

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Meeting Agenda - Final

May 20, 2021

1:00 PM

City Hall Auditorium

### City Commission

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

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

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

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

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

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

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

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

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

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

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

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

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

### Public Comment on Agenda Items

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

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

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

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

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

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

**ROLL CALL****INVOCATION****CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**

- CA-1      [201154.](#)                      **Approval of Minutes from the April 21, April 22, April 27, April 28, April 29, April 30, May 10, and May 12, 2021 City Commission Meetings (B)**

**RECOMMENDATION**                      *The City Commission approve the April 21, April 22, April 27, April 28, April 29, April 30, May 10, and May 12, 2021 minutes.*

[201154 April 21, 2021 Minutes 20210520.pdf](#)

[201154 April 22, 2021 Minutes 20210520.pdf](#)

[201154 April 27, 2021 Minutes 20210520.pdf](#)

[201154 April 28, 2021 Minutes 20210520.pdf](#)

[201154 April 29, 2021 Minutes 20210520.pdf](#)

[201154 April 30, 2021 Minutes 20210520.pdf](#)

[201154 May 10, 2021 Minutes.pdf](#)

[201154 May 12, 2021 Minutes 20210520.pdf](#)

- CA-2      [201206.](#)                      **Neighborhood Workshop Continuation Special Meeting (NB)**

*Explanation: At the March 4, 2021 City Commission meeting, there was a request to continue the neighborhood workshop discussion to a future special meeting, and that staff provide data on costs, newspaper ads, etc.*

**RECOMMENDATION**                      *The City Commission approve a special meeting scheduled for June 14th at 5:00 PM.*

- CA-3      [210003.](#)                      **Joint City Commission/Gainesville Housing Authority Meeting (NB)**

*Explanation: At the City Commission meeting held on May 6, 2021, the Commission asked to schedule a joint meeting with the Gainesville Housing Authority to discuss affordable housing development and how the City can participate.*

**RECOMMENDATION**

*The City Commission approve a Joint City Commission/Gainesville Housing Authority Meeting scheduled for July 19th at 3:00 PM.*

CA-4      [210007.](#)

**City Commission Workshop on the Comprehensive Plan Update (NB)****RECOMMENDATION**

*The City Commission approve a workshop on the Comprehensive Plan Update scheduled for May 26, 2021 at 4:00 PM.*

CA-5      [201204.](#)

**Resignation of Mark Mulhall from the Citizen's Advisory Committee for Community Development, Trista Brophy from the City Beautification Board and Morris Hylton III from the Gainesville Art in Public Places Trust (B)****RECOMMENDATION**

*The City Commission accepts the resignations of Mark Mulhall from the Citizen's Advisory Committee for Community Development, Trista Brophy from the City Beautification Board and Morris Hylton III from the Gainesville Art in Public Places, effective immediately.*

[201204\\_CACCD Resignation\\_20210520](#)

[201204\\_CBB Resignation\\_20210520](#)

[201204\\_GAPPT Resignation\\_20210520](#)

CA-6      [201219.](#)

**GRU Operational Updates for the Months of February, March and April 2021 (B)**

*Explanation: Staff has prepared reports of operational and statistical data for the months of February, March and April 2021.*

*Fiscal Note: None.*

**RECOMMENDATION**

*Receive reports.*

[201219\\_UAB\\_Feb\\_FY21\\_Ops\\_Update\\_20210513](#)

[201219\\_GRU\\_March\\_FY21\\_Ops\\_Update\\_20210513](#)

[201219\\_GRU\\_April\\_FY21\\_Ops\\_Update\\_20210513](#)

CA-7      [201177.](#)      **Contract Amendment to Extend the Agreement for Solid Waste Collection with WCA of Florida, LLC (B)**

*Explanation:* The City executed the Amended and Restated Agreement for collection of solid waste, recyclable materials and yard trash dated October 1, 2018 with WCA of Florida, LLC (WCA). The agreement expires on September 30, 2021.

The procurement process for a new contact is underway. The new contract will be an exclusive franchise for commercial, multifamily, and curbside residential collection. The time for procurement and implementation will be beyond the current expiration date. This First Amendment provides for an additional six months of service from WCA followed by the option to extend for two additional three-month periods.

WCA and community builders negotiated a 6% increase in services for this amendment. WCA last received an increase in cost for services in 2018.

*Strategic Connection*

This item is connected to Goal 2: Sustainable Community and is a normal priority item.

*Fiscal Note:* The additional contractual costs in FY22 will be approximately \$227,480. A supplemental increase for the Solid Waste Fund has been submitted as part of the budget process.

**RECOMMENDATION**

The City Commission: 1) approve the First Amendment to the Amended and Restated Agreement between the City and WCA of Florida, LLC for Collection of Solid Waste, Recyclable Material and Yard Trash; and 2) authorize the City Manager or designee to execute the appropriate contract documents, subject to approval by the City Attorney as to form and legality.

[201177A\\_Executed Extension WCA\\_20210520](#)

[201177B\\_New Rates eff 10.01.21\\_20210520](#)

[201177C\\_Previous WCA Attachment-B\\_20210520](#)

[201177D\\_Current Rates\\_20210520](#)

CA-8      [201233.](#)      **Citywide Succession Planning Audit (B)**

AGENDA UPDATE - REMOVE ITEM

*Explanation:* The objective of the engagement was to review citywide succession planning policies and procedures, and internal controls to assess the City's level of preparedness for continuity and growth.

**RECOMMENDATION**      *The Audit and Finance Committee recommends the City Commission accept the Internal Auditor's Report.*

[201233\\_Citywide Succession Planning\\_Audit Report\\_20210518 \(B\)](#)

**CA-9      [201234.](#)      **Independent Payroll Calculation Memo (B)****

AGENDA UPDATE - REMOVE ITEM

*Explanation: The objective of this special project was to provide an independent comparison of the calculation of employee overtime hours processed in the legacy payroll system and the future ERP payroll system against the expected labor agreement terms to identify non-alignment with the respective City labor agreements.*

**RECOMMENDATION**      *The Audit and Finance Committee recommends The City Commission accept the Internal Auditor's Report.*

[201234\\_Independent Payroll Recalculation Memo\\_20210518 \(B\)](#)

**CA-10      [191217.](#)      **Agreed Upon Procedures for Gainesville's Reichert House Youth Academy (B)****

AGENDA UPDATE - CHANGED TEXT FILE

*Explanation: In accordance with our 2019 Annual Audit Plan, the City Auditor's Office completed Part A of the Gainesville's Reichert House Youth Academy - operated under the Gainesville's Police Department's - Youth and Community Services Division (Legistar #180848). Part A focused on all elements of the intended audit. Part B is a continuation covering a detailed analysis of the financial instruments during the audit period that were not obtained in time to include in the Part A report.*

**RECOMMENDATION**      *The Audit and Finance Committee recommends the City Commission accept the City Auditor's reports.*

**Legislative History**

5/20/20	Audit and Finance Committee	Approved as Recommended
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[191217\\_Reichert House AUP report - signed\\_20200520.pdf](#)

[191217\\_Palm Breeze AUP report - signed\\_20200520.pdf](#)

**ADOPTION OF REGULAR AGENDA**

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

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

**BD-1**      [201001.](#)                      **Commissioner Gail Johnson - House Bill 1 (B)**

*AGENDA UPDATE - ADDITIONAL BACK-UP*

**RECOMMENDATION**                      *The City Commission discuss and take action deemed necessary.*

**Legislative History**

4/1/21              City Commission              Approved, as shown above  
5/6/21              City Commission              Continued

[201001\\_GPC Gainesville Draft Resolution - HB 1\\_20210520.pdf](#)

[201001 Floridas Anti-Protest Law and its Municipal Budget Control Provisions F](#)

[201001\\_The Potential Liabilities for Cities\\_20210520.pdf](#)

**BD-2**      [201137.](#)                      **Solid Waste Service Usage Data Analysis (B)**

*Explanation: This item originally came before the City Commission on May 6, 2021 and was passed as recommended with modifications.*

*On May 11, 2021 the Zero Waste Subcommittee heard a similar item, #201138, and moved for staff to place this item on the May 20, 2021 City Commission Agenda for reconsideration by the City Commission.*

**RECOMMENDATION**                      *The City Commission reconsider item #201137 and take any action deemed necessary.*

**Legislative History**

5/6/21              City Commission              Approved, as shown above

[201137\\_Solid Waste Data Analysis\\_20210506.pdf](#)

[201137\\_Comm Hayes-Santos\\_Engaging Communities for Energy and Water S:](#)

[201137\\_Comm Hayes-Saantos\\_EPA Gainesville\\_20210506](#)

[201137\\_Comm Ward\\_CWC Email 051121\\_20210520](#)

**BD-3**      [200604.](#)                      **Interlocal Agreement Creating the Joint Food System Policy Board (B)**

*Explanation: At the Joint City/County Commission Special Meeting on March 29,*

2021, the Alachua County Board of County Commissioners and the Gainesville City Commission voted to create the Joint Food System Policy Board. On May 11, 2021, the County Commission further clarified the desired scope of work for the Joint Board. The City and County desire to create a joint advisory board that will provide guidance to the County, the City of Gainesville, and other municipalities located with Alachua County as to innovative approaches, policies, and target goals within Alachua County for purposes of developing food systems, which includes improving access to a variety of food options in underserved areas, supporting local agriculture, and improving availability of food to individuals. The Board will be advisory to the Gainesville City Commission and the Board of County Commissioners and will have no final decision-making authority. Any final decision making, such as, but not limited to, amending agreements; setting policy; encumbering, authorizing use of, or otherwise committing City of Gainesville or County funding will require action by the Gainesville City Commission, County Commission, or both, as appropriate to the decision. The term of the Joint Board will be 18 months.

*Fiscal Note:* The City Clerk will provide administrative support to the Joint Board in years when a City commissioner acts as chairperson, which is every other year.

**RECOMMENDATION**

1) The City Commission approve the Interlocal Agreement and authorize the Mayor to execute the agreement on behalf of the City of Gainesville, and  
2) the City Commission appoint two (2) City Commissioners to serve on the Joint Food System Policy Board.

**Legislative History**

12/15/20	City Commission	Approved, as shown above
3/29/21	City Commission	Approved, as shown above

[200604A Collaborative Community Food Projects 20210329](#)

[200604A draft interlocal agreement 20210520](#)

[200604B Scope of Work 20210520](#)

**BD-4**      [201235.](#)

**Organizational Culture Assessment and Report (B)**

AGENDA UPDATE - CHANGED TEXT FILE

*Explanation:* In January 2021, the City Commission requested the Office of the City Auditor conduct an organizational culture assessment. A cross-functional core team was formed to launch the Organizational Culture Assessment Instrument to gauge the City's current organization-wide culture and better identify and understand factors that negatively impact chances for successful outcomes and relationships. Subsequent workshops provided an opportunity for face-to-face discussions with employees to help identify ways to move toward the preferred culture and improve organizational behaviors.



**RECOMMENDATION**

*The City Auditor recommends the City Commission review the Internal Auditor's report and A) per recommendation #1, The City Commission direct the Charter Officers to propose an enhanced policy research process flow and present it the City Commission for final approval, and B) per recommendations #2-5, the City Commission direct the Charter Officers to work with Human Resources to: create and implement a citywide policy management framework; enhance leadership training programs; consider approaches to internal conflict resolution assistance; and consider opportunities to support capturing employee suggestions.*

[201235 Organizational Culture Assessment and Report Final 20210518](#)

[201235A 1. OCAI Government Division 20210518](#)

[201235B 2. OCAI Gender 20210518](#)

[201235C 3. OCAI Labor Unit 20210518](#)

[201235D 4. OCAI-Race and Ethnicity 20210518](#)

**BD-5**      [210006.](#)

**Director of Equity and Inclusion Resignation and Contract Amendment (B)**

AGENDA UPDATE - CHANGED TEXT FILE (TITLE)

**RECOMMENDATION**

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

[210006 First Amendment to Employment Agreement - EO Director 20210520.](#)

**BD-6**      [210005.](#)

**City Commission Direction Regarding Open Container Ordinance (B)**

*Explanation: This item seeks City Commission direction regarding possible amendments to the City Code of Ordinances to allow all persons to possess and consume alcoholic beverages outdoors on City-owned or operated property (including parks) and public right-of-way throughout the City, beyond the timeline of the current emergency declaration for the COVID-19 pandemic.*

*The City Commission adopted Ordinance 200250 on September 10, 2020 which temporarily suspended the enforcement (as to personal possession and consumption) of Sec. 4-4 and Sec. 18-20(16) of the City Code of Ordinances. The ordinance was developed to respond to concerns of a potential increase in COVID-19 cases brought about by the return of University of Florida students to Gainesville for the Fall 2020*

*semester, coupled with the operating and capacity restrictions that were placed on bars and restaurants through the State and County Emergency Orders issued in response to the COVID-19 pandemic.*

*Ordinance 200250 remains in effect until the expiration or termination of the COVID-19 Emergency Orders issued by the State of Florida and/or Alachua County. Staff is seeking guidance from the City Commission regarding whether the current allowances for possession and consumption granted by Ordinance 200250 should become permanent.*

*Staff has identified potential amendments to the Code of Ordinances to permanently repeal the open container prohibitions should the Commission decide to move forward in that direction.*

*Strategic Connection:*

*Goal 3: A Great Place to Live & Experience.*

*Fiscal Note: N/A*

**RECOMMENDATION**

*The City Commission: 1) Discuss potential amendments to City Code of Ordinances Sec. 4-4 and Sec. 18-20(16) and provide direction to staff, as needed.*

[210005A Final Open Container 20210520](#)

**CC COMMISSION COMMENT**

**PLEDGE OF ALLEGIANCE**

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

**PR-1**      [201229.](#)      **Monarch Butterfly Month - May, 2021(B).**

**RECOMMENDATION**

*Parks Recreation and Cultural Affairs Interim Director Roxana Gonzalez to accept the proclamation.*

[201229 Monarch Butterfly Month 20210520](#)

**PR-2**      [200824.](#)      **Emancipation Day May 20, 2021 (B)**

**RECOMMENDATION**

*Mayor Lauren Poe to read the proclamation.*

**Legislative History**

2/18/21      City Commission      Heard

[200824 Proclamation Emancipation Day 20210211](#)

## RE RESOLUTIONS - ROLL CALL REQUIRED (RE)

### RE-1 [201226.](#) Revisions to the City Commission Rules (B)

Resolution No. 201226

A Resolution of the City of Gainesville, Florida amending and restating the rules of the City Commission; providing a repealing clause and providing an immediate effective date.

*Explanation: During Commission Comment at the May 6th Regular Meeting, the City Commission directed the City Attorney prepare revisions to the Rules of the City Commission. This Resolution repeals the Supplemental Rules for the COVID-19 Pandemic and amends and restates the Rules to include revisions to public comment and process for resolutions.*

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

[201226 draft resolution 20210520](#)

### RE-2 [201230.](#) Septic-to-Sewer ConnectFree Resolution (B)

Resolution No. 201230

A resolution of the City of Gainesville, Florida, amending and restating Resolution Number 160416; providing for the source of funding for the ConnectFree Program; providing the projects that are eligible to receive ConnectFree grant funding; providing the criteria for each project to receive grant funding; providing for grant funding amounts; authorizing the City Manager to administer the ConnectFree Program; providing an immediate effective date.

*Explanation: Resolution Number 201230, amends and restates Resolution Number 160416, the ConnectFree Program. The amended and restated resolution expands the ConnectFree Program to include grant funding for septic-to-sewer projects that address environmental problems by converting residential properties from septic tank systems to the City of Gainesville's centralized wastewater treatment system. For eligible septic-to-sewer projects ConnectFree funds may assist with the payment of costs associated with the extension, construction, and connection to the City's wastewater system, including on-site plumbing modifications. Households do not have to meet criteria for low, very low, or extremely*

low income criteria to be eligible for on-site plumbing. The septic-to-sewer grant funding is limited to the following: i) projects in which ConnectFree funds are used in conjunction with grant funding provided by other entities; and ii) the project will address suspected or confirmed impacts to surface water as determined by Alachua County Health Department and/or Alachua County Environmental Protection Department. The maximum amount that may be expended on each residential parcel is \$40,000.00

This resolution will allow the city to take advantage of certain grant funding available from the state. City charter officers are reviewing the ConnectFree Program and will bring additional changes to this resolution in the future.

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

[201230A draft resolution 20210520](#)

RE-3            [201168.](#)

**Resolution to Dual-Name Southeast 2nd Place to "Marilyn Wall Way" (B)**

This item involves a Resolution authorizing S.E. 2nd Place between South Main Street and S.E. 3rd Street to be dual-named as "Marilyn Wall Way".

*Explanation:* Ms. Marilyn Wall co-founded the Hippodrome State Theater in 1972. The Hippodrome hosts over 60,000 of Gainesville's neighbors each year. Ms. Wall worked there for over 40 years, costuming and contributing to Gainesville's local art community and impacting thousands of people. Additionally, Ms. Wall won 2 Emmy's for her work on "Salsa: Spanish for Children". She also did costume and make-up design for Ed Harris, Ashley Judd, Timothy Olyphant, Josh Brolin, Peter Fonda and Jessica Biel in several different movies. By dual naming S.E. 2nd Place in front of the Hippodrome in her honor, the community can forever remember her contribution to the local art community and the film industry and the Hippodrome State Theater specifically.

*Strategic Connection*

*Strategic Goal 3: A Great Place to Live and Experience.*

*Fiscal Note:* Funding in the approximated amount of \$500 for materials and producing the signs are available in the Public Works Department FY 2021 operating budget.

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

[201168.A Marilyn Wall Way - City Submission Form Final 20210520](#)

[201168.B Marilyn Wall Way - Petition Signatures Final 20210520](#)

[201168.C Marilyn Wall Way - Petition Comments Final 20210520](#)

[201168.D Marilyn Wall Way - Draft Resolution 201168 final 20210520](#)

[201168.E 29 Honorary Street Naming - Dual Naming City Streets Final 20210](#)

RE-4      [201078.](#)

**Quasi Judicial - Final Plat for Grand Oaks at Tower - Phase 2, a Cluster Subdivision (B)**

Resolution No. 201078

A resolution of the City of Gainesville, Florida, approving the final plat named “GRAND OAKS AT TOWER - PHASE 2, A CLUSTER SUBDIVISION” located in the vicinity of SW 17th Road and SW 68th Terrace, Gainesville, Florida, as more specifically described in this resolution; authorizing the City Manager to execute a security agreement to secure required public improvements; accepting the dedication of the public rights-of-way, easements, and other dedicated portions as shown on the plat; providing directions to the City Clerk; and providing an immediate effective date.

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

*In this case, the owner has submitted a security agreement along with a construction loan agreement to secure the construction of the required subdivision public improvements. This resolution will approve a Final Plat for Grand Oaks at Tower □ Phase 2, a cluster subdivision, which is located in the vicinity of SW 17th Road and SW 68th Terrace. The property totals 25.90 acres. The plat subdivides the land into 96 single□family residential lots, plus additional parcels for stormwater management, utilities, common area, and other amenities.*

*On October 18, 2018, the City Commission approved the design plat (a preliminary and temporary development order that is a prerequisite of a*

final plat) for the overall subdivision (308 lots total), and on March 7, 2019, approved the final plat for Phase I (126 lots). As approved in the design plat, this subdivision is a Cluster Subdivision of the Infill Category in accordance with Section 30-6.7 of the Land Development Code.

The purpose of a cluster subdivision is to allow residential development without strict adherence to the dimensional requirements of the zoning code of the city in order to provide for infill development where appropriate; to provide for better utilization of land; to provide for zero lot line development; to promote efficiency through design; and to provide for design flexibility to meet changing market conditions. Because this subdivision is not reducing the minimum lot size below the RMF-5 zoning, cluster open space is not required per code. However, residential single-family homes shall meet the cluster subdivision garage placement standards during building permit review and all streets within the subdivision must include sidewalks on both sides

*Strategic Connection:*

Goal 3 of the City Commission's Strategic Plan concerns making Gainesville a great place to live and experience including the development of new housing within the City.

*Fiscal Note: N/A*

**RECOMMENDATION**

The City Commission adopt the proposed resolution.

**Legislative History**

5/6/21 City Commission Withdrawn

[201078A\\_Final Staff Report with Atthmts A and B PB-21-09 SUB\\_20210520](#)

[201078B\\_Final Plat Maps for Phase 2 Grand Oaks\\_20210520](#)

[201078C\\_Final PPT PB-21-09 SUB Grand Oaks Phase 2\\_20210520](#)

[201078D\\_REVISED\\_Resolution - Final\\_20210520](#)

**RE-5**      [210001.](#)

**Resolution to Adopt the 2021 Alachua County Local Mitigation Strategy Plan, Including Items Specific to the City of Gainesville (B)**

Resolution No. 210001

A Resolution of the City Commission of the City of Gainesville, Florida concerning the City of Gainesville's portion of the Alachua County Local Mitigation Strategy Plan and providing an immediate effective date.

*Explanation: The City of Gainesville is an active participant in the Alachua County Local Mitigation Strategy (LMS) Plan Work Group. The LMS Work Group mission is to implement "effective mitigation strategies to significantly reduce or eliminate the damage or loss of life, property and*

*economic vitality in the event of a natural, societal or technological disaster.” The LMS Work Group identifies and prioritizes projects in the LMS Plan to help “participating jurisdictions qualify for pre-disaster mitigation funding and federal disaster relief.” The LMS Work Group also completes five-year updates to the LMS Plan; the most recent plan update for 2021 was completed in February 5, 2021. Section 3.9.1 Adoption Procedures of the Alachua County LMS Plan requires participating municipalities to present the final copy for adoption.*

*This item requests that the City Commission adopt by Resolution 210001 the 2021 updated Alachua County LMS Plan and authorize the City Manager to execute project-related agreements. The complete plan is on file with the office of the Clerk of the Commission.*

*Strategic Connection: This item is connected to all goals.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute the Hazard Mitigation Grant Program Agreements and any other documents associated with completing these projects, subject to approval by the City Attorney as to form and legality.*

[210001A\\_FDEM Review of Alachua County LMS\\_20210520.pdf](#)

[210001B\\_Resolution to Adopt Alachua County LMS\\_20210520.pdf](#)

[210001C\\_LMS Gainesville Project List\\_20210520.pdf](#)

[210001D\\_Alachua County 2021 Local Mitigation Strategy\\_20210520.pdf](#)

## **BUSINESS DISCUSSION ITEMS**

**BD-7      [201236.](#)      **Authorization to Utilize ConnectFree Funds for SE 13th Avenue Septic to Sewer Project (B)****

*Explanation: This is a request for the City Commission to authorize expenditure of ConnectFree funds of up to \$200,000 for the SE 13th Avenue Septic to Sewer Project.*

*In conjunction with the ConnectFree program, GRU and general government staff have been working to implement a targeted septic to sewer program. The program specifically targets existing homes with septic tanks that have been identified by the Florida Department of Health Alachua County (DOH) and/or Alachua County Environmental Protection Department (ACEPD) as having either confirmed or high potential for causing bacteriological impacts to urban creeks. Other factors being considered include customers’ desire to connect, ease of connection, homeowner income, and ability to leverage grant funding.*



*A neighborhood consisting of six homes located on SE 13th Ave adjacent to Sweetwater Branch has been identified. The DOH has determined that one home has confirmed impacts to the creek and the other five homes have a high potential for impacts to the creek. Additionally, several of the homeowners have reported backups in their septic systems during wet weather and a strong desire to connect. Housing and Community Development staff have determined that the homeowner with confirmed impacts meets low income criteria. Connecting the home with confirmed impacts is the highest priority. However, it is proposed to connect all of the homes in the neighborhood since the other homes have a high potential for impacts, other homeowners have expressed a strong desire to connect, and there is the opportunity to use state grant funding to help pay for the proposed sewer extension.*

*GRU has been awarded cost share funding for this project from St. Johns River Water Management District, which will pay up to one third of construction costs up to \$47,000. Additionally, the City was awarded cost share funding of up to \$100,000 from the state legislature in 2020. ConnectFree funding will be used as local match and to cover portions of the project not covered by the cost share grants.*

*As is often the case for homes near creeks, it is not feasible for GRU to serve the homes using conventional gravity sewer. Staff proposes to use a low pressure “grinder pump” type system to connect the neighborhood. Although these systems have been well-proven in other areas, GRU will need to develop standards for integrating these type systems in conjunction with this project. In addition to the environmental benefits provided, the project will serve as a pilot project for GRU for using low pressure systems for serving existing neighborhoods. With these type systems, the grinder pump stations and associated plumbing installed on each customer’s property are a substantial portion of the overall cost. In order to make the project viable, a portion of the ConnectFree funds used for the project will need to be used to pay for installation of “grinder” pump stations, abandonment of septic tanks, and associated plumbing on homeowners’ properties for both low income and non-low income participants.*

*The preliminary estimate of project cost is \$200,000 to \$300,000. Staff is requesting authorization for expenditure of up to \$200,000 in funding from ConnectFree for the project.*

*Fiscal Note: Funding for the project will be provided from the ConnectFree fund which includes a balance of \$286,300 allocated to septic to sewer. Additionally, the city has obtained cost share grant funding from the St. Johns River Water Management District and the state legislature which will be used to the maximum extent possible.*

**RECOMMENDATION**

*The City Commission authorize expenditure of up to \$200,000 from the ConnectFree program funds for the proposed SE 13th Ave septic to sewer project.*

[201236 Septic to Sewer ConnectFree 20210520](#)



## PUBLIC HEARINGS (PH)

PH-1      [200727.](#)      **Text Change to the City's Land Development Code to Allow Agricultural Uses Within Certain Zoning Districts (B)**

**Petition PB-20-158 TCH. City of Gainesville. Proposed text amendment to Land Development Code Article II Definitions, Article IV Zoning, and Article V Use Standards, to allow for agricultural uses within certain zoning districts and applicable use standards.**

*Explanation: Proposed text amendment to Article II Definitions, Article IV Zoning, and Article V Use Standards, to allow for agricultural uses. Three new uses would be added to the permitted use tables: Market farm, Market garden, and Subsistence garden. These uses would be permitted by-right or would require approval of a Special Use Permit, depending on the particular use and the zoning district. Associated use standards are recommended in order to mitigate for potential impacts of the use.*

*This item relates to the Sustainable Community Goal of the City's Strategic Plan.*

*Fiscal Note: None.*

**RECOMMENDATION**

Staff to City Plan Board - Approve Petition PB-20-158 TCH.

City Plan Board to City Commission - Approve Petition PB-20-158 TCH.

[200727D\\_PB-20-158\\_TCH\\_UrbanAgStaff\\_Presentation\\_20210520](#)

[200727E\\_CPB\\_210128\\_Minutes\\_20210520](#)

[200727A\\_Urban\\_Agriculture\\_Summary\\_Sheet\\_20210520](#)

[200727B\\_Draft\\_Urban\\_Ag\\_Ordinance\\_updated\\_9-14-2020\\_20210520](#)

[200727C\\_Urban\\_Ag\\_Ordinance\\_Public\\_Feedback\\_w\\_responses\\_9-14-2020](#)

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

SR-1      [200725.](#)      **Land Use Change - 4.46 Acres of Property Located at 423 SE Williston Road (B)**

Ordinance No. 200725

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 approximately 4.46 acres of property generally located at 423 SE Williston Road, as more specifically described in this ordinance, from Residential Medium-Density (RM) 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.

*Explanation: STAFF REPORT*

*This ordinance will amend the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 4.46 acres of property located at 423 SE Williston Road from Residential Medium-Density (RM) to Mixed-Use Low-Intensity (MUL). This ordinance was generated by an application of the private property owner to change the land use category of the property as proposed. The City Plan Board held a public hearing on January 28, 2021, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan. 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 to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after adoption. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

[PB-20-00115 LUC SE Williston Staff Report with Appendices\\_20210128](#)

[200725A draft ordinance 20210520](#)

[200725B\\_PB-20-115LUC\\_StaffReportwithAppendicesA\\_D\\_20210128](#)

[200725C\\_PB-20-00115LUC\\_LandUseChange\\_Powerpoint](#)

[200725 City Commission Land Use Change PPT EDA\\_20210520.pdf](#)

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

**FR-1**      [200726.](#)

**Quasi-Judicial - Rezoning 4.46 Acres of Property Located at 423 SE Williston Road (B)**

Ordinance No. 200726

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 4.46 acres of property generally located at 423 SE Williston Road, as more specifically described in this ordinance, from Residential Multi-Family (RMF-6) to Mixed-Use Low-Intensity (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation:* STAFF REPORT

*This ordinance will rezone approximately 4.46 acres of property located at 423 SE Williston Road from Residential Multi-Family (RMF-6) to Mixed-Use Low-Intensity (MU-1). This ordinance was generated by an application from the private property land owners. The City Plan Board held a public hearing on January 28, 2021, where it voted to recommend approval of this rezoning.*

*This ordinance requires two hearings and will become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 200725 becomes effective as provided therein.*

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

[PB-20-00003 ZON SE Williston Staff Report with Appendices 20210128](#)

[200726A draft ordinance 20210520](#)

[200726C PB-20-003ZON Rezoning Powerpoint](#)

[200726B PB-20-003ZON StaffReportwithAppendicesA D 20210128](#)

[200726\\_City Commission 200726 Rezoning PPT EDA 20210520.pdf](#)

**FR-2**            [200720.](#)

**Clearboarding of Structures - Amendment to Section 16-20 (B)**

Ordinance No. 200720

An ordinance of the City of Gainesville, Florida, amending Section 16-20 of the Code of Ordinances to require certain openings of vacant structures be sealed with clear or semi-clear shatter-proof polycarbonate material; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation:* *This item was first discussed at a City Commission Code Enforcement Workshop on February 26, 2020. At its January 21, 2021 regular meeting, the City Commission discussed the subject again, and directed the drafting of this ordinance.*

*This ordinance requires structures that are unoccupied for more than 30 days and are not secure to have all window and openings that allow access to the interior of the building and that are visible from the street to be secured with clear or semi-clear shatter-proof polycarbonate material meeting certain specifications for thickness and strength. Exceptions are provided for pending new construction, and weather protection during emergencies.*

*This ordinance requires two hearings and will become effective immediately.*

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

**Legislative History**

1/21/21            City Commission            Approved, as shown above

[200720\\_Clearboarding Abandoned Property 1\\_20210121.pdf](#)

[200720\\_Clear Boarding Ordinance\\_20210121.pdf](#)

[200720\\_draft ordinance\\_20210520](#)

**FR-3**            [201151.](#)

**Ordinance Amending Insurance Requirements for Micromobility Services (B)**

ORDINANCE NO. 201151

An ordinance of the City of Gainesville, Florida, amending section 26-195 of Chapter 26, Article VII by changing the insurance requirements for micromobility services; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: The ordinance regulating micromobility services, No. 180115, was passed on December 3, 2020. The Mobility Department has processed applications and is prepared to issue permits to 3 micromobility services upon proof of insurance. The 3 qualified micromobility services informed staff that they have been unable to identify an insurance carrier "admitted" in Florida who will insure their companies. Staff proposes that the insurance requirement in the ordinance be changed to allow the micromobility services to obtain insurance from companies registered to do business in the State of Florida. Staff does not believe this change will pose a financial risk to the city.*

*Fiscal Note: None.*

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

[201151 draft ordinance 20210520](#)

[201151A Bird Rides Letter 20210520](#)

[201151B Spin Gainesville Insurance 20210520](#)

[201151C VeoRides Letter 20210520](#)

**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**