

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**August 6, 2020**

**1:00 PM**

**Virtual Teleconference Meeting**

## **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 and transparent 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 are voted on together in one motion. These items are not discussed separately. The Commission may remove an item to discuss it during the meeting or at a later meeting.. This process saves time for the Commission to discuss items on the Regular Agenda.

**Adoption of Regular Agenda:** The Commission must approve the order of items on the Regular Agenda, which is the list of items set for discussion. The Commission can also re-order or remove 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 add a comment to the official record.

**Submit Written Public Comment:** You may write a public comment on any City Commission Meeting agenda item. Visit our website, [www.cityofgainesville.org](http://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](http://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 request public comment on specific agenda items during discussion. Speakers may have three (3) minutes and comments must stay focused on the agenda topic at hand.

**Early Public Comment:** The Commission has created Early Public Comment to allow community members to 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.

**We look forward to a productive meeting and are glad you have joined us.**

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

*"Individuals are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 minutes for general public comment once during the meeting. Speakers who wish to participate in early public comment will be limited to 3 minutes to speak on one agenda item or 5 minutes if they wish to speak on several agenda items. If speakers do not participate in early public comment, speakers will be limited to 3 minutes per agenda item. 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      [200137.](#)                      Approval of Minutes from the July 13 (2), July 15 and July 16, 2020 City Commission Meetings (B)**

**RECOMMENDATION**                      *The City Commission approve the minutes of July 13 (2), July 15 and July 16, 2020.*

[200137\\_July 13 Minutes 9AM\\_20200806.pdf](#)

[200137\\_July 13 Minutes 5PM\\_20200806.pdf](#)

[200137\\_July 15 Minutes\\_20200806.pdf](#)

[200137\\_July 16 Minutes\\_20200806.pdf](#)

**CA-2      [200128.](#)                      Town Hall Meeting - District IV (NB)**

**RECOMMENDATION**                      *The City Commission approve a Town Hall Meeting for District IV, scheduled for September 14, 2020.*

**CA-3      [200125.](#)                      Resignations of Debra Krawczykiewicz from the Gainesville Human Rights Board and Delores James from the State Housing Initiatives Partnership (B)**

**RECOMMENDATION**                      *The City Commission accepts the resignations of Debra Krawczykiewicz and Delores James, effective immediately.*

[200125\\_GHRB Resignation\\_20200806.pdf](#)

[200125\\_SHIP Resignation\\_20200806.pdf](#)

CA-4      [200140.](#)

**City Commission Workshop -Annual Training on Internal Audit Enterprise Risk Assessment and Audit Plan Processes (NB)**

**RECOMMENDATION**

*The City Commission approve a workshop for annual training on Internal Audit Enterprise Risk Assessment and Audit Plan Processes, scheduled for October 19, 2020 at 3:00 PM.*

CA-5      [200075.](#)

**Adoption of the Regional Transit System (RTS) FY20/21 Annual Progress Report of the Transit Development Plan (TDP) (B)**

This item is a request for the City Commission to adopt the RTS Ten-Year TDP Annual Progress Report for FY 20/21.

*Explanation: The Florida Department of Transportation (FDOT) requires that a transit system update and submit a Ten-Year Transit Development Plan (TDP) by September 1 of each year to maintain its eligibility for state block grant funds, with major updates of the plan occurring every five (5) years. FDOT further requires transit agencies to submit an annual progress report of the TDP. The governing board of a transit system must adopt the Annual Progress Report to maintain eligibility for FDOT transit block grant funding. The City Commission acts as the governing board for public transit in the Gainesville urban area. A copy of RTS' Annual Progress Report for FY2020-2021 is included in the back-up.*

*Fiscal Note: During FY19/20, RTS received \$2,139,730 in FDOT transit block grant funds.*

**RECOMMENDATION**

*The City Commission adopt the Annual Progress Report of the Regional Transit System (RTS) Transit Development Plan (TDP) for FY 20/21.*

[200075A\\_DRAFT TDP 2020 Annual Progress Report\\_20200806](#)

CA-6      [200092.](#)

**Agreement with the District Board of Trustees of Santa Fe College (SF) and the City of Gainesville Regional Transit System (RTS) (B)**

This item is a request for the City Commission to authorize the City Manager to execute a new Agreement with the District Board of Trustees of Santa Fe College (SF) and the City of Gainesville Regional Transit System (RTS) to provide unlimited access to public transit to Santa Fe students.

*Explanation:* There is currently an Agreement between the District Board of Trustees of Santa Fe College (SF) and the City of Gainesville Regional Transit System (RTS) to provide unlimited access to public transit to SF students. This Agreement expires on August 15, 2020. The SF Transportation Fee Committee and RTS meet on an annual basis to evaluate the current service and determine the need to modify or add services. RTS staff has negotiated an hourly rate of \$68.36 per hour to cover operating costs for FY21. Subsequent years will be subject a mutually agreed upon increase not to exceed 3% annually utilizing the Southeast region consumer price index of the previous year as a guide.

Current service includes enhancements of City routes 10, 23 and 43. SF also provides funding for routes 39, 76 and 800. The total hours of service are approximately 9,613 hours per year.

SF will pay additional funds for pre-paid access for SF students in the amount of \$152,000 annually and Automated Vehicle Location services in the amount of \$7,200 annually.

*Fiscal Note:* The total anticipated revenue from Santa Fe College will be approximately \$816,342.

**RECOMMENDATION**

The City Commission authorize the City Manager or his designee to execute an Agreement and related documents between the District Board of Trustees of Santa Fe College (SF) and the City of Gainesville Regional Transit System (RTS) for the period of August 16, 2020, through August 15, 2023, subject to approval by the City Attorney as to form and legality.

[200092 Draft SFC Agreement 20200806](#)

CA-7      [200120.](#)

**Sidewalk, Trails and Minor Roadway Construction at SW 37th Blvd South of Archer Road (B)**

This item is a request for the City Commission to authorize the use of Transportation Mobility Program Area (TMPA) funds for improvements to the segment of SW 37th Blvd south of Archer Road.

*Explanation:* Drummond Community Bank is currently under construction on the east side of SW 37th Blvd, just south of the intersection with SW Archer Road. As part of the requirements for this development, a left turn lane will be added at the driveway entrance into the development. This will require a partial reconstruction and restriping of SW 37th Blvd at that location. The City has identified other needed improvements along this same section of roadway, including an additional left turn lane, extension

of the existing left turn lane at the Archer Road intersection, and continuation of the existing sidewalk to Archer Road. It is also apparent that portions of this roadway are subsiding and will need to be completely reconstructed - the extent of this reconstruction has not been fully identified, but cost estimates assume the worst-case scenario. Combining all of these needed improvements into a single roadway project would have the least overall impacts on public use of the road due to construction, and represents a more efficient approach in terms of construction costs. Since the developer's contractor is already working at the location, this is an opportunity to have them construct the entire roadway project and thereby save costs through consolidation (e.g. mobilization, maintenance of traffic). The Department of Transportation & Mobility will utilize TMPA fees that have been collected from developments within the same TMPA Zone C to account for a defined portion of the overall construction costs. In addition, TMPA credit (to be applied to future development) will be issued for any remaining difference in the roadway construction costs. Per the City of Gainesville Comprehensive Plan, roadway reconstruction is one of the intended purposes for TMPA monies. Included as backup is a contract between City and Developer to facilitate construction of the roadway, the approved roadway plans, and a detailed construction cost estimate.

*Fiscal Note:* The maximum total cost for this project is \$504,007. The developer (Drummond Community Bank) is obligated to spend \$145,000 on the roadway construction, and City will utilize funds in the amount of \$160,000 from existing TMPA accounts. For construction costs that exceed the combined amount of \$305,000, then TMPA credit of no more than \$200,000 would be issued to the developer to be applied toward future developments within this same TMPA Zone C.

**RECOMMENDATION**

The City Commission: 1) authorize the use of TMPA funds for construction of the roadway; 2) authorize the issuance of TMPA credit for future development; and 3) authorize the City Manager to execute all necessary documents, subject to approval by the City Attorney as to form and legality.

[200120A Agree Roadway Improv 20200806](#)

CA-8      [200139.](#)

**Government Alliance on Race and Equity (G.A.R.E) Contract Service Agreement (B)**

*Explanation:* The Office of Equity & Inclusion, headed by Mrs. Teneeshia L. Marshall, will present an updated service agreement between the RaceForward and the Office of Equity & Inclusion. This item is back on the agenda to present typographical corrections (including clarification of exhibits) to the Commission for approval.

*Fiscal Note:* None

RECOMMENDATION

*The City Commission review contract agreement between Race Forward and The Office of Equity & Inclusion, and approve the agreement for services.*

[200139\\_G.A.R.E. contract service agreement\\_20200806.pdf](#)

CA-9      [200090.](#)

**Award Recommendation for RFQ #CRAX-200029-GD: New Home Builders for Heartwood Neighborhood (B)**

*Explanation: The Heartwood neighborhood development has gained momentum in the last month. The permit for the Model home was issued on June 8, 2020 and construction has begun. In late April, the Purchasing Division of the Budget and Finance Department advertised on DemandStar a Request for Qualifications (RFQ) to create a pool of small, local, and diverse home builders to participate in the bidding and construction of the remaining 33 homes at Heartwood. There were three responses to the RFQ, Elevated Design and Construction, The Flanagan Companies Inc., & Cianci Construction (in the order they are ranked). All three companies are qualified to build in the Heartwood neighborhood and the ranking will need to be presented to the City Commission for final approval before GCRA can move forward with engaging with the home builders on next steps.*

*At the June GCRA Advisory Board meeting, the Heartwood Home Builders RFQ results were presented and discussed with the Board. The recommendation was approved with an additional recommendation requesting Staff provide different options to help reduce HOA fees for the 11 affordable homes. The GCRA will work on this internally with a goal of returning to the GCRAAB and City Commission with potential solutions regarding the HOA dues for the 11 affordable homes.*

*Once the home builders are approved by the City Commission, the GCRA Team will begin working with the realty team, construction manager, and home builders on finalizing the marketing and outreach for the homebuyer intake and sales process for the remaining 33 home sites at Heartwood.*

*Fiscal Note: Home Builders will be compensated by home buyers. Home construction costs will be cost-neutral for the City, with the exception of the Model Home.*

RECOMMENDATION

*The City Commission: Approve award for Bid #CRAX-200029-GD "New Home Builders for Heartwood Neighborhood."*

Legislative History

7/16/20      City Commission      Continued

[200090A #CRAX-200029-RFQ-New Home Builders for Heartwood Neighborho](#)  
[200090B RFQ Advertisement Memorandum 20200716 20200806.pdf](#)  
[200090C RFQ Award Recommendation and Ranking 20200716 20200806.pdf](#)  
[200090D Cianci Construction Redacted Submission 20200806.PDF](#)  
[200090E Elevated Design Submittal 20200806.PDF](#)  
[200090F Flanagan Submittal 20200806.PDF](#)

**CA-10**      [200107.](#)                      **Body Worn Cameras (B)**

*Explanation: The Gainesville Police Department utilizes 107 Body Worn Cameras (BWC). These cameras are not the current generation and require the user to physically activate. To continue GPD's direction of transparency, the Gainesville Police Department needs to outfit every sworn officer and every Police Service Technician (PST) with a Body Worn Camera. These Body Worn Cameras are activated through several different operations and once one is activated all Body Worn Camera on the scene are activated, eliminating the possibility of a failure of capture video evidence. The Gainesville Police Department will turn in the current cameras and get a credit when this purchase is made. This is a five (5) year contract and includes all of the equipment needed to charge the Body Worn Camera, wear the Body Worn Camera, as well as upload the video for 318 body worn cameras. The majority of the cost is for evidence storage and the ability to tag evidence as well as prepare video for public release.*

**RECOMMENDATION**

*This is a request for the City Commission to 1) authorize the City Manager to accept and execute the agreement for the purchase of the Body Worn Cameras and any 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 MOSS Form and Quote.*

[200107C Gainesville \(FL\) AXON contract \(GPD Edits\) 20200716](#)  
[200107B Axon TAP Program Card 20200716](#)  
[200107e Moss form for AXON BWC Purchase Upgrade 20200806](#)  
[200107a AXON Quote 2 20200806](#)  
[200107d AXON summary plan 20200806](#)

**CA-11**      [200149.](#)                      **City of Gainesville Fiscal Year 2019 Comprehensive Annual Financial Report, Audited Financial Statements, Auditors' Reports, Auditors' Management Letters and Single Audit Reports (B)**



*Explanation:* In accordance with the City's contracts for external auditing services with Purvis Gray & Company, LLP, the following reports will be presented for review by the Audit and Finance Committee:

1. *The Basic Financial Statements, Supplemental Information and Independent Auditors' Report and Management Letters of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2019.*

*In the opinion of the independent auditors, the financial statements present fairly in all material respects, the financial position and changes in financial position of the City for the year ended September 30, 2019, in accordance with accounting principles generally accepted in the United States of America.*

*As part of the audit process the independent auditors issue "management letter comments" along with several other reports related to internal control structure; compliance with certain provisions of laws, regulations, contracts and grants, and internal control structure and certain requirements applicable to federal and state financial assistance programs.*

*In accordance with Section 8(b) of Resolution 150127, City Auditor Responsibilities and Administrative Procedures, the City Auditor has reviewed the attached statements and reports to ensure that contractual terms have been fulfilled and transmits these reports with a recommendation for City Commission acceptance.*

**RECOMMENDATION**

*The Audit and Finance Committee reviewed and recommends that the City Commission accept the subject financial report, financial statements, auditors' reports and management letters; and management's written response.*

**Legislative History**

7/30/20      Audit and Finance      Approved as Recommended  
   Committee

[200149B\\_FY2019CAFR.20200730\\_20200806.pdf](#)

[200149C\\_07209CAFR19 Final SAS City of Gainesville\\_20200806.pdf](#)

## ADOPTION OF REGULAR AGENDA

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

**BD-1      [200146.](#)                      Supplementary Rules of the City Commission (B)**

*Explanation:* During the "Direction to Charter Officers" portion of the Regular City Commission Meeting on July 16, the City Commission expressed an interest in discussing amendments to its Supplementary Rules of

*Procedure governing virtual public meetings during the declared State of Emergency for the COVID-19 Pandemic.*

*Both the Rules of the City Commission (Resolution No. 180943) and the Supplementary Rules (Resolution No. 191188) are attached as back-up to this agenda item*

**RECOMMENDATION**      *City Commission review the Rules and the Supplementary Rules and discuss any desired revisions.*

[200146A Resolution No 180943 20200806.pdf](#)

[200146B Resolution No 191188 20200806.pdf](#)

[200146 draft resolution 20200820.pdf](#)

[200146 Resolution 20200820.pdf](#)

**BD-2      [200144.](#)      Discussion of City Commission Subcommittees (B)**

*Explanation: General discussion of subcommittees (Digital Access, Climate Advisory, etc.), including member assignments, timelines and benchmarks, etc.*

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

[200144 AHS Zero Waste Subcommittee goals and timeline 20201015.pdf](#)

**BD-3      [200152.](#)      Commissioner Harvey Ward - Sweetwater Park (NB)**

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

**BD-4      [191181.](#)      Request to Approve a Strategic Plan for the City of Gainesville (B)**

This is a request for the City Commission to approve the Strategic Plan that has been developed for the City of Gainesville.

*Explanation: The City retained a strategic planning consultant to assist in the development of a comprehensive strategic plan for the City. To develop the plan, the consultant met with the leadership teams for General Government and GRU, as well as each of the Charter Officers and individual City Commissioners, in order to gain a greater understanding of the organization's culture and needs in developing its strategic plan.*

*After the preliminary meetings were conducted, the Consultant held a variety of planning workshops with the City Commission in June of 2020 as well as with the Charter Officers and staff.*

*As a result of the meetings and workshops, the Consultant has developed a strategic plan that includes the Gainesville Vision 2035: a Vision and Mission Statement with defined, value-based principles that describe the preferred future in 15 years for the City of Gainesville, a Strategic Plan 2020 - 2025: A plan to realize the vision, to enhance the mission and to achieve the goals with an analysis of major challenges, and an Action Agenda for 2020-2021 which includes major policy and management actions needed to achieve our stated goals..*

*Based on the feedback received from the City Commission, Charter Officers and Leadership Teams, the following Top and High Priorities have been identified for the Commission's 2020-2021 policy agenda:*

*Top Policy Priorities:*

*City Racial Equity Policy and Plan*

*Affordable Housing Strategy*

*Community Policing/Use of Force Report and Zone Implementation*

*Downtown Master Plan and Development Standards/Guidelines*

*Comprehensive City Public Health Policy and Strategy/Action Plan*

*High Policy Priorities:*

*Food Desert Elimination Action Plan*

*Exclusionary Zoning Policy: Report and Direction*

*Vision Zero Action Strategy*

*Homeless City Action Plan*

*Community Engagement Program Enhancements*

*Gainesville East Incentivized Development Plan*

*City Environmental Goal - 100% Renewable Energy Policy*

*Community Broadband: Policy Direction*

*Further details about the strategic plan and management priorities can be found in the backup documentation.*

*Fiscal Note: No fiscal impact at this time.*

**RECOMMENDATION**

*The City Commission approve the Strategic Plan.*

**Legislative History**

5/7/20 City Commission Approved as Recommended  
 6/2/20 City Commission Discussed  
 6/3/20 City Commission Discussed

[191181A Gainesville 200505 Action Agenda 2020-2021 Combined.pdf](#)

[191181B Gainesville 200505 Strategic Plan 2020-2025-2035 Combined.pdf](#)

[191181\\_PerformGNV Presentation\\_20201112.pdf](#)

**BD-5**      [200179.](#)

**Commissioner Reina Saco - Discussion of Proposed Resolution  
Hurricane Moratorium (B)**

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

[200179\\_Proposed Resolution Hurricane Moratorium\\_20200806.pdf](#)

[200179\\_draft resolution\\_20200820.pdf](#)

[200179\\_Resolution\\_20200820.pdf](#)

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

**RE    RESOLUTIONS - ROLL CALL REQUIRED (RE)**

**RE-1**      [200160.](#)

**Interlocal Agreement Establishing the Joint Water and Climate Policy  
Board and Resolution Establishing the Creation of a Citizen Climate  
Advisory Committee (B)**

*Explanation: The Joint Water Policy Committee, which consists of two County Commissioners, two City of Gainesville Commissioners, and one elected official from the remaining municipalities within Alachua County, began meeting in April 2015. The purpose of the committee was to discuss water issues within the region. Over the course of time, the committee has become more aware of the inter-related issues between water and climate change and agreed that the committee's scope should be expanded to include the broader issue of climate change. At the time the committee was formed, no formal written agreement was put in place to define the structure of the committee. When the committee voted to broaden their scope to include climate change, staff took the opportunity to draft an interlocal agreement which will formalize the role and processes of this board. The agreement will officially add climate change related issues to the scope of the board and change the board's name to reflect that addition.*

*In their June 22, 2020 meeting, the committee recommended the creation of a Citizen Climate Advisory Committee. The recommendation was made in response to the County Commission's November 5, 2019 direction for county staff to develop a "Local Climate Mitigation and*

*Adaptation Action Plan" by the end of 2020, and the City Commission's December 5, 2019 adoption of Resolution No. 190709 directing the City Manager and General Manager for Utilities to report back on the establishment of a Climate Emergency Mobilization Task Force. The Joint Water Policy Committee felt it would be prudent to consolidate these efforts with the creation of one citizen advisory committee. The County Commission adopted a resolution for creation of the citizen committee on July 14, 2020. If the City Commission adopts resolution number 200160, the Citizen Climate Advisory Committee will be created and the scope of their roles and duties established. The committee will be appointed by and report to the Joint Water and Climate Policy Board.*

*Fiscal Note: None.*

**RECOMMENDATION**      1) *Approve the Interlocal Agreement and authorize the Mayor to execute same*  
2) *Adopt the Resolution*

[200160 ILA Joint Water and Climate Policy Board 20200806](#)

[200160 Climate Advisory Committee Resolution 20200806](#)

[200160 Resolution 20200806.pdf](#)

[200160 ILA Joint Water Climate Policy Board Revised 20201203](#)

RE-2      [200148.](#)

**Third Quarter Amendment through June 30, 2020 to the FY 2020 General Government Financial and Operating Plan Budget (B)**

A Resolution of the City Commission of the City of Gainesville, Florida; relating to its general government budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020; amending Resolution No. 190397, as amended by resolution No. 190880 and Resolution No. 191115, by making certain adjustments to the General Government Financial and Operating Plan Budget; and providing an immediate effective date.

*Explanation: The purpose of this amendment is to accurately reflect and incorporate into the City's FY 2020 General Government budget those transactions and activities that were not anticipated during the budget process.*

*Fiscal Note: All of the recommended changes are funded either by increases in revenue budgets, decreases in expenditure budgets, or decreases in appropriate fund balances.*

**RECOMMENDATION**      *City Commission adopt the proposed resolution.*

**Legislative History**

7/30/20	Audit and Finance Committee	Approved as Recommended
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[200148A\\_FY2020\\_3rd\\_QTR\\_Amendatory\\_and\\_Summary\\_20200730\\_20200806.p](#)

[200148B\\_3rd\\_Budget\\_Amendment\\_Resolution\\_20200730\\_20200806.pdf](#)

[200148\\_Resolution\\_20200813.pdf](#)

## PUBLIC HEARINGS (PH)

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

#### SR-1 [190222.](#) Ordinance Regulating Businesses That Provide Shopping Carts (B)

Ordinance No. 190222

An ordinance of the City of Gainesville, Florida, amending Chapter 14.5 of the City Code of Ordinances to create Article VIII titled Shopping Carts, to regulate businesses within the City of Gainesville, Florida that provide shopping carts to customers; establishing shopping cart retention system requirements; establishing enforcement procedures; amending Section 2-339 to establish a civil citation penalty; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: On August 1, 2019, the City Commission referred this item to the General Policy Committee for further discussion. On December 12, 2019, the General Policy Committee directed that the City Manager's office work with the City Attorney to draft an ordinance including immobilization, deposits, and that stores could require customers to leave their shopping carts inside the store. The Department of Sustainable Development, in conjunction with the City Attorney, drafted an ordinance for the City Commission's consideration.*

*The draft ordinance regulates businesses which offer more than 10 shopping carts to customers. The ordinance requires businesses to implement and maintain a city approved shopping cart retention system. The ordinance lists 5 types of shopping cart retention systems that businesses may implement. The 5 enumerated shopping cart retention systems include: 1) vehicle dispatch to retrieve shopping carts with an associated telephone number on the shopping cart, 2) shopping cart with a protruding arm to prevent removal from the building, 3) a refundable deposit to use the shopping cart, 4) wheel locking mechanism on the shopping cart which activates when the shopping cart crosses an electronic barrier, and 5) GPS technology on the shopping cart that is used in conjunction with a locking mechanism and/or a retrieval operation protocol. The ordinance also requires businesses to affix business identification information and a warning on the carts. Failure to implement and maintain a city approved shopping cart retention system will subject a business to a civil citation and fine in the amount of \$250. If approved,*

*the Department of Sustainable Development will identify and notify affected businesses; coordinate the review and approval of shopping cart retention system plans; and enforce the ordinance.*

*Fiscal Note: There will be additional administrative costs associated with reviewing, approving, and enforcing shopping cart retention plans.*

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

**Legislative History**

8/1/19	City Commission	Referred to the General Policy Committee
8/22/19	General Policy Committee	Approved, as shown above
12/12/19	General Policy Committee	Approved, as shown above
6/18/20	City Commission	Approved, as shown above
7/16/20	City Commission	Adopted on First Reading (Ordinance)

[190222A\\_CM Memo 19002 Abandoned Shopping Carts 20191212](#)

[190222B\\_FS 506 - Shopping Carts 20191212](#)

[190222C\\_Preliminary Research & Analysis 20191212](#)

[190222D\\_Abandoned Shopping Cart Memo 10.16.19 20191212](#)

[190222E\\_Hallandale Beach 20191212](#)

[190222F\\_Hillsborough County 20191212](#)

[190222G\\_Wilton Manors 20191212](#)

[190222H\\_Orange County 20191212](#)

[190222I\\_Pictures of Shopping Carts 20191212](#)

[190222\\_Abandoned Shopping Carts Memo 20191212.pdf](#)

[190222\\_draft ordinance 20200618.pdf](#)

[190222\\_draft ordinance 20200716.pdf](#)

[190222\\_Ordinance 20200806.pdf](#)

SR-2            [170941.](#)

**Quasi-Judicial - Historic Property Tax Exemption - 1121 NW 6th Street (B)**

Ordinance No. 170941

An ordinance of the City of Gainesville, Florida, finding that property located at 1121 NW 6th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2021, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic

Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. In order to approve a property for such exemption, the Historic Preservation Board (HPB) and the City Commission must determine that a particular property is eligible for the property tax exemption (i.e., historical designation or contributing property) and that it has been improved consistent with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.*

*The process for a property owner to receive a historic preservation property tax exemption entails two steps. First, the property owner submitted Part 1 (Preconstruction Application) of the Historic Preservation Property Tax Exemption Application for the restoration, renovation, or rehabilitation of a contributing building listed on the Local and National Register of Historic Places. Part 1 was approved by the HPB on March 3, 2020, with a finding that the property was eligible for the exemption and that the improvements met the required standards.*

*Second, the applicant completed the improvements and submitted Part 2 of the property tax exemption application (Final Application for Review of Completed Work). Staff inspected the completed work and found the work meets the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as well as the City's Guidelines for Rehabilitating Historic Buildings. On March 3 2020, the HPB approved Part 2 with a finding that the eligible property has been improved consistent with the required standards; the HPB recommended the City Commission approve same. The renovations eligible for the tax exemption are estimated at \$90,800.00. However, pursuant to City Code and State Statute, the actual amount of the exemption will be determined by the County Property Appraiser.*

*The Bailey House is located at 1121 NW 6th Street and is a contributing building listed on the Local and National Register of Historic Places.*

*This ordinance requires two hearings and will become effective immediately upon adoption; however, the ad valorem tax exemption will be effective as of January 1, 2021, in accordance with Section 196.1997(10), Florida Statutes, and Gainesville Code Section 25-65(g).*

**RECOMMENDATION**

*The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

**Legislative History**

7/16/20	City Commission	Adopted on First Reading (Ordinance) and Approved the Recommendation
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[170941\\_Staff Report w Exhibits 1-5\\_20180403.pdf](#)

[170941\\_Staff Report w Exhibits 1-5\\_20200303](#)

[170941A\\_draft ordinance\\_20200716.pdf](#)

[170941\\_Ordinance\\_20200806.pdf](#)

[170941\\_Tax Exempt Covenant\\_20200806.pdf](#)

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

**NECESSARY DIRECTION TO CHARTER OFFICERS**

**ADJOURNMENT - 6:30 PM**