

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

September 3, 2015

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Harvey Budd (At Large)
Commissioner Helen Warren (At Large)
Commissioner Charles Goston (District 1)
Commissioner Todd Chase (District 2)
Mayor-Commissioner Pro Tem Craig Carter (District 3)
Commissioner Randy Wells (District 4)

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER - 1:07 PM**AGENDA STATEMENT**

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

ROLL CALL**INVOCATION****PROPHET GEORGE YOUNG****ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)****CITY MANAGER, CONSENT AGENDA ITEMS**

[150256.](#)

Edward Byrne Memorial Justice Assistance Grant Application (JAG countywide - State Solicitation) (NB)

This item involves a request to the City Commission for authorization to accept the Edward Byrne Memorial Justice Assistance Grant funds (State Solicitation).

Explanation: The Edward Byrne Memorial Justice Assistance Grant (State Solicitation) is a competitive grant opportunity consisting of \$95,541 in Federal funding allocated for government entities within Alachua County. The City of Gainesville Police Department will receive \$28,500. The Alachua County Sheriff's Office serves as the Grant Administrator. On July 11, 2015, the Gainesville Police Department presented four programs for consideration by the Policy Board. The programs were the BOLD Program in which a Life Coach will be hired to provide staff support and assistance to at-risk population of 18-25 year old males; the POP Program for overtime details that address street level drugs within the City of Gainesville; the Youth Gang Unit Prevention which will monitor youth gang offenders and enforce the terms of probation; and

lastly the Sexual Predator and Offender Program will monitor and enforce the terms of probation for sexual predators and offenders within the City.

Fiscal Note: Each application is for a one-year funding cycle that will begin October 1, 2015. The current federal regulations do not require a match for the grant. The grant amounts are: \$5,000 for Sexual Predator and Offender Program, \$5,000 for Youth Gang Unit Prevention, \$10,000 for the Brave Overt Leaders of Distinction (B.O.L.D.) Program and \$8,500 for the Problem Oriented Policing (POP) Program. The total amount requested for the Gainesville Police Department for all four programs is \$28,500.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to accept and execute the grant award and all other necessary documents, subject to review by the City Attorney as to form and legality; and 2) approve the expenditures as outlined in the approved grant award.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[150262.](#)

Notice of Limitation of Use for Sweetwater Wetlands Park (B)

Executive Summary:

Staff recommends approval of the execution of a Notice of Limitation of Use land owned by the City of Gainesville and included in the Sweetwater Wetlands Park also known as the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project.

Explanation: The City Commission approved a contract for architectural and engineering services for the final design of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project on February 18, 2010. Authorization was granted to meet regulatory obligations to improve water quality associated with the Florida Department of Environmental Protection (FDEP) permits for the Main Street Water Reclamation Facility and the Municipal Separate Storm Sewer System. Preliminary plans, sixty percent and final plans for the public use facilities were presented to the City Commission in accordance with the City's Vertical Capital Projects procedure. The City Commission approved the Construction Manager at Risk with Guaranteed Maximum Price contract award on January 20, 2011. Staff was also authorized to pursue grant funding for public use facilities at that time.

FDEP awarded a \$200,000 Recreational Trails Program grant to the City of Gainesville on September 18, 2012. Grant funds were used for the construction of trails and boardwalks within the Sweetwater Wetlands Park. A condition of the Grant requires that a Notice of Limitation of Use statement be recorded

in accordance with Chapter 62S-2

F.A.C. for land developed with grant assistance. The limitation shall apply to the thirty-six plus or minus (36±) acres owned by the City (map and legal description attached) and shall dedicate the land and its improvements in perpetuity as an outdoor recreation area for the use and benefit of the general public. The Dedication reserves the right for the City of Gainesville to convert any part of the project area or the facilities thereon, to other than FDEP approved recreational uses, and to replace the area and facilities at its own expense or in conjunction with a FDEP approved project of comparable or greater scope and quality.

Fiscal Note: Full disbursement of the Recreational Trails Program grant funds, will be received from FDEP upon execution and the subsequent recording in the Public Records of the Notice of Limitation of Use/Site Dedication.

RECOMMENDATION

The City Commission:

1) Approve the Notice of Limitation of Use/Site Dedication in accordance with Chapter 62S-2, Florida Administrative Code (F.A.C.) for land developed with grant assistance; and 2) Authorize the Mayor and the Clerk of the Commission to execute the Notice of Limitation of Use/Site Dedication document, subject to approval as to form and legality by the City Attorney.

[150262 Notice of Limitation of Use 20150903](#)

[150264.](#)

FY16 GRU Surplus Property Sales (B)

Explanation: Throughout the year, obsolete, scrap and surplus materials are identified as surplus property by GRU departments. Examples of recent surplus property sales include conveyer belts, electronics, generators and other unusable equipment or materials. Staff is seeking approval to sell surplus property with a value of greater than \$25,000 in FY16. This will allow GRU to respond quickly and efficiently to opportunities in the utility market place. Staff will provide a report to the City Commission at the end of the fiscal year for all surplus sales. A list of surplus sales from FY 15 surplus sales is attached for your information.

The City Purchasing Policy states that the sale of surplus property shall be through the method appropriate to reaching prospective buyers. All GRU surplus property is reviewed and approved for disposition by GRU's Investment Recovery Committee which is comprised of staff from Finance, Environmental, Utilities Stores and Purchasing. Disposition methods include transfer to other City departments, competitive bidding, public auction or donation to a nonprofit or government agency. The public auction used is specifically for public agencies, allowing items to be sold with no expense to GRU. All sales are handled by GRU Purchasing to adhere to purchasing policies and procedures and ensure a fair and competitive process that garners the greatest return.

[150052.](#)**Review and Discussion of Audit and Finance Committee Referral Listing (B)**

Explanation: The Audit and Finance Committee receives referrals from the City Commission on a regular basis. A periodic review is conducted to insure all items are still valid and require the attention of the Audit and Finance Committee.

RECOMMENDATION

The Audit and Finance Committee reviewed and updated the referral listing as needed and requests City Commission approval.

Legislative History

7/29/15	Audit and Finance Committee	Approved as Recommended
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[150052_AFC City Auditor Referrals Update as of 7-29-15.pdf](#)

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**END OF CONSENT AGENDA****ADOPTION OF THE UTILITIES REGULAR AGENDA (Read if any, each item added or modified)****UTILITY-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)**[150288.](#)**Gainesville Housing Authority Follow-up (B)**

MODIFICATION - Added Presentation and Waive the Rules to hear Item first after Citizen Comment.

RECOMMENDATION

The City Commission hear a report from the Gainesville Housing Authority.

[150288_MOD_gha commish ppt_20150903.pdf](#)

GENERAL MANAGER FOR UTILITIES[140194.](#)**Dual Circuit Capacity and Standby Capacity Electric Rates (B)**

Explanation: A small segment of the utility's customer base requires electric service reliability that exceeds that which is possible with standard infrastructure and operating practice. Energy delivery options are often available to enhance electric service reliability, including redundant infrastructure and distributed generation. As part of that solution set and where practicable, the utility has offered such customers electric service from

two discrete distribution circuits coupled with an automatic transfer scheme. The result is a near uninterruptible energy supply. The customer should bear the cost of receiving such level of service but at present does not. The adoption of a Dual Circuit Capacity Rate will create the mechanism through which the utility will be compensated for delivering enhanced service.

As an emerging and potentially viable alternative, such customer may opt to install on-site engine/generator set(s) on their property to provide both electric and thermal energy. These units are becoming more commonly available and cost effective. Typically the customer will also connect to the utility's electric distribution system; however, that connection may be used as a secondary or standby source. The result is enhanced electric service reliability and an on-site source of thermal energy. However, the utility would not realize a sufficient revenue stream to cover the electric system infrastructure commitment to that customer. The customer should bear the cost of receiving the benefit of being able to call such infrastructure at will. The adoption of a Standby Capacity Rate will create the mechanism through which the utility will be compensated for delivering that service.

Fiscal Note: None. These two rates are intended to properly and appropriately allocate the utility's infrastructure costs.

RECOMMENDATION

The City Commission direct the City Attorney to draft, and the Clerk of the Commission to advertise an ordinance to adopt the Standby Capacity and Dual Circuit Capacity electric rates described in this agenda item.

Legislative History

7/14/14 City Commission Referred to the Regional Utilities Committee

[140194 Electric Service Charge Update 20150514](#)

[140194 Gas Service Charges 20150514](#)

[140194 Water Service Charges 20150514](#)

[140194 WW Service Charges 20150514](#)

[140194 Electric System Rate Proposals 20150709](#)

[140194 Electric System Rate Proposals 20150903](#)

[150219.](#)

Contract Extension for Janitorial Services at the Eastside Operations Center (B)

MODIFICATION - Added Item.

Explanation: On January 3, 2013, the City Commission approved a three-year contract with ISS C&S for janitorial services at the GRU Eastside Operations Center (EOC). Services include the provision of labor and cleaning equipment and supplies to maintain the entire campus, including offices, restrooms, kitchens, conference rooms and other

designated areas, including the multipurpose facility which is used for various functions. A day porter is on site each day to assist with clean up for large events and other unanticipated cleaning needs. The contract also includes the ability to employ additional janitorial staff during utility emergencies when staff may be working extended work hours at the facilities during storm restoration efforts. The building's Leed certification requires the contractor to use products and equipment that comply with the certification.

The contract will expire on September 30, 2015. The provisions of the contract include a three-year extension of the contract upon mutual agreement of the parties and negotiation of the contract prices. The maximum increase of the contract pricing is limited to the CPI, although ISS C& S Building Maintenance has not requested a price increase over the last three years or for the next twelve months.

ISS C& S Building Maintenance has been diligent in providing janitorial services in accordance with the requirements, therefore, to reduce administrative costs, staff requests authorization to extend the contract for the remaining three years. If requested, future price adjustments may be negotiated prior to each anniversary of the contract and will not exceed the CPI for the previous twelve months. Contract provisions include early termination for nonperformance or funds unavailability.

At the August 24 City Commission meeting, the City Commission voted not to approve the recommendation to extend the contract. GRU staff has since provided additional information to Commissioner Carter regarding the contract (see Position Statement from Commission Carter and Bill Shepherd dated August 31, 2015). Based on the Position Statement, staff is resubmitting this item for consideration by the City Commission.

Fiscal Note: Funds are available in the FY 2016 budget and will be requested in subsequent year budgets.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to execute an amendment to the contract with ISS C&S Building Maintenance for janitorial services at the Eastside Operations Center, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to ISS C&S Building Maintenance in an amount not to exceed \$167,500 for FY 2016 and for subsequent years of the contract, pending final appropriation of funds for each year.

Legislative History

8/20/15 City Commission Approved, as shown above

[150219 Memo from Comm.Carter 20150903](#)

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

UTILITY ADVISORY BOARD/COMMITTEE REPORTS. Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.

UTILITY-RELATED ITEMS FROM OUTSIDE AGENCIES. Must be submitted by a Charter Officer. Update limited to ten (10) minutes.

UTILITY-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION

UTILITY-RELATED COMMISSION COMMENTS (if time permits)

[150290.](#)

Commissioner Harvey Budd - Gainesville Regional Utilities Ballot Referendum (NB)

RECOMMENDATION

The City Commission discuss and take action deemed appropriate.

GENERAL GOVERNMENT items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.

[150216.](#)

238 West University Avenue Transitional Redevelopment Proposal (B)

The City Commission to hear a brief presentation on the proposed redevelopment of 238 West University Avenue and potential City participation. *STAFF PRESENTATION 5 MINUTES*

Explanation: A redevelopment project is contemplated for the 238 W. University Avenue property consisting of market rent high end (adult oriented, non-student) apartments.

In order to move forward, the parties involved in the proposed redevelopment project seek several requests from the City inclusive of: removal of certain property deed restrictions, leasing of City Parking Lot #2, utilization of NW 1st Avenue, infrastructure assistance and streetscaping assistance both proximate to the subject project.

Fiscal Note: Several of the items have costs associated with them that would have to be assessed and reported out by City staff.

RECOMMENDATION

The City Commission to hear a presentation from staff and provide appropriate direction.

[150216_Letter_20150903.pdf](#)

[150223.](#)**Mayor Ed Braddy - Establishing a Sister City Program with Deir Alla, Jordan (B)****RECOMMENDATION**

The City Commission take action deemed appropriate.

Legislative History

8/20/15 City Commission Withdrawn

[150223_agreement_20150820.pdf](#)

[130353.](#)**Sister Cities Pavilion (B)**

This is a request for the City Commission to approve the site location for the placement of an interim Sister Cities Pavilion on the City Hall grounds near the Clock Tower.

Explanation: On October 3, 2013, the City Commission referred the issue of locating and building a Sister Cities Pavilion to the Recreation, Cultural Affairs and Public Works Committee for discussion. The Committee first discussed this on November 25, 2013, and again on July 31, 2014. Gainesville Sister Cities Director Steve Kalishman expressed interest in working with the City on locating and building a Sister Cities Pavilion in a City park. The concept is to create a prominent focal point in a City park that symbolizes the City's sister city relationships. Mr. Kalishman conveyed to the Committee that this concept could evolve to become a showcase for not just Sister City relationships but Gainesville's many international connections. He indicated that there could eventually be a building that could house/display gifts received from Sister Cities and become a focal point for meetings with international delegations, etc.

Mr. Kalishman has sought the City's support in finding an interim location for a Sister Cities Pavilion with landscaping and signs/monuments to Gainesville's Sister City relationships. The Pavilion would be a place to visit with delegations from Gainesville's Sister Cities. Mr. Kalishman has indicated that he will work with the business community and others to raise funds for the signs/monument and landscaping for the interim location. He would also like to work with the City on a permanent location that would have the potential for a future building that could also be funded through partnerships and donations.

In discussing potential interim locations, City staff felt that a downtown location was important in terms of prominence, visibility and ease of access by pedestrians, bikes, transit and cars. Two downtown locations were discussed as possibilities including the City Hall grounds and Lynch Park. Mr. Kalishman worked with city staff to identify a suitable location, and proposed utilizing an area on City Hall grounds. Staff identified a potential area near the Clock Tower.

The RCAPW Committee unanimously agreed to recommend that the City Commission authorize the placement of an interim Sister Cities Pavilion at the City Hall grounds near the Clock Tower as proposed by staff.

Fiscal Note: No fiscal impact is identified beyond staff time and providing space at a City park. Mr. Kalishman has indicated that he will work with the business community and others to raise funds for the signs/monument and landscaping for the interim location.

RECOMMENDATION

The City Commission: 1) approve the site location for the placement of an interim Sister Cities Pavilion on the City Hall grounds near the Clock Tower, and 2) direct the City Manager to develop and execute an agreement with Gainesville Sister Cities for the construction, installation, and maintenance of the Sister Cities Pavilion, subject to approval by the City Attorney as to form and legality.

Legislative History

10/3/13	City Commission	Approved as Recommended
11/25/13	Recreation, Cultural Affairs and Public Works Committee	Discussed
7/31/14	Recreation, Cultural Affairs and Public Works Committee	Approved as shown above (See Motion)
9/4/14	City Commission	Approved as Recommended

[130353 Jul 31 RCAPW Minutes 20140904.pdf](#)

[130353 Sister Cities PP 20150903.pdf](#)

[150285.](#)

JVC Media Quarterly Concert Series (B)

This item is a request by JVC Media for City co-sponsorship of a downtown quarterly concert series beginning October 10, 2015.

Explanation: JVC Media of Florida has requested that the City of Gainesville partner with JVC to co-sponsor a quarterly WOW-FM Concert Series. The first concert is scheduled to take place October 10th on Lot 10 from 5:00 p.m. until 10:00 p.m. Gainesville's own Sister Hazel will be the inaugural national act to kick off the quarterly concert series.

Each quarterly concert will feature a national headliner, preceded by an opening local act. In the past the City has primarily co-sponsored events with non-profit entities, so the proposed co-sponsorship would be a change from previous practice. JVC is proposing that the concerts be free and open to the public while also having a VIP ticket purchase option, and take place in downtown Gainesville. JVC Media plans to allow beverage (including alcohol), food, and sponsor vendors onsite

during the festival hours, upon proper permitting.

JVC Media of Florida is part of JVC Broadcasting, which owns radio stations in New York and Florida, including two radio stations in Gainesville. JVC operates out of space at the Continuum building on West University Avenue, having specifically sought out a downtown location.

At the request of Mayor Braddy, City staff attended a meeting with JVC to discuss their proposed concert series. City staff has been working with JVC as they have continued to plan and seek permits for the October 10th kick-off event. JVC would like to receive the City's approval to be a co-sponsor of the concert series. City staff proposes that the City be a co-sponsor similar to the City's co-sponsorship of the United Way's United Downtown events that used to take place on Fridays before home football games.

As a co-sponsor, the City would: 1) waive fees for use of the event venue; 2) help promote the event; 3) support JVC to address event planning challenges; and 4) provide JVC with a small discount on law enforcement services (all other costs would be paid at cost). As lead entity and organizer of the event, JVC would need to provide insurance for the event.

City staff believes the proposed concert series is an exciting opportunity to support additional activity and entertainment in the downtown area.

Fiscal Note: The proposed co-sponsorship is similar to what the City has done for other entities such as United Way and can be accommodated with existing resources.

RECOMMENDATION

The City Commission approve co-sponsorship of the proposed JVC Media Quarterly Concert Series.

[150285A_About JVC Broadcasting_20150903.pdf](#)

[130847.](#)

Second Amendment to Interlocal Agreement between Alachua County and the City of Gainesville Pertaining to the Judicial Complex (B)

The City Commission to hear a brief presentation on the proposed Second Amendment to an existing Interlocal Agreement pertaining to the Judicial Complex and SW Downtown Parking Garage and provide direction.

****STAFF PRESENTATION 5 MINUTES****

Explanation: On August 6th, during the City Commission regular meeting, Alachua County staff provided comments on the existing Interlocal Agreement (October, 2000), subsequent First Amendment (August, 2004) and County interpretation on what those documents indicate regarding use of parking spaces in the City's SW Downtown Parking Garage.

Subsequent to the August 6th City Commission meeting, a joint City/County meeting was held on August 10th and similar comments were offered to the joint meeting under an Alachua County agenda item titled Downtown Parking.

Following that joint meeting, County and City staff met to discuss the status of the existing Interlocal Agreement and First Amendment on August 17th and a path forward to ensure the availability of parking in the vicinity of the judicial complex for the public while accommodating future economic development opportunities in the downtown.

The resulting Second Amendment is the proposed manner in which to meet the needs and priorities of the Alachua County and the City of Gainesville regarding this issue. Key terms include:

- 225 spaces to be provided to the County at no charge on the 2nd and 3rd floors of the SW Downtown Parking Garage
 - No charge to the County for the use of the spaces
 - spaces to be made available Monday, Wednesday, Thursday and Friday from 6am to 7pm and Tuesdays, from 6 am to 9 pm, exclusive of holidays
 - spaces to be provided to jurors, County employees and attendees at Judicial Complex, County employees and attendees at County meetings
- City provides markings/signage to delineate spaces
- County pays for any equipment upgrades to manage the 225 spaces
- County required to communicate appropriate use of spaces to County users
- Failure by County to manage County usage of the 225 spaces can result in default
- Current proceeds remaining from Infrastructure sales tax can be utilized for parking garage maintenance
- Agreement is effective on October 24, 2000, the effective date of the existing Interlocal Agreement
- Extend the Interlocal Agreement until 2035

The Alachua County Board of County Commissioners approved and executed the Second Amendment on August 20, 2015.

Fiscal Note: There is no charge for County use of the 225 spaces. At all times outside of County reserved times the City may rent spaces to any users at City established terms and rates. Current proceeds from the Infrastructure sales tax total approximately \$8,000.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff; and 2) adopt the Second Amendment to Interlocal Agreement between Alachua County and the City of Gainesville Pertaining to the Judicial Complex subject to approval of the City Attorney as to form and legality.

Legislative History

4/17/14	City Commission	Adopted (Resolution)
3/5/15	City Commission	Approved as Amended
5/21/15	City Commission	Heard
8/6/15	City Commission	Approved as Amended
8/20/15	City Commission	Approved, as shown above

[130847A_3-10-14 Appraisal Lot10_20140417.pdf](#)
[130847B_Resolution for Lot 10_20140417.pdf](#)
[130847C_Exhibit A to Resolution_20140417.pdf](#)
[130847D_Exhibit B to Resolution_20140417.pdf](#)
[130847C-MOD_Exhibit A - Legal Description for Lot 10_20140417.pdf](#)
[130847_Resolution_20140417.pdf](#)
[130847A_Horizon Hospitality Mgmt Proposal_20150305.pdf](#)
[130847B_Horizon Hospitality Mgmt Artist Rendering_20150305.pdf](#)
[130847C_Horizon Hospitality Mgmt_Sample Hotel Conceptual Planning Efforts](#)
[130847D_Horizon Hospitality Mgmt Gainesville Hotel Oral Ppt Presentation_20](#)
[130847E_Horizon Hospitality Mgmt Economic Impact Analysis_20150305.pdf](#)
[130847F_Horizon Hospitality Mgmt Prototype siteplan drawings_20150305.pdf](#)
[130847G_Bedford Lodging Proposal_20150305.pdf](#)
[130847H_Bedford Lodging Ppt Presentation_20150305.pdf](#)
[130847i_FINAL ADD #1_20150305.pdf](#)
[130847j_FINAL RFP_20150305.pdf](#)
[130847K_Oral Eval Evaluator #1 #2 and #3_20150305.pdf](#)
[130847L_Written Eval Evaluator #1 #2 and #3_20150305.pdf](#)
[130847M_Lot #10-BID TAB_20150305.pdf](#)
[130847N_Proposal Eval Summary_20150305.pdf](#)
[130847o_Memo to City Commission dated 02-12-15_Recordings of Lot 10 RFP](#)
[130847N_MOD_Proposal Eval Summary_20150305.pdf](#)
[130847A_Lot#10 Term Sheet_20150806.pdf](#)
[130847B_Letter_20150806.pdf](#)
[130847_MOD_Lot#10 Term Sheet_20150806.pdf](#)
[130847B-MOD_Email_20150806.pdf](#)
[130847A_Lot 10 Sale Contract_20150820.pdf](#)
[130847B_Lot 10 License Agreement for Parking \(Horizon Hospitality\)_2015082](#)
[130847C_Lot #10 Visuals_20150820.pdf](#)
[130847A_Interlocal Agreement_20150903.pdf](#)
[130847B_2nd Amendment to Interlocal_20150903.pdf](#)
[130847A_2nd Amendment to Interlocal_20150903.pdf](#)
[130847B_Interlocal Agreement_20150903.pdf](#)
[130847C_AC 8-10-15 Commission Mtg Minutes_20150903.pdf](#)
[130847D_AC 8-20-15 Special Mtg Agenda_20150903.pdf](#)

[150286](#).

2016 City Election (NB)

RECOMMENDATION

The City Commission approve the Supervisor of Elections Office, the Millhopper Library and Cone Park Library Branch as early voting sites for the 2016 Run-Off Election with the hours of 9:00 AM - 5:00 PM, Monday through Saturday at all three locations.

[150126.](#)**Hotline Implementation (NB)**

Explanation: Organizations, both public and private, that utilize a viable hotline as a reporting mechanism for fraud, waste, and abuse allegations cut both the average loss (by 40.5%) and a fraud's duration (50% reduction). Hotlines are by far the most widely used reporting mechanism (source: ACFE2014 Report to the Nation). City Auditor Carlos Holt provided information to the Committee regarding an automated 3rd party hotline system to be utilized by the audit staff. Questions from the public were addressed and the Committee agreed to the recommended implementation of a 3rd party hotline tool for reporting fraud, waste and abuse allegations for audit investigation. The Audit and Finance Committee approved the City Auditor move forward with the RFQ and implement a third party subscription-based fraud, waste and abuse reporting hotline for internet and telephonic reports. The approximate \$1,800 annual cost is already included in the City Auditor's amended budget request.

RECOMMENDATION

The Audit and Finance Committee recommends the City Commission's approval.

Legislative History

7/29/15	Audit and Finance Committee	Approved as Recommended
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[150289.](#)**Mayor Ed Braddy - Joint Meeting with University of Florida Student Body (NB)****RECOMMENDATION**

The City Commission approve a joint meeting with the U of F Student Body.

RECESS - 4:58 PM**PLEDGE OF ALLEGIANCE****PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by Commissioner or Charter Officer**[150272.](#)**Constitution Week - September 17-23, 2015 (B)**

RECOMMENDATION

Gainesville Chapter of the Daughters of the American Revolution Regent Annette Jones to accept the proclamation.

[150272_ConstitutionWeek_20150903.pdf](#)

RECONVENE 5:53 P.M.

CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as allows for 30 minutes of citizen comment)

TIME CERTAIN

[150300.](#)

Mayor Ed Braddy - Update from Blue Ribbon Committee (B)

MODIFICATION - Added Item and presentation. Waive the Rules to hear Item after Citizen Comment.

RECOMMENDATION

The City Commission hear an update from the Blue Ribbon Committee.

[150300_MOD_UX_GNV_WK3_Check-In_v5b_20150903.pdf](#)

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[150258.](#)

FINAL PLAT - WESCHESTER CLUSTER SUBDIVISION PHASE IV (B)

Resolution No. 150258

A Resolution of the City of Gainesville, Florida, approving the final plat of "Weschester Cluster Subdivision Phase IV", located generally on the north side of NW 82nd Boulevard between NW 54th Terrace on the west and the west boundary of Phase I closest to NW 51st Drive on the east; accepting the dedication of the public rights-of-way, easements and other dedicated portions as shown on the plat; authorizing the City Manager to execute Security Agreements to secure the construction of improvements; providing directions to the Clerk of the Commission; and providing an immediate effective date.

Explanation: On January 15, 2009, the City Commission adopted Resolution No. 080678 and approved the conditional final plat for Weschester Cluster Subdivision Phase IV, which includes 139 residential lots together with associated public rights-of-way and easements. As a conditional final

plat, Resolution No. 080678 required that all subdivision improvements required per the ordinances of the City of Gainesville shall be completed within two years of the effective date of the Resolution, or by January 15, 2011. In addition, the conditional final plat may not be recorded in the Public Records of Alachua County, and no building permits may be issued on the property, until the subdivision improvements have been completed and approved by the City and the conditional final plat has been converted to a final plat by the City Commission. Subsequent to adoption of said conditional final plat, the owner of Weschester Cluster Subdivision Phase IV experienced unforeseen delays in the completion of the subdivision improvements and the conditional final plat has not been converted to a final plat.

Resolution No. 080678 and Section 30-186 of the Land Development Code allow the owner of Weschester Cluster Subdivision Phase IV, upon the posting of a bond or other such security for the cost of the uncompleted improvements, to have the conditional final plat converted to final plat, provided that all requirements and conditions of the Land Development Code applicable to final plat acceptance have been met. Conversion from conditional final plat to final plat by the City Commission allows the plat to be recorded in the Public Records of Alachua County and building permits to be issued, and the security provided by the owner with such conversion secures the construction and completion of the subdivision improvements within 12 months from the date of final plat approval.

The City was recently informed that the owner of Weschester Cluster Subdivision Phase IV has changed and the new owners would like to convert the conditional final plat to final plat, and on July 6, 2015, staff received an application for such conversion. In this application, the owner of Weschester Cluster Subdivision Phase IV has provided Surety Bond Security Agreements to secure the completion of the subdivision improvements.

All other phases of the Weschester Cluster Subdivision have been finalized and recorded, and a Certificate of Final Concurrency has been issued for all phases in accordance with a development agreement for concurrency between the Subdivider and the City.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

[150258A_Weschester_Final_plat_20150903.pdf](#)

[150258B_Security_Agreement_Phase_IV-A_20150903.pdf](#)

[150258C_Security_Agreement_Phase_IV-B_20150903_001.pdf](#)

[150258_draft_Resolution_20150903.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[150086.](#)**NON-AD VALOREM ASSESSMENT FOR SOLID WASTE MANAGEMENT (B)**

Ordinance No. 150086

An ordinance of the City of Gainesville, Florida, providing consent for the entire corporate limits of the City of Gainesville, Florida to be included in the non-ad valorem assessment for the municipal service benefit unit created by Alachua County for certain solid waste management services for the fiscal year 2015-2016; providing conditions for the consent; providing that the consent is for the one-year period; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PUBLIC WORKS STAFF REPORT

Since October 1, 1997, the Alachua County Commission has approved a non-ad valorem assessment for solid waste management in order to cover the cost of the Waste Alternatives program, the Household Hazardous Waste program approximately 36% of the Rural Collection Center program, and Solid Waste Facilities Cost as defined below. Beginning with the 1997-98 fiscal year, all municipalities in Alachua County, except for LaCrosse, have approved ordinances allowing the collection of the assessment within their respective municipal limits. The City's ordinance expires September 30, 2015. The Board of County Commissioners is requesting that the City of Gainesville adopt an ordinance allowing the assessment for solid waste management to continue inside the municipal limits for an additional three years, effective October 1, 2015 through September 30, 2018. However, staff recommends the extension be for one year.

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

The Alachua County Environmental Protection Department's Hazardous

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

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

The Solid Waste Facilities Cost includes the cost of providing, maintaining, operating, and monitoring the Solid Waste Management Facilities known as "closed landfills" (including the Northeast, the Northeast Auxiliary, the Southeast and the Northwest closed landfills) and the property intended for future Solid Waste Management Facilities known as Balu Forest.

CITY ATTORNEY MEMORANDUM

On July 16, 2015, the City Commission approved the following on its consent agenda: authorize the City Attorney to draft an ordinance allowing the Alachua County assessment for solid waste management to continue inside the municipal limits of Gainesville for an additional one year.

This ordinance requires two readings and shall become effective when adopted on second reading.

RECOMMENDATION The City Commission adopt the proposed ordinance.

Legislative History

7/16/15 City Commission Approved as Recommended

[150086_Letter_20160702.pdf](#)

[150086_draft ordinance_20150903.pdf](#)

[150089](#)**LAND USE CHANGE - PAYNES PRAIRIE SHEETFLOW RESTORATION PROJECT (B)**

Ordinance No. 150089; Petition No. PB-15-13 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 258 acres of property that is generally located in the 3400 block of SW Williston Road and contains the Paynes Prairie Sheetflow Restoration Project and Sweetwater Wetlands Park, as more specifically described in this ordinance, from Alachua County Preservation to City of Gainesville Public and Institutional Facilities (PF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES REPORT

This ordinance will amend the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of the Paynes Prairie Sheetflow Restoration Project (PPSRP) and Sweetwater Wetlands Park property (approximately 258 acres) from Alachua County Preservation to City of Gainesville Public and Institutional Facilities (PF). The property is at the southern edge of the City, in the 3400 block of SW Williston Road. The City and State-owned land was voluntarily annexed on April 16, 2015, by Ordinance No. 140618.

The property is adjacent to undeveloped land (wooded uplands, wetlands) to the north and east, and undeveloped land (wetlands) to the south. Paynes Prairie Preserve State Park is to the east, south and north (also to the north is the 125-acre Sweetwater Preserve, an Alachua County nature park). Undeveloped land (wooded uplands) is to the west. The adjacent lands to the north, south, east and west are in the Alachua County Preservation future land use category.

The proposed Public and Institutional Facilities (PF) land use category allows for public utilities (e.g., stormwater treatment) and other uses that serve a public purpose (e.g., public use areas for bird watching and nature study), and is an appropriate land use category for the PPSRP. The PPSRP is a unique public utility project of the City of Gainesville and Gainesville Regional Utilities (GRU) that provides stormwater treatment, water quality enhancement and Floridan aquifer protection, wetland enhancement and creation, and passive recreation amenities at Sweetwater Wetlands Park. Many components of the PPSRP have been completed, and Sweetwater Wetlands Park opened in May 2015 and provides public access to its trails, boardwalks and overlooks.

All future development within this property will be subject to the

appropriate development review process and other applicable regulations in the Land Development Code.

At its public hearing on May 28, 2015, the City Plan Board recommended approval to the City Commission by a vote of 7-0.

Fiscal Note: None.

CITY ATTORNEY MEMORANDUM

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 comments to the City. The City must consider any written comments received 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 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 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: (1) approve Petition No. PB-15-13 LUC; and (2) adopt the proposed ordinance.

[150089A draft ordinance 20150903.pdf](#)

[150089B staff report 20150903.pdf](#)

[150089C Append A Comprehensive Plan GOPs 20150903.pdf](#)

[150089D Append B Supplemental Docs Exh B-1thruExh B-10 20150903.pdf](#)

[150089E Append C Application ExhC-1 20150903.pdf](#)

[150089F CPB minutes 20150903.pdf](#)

[150089G staff ppt 20150903.pdf](#)

[150090.](#)**QUASI-JUDICIAL - REZONING - PAYNES PRAIRIE SHEETFLOW RESTORATION PROJECT (B)**

ORDINANCE NO. 150090; Petition No. PB-15-14 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 258 acres of property that is generally located in the 3400 block of SW Williston Road and contains the Paynes Prairie Sheetflow Restoration Project and Sweetwater Wetlands Park, as more specifically described in this ordinance, from Alachua County Conservation (C-1) to City of Gainesville Public Services and Operations District (PS); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This ordinance will amend the City's Zoning Map Atlas by rezoning the Paynes Prairie Sheetflow Restoration Project (PPSRP) and Sweetwater Wetlands Park property (approximately 258 acres) from Alachua County Conservation (C-1) to City of Gainesville Public Services and Operations District (PS). The property is at the southern edge of the City, in the 3400 block of SW Williston Road. The City and State-owned land was voluntarily annexed on April 16, 2015, by Ordinance No. 140618.

The property is adjacent to undeveloped land (wooded uplands, wetlands) to the north and east, and undeveloped land (wetlands) to the south. Paynes Prairie Preserve State Park is to the east, south and north (also to the north is the 125-acre Sweetwater Preserve, an Alachua County nature park). Undeveloped land (wooded uplands) is to the west. The adjacent lands to the north, south, east and west are in the Alachua County Preservation future land use category.

The PPSRP is a unique public utility project of the City of Gainesville and Gainesville Regional Utilities (GRU) that provides stormwater treatment, water quality enhancement and Floridan aquifer protection, wetland enhancement and creation, and passive recreation amenities at Sweetwater Wetlands Park. Many components of the PPSRP have been completed, and Sweetwater Wetlands Park opened in May 2015 and provides public access to its trails, boardwalks and overlooks.

The proposed Public Services and Operations District (PS) zoning district allows for public utilities (e.g., stormwater treatment) and other uses that serve a public purpose (e.g., public use areas for bird watching and nature study), and is an appropriate land use category for the PPSRP. The proposed PS zoning district includes a list of permitted uses for the property, including: water conservation areas; water reservoirs and control structures; stormwater treatment facilities; public lands designated for open space or conservation; wildlife management; local nature park with nature trails and boardwalks, restrooms and

pavilions; visitor/education center; security residence; and accessory uses customarily incidental to any permitted principal use. In addition, this ordinance requires all future development activity to be in substantial compliance with the Final Development Plan that was approved in 2012 by the Alachua County Development Review Committee (Project No. 2009121601_F).

At its public hearing on May 28, 2015, the City Plan Board recommended approval to the City Commission by a vote of 7-0.

Fiscal Note: None.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 150089 becomes effective as provided therein.

RECOMMENDATION *The City Commission: (1) approve Petition No. PB-15-14 ZON; and (2) adopt the proposed ordinance.*

[150090A_draft ordinance_20150903.pdf](#)

[150090B_staff report_20150903.pdf](#)

[150090C_Append A_Comprehensive GOPs_ Exh A-1_20150903.pdf](#)

[150090D_Append B_Supplemental Docs_ Exh B-1 thru Exh B-11_20150903.pdf](#)

[150090E_Append C_Application_ Exh C-1_20150903.pdf](#)

[150090F_CPB minutes_20150903.pdf](#)

[150090G_staff ppt_20150903.pdf](#)

[150111.](#)

LAND USE CHANGE - 2100 NE 39TH AVENUE (B)

Ordinance No. 150111, Petition PB-15-44 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 498 acres of property that is generally located at 2100 NE 39th Avenue and is bordered on the north by NE 53rd Avenue, on the south by NE 39th Avenue, on the west by NE 15th Street, and Waldo Road approximately 440 feet to the east, as more specifically described in this ordinance, from Planned Use District (PUD) to Residential Low-Density (RL), Residential Medium-Density (RM), Office (O) and Business Industrial (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will amend the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 498 acres of undeveloped property in east Gainesville from Planned Use District (PUD) to Residential Low-Density (RL), Residential Medium-Density (RM), Office (O) and Business Industrial (BI). The property surrounds the City Ironwood Golf Course and is traversed by Little Hatchet Creek, and is bordered on the north by NE 53rd Avenue, on the south by NE 39th Avenue, on the west by NE 15th Street, and Waldo Road approximately 440 feet to the east. Surrounding uses include single-family and two-family residential development, GRU's Murphree water treatment plant and wellfield, undeveloped rural/agricultural land, a mobile home park, undeveloped light industrial land, mini-storage, a gas station/convenience store, and the City of Gainesville's tree farm. Gainesville Regional Airport is to the east across Waldo Road.

From the 498 total acres of the subject property, 216 acres (located on most of the southern half of the property) will change to the Business Industrial (BI) land use category. Most of the area proposed for BI is within the DNL 60 Airport Noise Zone, in which residential development is not allowed but many non-residential uses are allowed. Much smaller portions of the BI area are in the more restrictive DNL 65 Noise Zone, the less restrictive DNL 55 Noise Zone, or are outside of the Airport Noise Zones (along NE 53rd Boulevard).

In addition, from the 498 total acres of the subject property, 19 acres located in the northwestern part of property along NE 53rd Avenue will change to the Office (O) land use category, 203 acres located across much of the northern half of the property plus a small area in the southwestern part of the property will change to the Residential Low-Density (RL) land use category, and 60 acres located primarily in the easternmost part of the property will change to the Residential Medium-Density (RM) land use category.

The property is adjacent to the following land use categories: Public Facilities to the north (across NE 53rd Avenue); Industrial, Light Industrial (Alachua County category), Industrial/Manufacturing (Alachua County category), and Public Facilities land use to the east; Public Facilities, Industrial, Recreation, and Single-Family to the south; and Single-Family, Residential Low-Density, Commercial, and Public Facilities to the west. The property is not within Plan East Gainesville, a non-regulatory plan that has been accepted by both the City and County Commissions, but is adjacent to areas that are part of Plan East Gainesville. As stated in the application documents, "this land use change and rezoning proposal will help realize the vision of the Plan East Gainesville initiative by encouraging the development of a mixed-use employment center near the Gainesville Regional Airport."

The Gainesville Regional Airport Authority on March 15, 2015, voted unanimously to support the proposed land use change to BI, in order to

exclude residential uses within the DNL 60 Airport Noise Zone.

The property contains regulated natural resources (strategic ecosystem, a significant natural community, listed species, wetlands and surface waters) that will be subject to the provisions of Division 4. - Regulated Natural and Archaeological Resources and to other applicable regulations of the Land Development Code.

The City Plan Board held a public hearing on June 25, 2015, where it voted 5-0 to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

Fiscal Note: None.

City Plan Board to City Commission - Recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

Staff to City Commission - Recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

Staff to City Plan Board - Recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

CITY ATTORNEY MEMORANDUM

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 comments to the City. The City must consider any written comments received 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 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 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: 1) approve Petition No. PB-15-44 LUC; and 2) adopt the proposed ordinance.*

[150111A draft ordinance 20150903.pdf](#)

[150111B staff report 20150903.pdf](#)

[150111C Append A Comp Plan GOPs 20150903.pdf](#)

[150111D Append B Supplemental Docs Exh B-1 thru Exh B-1 20150903.pdf](#)

[150111E Append C Application Exh C-1 20150903.pdf](#)

[150111F CPB minutes 20150903.pdf](#)

[150111G staff ppt 20150903.pdf](#)

[150111 Hatchet Creek- City Commission Presentation 20150903.pdf](#)

150112.

QUASI-JUDICIAL - REZONING - 2100 NE 39TH AVENUE (B)

Ordinance No. 150112, Petition PB-15-43 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 498 acres of property that is generally located at 2100 NE 39th Avenue and is bordered on the north by NE 53rd Avenue, on the south by NE 39th Avenue, on the west by NE 15th Street, and Waldo Road approximately 440 feet to the east, as more specifically described in this ordinance, from Single-Family Residential district (RSF-1) (3.5 units/acre), Single-Family Residential district (RSF-4) (8 units/acre), and Limited Industrial district (I-1) to Single-Family/Multiple-Family Residential district (RMF-5) (12 units/acre), Multiple-Family Residential district (RMF-8) (8-30 units/acre), General Office district (OF), and Business Industrial district (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will amend the City's Zoning Map Atlas by rezoning approximately 498 acres of undeveloped property in east Gainesville from Single-Family Residential district (RSF-1) (3.5 units/acre), Single-Family Residential district (RSF-4) (8 units/acre), and Limited Industrial district (I-1) to Single-Family/Multiple-Family Residential district (RMF-5) (12 units/acre), Multiple-Family Residential district (RMF-8) (8-30 units/acre), General Office district (OF), and Business Industrial district (BI). The property surrounds the City Ironwood Golf Course and is traversed by Little Hatchet Creek, and is bordered on the north by NE 53rd Avenue, on the south by NE 39th Avenue, on the west by NE 15th Street, and Waldo Road approximately 440 feet to the east.

Surrounding uses include single-family and two-family residential development, GRU's Murphree water treatment plant and wellfield, undeveloped rural/agricultural land, a mobile home park, undeveloped light industrial land, mini-storage, a gas station/convenience store, and the City of Gainesville's tree farm. Gainesville Regional Airport is to the east across Waldo Road.

From the 498 total acres of the subject property, 216 acres (located on most of the southern half of the property) will be rezoned Business Industrial (BI). Most of the area proposed for BI is within the DNL 60 Airport Noise Zone, in which residential development is not allowed but many non-residential uses are allowed. Much smaller portions of the BI area are in the more restrictive DNL 65 Noise Zone, the less restrictive DNL 55 Noise Zone, or are outside of the Airport Noise Zones (along NE 53rd Boulevard).

In addition, from the 498 total acres of the subject property, 19 acres located in the northwestern part of property along NE 53rd Avenue will be rezoned to General Office (OF), 203 acres located across much of the northern half of the property plus a small area in the southwestern part of the property will be rezoned to Single-Family/Multiple-Family Residential district (RMF-5) (12 units/acre), and 60 acres located primarily in the easternmost part of the property will be rezoned to Multiple-Family Residential district (RMF-8) (8-30 units/acre).

The property is adjacent to the following zoning districts: Public Services and Operations (PS) to the north (across NE 53rd Avenue); Limited Industrial (I-1), Manufactured/Mobile Home Park (Alachua County district), and Industrial Services and Manufacturing (Alachua County district) to the east; Airport Facility, I-1, Single-Family Residential (RSF-4) (8 units/acre), PS, and Single-Family Residential (RSF-1) (8 units/acre) to the south; and PS, RSF-1, RMF-5, and General Business (BUS) to the west. The property is not within Plan East Gainesville, a non-regulatory plan that has been accepted by both the City and County Commissions, but is adjacent to areas that are part of Plan East Gainesville. As stated in the application documents, "this land use change and rezoning proposal will help realize the vision of the Plan East Gainesville initiative by encouraging the development of a mixed-use employment center near the Gainesville Regional Airport."

The Gainesville Regional Airport Authority on March 15, 2015, voted unanimously to support the proposed rezoning to BI, in order to exclude residential uses within the DNL 60 Airport Noise Zone.

The property contains regulated natural resources (strategic ecosystem, a significant natural community, listed species, wetlands and surface waters) that will be subject to the provisions of Division 4. - Regulated Natural and Archaeological Resources and to other applicable regulations of the Land Development Code.

The City Plan Board held a public hearing on June 25, 2015, where it voted 5-0 to recommend approval of this rezoning.

Fiscal Note: None.

City Plan Board to City Commission - Recommend approval of this rezoning.

Staff to City Commission - Recommend approval of this rezoning.

Staff to City Plan Board - Recommend approval of this rezoning.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 150111 becomes effective as provided therein.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-15-43 ZON; and 2) adopt the proposed ordinance.

[150112A_draft ordinance_20150903.pdf](#)

[150112B_Staff report_20150903.pdf](#)

[150112C_Append A_Comp Plan GOPs_Exh A-1-20150903.pdf](#)

[150112D_Append B_Supplemental Docs_Exh B-1 thru Exh B-14_20150903.pdf](#)

[150112E_Append C_Application_Exh C-1_20150903.pdf](#)

[150112F_CPB minutes_20150903.pdf](#)

[150112G_staff ppt_20150903.pdf](#)

[150112_Hatchet Creek- City Commission Presentation_20150903.pdf](#)

[150113.](#)

**COMPREHENSIVE PLAN AMENDMENT - HATCHET CREEK
PLANNED USE DISTRICT (B)**

Ordinance No. 150113, Petition PB-15-55 CPA

An ordinance amending the Comprehensive Plan of the City of Gainesville, Florida, by deleting Policy 4.3.5 and its associated map concerning the Hatchet Creek Planned Use District from the Future Land Use Element; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will amend the City's Comprehensive Plan by deleting Policy 4.3.5 and its associated map concerning the Hatchet Creek Planned Use District (PUD) from the Future Land Use Element. Related

Ordinance Nos. 150111 and 150112 will change the land use and zoning on the subject property located at 2100 NE 39th Avenue. Therefore, the Hatchet Creek PUD will no longer exist.

Fiscal Note: None.

City Plan Board to City Commission - Recommend approval of this amendment to the Comprehensive Plan.

Staff to City Commission - Recommend approval of this amendment to the Comprehensive Plan.

Staff to City Plan Board - Recommend approval of this amendment to the Comprehensive Plan.

CITY ATTORNEY MEMORANDUM

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 comments to the City. The City must consider any written comments received 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 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 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: 1) approve Petition No. PB-15-55 CPA; and 2) adopt the proposed ordinance.

[150113A_draft ordinance_20150903.pdf](#)
[150113B_staff report_20150903.pdf](#)
[150113C_ExhA-1_Proposed Land Use Element_20150903.pdf](#)
[150113D_ExhB-1_Associated Map Hatchet Creek PUD_20150903.pdf](#)
[150113E_ExhC-1_Application_20150903.pdf](#)
[150113F_CPB minutes_20150903.pdf](#)
[150113G_staff ppt_20150903pptx.pdf](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

110541. INFRASTRUCTURE IMPROVEMENT AREAS FOR WATER AND WASTEWATER (B)

Ordinance No. 110541

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances, relating to utilities, by amending Chapter 27 to provide for the creation and designation of infrastructure improvement areas for water and wastewater gravity collection improvements and to designate the Innovation District Infrastructure Improvement Area; by amending Appendix A, Schedule of Fees, Rates and Charges, to add infrastructure improvement area user fees for water and wastewater gravity collection in the Innovation District Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

MODIFICATION - Changed Text File Language in the Recommendation.

Explanation: WATER/WASTEWATER DEPARTMENT STAFF REPORT

On December 15, 2011, the City Commission authorized the City Attorney to draft, and the Clerk of the Commission to advertise an ordinance designating infrastructure improvement areas for water and wastewater, and adding capital recovery connection user fees for new and existing customers who construct new structures or construct new additions to existing structures within a designated infrastructure improvement area.

At its meeting on December 5, 2013, the City Commission heard a presentation from GRU staff on the proposed Innovation District Infrastructure Improvement Area for constructing and funding water and wastewater system capacity improvements in the Innovation District Area. At the meeting, it was explained that the costs for these improvements will be recovered through the Innovation District Infrastructure Improvement user fees which will apply to new development and certain redevelopment within the designated Innovation District Area.

Since that time, GRU staff has worked with stakeholders and the City

Attorney's Office to refine the approach to infrastructure improvement areas. Based on input from the stakeholders, GRU also designed and constructed infrastructure improvements in the Innovation District Area. These improvements are currently benefitting customers in the area. The infrastructure improvement area user fees for the water and wastewater gravity collection systems are calculated and assessed based on the total heated and cooled building square footage, number of hotel rooms, number of motel rooms, or number of bedrooms of the new structure, and/or any addition to an existing structure.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and, upon adoption, shall take effect retroactively as of December 5, 2013. The first reading is scheduled for August 20, 2015. The second reading is scheduled for September 3, 2015.

RECOMMENDATION

The City Commission strike the ordinance from the agenda.

Legislative History

12/15/11	City Commission	Approved as Recommended
6/4/15	City Commission	Striken From the Agenda (Ordinance)
8/20/15	City Commission	Adopted on First Reading (Ordinance)

110541A_Innovation Square District_20111215.pdf

110541B_GRU Ppt_20111215.pdf

110541_Draft_Ordinance_20150604.pdf

110541 Proposed iDistrict ISIA Presentation 20150604

110541_Draft_Ordinance_20150820.pdf

110541 Proposed iDistrict IIA Presentation 20150820

[150193](#)

TERMINATION OF THE DISABILITY PLAN (B)

Ordinance No. 150193

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 6 (Disability Plan) of the Code of Ordinances of the City of Gainesville to terminate the Disability Plan due to the transfer of disability benefit obligations and assets to the Employees' Pension Plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of December 18, 2014, authorized the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance to transition the disability benefit from Gainesville Employees' Disability Plan known as ("Disability Plan") to the City of Gainesville Employees' Pension ("General Plan"). Future disability

claims by City employees under the Disability Plan were transitioned to the General Plan on February 19, 2015, through the City Commission's adoption of Ordinance Number 140657. All remaining obligations for disability benefits currently being paid to disabled retirees and the requisite level of assets to satisfy these obligations were transferred from the Disability Plan to the General Plan on May 7, 2015 through the City Commission's adoption of Ordinance Number 148060. The Disability Plan has no remaining members, no possibility of future members, and no current or future obligations to provide benefits. Thus, the Disability Plan is due to be terminated and any remaining assets in the disability trust will be returned to the City.

This Ordinance requires two public readings. If adopted on the first reading, second and final reading of the Ordinance is scheduled for September 3, 2015.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

8/20/15 City Commission Adopted on First Reading (Ordinance)

[150193 draft ordinance 20150820.pdf](#)

[140741.](#)

Vehicles For Hire Ordinance (B)

Ordinance No. 140741

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to vehicles for hire; by amending in its entirety Article I. Motorized Vehicles of Chapter 28, Vehicles for Hire; by amending Section 2-339 of Chapter 2 to provide civil penalties for vehicle for hire violations; and by amending Appendix A - Schedule of Fees, Rates and Charges to provide fees for vehicles for hire; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: On March 19, 2015 the City Commission directed the City Attorney to draft an ordinance to provide regulations for Transportation Network Companies (TNCs) and to refine existing regulations for taxicabs based on recommendations of staff and the Public Safety and Economic Development University Community Committees.

The City Attorney's Office prepared draft regulations and City staff circulated the draft regulations to interested stakeholders for review and input. On June 18, 2015, the City Commission heard a presentation on the proposed draft regulations, received public comment and directed the City Attorney to finalize the draft regulations into an ordinance for first reading.

This ordinance was scheduled for First Reading on July 16, 2015, continued to August 6, 2015 and then continued to August 20, 2015. The draft ordinance submitted for the July 16, 2015 meeting, has now been further revised at the direction of City Management, as a result of a meeting on August 13, 2015 that included Legal, Gainesville Police Department (GPD) and City Management staff, Mayor Braddy and Uber representatives. GPD scheduled a meeting on August 17, 2015, with taxi cab company representatives to review the revised draft ordinance. However, no representatives of any of the taxi cab companies appeared at that meeting.

This ordinance deletes the existing vehicle for hire regulations in City Code and creates new regulations that are uniform for all vehicles for hire (inclusive of TNCs, taxicabs and others) and that address the basic health, safety and welfare concerns of the City with respect to vehicle for hire operations.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

2/23/15	Public Safety Committee	Discussed
3/19/15	City Commission	Approved as Recommended
6/18/15	City Commission	Discussed
7/16/15	City Commission	Continued
8/6/15	City Commission	Continued
8/20/15	City Commission	Adopted on First Reading (Ordinance)

[140741a_VFH_Gville_Draft_20150223](#)
[14071b_TNC_PUBLIC_DRAFT_20150223](#)
[140741c_TNC_&_VFH_Presentation_20150223](#)
[14071d_VFH_Public_Clean_Draft_20150223](#)
[140741e_TNC_Public_Clean_Draft_20150223](#)
[140741a_TNC_Public_Clean_Draft_20150319](#)
[14071b_VFH_Public_Clean_Draft_20150319](#)
[140741c_TNC_Draft_20150319.pdf](#)
[14071d_VFH_Draft_20150319](#)
[140741e_HouseBill817_20150319](#)
[140741f_HouseBill757_20150319](#)
[140741g-MOD_VFH_and_TNC_Presentation_20150319.pdf](#)
[140741h-MOD_VFH_Public_Draft_20150319.pdf](#)
[140741i_VFH_Clean_DRAFT_20150319.pdf](#)
[140741j-MOD_DRAFT_Gainesville_TNC_20150319.pdf](#)
[140741k-MOD_Clean_DRAFT_Gainesville_TNC_20150319.pdf](#)
[140741_draft_ordinance_version_1_20150618.pdf](#)
[140741_Draft_ordinance_20150716.pdf](#)
[140741_revised_draft_ordinance_20150806.pdf](#)
[140741_2nd_revised_draft_ordinance_20150820.pdf](#)

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time permits)

ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)