

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

August 5, 2021

1:00 PM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large, Seat A)
Mayor-Commissioner Pro Tem Gail Johnson (At Large, Seat B)
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
- **E-Comment:** Visit the "Agenda & Minutes" page on the City's website 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 - Afternoon Session**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 [210200.](#) Approval of Minutes from the June 16, July 12, July 13, July 19, and July 21, 2021 City Commission Meetings (B)**

RECOMMENDATION *The City Commission approve the minutes of June 16, July 12, July 13, July 19, and July 21, 2021.*

[210200 June 16, 2021 Minutes 20210805.pdf](#)

[210200 July 12, 2021 Minutes 20210805.pdf](#)

[210200 July 13, 2021 Minutes 20210805.pdf](#)

[210200 July 19, 2021 Minutes 20210805.pdf](#)

[210200 July 21, 2021 Minutes 20210805.pdf](#)

CA-2 [200937.](#) My Neighborhood Program (B)

Explanation: On August 31, 2020 (Legistar #200150-Equitable Development and Moratorium) the City Commission approved a motion, directing Gainesville Community Reinvestment Area (GCRA) staff to return with details and a possible funding source for a proposed program (to be known as the My Neighborhood Program) that invests in neighborhoods by acting as a financial partner for individuals who want to move back into an eligible neighborhood where they grew up.

Staff presented the Program to the GCRA Advisory Board (GCRAAB) on December 15, 2020 (Legistar #200591) and received recommendations. These recommendations were presented to the City Commission on January 21, 2021, and their input was received. Draft Program Guidelines were presented to GCRAAB on March 16, 2021 (Legistar #200937), and members recommended that they be approved by the City Commission. On April 1, 2021 (Legistar #200937) the Commission approved the My

Neighborhood Program with the following revisions:

“(#1) Applicant must have lived in the neighborhood or one of the neighborhoods before 2011 for at least three years, or they can be a current renter [who] has lived [in the neighborhood] continuously for the [past] three years; (#2) Clear up the conflicting information about townhouses and condominiums in Section 2, to allow them; (#3) Applicant must have an accepted offer within 120 days of being approved through the program; and (#4) [Applicant] is not eligible for the program if [they] currently own a home in one of the eligible areas.”

Per City Commission direction, revisions (#2)-(#3) have been updated in the program policy per legal review. GCRA staff and the City Attorney's Office recommend that revision (#1) include only applicants that have lived in one of the neighborhoods before the year 2011 for at least three years and exclude current renters who have lived in an eligible neighborhood continuously for at least the past three years.

City staff and the City Attorney's Office are not able to justify why renters who have lived in a neighborhood for the past three years are eligible, but other similar groups are excluded. For example, renters who have lived in a neighborhood from the years 2011-2020 would not be eligible, despite having continuous residence in a neighborhood for nine years. In order to move the program forward, it is recommended that this eligibility requirement be removed. Further discussions concerning eligibility criteria may continue and be made into the next iteration of the program.

The City Attorney's Office requested that the Office of Equity and Inclusion review the Program guidelines for equity. The department suggested changes to the way the program would be administered. Those changes are described in Attachment C.

Strategic Connection: This item is connected to Goal 3: A Great Place to Live and Experience in the City's Strategic Plan. An objective of this goal is to increase affordable housing opportunities for all neighbors.

Fiscal Note: The not to exceed amount of \$75,000 is budgeted for the My Neighborhood Program in the GCRA Fund 620 "Community Enhancements & Housing" account for the remainder of Fiscal Year 2021.

RECOMMENDATION

That the City Commission approve the My Neighborhood Program as presented.

Legislative History

4/1/21 City Commission Approved, as shown above

[200937_A_Memo_Eligibility_Requirements_2021.08.05.pdf](#)

[200937_B_My_Neighborhood_Program_Guidelines_Application_2021.08.05.pdf](#)

[200937_C_Memo_OEI_2021.08.05.pdf](#)

CA-3 [210063.](#)**Florida Department of State, Division of Cultural Affairs General Program Support, Multidisciplinary Organization Grant Application (B)**

This item requests retroactive approval by the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) to approve submission of an application for and accept if awarded a General Program Support grant from the Florida Division of Cultural Affairs.

Explanation: The City of Gainesville Parks Recreation and Cultural Affairs' Department, Cultural Affairs Division, annually applies to the Florida Department of State, Division of Cultural Affairs (DCA) for a general program support grant. The Department qualifies as a Level III organization and can apply for the highest level of funding, \$150,000. Staff prepared a general program support grant request which was submitted by the June 1st deadline, requesting grant funds for FY 2022-2023 in the Multidisciplinary Organization category.

In FY 2020-2021 the City received \$47,433 from this grant and the FY 2021-2022 award amount, though not announced, is expected to be over 50% higher than the previous year.

Though this grant is for general program support, a detailed outline of how the funds will be spent was required with the application. If funded, the grant award for FY 2022-2023 will be applied to initiatives that will build PRCA's cultural program capacity to fulfill its program goals. The grant will provide funding for elements of the "352ArtsRoadmap" cultural master plan for the City of Gainesville and related marketing initiatives. It will provide support for the Thomas Center Galleries' exhibition curation and marketing; 352walls coordination and artist fees, as well as cultural programming artist fees. In addition, the grant will provide funding for collaborative inclusive arts programming as identified as a strategy of the new Comprehensive Plan.

The grant submission deadline was June 1, 2021; a panel review of applications will be scheduled for September; final recommendations are subject to approval by the Florida Legislature and Governor and will be announced in June 2021. The grant period for the next grant is July 1, 2022 - June 30, 2023.

Strategic Connection: This item is connected to Goal 1: Equitable Community and Goal 3: A Great Place to Live & Experience in the City's Strategic Plan and is a high priority.

Fiscal Note: The FY 2022-23 General Program Support, \$150,000 grant requires a 1:1 match. The matching funds will be met by expenses from recurring cultural affairs staffing costs, cultural programming artist fees, event marketing costs for the Hoggetowne Medieval Faire and the Downtown Cultural Series, which includes the Downtown Festival and Art Show, and materials and supplies. No additional funds will be necessary to facilitate this request.

RECOMMENDATION

The City Commission to 1) retroactively approve the request for the Department of Parks, Recreation and Cultural Affairs (PRCA) to submit the grant and accept the grant, if awarded, from the Florida Department of State, Division of Cultural Affairs, and 2) authorize the City Manager or designee to execute the grant award agreement and other grant related documents, subject to approval by the City Attorney as to form and legality.

[210063A_DCA GPS Grant Application for 2022-2023 Submitted 5-31-21_20210](#)

[210063B_352artsroadmap-summary-web_20210722.pdf](#)

CA-4 [210126.](#)

Bid Award for Legal Assistance for Eviction Prevention (B)

Explanation: The Housing & Community Development Division (HCD) is seeking Commission approval to retain the services of Three Rivers Legal Services, Inc. (TRLS), as a result of their successful selection during the recent Request for Proposal (RFP) process. HCD is committed to the protection and enforcement of tenant rights; and to assist in the prevention of evictions. As a result, the City of Gainesville (City) sought proposals from qualified non-profit or for-profit legal services organizations or attorneys interested in providing informational/educational sessions as well as legal services to City of Gainesville tenants.

Services to be provided will include informational/educational sessions to the community at-large regarding tenant rights. Additionally, individualized counseling and/or representation of income-qualified tenants in eviction proceedings (as deemed warranted and prudent in the professional judgment of the provider), will be offered.

Individualized legal services will be available to all income-qualified city residents. However, the City recognizes that certain tenants may be particularly vulnerable for a variety of reasons; including historical discrimination, reduced ability to access needed services because of income limitations, or less likelihood of accessing services that help tenants. Therefore, income-qualified tenants residing in the following designated neighborhoods will be given priority: NW 5th Avenue, Pleasant Street, Porters, Duval, Lincoln Estates, and Grove Street.

Three Rivers Legal Services will provide services at the following cost:

Hourly rate for counseling - \$100.00

Hourly rate for eviction proceeding representation - \$100.00

Flat fee for outreach and marketing - cost per year - \$1,000.00

In review of the Request for Proposal, the committee agreed that TRLS met all programmatic requirements in response to minimum qualification guidelines. They also provided documentation, which demonstrated their ability to satisfy the aforementioned standards. The agency employs current Florida Bar member attorneys, licensed by the Supreme Court of Florida, and other highly qualified staff who have demonstrated experience in landlord/tenant law and in defending evictions in the State of Florida.

Fiscal Note: Funds in the amount of \$70,000 have been identified from current year appropriation to provide the Legal Services for the Eviction Prevention Program.

RECOMMENDATION

The City Commission: 1) award the bid to Three Rivers Legal Services, Inc.; and 2) authorize the City Manager or designee to execute all documents and contract related to the provision of the Eviction Prevention Program, subject to approval by the City Attorney as to form and legality.

[210126A_01-210039-RFP-HOUS-Eviction Prevention-Final_2021-715](#)

[210126B_02-210039-Bid Record_20210715](#)

[210126C_03-210039-Submittal-Three Rivers_20210715](#)

[210126D_04-210039-Eval 1_20210715](#)

[210126E_05-210039-Eval 2_20210715](#)

[210126F_06-210039-Eval 3_20210715](#)

[210126G_07-210039-Eval 4_20210715](#)

[210126H_08-210039-Procurement Eval Summary_20210715](#)

[210126I_09-210039-Waive Oral_1 - signed_20210715](#)

[210126J_10-210039-Dept Award Recommendation_20210715](#)

[210126K_11-210039-Solicitation Status Vendor Notification_20210715](#)

[210126L_12-210039-Recommendation of Award Public Notice_20210715](#)

[210126M_13-210039-CCom Bid Tabulation_20210715](#)

[210126N_14-210039-Evaluator Zoom Meeting_20210715](#)

CA-5 [210186.](#)

Howard Bishop Recreation Area Interlocal Agreement (B)

This item requests approval to enter into an Interlocal Agreement between the City of Gainesville and the School Board of Alachua County (SBAC) to reimburse the School Board for recreational improvements on Howard Bishop Middle School grounds.

Explanation: The City and School Board wish to coordinate the recreational facilities

and activities of the City and School Board in order to prevent duplication and to provide more fully for the recreational needs of the neighbors of our City and School Board at the least expense.

The School Board desires to offer certain outdoor active recreational facilities at Howard Bishop Middle School, located at 1901 NE 9th Street as shown in Exhibit A, for use and benefit of the general public, while retaining control of these facilities.

The City shall provide funding in the amount of \$250,000 for the renovations of the Facility track, tennis courts and/or basketball courts utilizing the full amount for the highest prioritized of the foregoing improvements as determined by the School Board.

Staff from the SBAC and City agree to meet and discuss this agreement within six months of its execution to determine if further negotiations and adjustments are needed to address the level of use and maintenance experienced at the recreational facilities. The parties agree to engage in a good faith evaluation of the respective responsibilities of the Parties based on the level of use experienced at the facilities.

Strategic Connection: This item is connected to Goal 3: A Great Place to Live and Experience

Fiscal Note: Funds in the amount of \$250,000 are available for the Howard Bishop Recreation Area project from the Howard Bishop Improvements Wild Spaces & Public Places ½ cent sales tax project cost center.

RECOMMENDATION *The City Commission approve the agreement for recreational improvements on Howard Bishop Middle School grounds.*

[210186A_Howard Bishop Public Recreation Agreement-Final Draft 20210805](#)

[210186B_HBMS ACPS & CoG WSPP Exhibit A 20210805](#)

[210186C_Registar 170389 text file and approval 20210805](#)

[210186D_WSPP slides 8.22.19 20210805](#)

CA-6 [180596.](#)

Amendment to Agreement for the Purchase of Police Uniforms (B)

Explanation: On January 3, 2019, the City Commission approved an Agreement with Gold Nugget Uniform dba Argo Uniform Company for the purchase of uniforms for the police department. In May of this year, Municipal Emergency Services, Inc. (MES) acquired Gold Nugget Uniform dba Argo Uniform Company. Due to this acquisition, the name Municipal Emergency Services, Inc. replaces Gold Nugget Uniform dba Argo Uniform Company as the City's payee for the existing purchase order.

This Amendment assigns the all terms and conditions of the original 2019 Agreement with Gold Nugget Uniform dba Argo Uniform Company to the

new owner, Municipal Emergency Services, Inc.

Fiscal Note: There is no change to the dollar amount. The original terms of the agreement still apply.

RECOMMENDATION

The City Commission: 1) authorize the transfer of ownership from Gold Nugget Uniform dba Argo Uniform Company to Municipal Emergency Services, Inc.; 2) approve the Amendment to the Agreement Between the City of Gainesville and Gold Nugget Uniform dba Argo Uniform Company; and 3) authorize the City Manager (or designee) to execute the agreement, subject to approval by the City Attorney as to form and legality.

Legislative History

1/3/19 City Commission Approved as Recommended

[180596 Updated GPD Uniform Quotes 20190103](#)

[180596D Amendment to Agreement with Gold Nugget -MES 20210729](#)

[180596E Amendment to Agreement with Gold Nugget -MES 20210715](#)

[180596C 2019 Agreement with Golden Nugget dba Argo 20210715](#)

[180596B Transmittal for MES 20210715](#)

[180596 Amendment to Agreement with Gold Nugget -MES 20210715](#)

CA-7 [210237.](#)

Appointment to City Commission Advisory Boards and Committees (B)

RECOMMENDATION

The City Commission appoint:

William Werther as an alternate to the Wild Spaces Public Places Citizen Oversight Committee for a partial term ending 9/30/2023.

[210237 WSPP Application 20210805](#)

[Advisory Board and Commission Ballot Form](#)

CA-8 [210197.](#)

Grounds Maintenance Contract at Evergreen Cemetery (B)

Request for approval of the multi-year contract for grounds maintenance at the historic Evergreen Cemetery with Wyatt J. Collins dba Collins Lawn Care.

Explanation: The City of Gainesville assumed ownership of Evergreen Cemetery in 1944 and it remains our only municipal cemetery. It holds the historical record of Gainesville's development and the intriguing stories of many individuals who have inhabited the city.

In anticipation of the Contract for Grounds Maintenance at Evergreen Cemetery ending on September 30, 2021, the project was solicited by the City's Procurement Division in the spring of 2021. The Invitation to Bid was automatically sent by Demandstar (the online procurement platform for government agencies) to 474 suppliers in the appropriate supplier category for grounds maintenance. In addition, Parks, Recreation and Cultural Affairs (PRCA) requested that notification of the Invitation to Bid be sent to another 15 local suppliers, many of whom are registered on the City of Gainesville's Small Business Program List and/or the State of Florida's Office of Supplier Diversity Certified Directory. A mandatory site visit was held on April 21, 2021, with only two suppliers in attendance. Both suppliers submitted bids for this project.

Bids were evaluated on price, technical expertise and experience, past performance and reputation, and resource availability and allocation for this job. Wyatt J. Collins dba Collins Lawn Care offered the most responsive and responsible bid and the best price for the required level of service. PRCA Staff encourage acceptance of their bid for grounds maintenance at Evergreen Cemetery.

Strategic Connection: This item is connected to Goal 3: A Great Place to Live and Experience.

Fiscal Note: When Lot Owners purchase space in the cemetery, the City guarantees perpetual care of the property. The portion of each purchase that funds perpetual care is held in the Evergreen Cemetery Trust Fund, which distributes the cemetery's annual budget funds to the City's general fund each year. Monthly fees for this service will be paid from the general fund in this manner. The contracted price will be \$91,850.00 per year with a two-year contract, and the option of up to three one-year extensions. This is an ongoing maintenance expense.

RECOMMENDATION

The City Commission authorize the City Manager or designee to execute all contract documents for annual grounds maintenance services at Evergreen Cemetery with Wyatt J. Collins dba Collins Lawn Service, subject to approval by the City Attorney as to form and legality.

[210197A Procurement Docs Evergreen Grounds Maintenance FY22 20210805.pdf](#)

[210197B Bid Wyatt Collins Evergreen Grounds FY22 20210805.pdf](#)

[210197C Bid Tabulation Evergreen FY22 20210805.pdf](#)

[210197D Recommendation of Award Collins Evergreen Grounds FY21 20210805.pdf](#)

[210197E Draft Contract Collins Lawn Care Evergreen Grounds FY22 20210805.pdf](#)

ADOPTION OF REGULAR AGENDA

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

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 [200718.](#) Advisory Board and Committee Annual Reports (B)

AGENDA UPDATE - REMOVE ITEM

Explanation: At the September 17, 2020 meeting the Commission moved to request annual reports from all Advisory Boards and Committees.

In accordance with the motion, the reports in the backup have been compiled. The City Clerks' Office will continue working with the Advisory Boards and Committees to submit outstanding reports.

Fiscal Note: N/A

RECOMMENDATION

The City Commission receive and review the advisory board and committee annual reports and hear a presentation.

Legislative History

1/21/21	City Commission	Approved as Recommended
1/28/21	General Policy Committee	Heard
2/11/21	General Policy Committee	Heard
2/18/21	City Commission	Approved, as shown above
3/4/21	City Commission	Approved as Recommended
3/25/21	General Policy Committee	Heard
4/8/21	General Policy Committee	Heard
4/15/21	City Commission	Striken From the Agenda
4/22/21	General Policy Committee	Heard
6/17/21	City Commission	Heard

[200718 AHAC Rep to CCOM 20210812](#)

[200718 GAPPT Presentation 20210812](#)

BD-2 [210203.](#)

Award of the Low-Income Housing Tax Credit Project (B)

This item requests the City Commission to consider approving the use of ConnectFree Program funding to assist an Affordable Rental Housing Project.

Explanation: On May 20, 2021, the City Commission adopted Resolution #201230 amending and restating Resolution #160146. These resolutions govern the City's ConnectFree Program (Program), which generates revenue from surcharges collected on new water and wastewater connections in the unincorporated part of the GRU service area. The primary purpose of that revenue is to subsidize new extensions and connections throughout the GRU Service Area. Additionally, that resolution identifies several activities that the ConnectFree Program may fund, including, local government contribution to affordable housing development projects leveraged with federal/state low-income housing tax credits.

The Low-Income Housing Tax Credit (LIHTC) Program provides for-profit and nonprofit organizations with a dollar-for-dollar reduction in federal tax liability in exchange for: 1) the acquisition and substantial rehabilitation; 2) substantial rehabilitation; or 3) new construction of low, very low, and extremely low income rental housing units. These tax credits can be worth millions of dollars, and as such, receiving them is often required to build affordable housing. Therefore, projects that receive this funding can help cities/counties reach their goals for the development of affordable rental housing. In essence, the use of tax credits subsidizes the cost of developing housing units, thereby producing decent, safe, and affordable housing available to low-income households.

The Florida Housing Finance Corporation (FHFC) is essentially a department of the State of Florida and administers the Program. The FHFC awards tax credits to affordable housing projects based on a competitive application system. Part of that system awards points to projects that meet certain criteria as established by the FHFC. Those criteria include affordability, sustainability and serving an identified housing need.

On July 20, 2021 the FHFC issued Request For Applications (RFA) 2021-201. In RFA 2021-201, the FHFC identifies funding goals for medium sized counties like Alachua County. Those goals include funding a project located in a locally designated revitalization area, funding one project located near the SunRail transit project, funding two projects located in certain mapped areas of the State, and funding six Local Government Area of Opportunity (LGAO) Projects.

LGAO Projects are projects where the applicant has demonstrated "a

high level of Local Government interest in the project via an increased amount of Local Government contributions . . .” As outlined in RFA 2021-201, those contributions are generally defined as cash loans or grants. Fundamentally, the LGAO funding goal incentivizes a local government financial commitment. The minimum amount of the local funding commitment is \$460,000.00.

If a local government elects to fund a LGAO Project, RFA 2021-201 requires the local government to choose to fund only one project, regardless of the number of applications the local government may receive. As such, the City Commission can select and fund only one LGAO Project to apply for housing tax credit funding from the FHFC.

The total number of projects funded throughout the State, in medium sized counties, can be impacted by several variables, but in 2021 it is expected to be 10 to 11 projects. For that reason, projects that meet one of the FHFC identified goals, have a much better chance of being funded by the FHFC.

On June 8, 2021, the City of Gainesville published a Notice Of Funding Availability announcing that the City would accept applications for financial assistance for the development and/or rehabilitation of affordable rental housing projects. As a result, the City received applications for a total of four rental housing projects. Each of those projects is a LIHTC Project requesting LGAO Funding.

On July 13, 2021, the City’s Affordable Housing Advisory Committee (AHAC) met to discuss, evaluate, and rank the projects. At that meeting, three of the applicants presented their project to the Committee and answered questions. The developers of Madison Moor did not attend the meeting and have withdrawn their application. At the July 13th meeting, the AHAC voted to rank the proposed projects in the following order:

- 1. Woodland Park, Phase 2 (96 units, family)*
- 2. Village at Lincoln Park (88 units, family)*
- 3. Veranda Estate (88 units, elderly)*
- 4. Madison Moor (82 units, elderly)*

Additionally, the AHAC recommends that the City provide the requested \$460,000.00 LGAO funding to Woodland Park, Phase 2 in the form of a loan from ConnectFree Funds. AHAC recommends that the terms of the loan be as requested by the applicants. Those terms are a 1% annual interest rate for an 18-year loan with a balloon payment at loan termination, and a 30-year amortization period. These terms ensure that the entire balance, including principal and interest, are paid in full at the end of the 18-year period. The repayment of the funds may be reinvested back to the ConnectFree Program to assist other eligible projects.

Applications associated with RFA 2021-201 are due to the FHFC in Tallahassee on August 26, 2021.

Fiscal Note: Funds in the amount of \$460,000.00 are available in the ConnectFree

Program Budget to fund the selected rental housing project.

RECOMMENDATION

The AHAC recommends that the City Commission: 1) Hear a presentation from the AHAC and staff; 2) Approve funding the Woodland Park, Phase 2 Affordable Rental Housing Project in the form of a loan in the amount of \$460,000.00 from the ConnectFree Program; the terms of which shall be a 1% annual interest rate for an 18-year loan with a balloon payment at loan termination, and a 30-year amortization period. The entire balance, including principal and interest, shall be paid in full at the end of the 18-year period; and 3) Authorize the City Manager or designee to execute any documents necessary to such funding, subject to City Attorney approval as to form and legality.

[210203A AHAC LGAO Recommend Memo 20210805](#)

[210203B Ranking Reasons 20210805](#)

[210203C Presentation 20210805](#)

[210203D Completed Ranking Forms 20210905](#)

[210203E Summary Spreadsheet 20210805](#)

[210203F Woodland Park Phase II Presentation 20210805](#)

[210203G Ability Housing-Village of Lincoln Park Presentation 20210805](#)

[210203H Veranda Estates Presentation 20210805](#)

[210203I Madison Moor Presentation 20210805](#)

BD-3

[210204.](#)

GCRA Business Improvement Grant Program Historic Masonic Lodge, LLC Application (B)

Explanation: This item is the City Commission requested continuation of Legistar #210117 from July 19, 2021. The presentation has been updated to address City Commission concerns.

The Business Improvement Grant Program was approved by the City Commission on November 5, 2020 (Legistar #200275). Per the program guidelines any application of over \$100,000 must be approved by the City Commission.

Historic Masonic Gainesville, LLC is located at 215 North Main Street, Gainesville, Florida 32601. The building is listed on the National Register of Historic places by the National Parks Service as of May 29, 1998. The Historic Masonic Gainesville, LLC's application was reviewed by GCRA Staff and the application was complete as of June 9, 2021. They are applying under the program for Tier 4 funding of up to \$150,000 of matching funds as the following condition is met: building is listed on the National Register of Historic Places or listed on the City of Gainesville's

Historic Local Register Listing.

The Historic Masonic Gainesville, LLC will be contracting with ten contractors to perform the work on this property. Per the program guidelines, applicants are required to obtain two competitive quotes for each type of work to be performed. The applicant met or exceeded this requirement.

Strategic Connection

Goal 3: A Great Place to Live & Experience and Goal 4: Resilient Local Economy

Fiscal Note: Business Improvement Grant program has an FY 2021 remaining balance of \$187,793.91 in the GCRA (Fund 620 Unit W023) after taking into account in-process approved agreements. The maximum to be reimbursed under this grant would be \$122,679.42 leaving \$65,114.49 in funds remaining in this account through September 30, 2021.

RECOMMENDATION

Approve the Historic Masonic Gainesville LLC's Business Improvement Grant application as described.

[210204 A Business Improvement Grant Program Historic Masonic Lodge LLC](#)

[210204 B Business Improvement Grant Program Historic Masonic Lodge LLC](#)

[210204 C Business Improvement Grant Program Historic Masonic Lodge Exist](#)

[210204 D Business Improvement Grant Program Historic Masonic Gainesville](#)

BD-4 [210240.](#)

Tom Petty Birthday Bash Event (B)

Staff presentation regarding the upcoming Tom Petty Birthday Bash, an annual community event, and a request for Commission direction.

AGENDA UPDATE - ADDITIONAL BACK-UP ADDED

Explanation: The Tom Petty Birthday Bash is approaching its third year as a popular community event at Gainesville's Depot Park. The event has always been managed by an outside organizer as a free-of-charge community event and each year the celebration has grown in popularity and attendance. The organizers had plans to improve the event with national headliners and greater economic impact to the City in 2021. They have hired Red Light Management, LLC, to coordinate the event this year. The Tom Petty Birthday Bash will be held on October 23 and 24. In its event application, Red Light Management is planning to transition from an open community event to a private, ticketed event, which will require closure of the entire park for a period not to exceed nine days. Additionally, Depot Park will need to be gated off between October 18 and 26, 2021, to include set-up and tear-down of the event.

The City of Gainesville's Code of Ordinances (Sec. 18-20) speaks to

fencing at City parks specifically that prohibits any gate providing access to any park, or build any trail except as authorized by an approved management plan with the City Manager or designee. Furthermore, Sec. 18-16 states that “except as otherwise provided in this Code of Ordinance, [the ability to] purchase, sell, offer for sale, possess, or consume any alcohol beverage, illegal drug or intoxicating substance” is unlawful at any City park. While it is within the City Manager’s purview to approve this use of a public park for a private event, Commission input is requested as there is currently no mechanism in place to approve private, ticketed events at City parks.

The Parks, Recreation and Cultural Affairs (PRCA) Department’s Interim Director, Roxana Gonzalez, will provide event history, review current Depot Park policies, current City Ordinances and event costs related to closing Depot Park, including street closures and public safety costs. PRCA will also discuss Red Light Management’s current event application to host the event and the changes that are being requested in order to host this event.

Strategic Connection

Goal 3: A Great Place to Live and Experience

Fiscal Note: There are no cost associated as the applicant will incur all charges.

All expenses to produce the event will be borne by its host, Red Light Management, including closure of the park and use of Gainesville Police Department, Gainesville Fire & Rescue, Building and Codes, Public Works and PRCA resources.

RECOMMENDATION

City Commission 1) hear a presentation on the Tom Petty Birthday Bash, and 2) provide direction to the City Manager on amending the City’s current application process to allow private, ticketed events in Depot Park or any City-owned parks.

[210240.A Tom Petty Bash Depot PP 20210805](#)

[210240.B EV2137 - TPFMFF - A001-EVENT OVERLAY - 07092021 - 1.01 20](#)

[210240.C Code of Ordinances Chapter 15 20210805](#)

[210240.D Code of Ordinances Chapter 18 20210805](#)

[210240.E Pages from +2021 Depot Park Special Event Guide & Application C](#)

[210240.F TPBB Depot Park Special Event Guide & Application 20210805](#)

[210240.G Full Moon Fever Festival Rental Fees 20210805](#)

[Hyperlink 210240 Tom Petty MOD 20210805](#)

BD-5 [210218.](#)

Request to Release Lien 530 NW 29th Ave (B)

Explanation: This item is a request for the City Commission to consider a request for a lien reduction or rescission for 530 NW 29th Avenue. The neighboring

property at 532 NW 29th Avenue was previously found in violation of City ordinances for blight, dead tree limbs, and a leaking roof in 2012. A lien was placed on this property, and all others owned by the property owner, that accumulated to \$335,800 plus administrative costs of \$86.80.

The property that originally generated the violations was lost by the owner in a tax deed sale in January of 2021, through which the City was awarded \$18,806.79 in proceeds from the sale toward the lien.

The owner is now trying to sell the neighboring lot at 530 NW 29th Avenue, which he still owns, and has the City lien attached to it. The purchase price of the property is \$19,000 per contract.

A reduction/rescission hearing was held on May 6, 2021 before the Special Magistrate. Based on information presented the Magistrate recommended the remaining amount of the lien be reduced to \$2,500. The costs of the lien have been paid separately and resolved. Since nearly \$19,000 was already collected in the tax deed sale, staff is recommending the Commission accept the Magistrate's recommendation for reduction.

Fiscal Note: A reduction in accounts receivable is expected from reducing the current lien amount from \$335,800 to \$2,500.

RECOMMENDATION The City Commission accept the Magistrate's ruling and reduce the lien to \$2,500.

[210218A Monkus Summary 20210805](#)

[210218B Monkus Lien Recission Backup 20210805](#)

BD-6 [210111.](#) Request To Release Lien 425 NE 3rd Street (B)

Explanation: This item is a request for the City Commission to consider a lien reduction or rescission for 425 NE 3rd St. The property was previously found in violation of various City ordinances dating back to 1996. Four liens were placed on the property in 2005 and as a result the property has accumulated fines of approximately \$1,108,000.

In December of 2020, the City of Gainesville initiated steps to demolish the house consistent with the City's dangerous building and hazardous land code, and prepared to initiate foreclosure proceedings against the property. Subsequent to these actions, the owner and potential buyer entered into a contract for sale. The potential buyer is seeking a release of the City's liens on the property as a condition of the closing.

The buyer is obtaining a Fannie Mae Homestyle Renovation Loan in the amount of \$486,076 to purchase and renovate the property. Per the mortgage document, the renovation portion of the loan is set at \$320,159. The purchase and sale agreement for the house and property is \$191,500.

With authorization from the existing owners, the potential buyer, acting as agent for the current property owner, developed renovation plans and has applied for and obtained a Certificate of Appropriateness from the Historic Preservation Board (5-4-21) as well as obtained the necessary building permits (6-28-21) to complete the renovation work. The buyer has also paid to have the property cleared of vegetative overgrowth.

At the Special Magistrate hearing on June 30, 2021, the Magistrate recommended a full rescission of the fines and release of the liens at the hearing based on the testimony provided by the buyer and others regarding the planned improvements to the property in the event the lien is rescinded.

Based on the lien total, the nature of the violations, and the length of time the violations remained unaddressed, staff does not recommend that the City Commission approve the applicant's lien reduction request without a separate performance agreement to ensure that the property is restored and renovated consistent with the representations of the buyer.

If the City Commission approves releasing the approximately \$1.1 million lien amount, staff recommends that the release is made contingent upon the execution of a performance agreement that includes the following conditions:

- 1. Closing on the property occur no later than September 30, 2021*
- 2. Commencement of renovation work consistent with HP-21-36 (COA) and BP-21-03864 (Building Permit) within 30 days of the property closing and completion of work within 180 days from commencement of the renovation work.*
- 3. Buyer shall occupy the property as their principal residence within 180 days from the completion of work and shall continue to occupy the property as their principal residence for at least one year from the date of initial occupancy.*
- 4. The buyer shall keep the property free from code violations for the duration of the agreement.*
- 5. The buyer shall pay \$5,000 (representing staff resources on the current settlement) and \$708.24 in recorded code enforcement lien costs, prior to release of the lien.*
- 6. In the event that the buyer does not perform on all of the above terms, the Buyer shall pay to the City liquidated damages of \$100/day for non-compliance for the first 90 days after execution of the agreement and \$200/day after the end of the first 90 day period.*
- 7. The agreement shall run with the land through the term.*
- 8. The agreement shall remain in effect until the completion of the work has occurred and the buyer has occupied the property as their principal residence for a period of 1 year.*

In determining the amount of the fine, if any, the Magistrate and City Commission shall consider the following factors listed in Florida Statutes Chapter 162.09(2)(b):

- 1. The gravity of the violation;*
- 2. Any actions taken by the violator to correct the violation; and*

3. Any previous violations committed by the violator.

RECOMMENDATION

The City Commission deny the applicant's request for lien rescission. Alternately, the Commission support the applicant's request contingent on the execution of aforementioned performance agreement and remittance of \$5,000 and \$708.24 in recorded code enforcement lien costs, to the City. Additionally, direct the City Attorney to draft said agreement and authorize the City Manager to sign any required lien release and performance agreement documents.

[210111A Englert Lien Summary 20210805](#)

[210111B Englert Permits-Plans 20210805](#)

[210111C Englert Purchase and Sale Contract 20210805](#)

[210111D Englert Closing Documents 20210805](#)

BD-7 [210207](#).

Southern Charm Kitchen Purchase Agreement (B)

Explanation: On June 9, 2008, the Gainesville Community Redevelopment Agency (CRA) closed on the properties located at 1712 SE Hawthorne Road and 1714 SE Hawthorne Road. The CRA approved the concept of a small restaurant or diner for this site and general scope of a Request for Proposal (RFP) to attract a business as a tenant.

The RFP was issued in June 2010 and one proposal was received for the site proposing a café/restaurant use. The proposer was Southern Charm Kitchen, proposed by Omar and Arpita Oselimo, the founders and owners of Reggae Shack Café located on University Avenue. Southern Charm is a restaurant café that is rooted in traditional southern cooking that takes classic dishes and traditional recipes and transforms them in a contemporary fashion to suit current tastes, local preferences, and available seasonal ingredients.

In September 2010, the Oselimo's received the CRA's first Grow Gainesville Fund, a SBA 7(a) loan to help towards the interior build-out, furniture and equipment, and operating expenses for the café space. The CRA then entered into a lease agreement with an option to purchase. In June 2020, Southern Charm Kitchen exercised their option to purchase and provided notice of their intent. The Gainesville Community Reinvestment Area (GCRA) ordered an appraisal on the property which came in at \$215,000. The Oselimo's agreed to the price, and we are now at the point of execution of the agreement.

Since its opening in August of 2011, Southern Charm Kitchen has served as a catalyst for continued redevelopment along the Hawthorne Road corridor. The establishment today serves as one of the only sit-down

family restaurants to exist on the east side.

Strategic Connection

Goal 3: A Great Place to Live & Experience and Goal 4: Resilient Local Economy

Fiscal Note: The purchase price for the property is \$215,000. Proceeds from a sale will be returned to the Eastside Redevelopment Area Trust Fund. The sale is contingent upon approval of the Purchase Contract by the City Commission. -Is, Where- Buyer to pay all closing costs. The Purchase and Sales Agreement (PSA) clearly states that all debt incurred (including past rents) by Buyer or affiliated entities shall be paid in full on or before the Closing Date. Omar Oselimo is prepared to pay the purchase price, closing costs stated in the preliminary HUD-1 statement from Salter Feiber, and all debts owed to the City of Gainesville including any past due or rent forbearance (\$21,781.74) statements provided by Colliers at closing. Omar Oselimo is working with the City of Gainesville to put all monies due at closing into Escrow with Salter Feiber.

1. Sale of Building: \$215,000.00 (In PSA Contract)
2. HUD-1 Statement: Closing Cost Total (Salter Feiber)
3. All Debts Owed to City of Gainesville

RECOMMENDATION

City Commission to authorize the City Manager or his designee to 1) Enter into a purchase agreement with Southern Charm Kitchen for \$215,000 the sale of tax parcels #11619-000-000 and #11618-000-000 and 2) Authorize the City Manager or his designee to execute all necessary disposition and sale documents once approved by the City Attorney's office as to form and legality.

[210207 A Southern Charm-FARBAR Contract-City as Seller 2021.08.05.pdf](#)

[210207 B Southern Charm Restaurant Appraisal 2021.08.05.pdf](#)

[210207 C Lease, Option of Sale and Amendments 1-5 to Hawthorne Road Ca](#)

[210207 D Southern Charm Kitchen Purchase Agreement Presentation 2021.\(](#)

BD-8 [210243.](#)

Update on the Status of the Solar PPA (NB)

AGENDA UPDATE - ADDED ITEM

Explanation: As the commission is aware, GRU staff entered into a contract with the company Origis for the building and operation of a solar farm. GRU is to purchase the power generated by this operation. Origis had planned to site the solar farm on property located in Archer, Florida, and required a special exception permit from Alachua County to do so. On July 6, 2021, the Alachua County Commission denied Origis' application and GRU staff has since met with Origis executives to discuss next steps. Staff is now prepared to provide an update to the Gainesville City Commission on the status of the project.

Fiscal Note: None at this time.

RECOMMENDATION

Hear an update from staff on the status of the solar project.

CC COMMISSION COMMENT

4:30 - 5:30pm DINNER BREAK

5:30pm - CALL TO ORDER - Evening Session

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1 [210220.](#) **Arbor Day September 24, 2021 (B)**

RECOMMENDATION

City Beautification Board Chair April O'Neal to accept the proclamation. City Beautification Board Staff Liaison Liliانا Kolluri to accept the proclamation.

[210220 Arbor Day 2021](#) [20210805](#)

PR-2 [210222.](#) **Gastroparesis Awareness Month August, 2021 (B)**

RECOMMENDATION

Living With Dys Founder Ambre Minty to accept the proclamation.

[210222 Gastroparesis Awareness Month August 2021](#) [20210805](#)

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

BUSINESS DISCUSSION ITEMS

BD-1 [210242.](#) **COVID Public Health Discussion (B)**

RECOMMENDATION

The City Commission discuss vaccinations of City employees, mask requirements and other public health measures.

[210242 Comm. Adrian Hayes-Santos Proposed COVID Public Health plan to r](#)
[210242 Actions Recommendations from Charter Officers MOD_20210805](#)

RE RESOLUTIONS - ROLL CALL REQUIRED (RE)

RE-1 [210201.](#) Resolution for Grant Agreements Associated with the NW 42nd Avenue Sidewalk Project (B)

Explanation: This item requests adoption of a resolution authorizing the City Manager or designee to execute and enter into agreements, and other documents with the Florida Department of Transportation (FDOT) for the design and construction of the NW 42nd Avenue Sidewalk Project.

The FDOT intends to fully fund the design and construction of a sidewalk along the Northside of NW 42nd Avenue from NW 13th Street to NW 6th Street; a total of \$224,209 is currently included in the FDOT Work Program for the project and it is funded by the Safe Routes to School Grant. The project schedule is dictated by the funding schedule; design is scheduled to be complete in FY23 and construction scheduled to be complete in FY25.

Strategic Connection

This item is connected to Goal 3: A Great Place to Live and Experience in the City's Strategic Plan and is a high priority item.

Fiscal Note: There is no fiscal impact associated with this request. The project will be funded 100% by FDOT through grant agreements for design and construction.

RECOMMENDATION

The City Commission adopt the Resolution which authorizes the City Manager or designee to execute all agreements, and any other necessary documents with FDOT pertaining to this project, subject to approval by the City Attorney or designee as to form and legality.

[210201A Draft Resolution for Grant 20210805](#)

[210201B NW 42nd Ave Sidewalk Location Map](#)

RE-2 [201001.](#) Litigation to Challenge CS/House Bill 1 (2021) (B)

Resolution No. 201001

A Resolution of the City Commission of the City of Gainesville, Florida, authorizing Public Rights Project, a project of the Tides Center and Community

Justice Project, Inc. to file a lawsuit on behalf of the City of Gainesville, Florida, that facially challenges Section 1 of CS/HB 1 (2021); and providing an immediate effective date.

AGENDA UPDATE - ADDITIONAL BACK-UP ADDED

Explanation: At the May 20th Regular City Commission Meeting (under Legistar File No. 201001), the City Commission directed the City Attorney's Office to retain the Community Justice Project and the Public Rights Project as outside counsel to represent the City on a pro-bono basis in litigation bringing a facial challenge to CS/HB 1 (2021), now Chapter Law 2021-6, Laws of Florida. In addition, the Commission requested the outside counsel prepare a draft complaint so that the Commission could determine whether to authorize the filing of the litigation and directed the City Attorney and the City Manager to work with the outside counsel on this matter.

As directed, the City Attorney's Office issued a retention letter to the Community Justice Project and the Public Rights Project and they have prepared a draft complaint, which is attached as back-up. If the Commission has reviewed and is satisfied with the draft complaint and desires to authorize the filing of the litigation, the outside counsel has prepared a Resolution, also attached as back-up, which states the injury/harm that the City Commission is suffering as a result of CS/HB 1 and authorizes the outside counsel to file the litigation.

As directed, the City Attorney's Office has assisted the outside counsel in submitting this item and back-up for the Commission's consideration. The City Attorney's Office has also reviewed the complaint and had discussions with the outside counsel and each Commissioner regarding this matter. The City Manager has also had discussions with the outside counsel regarding this matter.

Fiscal Note: The retention letter specifies that the outside counsel is representing the City on a pro-bono basis (inclusive of all fees and costs) and the City will not be required to expend any City funds for this litigation.

RECOMMENDATION

The City Attorney's Office recommends the City Commission take no further action in pursuit of a facial challenge to CS/HB 1 at this time; and instead direct the City Attorney's Office to continue to monitor the implementation of Section 1 of CS/HB 1 and its effects, if any, on cities throughout the State and report back to the City Commission as needed.

The Outside Counsel recommends the City Commission adopt the Resolution.

Legislative History

4/1/21	City Commission	Approved, as shown above
5/6/21	City Commission	Continued
5/20/21	City Commission	Approved, as shown above

[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](#)
[201001_draft resolution_20210805](#)
[201001A_draft complaint_20210805](#)
[201001B_Memo to Commissioners_20210805](#)
[201001_Comm Johnson_HB 1 Litigation_Letter of Support_20210805](#)
[201001_Biography of Speakers Presenters Team Members Proposed HB 1 Liti](#)

RESOLUTIONS (NBR) - NON BINDING

PUBLIC HEARINGS (PH)

PH-1 [190980.](#) **Amend the Future Land Use Map from Residential Medium (RM) and Residential Low (RL) to City of Gainesville Urban Mixed-Use High Intensity (UMUH). Generally located Northwest of the Intersection of SW 43rd Street and SW 24th Avenue (B)**

Petition PB-19-145 LUC. eda, Agent. Petition for land use change from City of Gainesville Residential Medium (RM) and Residential Low (RL) to City of Gainesville Urban Mixed-Use High Intensity (UMUH). Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue. Related to PB-19-146 ZON.

Explanation: The petition requests a land use change from City of Gainesville RM: Residential Medium (8-30 du/ac); RL: Residential Low (up to 15 du/ac) to City of Gainesville UMUH: Urban Mixed-Use High Intensity (100-125 du/ac). The subject parcels are approximately 24.98 acres. The current land use allows for a combination of single-family detached and attached dwellings; and multiple-family residential dwellings in addition to mixed housing types.

The land use change would increase the allowable units to 100 dwelling units per acre by right and 125 dwelling units per acre with approval of a special use permit. Adoption of the UMUH: Urban Mixed-Use High Intensity land use will enable future development at a density that is consistent and compatible with the existing patterns in the area.

Fiscal Note: This rezoning has the potential to increase the City's tax base due to more parcels being created compared to the original zoning which may result in additional revenue generation in the ad valorem, non-ad valorem, and utility tax categories (at a minimum).

RECOMMENDATION

Staff to City Plan Board: Approve PB-19-145 LUC based on finding of compliance with applicable review criteria.

City Plan Board to City Commission: Approve with modifications: The portion of the Property with the existing land use of Residential Medium-Density (RM) should be designated as Urban Mixed Use (UMU); the portion of the property with Residential Low-Density (RL) land use should be designated as Mixed-Use Residential (MUR).

[190980 PB-19-145LUC StaffReportandAppendices](#)

[190980 PB-19-145LUC Staff Presentation CCOM 8.5.21](#)

[190980 PB-19-145LUC StaffReportandAppendices](#)

[190980 CPB 210422 Minutes](#)

[190980 Multerra Land Use change PPT 20210805](#)

PH-2 [190981.](#)

Rezone Property from RMF-5: Single-Family/Multiple-Family Residential; RMF-7: Multiple-Family Residential; RMF-8: Multiple-Family Residential to Urban Transect: U-9. Generally located Northwest of the Intersection of SW 43rd Street and SW 24th Avenue (B)

Petition PB-19-146 ZON. eda, Agent. Rezone property from RMF-5 (Single/Multi-Family Residential), RFM-7 & RMF-8 (Multi-Family Residential) to Urban 9 Transect Zone. Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue. Related to PB-19-145 LUC.

Explanation: The petition requests to rezone the property from City of Gainesville RMF-8: Multiple-Family Residential (8-20 du/ac); RMF-7: Multiple-Family Residential (8-14 du/ac); RMF-5: Single-Family/Multiple-Family Residential (up to (12 du/ac) to Urban Transect: U-9 (100-125 du/ac). The subject parcels are approximately 24.98 acres. Rezoning of the property would increase the allowable units to 100 dwelling units per acre by right and 125 dwelling units per acre with special use permit approval. The zoning change will enable future development at a density that is consistent and compatible with the existing patterns in the area.

Fiscal Note: This rezoning has the potential to increase the City's tax base due to more parcels being created compared to the original zoning which may result in additional revenue generation in the ad valorem, non-ad valorem, and utility tax categories (at a minimum).

RECOMMENDATION

Staff to City Plan Board: Approve PB-19-146 ZON based on finding of compliance with applicable review criteria.

City Plan Board to City Commission: Approve with modifications: the portion of the property with the

recommended land use of Mixed-Use Residential (MUR) should be zoned U5; the portion of the property with the recommended land use of Urban Mixed-Use (UMU) should be zoned U8.

[190981_CPB_210422_Minutes](#)

[190981_PB-19-146-ZON_Staff_Presentation_CCOM_8.5.21](#)

[190981_PB-19-146-ZON_StaffReportandAppendices](#)

[190981_Multerra_Zoning_Change_PPT_20210805](#)

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

SR-1 [200884.](#) **Quasi-Judicial - Rezoning 0.99 Acres of Property Located at 2020 West University Avenue (B)**

Ordinance No. 200884

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.99 acres of property generally located at 2020 West University Avenue, as more specifically described in this ordinance, from Planned Development (PD) to Urban 4 (U4); 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 0.99 acres of property located at 2020 West University Avenue from Planned Development (PD) to Urban 4 (U4). This ordinance was generated by an application from the private property landowners. The City Plan Board held a public hearing on February 25, 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. 200883 becomes effective as provided therein.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

7/19/21 City Commission Adopted on First Reading (Ordinance)

[200884_PB-20-00162_ZON_UF_Hillel_w_appendices_20210225](#)

[200884A_draft_ordinance_20210715](#)

[200884B_StaffPPT_PB-21-00162_ZON_Zoning_CCM_Hillel_20210715](#)

[200884_Hillel_Rezoning_PowerPoint_Mod_20210715_.pdf](#)

SR-2 [210005.](#) Amending the Open Container Ordinance (B)

ORDINANCE NO. 210005

An ordinance of the City of Gainesville, Florida, amending Sections 4-1 and 4-4 of the City Code of Ordinances relating to the sale, dispensing, possession and consumption of alcohol; amending Section 18-20 of the City Code of Ordinances relating to the purchase or sale of alcohol in parks; and Section 2-339 of the City Code of Ordinances relating to civil citation for the possession or consumption of an open container of an alcoholic beverage; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

AGENDA UPDATE - ADDITIONAL BACK-UP ADDED

Explanation: The City Commission adopted Ordinance No. 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 City Commission, at its meeting of May 20, 2021, directed the drafting of this ordinance so that the allowances for possession and consumption granted by Ordinance No. 200250 would become permanent.

This ordinance permanently repeals the open container prohibitions contained in Sec. 4-4 and Section 18-20; along with making changes that City staff recommends to the special alcohol permitting provisions.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

5/20/21 City Commission Approved, as shown above

7/19/21 City Commission Approved, as shown above

[210005A_Final Open Container_20210520](#)[210005B_Draft Ordinance_20210715](#)[210005C_Open Container Presentation_PPT_20210715](#)[210005D_GPD Crowd Management Presentation_PPT_20210715.pdf](#)[210005.E_GPD OpenContainer Presentation_20210805](#)[210005_Legal Orgs Letter to City Counsel re Open Container Ordinance 8.4.21](#)**SR-3 [210066.](#) Ordinance Amending the Consolidated Police Officers and Firefighters Retirement Plan to Amend the Earnings Definition for Firefighters (B)**

Ordinance No. 210066

An ordinance of the City of Gainesville, Florida, amending the definition of Earnings in Section 2-596 of Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: This ordinance amends the Consolidated Police Officers and Firefighters Retirement Plan ("Plan") in accord with the collective bargaining process between the City, Professional Firefighters of Gainesville Local No. 2157 of the International Association of Firefighters ("IAFF"), and Fire District Chiefs of the International Association of Firefighters Local No. 2157 ("IAFF-DC"). The changes negotiated with the IAFF and IAFF-DC bargaining units provide that overtime hours worked as part of the normal schedule do not count toward the 300 hours annual maximum on pensionable overtime earnings for firefighters

Fiscal Note: There is no anticipated fiscal impact associated with the proposed change.

RECOMMENDATION

The City Commission adopt the proposed Ordinance.

Legislative History

7/19/21 City Commission Adopted on First Reading (Ordinance)

[210066 draft ordinance 20210715](#)

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

FR-1 [200877](#). Text Change - Delete the 10-acre Minimum Transect Rezoning Requirement (B)

Ordinance No. 200877

An ordinance of the City of Gainesville, Florida, amending Section 30-3.14 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to revise the additional criteria for applications to rezone to a transect zone; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

AGENDA UPDATE - ADDITIONAL BACK-UP ADDED AND ORDER CHANGED

Explanation: STAFF REPORT

This ordinance amends the Land Development Code to delete the

10-acre minimum transect rezoning requirement for property that is not adjacent to an existing transect zone. The City Plan Board reviewed the petition on March 18, 2021, and voted to recommend approval of this text change to the Land Development Code. This ordinance requires two hearings and will become effective immediately upon adoption at second reading.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[Final Staff Report and Attachments A and B PB-21-13 TCH Coffey South Main](#)

[200877A draft ordinance 20210805](#)

[200877B Staff Report and Attachments PB 21 13 TCH 20210805](#)

[200877.C Final 08052021 PPT PB-21-13 Coffey South Main Street Text Chang](#)

[200877_PB-21-13 TCH Applicant MOD_20210805](#)

AR ORDINANCES, ADOPTION READINGS - ROLL CALL REQUIRED

AR-1 [200878.](#) Land Use Change - 4.82 Acres of Property Located at 1015 South Main Street (B)

Ordinance No. 200878

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 4.82 acres of property generally located at 1015 South Main Street, as more specifically described in this ordinance, from Industrial (IND) to Urban Core (UC); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

AGENDA UPDATE - ADDITIONAL BACK-UP ADDED AND ORDER CHANGED

Explanation: STAFF REPORT

This ordinance will amend the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 4.82 acres of property located at 1015 South Main Street from Industrial (IND) to Urban Core (UC). This ordinance was generated by application of the property owner. The City Plan Board held a public hearing on March 25, 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.*

[200878A draft ordinance 20210805](#)

[200878B StaffReport PB-21-14LUCwithAandB 20210325](#)

[200878.C Final PPT PB-21-14 LUC South Main Street 20210805](#)

ORDINANCES, 1ST READINGS - ROLL CALL REQUIRED

FR-2 [200879.](#) **Quasi-Judicial - Rezoning 4.82 Acres of Property Located at 1015 South Main Street (B)**

Ordinance No. 200879

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 4.82 acres of property generally located at 1015 South Main Street, as more specifically described in this ordinance, from General Industrial (I-2) to Downtown (DT); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

AGENDA UPDATE - ADDITIONAL BACK-UP ADDED AND ORDER CHANGED

Explanation: STAFF REPORT

This ordinance will rezone approximately 4.82 acres of property located at 1015 South Main Street from General Industrial (I-2) to Downtown (DT). This ordinance was generated by application of the property owner. The City Plan Board held a public hearing on March 25, 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. 200878 becomes effective as provided therein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[200879A_draft ordinance_20210805](#)

[200879B_StaffReport_PB-21-15ZON_withAandB_20210325](#)

[200879.C_Final_08052021_PPT_PB-21-15_ZON_South_Main_Street_20210805](#)

FR-3 [200886.](#)

Land Use Change - 83.79 Acres of Property located on the 755-1100 Block on the South Side of NE 39th Boulevard (B)

Ordinance No. 200886

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 83.79 acres of property generally located on the 755-1100 block on the south side of NE 39th Boulevard, as more specifically described in this ordinance, from Planned Use District (PUD) to Commercial (C), Urban Mixed- Use (UMU), and Residential Low-Density (RL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 83.79 acres property, located on the 755-1100 block on the south side of NE 39th Boulevard, from Planned Use District (PUD) to Commercial (C), Urban Mixed-Use (UMU), and Residential Low-Density (RL).

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward written comments to the City, which the City must then consider during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of the amendment, 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 the state land planning agency notifies the City that the amendment package is complete. 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.

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RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[200886 PB-20-152 LUC NE39thHenderson StaffReport 20210225](#)

[200886A draft ordinance 20210603](#)

[200886B PB-20-115LUC NE39 StaffPPT 20210603](#)

[200886A draft ordinance 20210805](#)

[200886B PB-20-152LUC NE39 StaffReportwithAppendicesA_D 20210225](#)

[200886C PB-20-115LUC NE39 Powerpoint 07202021](#)

[200886E Legal Descriptions 20210715](#)

[200886F School Student Generation Form 20210715](#)

[200886G Addendum to Justification Report 20210715](#)

[200886D Application 20210715](#)

[200886 Land Use Change PowerPoint 20210805](#)

FR-4 [200723.](#)

Land Use Change - 42.973 Acres of Property known as Oak Hall School (B)

Ordinance No. 200723

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 42.973 acres of property known as Oak Hall School generally located at 1700 SW 75th Street, as more specifically described in this ordinance, from Alachua County Institutional to City of Gainesville Education (E); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 43 acres property known as Oak Hall School, located at 1700 SW 75th Street, from Alachua County Institutional to City of Gainesville Education. This property was annexed by referendum into the city on February 20, 2020. As a result of annexation, the city must now assign appropriate land use

and zoning designations. 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.

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward written comments to the City, which the City must then consider during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of the amendment, 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 the state land planning agency notifies the City that the amendment package is complete. 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.*

[200723_PB-20-01_LUC_Oak_Hall_School_CPB_210128_Minutes](#)

[200723_PB-20-01_LUC_Oak_Hall_School_Staff_ReportwAppendices_202108](#)

[200723_PB-20-01_LUC - Oak Hall School Staff Presentation CCOM 8.5.21](#)

[200723A_draft_ordinance_20210805](#)

FR-5 [200724.](#)

Quasi-Judicial - Rezoning 42.973 Acres of Property known as Oak Hall School (B)

Ordinance No. 200724

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 42.973 acres of property known as Oak Hall School generally located at 1700 SW 75th Street, as more specifically described in this ordinance, from Alachua County Planned Development (PD) to City of Gainesville Planned Development (PD); providing directions to the

City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: **STAFF REPORT**

This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning approximately 42.973 acres of property known as Oak Hall School generally located at 1700 SW 75th Street. This property was voluntarily annexed into the city on February 20, 2020. As a result of annexation, the city must now assign appropriate land use and zoning designations. The requested rezoning is consistent with the Comprehensive Plan and meets all applicable review criteria. 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 shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 200723 becomes effective as provided therein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[200724_PB-20-02_ZON_Oak_Hall_School_CPB_210128_Minutes](#)

[200724_PB-20-02_ZON_Oak_Hall_School_Staff_Report_w_Appendices_20210](#)

[200724_PB-20-02_ZON - Oak Hall School - Staff Presentation CCOM 8.5.21](#)

[200724A_draft_ordinance_20210805](#)

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