

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

January 7, 2021

1:00 PM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large)
Commissioner Gail Johnson (At Large)
Commissioner Gigi Simmons (District 1)
Commissioner Harvey Ward (District 2)
Mayor-Commissioner Pro Tem 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!

We're glad you're here. Please review the meeting process and how you can participate.

What is the Meeting Agenda? The City Commission makes policies and conducts the city's business in an open forum. The agenda is an outline of what will happen during the meeting. It includes the following sections:

Adoption of Consent Agenda (CA): The Consent Agenda is a group of business items that the Commission votes on together in one motion. These items are not discussed separately. The Commission may remove an item to discuss during the meeting or at a later meeting. This process saves time for discussing Regular Agenda items.

Adoption of Regular Agenda: The Commission approves the order of the Business Discussion (**BD**) items on the Regular Agenda. The Commission may re-order or remove discussion items.

The (**B**) after an item's title means that there are materials, called Backup, in support of the item. Click the links on the agenda to view the documents. An (**NB**) after an item's title means there are no Backup materials for the item.

How to Share Your Opinion. Your opinion is important to the City Commission. There are multiple ways to give a public comment for the official meeting record. The options listed below may be offered during this meeting. Please see the city's [Public Meeting Calendar](#) for full details on public comment opportunities.

Submit Written Public Comment: You may write a public comment on any City Commission Meeting agenda item. Visit our website, www.cityofgainesville.org, and go to the "Agendas & Minutes" tab. Click on the "eComment" link in the right-hand column. Written comment opens when the agenda is published the Friday before the meeting and closes one (1) hour before the start of the meeting. Your comments will be sent to the City Commissioners and added to the official record.

Speak at a Public Meeting: Any member of the public may sign up to speak at a City Commission meeting. Visit our website, www.cityofgainesville.org, and go to the "Agendas & Minutes" tab on our website. Click on the "eComment" link in the right-hand column and register to speak on a specific agenda item. Online registration closes one (1) hour before the meeting is called to order. You may also register on the sign-up sheet in the Auditorium before the meeting begins. Speakers will be called to the podium by name and should address their comments to the Chair of the meeting, usually the Mayor. There are two types of public comment during Commission Meetings:

General Public Comment: The public is invited to speak to the Commission for three (3) minutes about any topic, as long as it is not on the Agenda. This is an opportunity to bring up new ideas or issues to the Commission. Each person may speak during one comment period: at the start of the 1pm session, at the start of the 5:30pm session, or at the end of the meeting. The Commission will not discuss or make decisions on ideas presented during this time. Comments may be referred to city staff for follow up.

Public Comment on Agenda Items: The Commission may take public comment on specific agenda items during discussion. Speakers may have three (3) minutes and comments must relate to the agenda item.

Early Public Comment: During Early Public Comment, community members may speak on agenda items without waiting for the item to be called during the meeting. Speaking at Early Public Comment waives the right to speak later during the meeting. Members of the public may speak for three (3) minutes on one agenda item or five (5) minutes on two or more items. Speakers should begin their comments by announcing which items they are addressing so the timeclock can be set properly.

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

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

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

ROLL CALL**CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items****CA-1 [200576.](#) Approval of Minutes from the December 3, and December 15, 2020
City Commission Meetings (B)**

RECOMMENDATION *The City Commission approve the December 3,
and December 15, 2020 minutes.*

[200576_December 3 Minutes_20200107](#)

[200576_December 15, 2020 Minutes_20210107](#)

CA-2 [200635.](#) Town Hall Meetings (NB)

RECOMMENDATION *The City Commission approve the following Town
Hall Meetings:*

January 27, 2021, 6:00 pm

March 24, 2021, 6:00 pm

April 28, 2021, 6:00 pm

July 29, 2021, 6:00 pm

October 20, 2021, 6:00 pm

December 8, 2021, 6:00 pm

CA-3 [200636.](#) City Commission Special Meeting - Perform GNV Vision Zero (NB)

RECOMMENDATION *The City Commission approve a special meeting
on April 21, 2021 at 4:00 pm to discuss GNV
Vision Zero.*

CA-4 [200570.](#) City Commission Strategic Planning Workshops (NB)

RECOMMENDATION *The City Commission approve the strategic
planning workshops for Thursday, April 29, 2021*

from 1:00 pm - 6:00 pm and Friday, April 30, 2021
from 2:00 pm - 6:00 pm.

CA-5 [200574.](#) **Charter Officers' Annual Performance Evaluations Special Meeting (NB)**

RECOMMENDATION

The City Commission approve the Charter Officers' Annual Performance Evaluations special meeting scheduled for January 20, 2021 at 5:00 pm.

CA-6 [200626.](#) **Resignation of Shaun Jensen from the Nature Centers Commission (B)**

RECOMMENDATION

The City Commission accepts the resignation of Shaun Jensen, effective immediately.

[200626_NCC Resignation_20210107.pdf](#)

CA-7 [200632.](#) **Gainesville Regional Utilities FY22 Budget Calendar (NB)**

Explanation: Staff requests the City Commission approve dates to discuss items related to the FY22 annual budget. Topics of discussion will include O & M and capital expense; the General Fund Transfer; customer, sales and revenue forecasts; fuel expense; and debt service expense.

Staff requests the City Commission approve the following dates:

May 12, 2021

July 14, 2021

July 28, 2021

Fiscal Note: None.

RECOMMENDATION

Approve the above-listed dates as requested.

CA-8 [200579.](#) **City Auditor Annual Report, Risk Assessment and Audit Plan (B)**

Explanation: Description: The City Auditor's Annual Report highlights Internal Audit activities and accomplishments over the past year in the first section, including a description of who we are and what we do, activities and accomplishments, and other stories of community builders making Gainesville great. The second section describes the enterprise risk assessment and internal audit plan.

RECOMMENDATION

The Audit and Finance Committee recommends the City Commission accept the City Auditor's

report.

Legislative History

12/9/20 Audit and Finance Approved as Recommended
Committee

[200579 Annual Report 2020 Final 20201209](#)

CA-9 [200577.](#) General Government Financial Reporting Process Memo (B)

Explanation: The City Auditor's Office collaborated with General Government finance management to provide a status update to the City Commission regarding financial reporting process and control improvements to ensure timely completion of the external financial statement audit processes and to improve the financial reporting process control environment.

RECOMMENDATION

The Audit and Finance Committee recommends the City Commission accept the City Auditor's internal report.

Legislative History

12/9/20 Audit and Finance Approved as Recommended
Committee

[200577_GG Financial Reporting Process Review Memo_20201209](#)

CA-10 [200578.](#) City Auditor Quarterly Update (B)

Explanation: The City Auditor Quarterly Update provides more transparency into activities conducted by the Office of the City Auditor. The update includes status of our work in progress, audit issue follow up, and other activities.

RECOMMENDATION

The Audit and Finance Committee recommends the City Commission accept the City Auditor's quarterly update.

Legislative History

12/9/20 Audit and Finance Approved as Recommended
Committee

[200578. City Auditor Update 20201209](#)

CA-11 [200629.](#) Loewenthal v. City of Gainesville; Case No. 2019-CA-3778; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)

Explanation: On September 1, 2018, Mr. Loewenthal was a seat-belted, backseat passenger in a vehicle that was involved in an automobile accident with a

City RTS bus at or near the intersection of SE 3rd Street and SE 4th Avenue, in Gainesville. The City employee transit operator was acting in the course and scope of employment, violated a traffic control device, and struck the side of the vehicle carrying the plaintiff. The employee received progressive discipline and is no longer employed by the City.

Subsequent to the accident, the plaintiff was treated at the emergency room for a broken nose and pain in his left shoulder. He continued treatment with his medical providers, including surgery to repair his nose and treatment for torn ligaments in his shoulder and a fractured clavicle. At trial, the plaintiff's attorneys were prepared to offer evidence of over \$30,000 in past medical expenses. They argued that he would suffer future medical expenses along with damages related to pain and suffering, mental anguish, inconvenience, and loss of capacity for the enjoyment of life.

The City Attorney's Office and Risk Management Department conducted a thorough evaluation and investigation of this lawsuit in conjunction with the Regional Transit System. Per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes, the City's liability and authority to settle claims such as this is limited to \$200,000 per person, and \$300,000 per incident. At court-ordered mediation, a settlement agreement was achieved. Representatives for the City agreed to recommend a settlement in the amount of \$75,000, subject to the approval of the City Commission of the City of Gainesville, and, in exchange, the plaintiff will provide a full and complete Release to the City. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.

RECOMMENDATION

The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the claims of Nicholas Loewenthal, arising from an accident that occurred on or about September 1, 2018.

CA-12 [200648.](#)

City Parking Lot # 10 - Review of Offering Memorandum (B)

This item involves City Commission review of an Offering Memorandum for City Parking Lot #10 prepared by Colliers International.

Explanation: In October, Colliers International made a presentation to the City Commission regarding an introduction to their firm, a review of various strategic City controlled sites under review for inclusion in its Strategic Plan and an overview of various real estate sector market dynamics.

One of the sites highlighted in this presentation was City Parking Lot #10 and plans to present a proposed offering concept to the City Commission

for future review.

In March, 2020, the Commission directed staff to extend performance benchmarks on an existing contract on City Parking Lot #10 moving them forward to September 1, 2020. As a consequence of the public health crisis this extension could not accommodate the project.

Staff did work with the developer, per Commission direction, in spite of the public health crisis, on language to extend the project however the time period would have to be adjusted dramatically and in addition to proposed extension language other substantive contractual issues were raised as well both by the developer and the City.

As a result, City Management requested that Colliers International prepare an offering memorandum in order to re-initiate the project moving forward into the new year.

The offering memorandum provides information on the subject property, the surrounding market and demographics and the submittal requirements.

The intent will be for Colliers International to receive submissions and then evaluations will be conducted by City staff and returned to the Commission for future deliberation and action.

Fiscal Note: An appraisal of City Parking Lot #10 in December 2020 indicates an estimated market value of \$2,975,000.

RECOMMENDATION

The City Commission: 1) hear a presentation on the offering memorandum from staff and Colliers International; 2) provide any input deemed appropriate regarding the offering; and 3) direct staff to move forward with marketing and release of the offering.

[200648A Appraisal-City of Gainesville Lot 10 2020-153 20210107.pdf](#)

[200648B ltr 1+1=3LLC LapsedContract 11 12 20 20210107.pdf](#)

[200648C Offering for Sale Lot#10 20210107..pdf](#)

CA-13 [200352.](#)

Federal Legislative Agenda Priorities 2021(B)

Explanation: The purpose of this agenda item is to adopt approval for the final revised list of Federal Legislative Priorities and Departmental/Charter requests for agency program funding support during 2021, and adopt the City's Federal Legislative Priorities for the new Federal Legislative cycle. These priorities were reviewed and established at the December 10, 2020 General Policy Committee meeting.

Fiscal Note: None.

RECOMMENDATION

The City Commission review and approve the final

list of Federal Legislative items and adopt the 2021 Federal Legislative priorities for our federal lobbying team.

Legislative History

12/10/20 General Policy Approved, as shown above
 Committee

[200352A_Federal_Priorities_2021_20210107.pdf](#)

CA-14 [200658.](#)

Settlement of Worker's Compensation Claim - Scott Ferrel (NB)

This item involves the full and final settlement of Mr. Ferrel's workers' compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$110,000.00 and represents a significant cost advantage to the city.

Explanation: While employed by GPD, Mr. Ferrel received injuries to his left and right shoulders, lower back and right ankle which led to ongoing medical treatment and multiple surgeries. As a result of his injuries, the present potential exposure to the City in future medical treatment, indemnity payments is significant given his life expectancy.

The City Attorney's Office, the Risk Management Department, GPD, Special Counsel and our Worker's Compensation servicing agent all concur as to the full and final settlement of this claim. The total amount \$110,000.00, includes future medical costs and future indemnity payments.

Fiscal Note: The settlement of this case in the amount of \$110,000.00 will be paid out of the General Insurance Fund.

RECOMMENDATION

The City Commission authorizes Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Ferrel in the amount of \$110,000.00

ADOPTION OF REGULAR AGENDA

GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Individuals may choose to speak during any one of the General Public Comment periods during the meeting.

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

BD-1 [190564.](#) **Old Fire Station #1 Rental & Adaptive Reuse Invitation to Negotiate (B)**

Explanation: On 11/21/2019, the City Commission directed Staff to solicit a partnership to reactivate the Old Fire Station #1 site, located on 427 S Main St. An Invitation to Negotiate solicitation was posted on 02/12/2020. The solicitation was revised on 4/7/2020 to accept electronic submission only due to COVID and closed on 04/18/2020. Two proposals were received and evaluated by a cross-departmental staff team that included community builders from Sustainable Development, Gainesville Community Reinvestment Area, and Parks, recreation and Culture Affairs. One proposal was deemed non-responsive because the Proposer requested to purchase the property from the City. The other proposal was deemed responsive, of high quality, and meets the City's goals and vision as described in the Invitation to Negotiate.

Fiscal Note: None at this time.

RECOMMENDATION

The City Commission (1) hear an update on the ITN and (2) Provide direction to City Manager and/or Designee on next steps.

Legislative History

11/7/19	City Commission	Continued
11/21/19	City Commission	Approved as Recommended
12/3/20	City Commission	Continued

[190564A Old Fire Station 1 PROPOSED ITN Criteria Summary 20191121](#)
[190564B Old Fire Station 1 Conceptual Design Costs WJA 2018_09-18 2019](#)
[190564C Old Fire Station 1 Appraisal 082019 20191121](#)
[190564D 082219 GPC Cultural Center Update 20191121](#)
[190564E Presentation 20191121](#)
[190564F ITN for Old Fire Station FINAL REBID part 1.pdf](#)
[160564G ITN for Old Fire Station FINAL REBID part 2-Appendix A, B.pdf](#)
[190564H ITN for Old Fire Station#1 REBID-Bid Tabulation.pdf](#)
[190564I TN for Old Fire Station#1 REBID-EVAL WRITTEN UF evaluator#1.pdf](#)
[190564J ITN for Old Fire Station#1 REBID-EVAL WRITTEN UF evaluator#2.pdf](#)
[190564K ITN for Old Fire Station#1 REBID-EVAL WRITTEN UF evaluator#3.pdf](#)
[190564L ITN for Old Fire Station#1-Addenda 1-4 of CMGR-200006-DH.pdf](#)
[190564M ITN for Old Fire Station#1-Submittal UF part 1 .pdf](#)
[190564N ITN for Old Fire Station#1-Submittal UF part 2 .pdf](#)
[190564O ITN for Old Fire Station#1-Submittal UF part 3 .pdf](#)
[190564P ITN for Old Fire Station#1-Submittal UF part 4 .pdf](#)
[190564R ITN for Old Fire Station#1-Submittal UF part 6.pdf](#)
[190564Q ITN for Old Fire Station#1-Submittal UF part 5 .pdf](#)
[190564S ITN for Old Fire Station#1-Submittal UF part 7.pdf](#)
[190564T ITN for Old Fire Station#1-Submittal UF part 8.pdf](#)
[190564U ITN for Old Fire Station#1-Submittal UF part 9.pdf](#)
[190564W ITN for Old Fire Station#1-Submittal Larsen Highpoint-Part 1.pdf](#)
[190564V ITN Old FS#1-UF Response to Questions for clarification.pdf](#)
[190564X ITN for Old Fire Station#1-Submittal Larsen Highpoint-Part 2.pdf](#)

BD-2 [200456.](#)

City of Gainesville's Urban Forest Management Plan (B)

Explanation: The purpose of this item is to present the final draft of the City of Gainesville's Urban Forest Management Plan to the City Commission.

The City of Gainesville's Urban Forest Management Plan was developed through a collaborative effort supported by Gainesville's City Commission that involved all the departments of the City of Gainesville, the University of Florida, business and professional organizations, and citizens. This strategic plan for the management of Gainesville's urban forest addresses the numerous challenges to growing and maintaining a healthy urban forest in an efficient manner.

Gainesville's strategic urban forest management plan was developed with a 20-year planning horizon to meet the challenge of programmatic continuity by planning on a long-time framework. At the same time, it

provides guidance for intermediate 5-year citywide work planning. In turn, it provides the direct input into short-term annual departmental operational plans and decision-making.

The initial step in the plan's development was to obtain an understanding of how Gainesville residents felt about their urban forest through a public survey, which received responses from a total of 739 residents. The results of the survey informed the work of the Public Committee on Urban Forestry Sustainability, which was comprised of 11 members representing a broad diversity of government, business, and neighborhood interests. Through a series of facilitated sessions, the Committee developed a consensus vision statement and series of goals for the plan.

Directors of all the City's departments then appointed members of the Internal Technical Advisory Committee (ITAC) to work on drafting the technical components of the plan. The ITAC worked through a deliberate step-by-step review and edit process over the course of several months. Their work resulted in a detailed set of Gainesville-specific elements, objectives, and performance indicators for urban forest management that reflected the perspectives of each department. The final draft of these items was reviewed for comments by the Public Committee.

The performance indicators for each element were then evaluated to determine the present state of urban forest management in Gainesville. Alternatives for action were then developed that, if implemented, would be expected to incrementally move each performance indicator to the next highest level. These alternatives were specific actions, policies, or programs that could be initiated by the City of Gainesville. A total of 158 quantifiable alternatives for action were developed, reviewed, and edited by the ITAC. The ITAC then reached consensus on a subset of 46 alternatives for action chosen to guide the first five years of the plan's implementation. These actions and intended outcomes are to become part of the annual departmental operational plans and individual work plans.

Background:

On December 8, 2016, the General Policy Committee heard a presentation on recommendations by the Tree Ordinance Stakeholder Committee regarding proposed changes on uses of the tree mitigation fund. One of the recommendations was to fund the Urban Forest Ecological Analysis and Urban Forest Management Plan. The General Policy Committee approved funding from Wild Spaces/Public Spaces for the assessment and plan.

On October 12, 2017, the General Policy Committee heard a presentation by University of Florida researchers regarding the Urban Forest Ecological Assessment and next steps for the City of Gainesville's Urban Forest Management Plan. The General Policy Committee approved staff to work on contracting for the Urban Forest

Management Plan. The Urban Forest Management Plan contract was approved in December 2018.

On June 13, 2019, the General Policy Committee heard a presentation on the progress of the Urban Forest Management Plan. At this time, the first steps of the management plan had been completed, including the public survey, establishment of the Public Committee on Urban Forest Sustainability, and development of a vision statement and goals for the management plan. Staff and University of Florida researchers presented the next steps of the plan, which were to form the ITAC and develop the key elements and objectives of the management plan based on the vision and goals developed by the Public Committee on Urban Forest Sustainability.

Fiscal Note: None.

RECOMMENDATION

The City Commission adopt the Urban Forest Management Plan as the strategic plan for management of the City of Gainesville's urban forest.

Legislative History

12/3/20 City Commission Continued

[200456A_Gainesville Urban Forest Management Plan_20201203](#)

[200456B Urban Forest Management Plan Presentation_20201203](#)

BD-3 [200620.](#)

Groundwater Recharge Wetland Property Purchase (B)

Explanation: As was described in the May 20, 2020 memo from Tony Cunningham to City Commission, GRU is planning to create a groundwater recharge wetland. The project is being constructed with cost share funding from the Suwannee River Water Management District and the Florida Department of Environmental Protection (FDEP). The project will receive reclaimed water from the Kanapaha Water Reclamation Facility and will provide an environmental benefit by supporting flows at the Santa Fe River and area springs by recharging the Floridan aquifer with high-quality, low-nutrient water. The project is part of the North Florida Regional Water Supply Plan and is integral to our water resource management plan. In addition to the environmental benefits, the project will provide cost-effective, long-term beneficial reuse of reclaimed water to meet our future needs as our community grows.

Purpose

The purpose of this agenda item is to:

- 1. Request City Commission approval for completion of purchase of the property; and*
- 2. Seek City Commission direction on potential funding and operations for public access to the wetland.*

Property Purchase

Selection criteria for the groundwater recharge wetland site include: 1) sufficient developable acreage to meet operational needs now and in the future, 2) site geology consisting of sandy soils that allow recharge into the Florida aquifer, and 3) proximity to existing reclaimed water piping. Several potential locations were evaluated by staff before selecting the proposed site. The proposed site meets all of the key criteria identified by staff and is located in the unincorporated area of Alachua County off Parker Road, immediately North of Diamond Sports Park.

In February 2020, Purchase and Sale Agreements were negotiated by staff and the property owner for the purchase of two independent parcels totaling 75 acres. These agreements are contingent upon City Commission approval, satisfactory property investigations, and the issuance of zoning approval from Alachua County for the project. Zoning approval will consist of a special exception approved by the Alachua County Board of County Commissioners.

In addition to the customary property investigations associated with property purchase, GRU conducted extensive geotechnical investigations in order to ensure that the site geology is suitable for the project. The geotechnical evaluation was completed in November 2020 and the results confirm that the site has the geology to support a recharge wetland. The request for a special exception was heard by the Alachua County Planning Commission on November 18, 2020 and received unanimous recommendation for approval. The special exception request was heard by the Board of County Commissioners on December 8, 2020 and received unanimous approval.

On August 30, 2020, appraisals for both properties were prepared by a State Certified Appraiser with an MAI (Member of the American Institute of Real Estate Appraisers) designation. The appraisals indicate the market value of both properties is higher than the negotiated purchase prices.

Community and Stakeholder Outreach

GRU has been engaging with local stakeholders and community members to share information about the project. In accordance with Alachua County's zoning approval process, we hosted a neighborhood workshop on July 7, 2020. This public meeting was advertised in the local newspaper and invitations were sent to property owners and homeowner associations in close proximity to the proposed site. The Gainesville Sun had a front page article about the wetland the following Sunday, July 12, 2020. Additionally, the property owners received direct mail notifications of the Alachua County Planning Commission and Board of County Commissioners hearings.

Funding for Enhanced Public Access

GRU operations is not equipped to manage the public access component of the project. GRU has initiated conversations with Alachua County, Audubon and other local stakeholders in order to develop a plan for the public access elements of the project. The project provides the

opportunity for a public park with hiking, wildlife viewing, and other passive uses. Bringing this to fruition will require other entities that can manage and secure funding for enhanced public access facilities. Staff requests guidance from City Commission on this issue. Potential funding and operational alternatives include but are not limited to:

*Alachua County Parks Department
City of Gainesville Parks, Recreation, and Cultural Affairs
Partnership between multiple entities.*

Schedule

GRU plans to close on the property in early calendar year 2021 upon City Commission approval. The State has committed to cost share funding for the design and permitting of the project. If State funding is allocated for the construction phase of the project, GRU will solicit a design-build team in 2021. The design, permitting, construction and start-up of the project is expected to be complete by calendar year 2024 contingent upon both State and local funding. Future phases will be constructed as reclaimed water becomes available to hydrate additional wetland area.

Fiscal Note: GRU has entered into contracts to purchase the properties at a combined price of \$1.59 million, plus closing costs. The funds for property acquisition are included in the GRU Water/Wastewater 2021 capital budget. In addition, under the cost share agreement we have with FDEP, FDEP has committed funds to pay for 50 percent of the cost of purchasing the property up to a maximum contribution of \$1 million.

RECOMMENDATION

The City Commission:

- 1) approve both Purchase and Sale Agreements for the purchase of two properties located in the 3400 block of SW 122nd Street) from Mitchem-Rivers, LLC in a combined amount not to exceed \$1,590,000.00 plus closing costs, as negotiated by staff;*
- 2) Authorize the General Manager, or his designee to execute all documents necessary to complete the acquisition of the real property in accordance with the Purchase and Sale Agreements, subject to approval by the City Attorney as to form and legality; and*
- 3) Provide guidance on potential funding and operations of public access.*

[200620 CComm GRU Groundwater Recharge Wetland 20201217](#)
[200620 2020 Appraisal North Acreage Parcel \(12 acres\) 20201217](#)
[200620 2020 Appraisal South Acreage Parcel \(63 acres\) 20201217](#)
[200620 PRES GRU NHWS Final 20201217](#)
[200620 PRES GRU Wetland ACPC Final 20201217](#)
[200620 Purchase and Sale Agreement \(12 Acres\) 20201217](#)
[200620 Purchase and Sale Agreement \(63 acres\) 20201217](#)
[200620 Groundwater Wetland Fact Sheet 20201217](#)
[200620 GRU Groundwater Recharge BoCC 20201217](#)

BD-4 [200656.](#) **Commissioner David Arreola - Community Vaccination (B)**

Explanation: A discussion by the City Commission on how the City of Gainesville can support the local health care system in community vaccine administration, education, and outreach to at-risk and vulnerable populations.

RECOMMENDATION *The City Commission to discuss and take action as necessary.*

[200656 Commissioner Arreola Community Vaccination Input 20210107.pdf](#)

BD-5 [200659.](#) **Organizational Culture Audit Overview (B)**

Explanation: As approved in item 200579, Internal Audit will lead a cross-functional team to assess current organization-wide culture to better identify and understand factors that negatively impact the chances for successful outcomes and relationships. The project with a January 2021 kickoff includes the following phases with estimated time frames: planning and communication (2-4 weeks); survey administration (3 weeks); workshops (4-6 weeks); reporting and action plans (2 weeks).

RECOMMENDATION *The City Commission hear a project update for the organizational culture audit.*

[200659 Org Culture Audit Overview 20210107](#)

CC COMMISSION COMMENT

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1 [200646.](#) **National Slavery and Human Trafficking Prevention Month - January,**

2021 (B)

RECOMMENDATION *Co-Chairman of the North Central Florida Human Trafficking Task Force Melanie Mitchell to accept the proclamation.*

[200646_National_Slavery_and_Human_Trafficking_Prevention_Month_2020_20201](#)

PR-2 [200660.](#) Martin Luther King Jr. Hall of Fame Day (B)

RECOMMENDATION *Honorable Rodney Long to accept proclamation.*

[200660_Proclamation_Martin_Luther_King_Jr._Hall_of_Fame_Day_20210105](#)

PR-3 [200671.](#) King Celebration 2021 (B)

RECOMMENDATION *Honorable Rodney Long to accept proclamation*

[200671_Proclamation_King_Celebration_2021_20210105](#)

RE RESOLUTIONS - ROLL CALL REQUIRED (RE)**PUBLIC HEARINGS (PH)****SR ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)****SR-1 [200253.](#) Quasi-Judicial Rezoning - 8.33 Acres of Property Located at 6224 SW 20th Avenue (B)**

Ordinance No. 200253

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 8.33 acres of property generally located at 6224 SW 20th Avenue, as more specifically described in this ordinance, from Single/Multi-Family (RMF-5) to Multi-Family (RMF-8); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance is requested by the property owner to rezone approximately 8.33 acres of property, generally located at 6224 SW 20th Avenue, from Single/Multi-Family (RMF-5) to Multi-Family (RMF-8).

The City Plan Board held a public hearing on August 27, 2020, 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. 200254 becomes effective as provided therein.

Fiscal Note: None.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

12/3/20 City Commission Adopted on First Reading (Ordinance)

[200253_PB-20-66_StaffReportwithappendicesA_D_20200827](#)

[200253_draft ordinance_20201203.pdf](#)

[2020-12-03 CC 200253 Rezoning PowerPoint.pdf](#)

SR-2 [200252.](#)

Text Change - Amending the Land Development Code Relating to Two-Family Dwellings (B)

Ordinance No. 200252

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) relating to two-family dwellings; by amending Section 30-2.1 Definitions; by amending Section 30-4.16 Permitted Uses; and by amending Section 30-4.17 Dimensional Standards; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This petition is privately initiated by eda consultants, Inc., and proposes to amend the City's Land Development Code relating to two-family dwellings. The proposed text changes include the following:

- A. A revised definition of attached dwelling*
- B. Addition of a definition of two-family dwelling*
- C. Amendments to the RMF-6, 7, and 8 zoning districts dimensional standards table*

The text amendments to the Land Development Code will facilitate construction of vertical two-family dwellings in the RMF-6, RMF-7, and RMF-8 zoning districts with proposed new dimensional standards. Currently, the Land Development Code does not specify a definition for two-family dwellings. Additionally, the Land Development Code provides lot standards for two-family dwellings that are configured horizontally. The subject application requests amendment of the Land Development Code to allow vertical two-family dwellings in RMF-6, RMF-7, and RMF-8

zoning districts.

The City Plan Board, at its meeting of August 27, 2020, voted to recommend adoption of this ordinance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

12/3/20 City Commission Adopted on First Reading (Ordinance)

[200252_PB-20-00055_StaffReportwithAppendicesA-C_20200827](#)

[200252_draft ordinance_20201203.pdf](#)

[2020-12-03 CC 200252 Text change for RMF 6 7 8.pdf](#)

[200252_Draft Ordinance Changes - Adrian Hayes-Santos_20201203.pdf](#)

[200252_revised draft ordinance_20210107.pdf](#)

SR-3 [190696.](#)

Quasi-Judicial - Adding Property to the Local Register of Historic Places - 215 N. Main Street Masonic Lodge (B)

Ordinance No. 190696

An ordinance of the City of Gainesville adding certain property located at 215 N. Main Street and commonly known as the Masonic Lodge, as more specifically described in this ordinance, to the City of Gainesville's Local Register of Historic Places; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance, without the consent of the property owner who does not approve of this ordinance, will place certain property on the City of Gainesville's Local Register of Historic Places. The subject property is located at 215 N. Main Street, and commonly known as the Masonic Lodge.

The building was built in 1908 and is on the National Register of Historic Places. The membership of the Masonic Lodge consisted of local politicians, businessmen, and developers whom played an important role in shaping the City. The building exemplifies Italian Renaissance architecture and is an example of the ornate form of architecture used for public and civic buildings in the early 20th century. Due to its association with events that are significant to local, state, or national history, on November 7, 2019 the City Commission nominated this property for the Local Register of Historic Places by a vote of 6/0.

On January 7, 2020, the Historic Preservation Board approved the nomination of the property to the Local Historic Register of Historic Places by a vote of 5/0. In accordance with Sec. 30-4.28 of the Land

Development Code, the nomination is processed as a rezoning to impose the historic preservation/conservation zoning district as an overlay on the property. The City Plan Board held a public hearing on January 23, 2020, and voted 5/2 to recommend approving this nomination.

In accordance with Sec. 30-4.28 C. of the Land Development Code, upon approval of this ordinance by the City Commission, the City Manager or designee shall issue an official certificate of historic significance and cause the Local Register designation to be recorded in the public records of Alachua County, Florida. This ordinance requires one hearing and will become effective immediately.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[190696_HP-19-112_HP Staff Report_20200123](#)

[LetterofSupport_Alachua Co Historical Commission_Masonic Lodge](#)

[LetterofSupport_Holy Trinity Episcopal School of Gainesville Inc.](#)

[Posted Notice](#)

[1266_001](#)

[190696A_draft ordinance_20210107.pdf](#)

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

FR-1 [190973.](#) Voluntary Annexation - City-Owned Tower Road Lift Station - 0.057 Acres of Property Located on SW 75th Street (Tower Road) (B)

Ordinance No. 190973

An ordinance of the City of Gainesville, Florida, annexing approximately 0.057 acres of City-owned property (tax parcel no. 06678-010-137) generally located south of the current City limit, west of SW 17th Place, north of SW 19th Place, and east of SW 75th Street (Tower Road), as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance will annex into the corporate limits of the City of

Gainesville approximately 0.057 acres of city-owned property located south of Gainesville city limits, west of SW 17th Place, north of SW 19th Place, and east of SW 75th Street (Tower Road). On February 20, 2020, the City Commission received and accepted a petition for voluntary annexation and directed the City Attorney to prepare this annexation ordinance.

Municipal annexation in Florida is governed by the Municipal Annexation or Contraction Act (the "Act"), which is found in Chapter 171, Florida Statutes. Section 171.044, F.S., sets forth the requirements and procedure for voluntary annexation, whereby property owners may voluntarily request a municipality to include their property within the corporate limits of that municipality. Besides various procedural requirements, Section 171.044, F.S., sets forth the following substantive requirements for voluntary annexations: 1) the proposed annexation area must be "contiguous" to the municipality; 2) the proposed annexation area must be "reasonably compact"; and 3) the annexation must not create any "enclaves."

It is the opinion of city staff that the procedural and substantive requirements for voluntary annexation described in Section 171.044, F.S., have been met as follows: First, the annexation area is "contiguous" to the city limits because a substantial part of a boundary of the annexation area is coterminous with a part of the city boundary, and is touching or adjoining the city limits in a reasonably substantial sense. Second, the annexation area is "reasonably compact" because it is a reasonable concentration of property in a single area and does not create any enclaves, pockets, or finger areas in serpentine patterns. This annexation would not result in a pattern of land that is winding or turning, and would not create any small isolated unincorporated area that is left in a sea of incorporated property when viewed in relationship to the overall scope and configuration of the annexation area and surrounding municipal property. Third, this annexation would not create any "enclaves" because the annexation would not result in any unincorporated property that is either enclosed and bound on all sides by the city limits; or enclosed within and bounded by the city limits and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the city.

Therefore, and in light of the general purpose of municipal incorporation and the fact that a property owner has voluntarily requested to be annexed into the City of Gainesville, city staff recommends adoption of this voluntary annexation ordinance. The City Commission must decide, based on the map of the annexation area, the opinion and testimony of city staff, and other competent substantial evidence included in the record, whether the proposed annexation meets the essential requirements of the applicable state annexation law as described herein.

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

RECOMMENDATION

The City Commission adopt the proposed

ordinance.

Legislative History

2/20/20 City Commission Approved as Recommended

[190973 VoluntaryAnnexationPetition Tower Road Lift Station 20200220](#)

[190973 Tower Road Lift Station Voluntary Annexation Petition Signed.pdf](#)

[190973A draft ordinance 20210107.pdf](#)

FR-2 [190974.](#)

Voluntary Annexation - 4.25 Acres of City-Owned Property located South of GRU Water Reclamation Facility (B)

Ordinance No. 190974

An ordinance of the City of Gainesville, Florida, annexing approximately 4.25 acres of city-owned property generally located south of Gainesville Regional Utilities' Water Reclamation Facility, west of Lake Kanapaha, north of Kanapaha Botanical Gardens, and east of SW 63rd Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance will annex into the corporate limits of the City of Gainesville approximately 4.25 acres of city-owned property south of GRU's Water Reclamation Facility, west of Lake Kanapaha, north of Kanapaha Botanical Gardens, and east of SW 63rd Street. On February 20, 2020, the City Commission received and accepted a petition for voluntary annexation and directed the City Attorney to prepare this annexation ordinance.

Municipal annexation in Florida is governed by the Municipal Annexation or Contraction Act (the "Act"), which is found in Chapter 171, Florida Statutes. Section 171.044, F.S., sets forth the requirements and procedure for voluntary annexation, whereby property owners may voluntarily request a municipality to include their property within the corporate limits of that municipality. Besides various procedural requirements, Section 171.044, F.S., sets forth the following substantive requirements for voluntary annexations: 1) the proposed annexation area must be "contiguous" to the municipality; 2) the proposed annexation area must be "reasonably compact"; and 3) the annexation must not create any "enclaves."

It is the opinion of city staff that the procedural and substantive requirements for voluntary annexation described in Section 171.044, F.S., have been met as follows: First, the annexation area is "contiguous" to the city limits because a substantial part of a boundary of the annexation area is coterminous with a part of the city boundary, and is touching or adjoining the city limits in a reasonably substantial sense. Second, the annexation area is "reasonably compact" because it is a reasonable concentration of property in a single area and does not create any enclaves, pockets, or finger areas in serpentine patterns. This annexation would not result in a pattern of land that is winding or turning, and would not create any small isolated unincorporated area that is left in a sea of incorporated property when viewed in relationship to the overall scope and configuration of the annexation area and surrounding municipal property. Third, this annexation would not create any "enclaves" because the annexation would not result in any unincorporated property that is either enclosed and bound on all sides by the city limits; or enclosed within and bounded by the city limits and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the city.

Therefore, and in light of the general purpose of municipal incorporation and the fact that a property owner has voluntarily requested to be annexed into the City of Gainesville, city staff recommends adoption of this voluntary annexation ordinance. The City Commission must decide, based on the map of the annexation area, the opinion and testimony of city staff, and other competent substantial evidence included in the record, whether the proposed annexation meets the essential requirements of the applicable state annexation law as described herein.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/20/20 City Commission Approved as Recommended

[190974_KanapahaLakeProperty - Petition for Voluntary Annexation_20200220](#)

[190974 Kanapaha Lake Voluntary Annexation Petition Signed.pdf](#)

[190974A_draft ordinance_20210107.pdf](#)

FR-3 [190975.](#)

Voluntary Annexation - City-Owned Sweetwater Creek Right-of-Way - 7.16 Acres of Property Located on SE Williston Road (B)

Ordinance No. 190975

An ordinance of the City of Gainesville, Florida, annexing approximately 7.16

acres of city-owned property (tax parcel no. 16246-003-002) generally located south of SE Williston Road and SE 16th Avenue, west of Paynes Prairie, north of Sweetwater Wetlands Park, and east of the Gainesville city limits, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance will annex into the corporate limits of the City of Gainesville approximately 7.16 acres of city-owned property located south of SE Williston Road and SE 16th Avenue, west of Paynes Prairie, north of Sweetwater Wetlands Park, and east of the Gainesville city limits. On February 20, 2020, the City Commission received and accepted a petition for voluntary annexation and directed the City Attorney to prepare this annexation ordinance.

Municipal annexation in Florida is governed by the Municipal Annexation or Contraction Act (the "Act"), which is found in Chapter 171, Florida Statutes. Section 171.044, F.S., sets forth the requirements and procedure for voluntary annexation, whereby property owners may voluntarily request a municipality to include their property within the corporate limits of that municipality. Besides various procedural requirements, Section 171.044, F.S., sets forth the following substantive requirements for voluntary annexations: 1) the proposed annexation area must be "contiguous" to the municipality; 2) the proposed annexation area must be "reasonably compact"; and 3) the annexation must not create any "enclaves."

It is the opinion of city staff that the procedural and substantive requirements for voluntary annexation described in Section 171.044, F.S., have been met as follows: First, the annexation area is "contiguous" to the city limits because a substantial part of a boundary of the annexation area is coterminous with a part of the city boundary, and is touching or adjoining the city limits in a reasonably substantial sense. Second, the annexation area is "reasonably compact" because it is a reasonable concentration of property in a single area and does not create any enclaves, pockets, or finger areas in serpentine patterns. This annexation would not result in a pattern of land that is winding or turning, and would not create any small isolated unincorporated area that is left in a sea of incorporated property when viewed in relationship to the overall scope and configuration of the annexation area and surrounding municipal property. Third, this annexation would not create any "enclaves" because the annexation would not result in any unincorporated property that is either enclosed and bound on all sides by the city limits; or enclosed within and bounded by the city limits and a

natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the city.

Therefore, and in light of the general purpose of municipal incorporation and the fact that a property owner has voluntarily requested to be annexed into the City of Gainesville, city staff recommends adoption of this voluntary annexation ordinance. The City Commission must decide, based on the map of the annexation area, the opinion and testimony of city staff, and other competent substantial evidence included in the record, whether the proposed annexation meets the essential requirements of the applicable state annexation law as described herein.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/20/20 City Commission Approved as Recommended

[190975_VoluntaryAnnexationPetition Sweetwater Creek Right of Way_2020022](#)

[190975 Sweetwater Creek ROW Voluntary Annexation Petition Signed.pdf](#)

[190975A_draft ordinance_20210107.pdf](#)

FR-4 [190976.](#)

Voluntary Annexation - 0.071 Acres of City-Owned Property Located East of SW 41st Boulevard (B)

Ordinance No. 190976

An ordinance of the City of Gainesville, Florida, annexing approximately 0.071 acres of city-owned property (tax parcel no. 07240-034-000) generally located southwest of Interstate 75, north of Gainesville city limits, and east of SW 41st Boulevard, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance will annex into the corporate limits of the City of Gainesville approximately 0.071 acres of city-owned property located southwest of Interstate 75, north of Gainesville city limits, and east of SW 41st Boulevard. On February 20, 2020, the City Commission received

and accepted a petition for voluntary annexation and directed the City Attorney to prepare this annexation ordinance.

Municipal annexation in Florida is governed by the Municipal Annexation or Contraction Act (the "Act"), which is found in Chapter 171, Florida Statutes. Section 171.044, F.S., sets forth the requirements and procedure for voluntary annexation, whereby property owners may voluntarily request a municipality to include their property within the corporate limits of that municipality. Besides various procedural requirements, Section 171.044, F.S., sets forth the following substantive requirements for voluntary annexations: 1) the proposed annexation area must be "contiguous" to the municipality; 2) the proposed annexation area must be "reasonably compact"; and 3) the annexation must not create any "enclaves."

It is the opinion of city staff that the procedural and substantive requirements for voluntary annexation described in Section 171.044, F.S., have been met as follows: First, the annexation area is "contiguous" to the city limits because a substantial part of a boundary of the annexation area is coterminous with a part of the city boundary, and is touching or adjoining the city limits in a reasonably substantial sense. Second, the annexation area is "reasonably compact" because it is a reasonable concentration of property in a single area and does not create any enclaves, pockets, or finger areas in serpentine patterns. This annexation would not result in a pattern of land that is winding or turning, and would not create any small isolated unincorporated area that is left in a sea of incorporated property when viewed in relationship to the overall scope and configuration of the annexation area and surrounding municipal property. Third, this annexation would not create any "enclaves" because the annexation would not result in any unincorporated property that is either enclosed and bound on all sides by the city limits; or enclosed within and bounded by the city limits and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the city.

Therefore, and in light of the general purpose of municipal incorporation and the fact that a property owner has voluntarily requested to be annexed into the City of Gainesville, city staff recommends adoption of this voluntary annexation ordinance. The City Commission must decide, based on the map of the annexation area, the opinion and testimony of city staff, and other competent substantial evidence included in the record, whether the proposed annexation meets the essential requirements of the applicable state annexation law as described herein.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/20/20 City Commission Approved as Recommended

[190976_VoluntaryAnnexationPetition Fred Bear Utility_20200220](#)

[190976 Fred Bear Voluntary Annexation Petition Signed.pdf](#)

[190976A_draft ordinance_20210107.pdf](#)

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