150908E DRB Staff Report 20161215.pdf](#)
[150908A Lot 2 Addendas Docs 20170302.pdf](#)
[150908B Lot 2 Award Docs 20170302.pdf](#)
[150908C Lot 2 Bid Docs 20170302.pdf](#)
[150908D Lot 2 Presentation Materials 20170302.pdf](#)
[150908E Lot 2 Memo re Recorded Oral Presentations 20170302.pdf](#)
[150908F Oral Evaluation 20170302.pdf](#)
[150908G Lot 2 Vendor Submittals & Bid Record 20170302.pdf](#)
[150908H Lot 2 Written-Technical Evaluation 20170302.pdf](#)
[150908I 238 University Parking Memo 20170302.pdf](#)
[150908J Appraisal of Lot 2 Addendum 20170302.pdf](#)
[150908K Appraisal of Lot 2 20170302.pdf](#)
[150908L DRB 20160927 Agenda 20170302.pdf](#)
[150908M DRB Attachment A-3 20170302.pdf](#)
[150908N DRB Staff Report 20170302.pdf](#)
[150908O Parking Lot 2 Timeline 20170302.pdf](#)
[150908P Lot 2 Proposed License Agreement 20170216.pdf](#)
[150908A Lot 2 Revised License Agreement 20170406.pdf](#)
[150908B License Agreement for Parking Lot #2 - Partially executed 20170406](#)

160831.**Cornerstone Lease Modification Request (B)**

Explanation: At the August 4th 2016 meeting, the Commission approved a development deal with Concept Companies that included the disposition of pads C and D at Cornerstone through a lease with a purchase option. One of the incentives to the developer in this agreement was a limited

term rental abatement. Since that meeting, the terms of the agreement between the developer and the building tenant have been solidified; placing the developer in a position to possibly purchase building pads C and D within the structure of a commercial condominium association currently being crafted through the City Attorney's Office.

At this meeting, Staff will present the modifications to the original lease term to include an option to purchase Building Pads C and D for \$391,272 if the option is exercised within one year of the completion of the building. Until that time, the terms of the previously approved ground lease will apply.

Fiscal Note: 15 year lease with an option to purchase at year 1. Payments will begin on year 6 with an increase corresponding with 50% of the increase charged to the building tenant every year. Purchase price of \$567,641.64 represents 3% increase every year for 15 years. \$778,982 less the \$211,340 paid in rent over the 15 years. If the option to purchase is exercised within the first year of the completion of the building, the Developer may purchase pad C and D for \$391,272.

RECOMMENDATION

City Manager to City Commission: Authorize the City Manager or his designee to do all things necessary to accomplish the terms in the Letter of Intent, including executing the Ground Lease with option to purchase subject to review as to form and legality by the CRA Attorney.

[160831a PRESENTATION_20170316.pdf](#)

[160831b LETTER OF INTENT_20170316.pdf](#)

[160838.](#)

Appointment to the Bicycle/Pedestrian Advisory Board (B)

RECOMMENDATION

The City Commission discuss one appointment to the Bicycle/Pedestrian Advisory Board and take appropriate action.

[160838_AppointmentBPAB_20170316.pdf](#)

[160842.](#)

Mayor-Commissioner Pro-Tem Helen Warren - Community Involvement Agreement (NB)

RECOMMENDATION

The City Commission discuss and take action deemed appropriate.

[160846.](#)

GREC Update (B)

MODIFICATION - ADDED ITEM

RECOMMENDATION

Receive update from staff.

[160846 GREC GRU History 20160316](#)

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

[160820.](#)

Doctor's Day - March 30, 2017 (B)

RECOMMENDATION

Alachua County Medical Alliance Past President Roslyn Levy and President Arlene Colon to accept the proclamation.

[160820_DoctorsDay_20170316.pdf](#)

[160821.](#)

American Legion Week - March 12-18, 2017 (B)

RECOMMENDATION

Gerald F. Zagaiski to accept the proclamation.

[160821_AmericanLegion_20170316.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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED[160798.](#)**EXTENSION OF MORATORIUM ON CONSTRUCTION OF WIRELESS COMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY (B)**

Ordinance No. 160798

An ordinance of the City of Gainesville, Florida, readopting and ratifying Ordinance No. 160401, and extending time period of the temporary moratorium to prohibit the filing, acceptance or processing of any permit, development order, or any other official action of the City having the effect of permitting or allowing the construction of wireless communication facilities in the public right-of-way within the city limits; providing a severability clause; providing repealing clauses; and providing an effective date.

Explanation: Ordinance No. 160401 was adopted by the City Commission on October 20, 2016, imposing a temporary moratorium on construction of wireless communication facilities in the public right-of-way. The current time period ends on April 6, 2017. Subsequent to the adoption of the moratorium, both the Federal Communication Commission and the Florida State Legislature are considering proposed regulations which could affect the City's ability to regulate wireless telecommunication facilities in the rights-of-way. The City is engaged in both the FCC Public Notice proceeding and the proposed bills filed in the Florida Legislature. In addition, the City staff is considering appropriate regulations of such facilities in the public rights-of-way, which would take into consideration the concerns of the City's residents and businesses, GRU and GRUCom, as well as the wireless industry. The extended time period will end on October 7, 2017, or sooner if the City adopts the necessary implementing ordinances.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective April 6, 2017.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

[160798A draft ordinance 20170316.pdf](#)

ORDINANCES, 2ND READING - ROLL CALL REQUIRED[150406.](#)**ORDINANCE PROHIBITING SMOKING IN CITY PARKS AND**

RTS BUS FACILITIES (B)

Ordinance No. 150406

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to prohibit smoking outdoors in all City parks and RTS bus facilities; by amending Article II and Article IV of Chapter 11.5; by amending Article II of Chapter 18; by amending Section 2-339 to provide a civil citation penalty; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of April 21, 2016, discussed prohibiting smoking outdoors in all City parks. Smoking is defined in Sec. 11.5-40 of the City Code as follows: the intake and exhalation by a person of smoke from tobacco, a tobacco substitute or other weed or plant, and also possessing, carrying, holding or otherwise having control of a lighted pipe, cigar, cigarette or other lighted smoking equipment, and the use of a nicotine dispensing device as defined in section 11.5-17 (□vaping□).

At its October 20, 2016 meeting, after further discussing the matter, the City Commission directed the City Attorney to draft ordinance language prohibiting smoking in all City parks and setting a \$25.00 fine for violation thereof. In drafting this ordinance, the office of the City Attorney, in consultation with City staff, also updated the code provisions that prohibit smoking at RTS bus facilities.

Fiscal Note: Fiscal impact is expected to be minimal.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

10/1/15	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
12/10/15	Recreation, Cultural Affairs and Public Works Committee	Discussed
3/10/16	Recreation, Cultural Affairs and Public Works Committee	Discussed
4/21/16	City Commission	Approved as Recommended
10/20/16	City Commission	Approved as Amended
3/2/17	City Commission	Adopted on First Reading (Ordinance)

[150406A_Coral_Springs_ordinance_20151210.pdf](#)
[150406B_CoG_Park_Regulations_20151210.pdf](#)
[150406C_Casselberry_smoking_in_parks_20151210.pdf](#)
[150406D_CoG_ordinance_20151210.pdf](#)
[150406E_Fla_Clean_Indoor_Air_Act_20151210.pdf](#)
[150406F_statewide_policies_20151210.pdf](#)
[150406G_Smoke_Free_Zone_sign_20151210.pdf](#)
[150406H_Dept_of_Health_assessment_20151210.pdf](#)
[150406I_Dept_of_Health_assessment_2.pdf](#)
[150406J_Sign_photos_20151210.pdf](#)
[150406K_City_of_Parkland_20151210.pdf](#)
[150406_Draft_Ordinance_20161020.pdf](#)
[150406_Draft_Ordinance.pdf](#)

[160725.](#)

**INFRASTRUCTURE IMPROVEMENT AREAS FOR WATER
AND WASTEWATER GRAVITY COLLECTION SYSTEMS (B)**

Ordinance No. 160725

An ordinance of the City of Gainesville, Florida, amending Section 6 of Ordinance No. 110541 and amending the Code of Ordinances, Appendix A, Schedule of Fees, Rates and Charges, to revise infrastructure improvement area user fees for water and wastewater gravity collection in the Innovation District Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: WATER/WASTEWATER DEPARTMENT STAFF REPORT

On April 7, 2016, the City Commission adopted Ordinance No. 110541, creating the first infrastructure improvement area and imposing infrastructure improvement area user fees for the water and wastewater gravity collection systems, which are calculated and assessed based on the total heated and cooled building square footage, number of hotel rooms, number of motel rooms, or number of bedrooms of the new structure, and/or any addition to an existing structure. The fees were designed to be adjusted annually in order to ensure that the revenues collected from these fees will recover GRU's costs for water distribution and wastewater collection system capacity improvements within the designated infrastructure improvement area over time.

Ordinance No. 110541 included a retroactive effective date of December 5, 2013. However, upon further review, GRU staff determined that the retroactive provision in Ordinance No. 110541 was not practical to implement. First, development projects connecting to the system prior to April 7, 2016 (the ordinance adoption date) paid for infrastructure

improvements associated with their projects in accordance with the ordinances and policies that existed at the time of connection. Second, staff was concerned that some of the customers who connected prior to April 7, 2016 may not have received adequate notice of the retroactive fee provisions. As a result, staff implemented the ordinance effective April 7, 2016.

On August 17, 2016, GRU Staff presented an item to the Utilities Advisory Board and on August 18, 2016, presented the item to the City Commission. The agenda item proposed an increase to the infrastructure improvement area user fees. The City Commission directed the City Attorney to draft and the Clerk of the Commission to advertise an ordinance to adopt the recommended increased fees. In addition, this Ordinance revises the effective date of Ordinance No. 110541 for the reasons stated above.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings. The first reading is scheduled for March 2, 2017 and second reading is scheduled for March 16, 2017.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

3/2/17 City Commission Adopted on First Reading (Ordinance)

[160725_Draft_Ordinance.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