

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

June 7, 2018

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)

Commissioner Helen Warren (At Large)

Commissioner Gail Johnson (At Large)

Commissioner Gigi Simmons (District 1)

Commissioner Harvey Ward (District 2)

Commissioner David Arreola (District 3)

Mayor-Commissioner Pro Tem 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.

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

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

ROLL CALL**INVOCATION****PROPHET GEORGE YOUNG****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**[180031.](#)**City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of May 8, May 15, May 17(2), 2018.

[180031A_MinutesMay8_20180607.pdf](#)

[180031C_MinutesMay15_20180607.pdf](#)

[180031D_MinutesMay17_20180607.pdf](#)

[180031E_CityCommissionMinutesMay17_20180607.pdf](#)

[180033.](#)**Special Meeting - Equal Opportunity Director Interviews (NB)****RECOMMENDATION**

The City Commission approve a special City Commission meeting for Equal Opportunity Director interviews.

[171072.](#)**Settlement of Workers' Compensation Claim - Jennifer Reedy (NB)**

This item involves the full and final settlement of Mrs. Reedy's

workers' compensation claim, which includes all future medical and indemnity payments. The total settlement amount is \$50,000.00 and represents a significant cost advantage to the City.

Explanation: While employed by GPD, Mrs. Reedy received injuries to her back and right knee which led to ongoing medical treatment and surgery. As a result of her injuries, the present potential exposure to the City in future medical treatment, indemnity payments are significant given her life expectancy.

The City Attorney's Office, the Risk Management Department, GPD, Special Counsel and our Workers' Compensation servicing agent all concur as to the full and final settlement of this claim. The total amount of \$50,00.00 includes future medical costs and future indemnity payments.

Fiscal Note: The settlement of this case in the amount of \$50,000.00 will be paid out of the General Insurance Fund.

RECOMMENDATION

"The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of Mrs. Reedy's Workers' Compensation claim in the amount of \$50,000.00.

[171086.](#)

Award Contract for Auction Services of Surplus Goods to Weeks Auction Company, LLC. (B)

Staff recommends establishing a contract with Weeks Auction Company for auction services of surplus goods to dispose of surplus property as needed.

Explanation: Yearly there are approximately 250 surplus vehicles and equipment stored at the Fleet Garage located at 6317 NW 16th St. These surplus items consist of construction and yard equipment, vehicles and miscellaneous items. The City has reduced storage costs and increased revenues by using an auctioneer service monthly, bi-monthly or quarterly to dispose of surplus property items. All surplus property items are transported to the auctioneer's site in Ocala or other City approved locations. This process has increased the cash flow as well as reducing storage and personnel costs.

On March 16, 2018, the General Government Purchasing Division solicited Invitation to Bid (ITB) for auction services of surplus goods. Purchasing received two responses and staff recommends awarding a contract to Weeks Auction Company, LLC the lowest, responsive and responsible bidder.

The contract covers a three (3) year period and provides for two (2) additional one-year extensions. The vendor is required to conduct

monthly, bi-monthly or quarterly auctions at their site or other City approved locations.

Fiscal Note: The City expects to generate revenues in excess of \$250,000 annually as a result of monthly, bi-monthly or quarterly auctions. At the \$250,000 level, the cost to the City would be \$12,500 based on the 5% bid rate.

RECOMMENDATION

The City Commission: 1) award the contract for auction services of surplus goods to Weeks Auction Company, LLC. at the commission rate of 5% of gross auction proceeds; and 2) authorize the City Manager or his designee to negotiate and execute a three-year contract with two one-year extensions, subject to the approval of the City Attorney as to form and legality.

[171086A ITB Auction Services of Surplus Goods 20180607.pdf](#)

[171086B ITB Auction Services-ADD#1-Final 20180607.pdf](#)

[171086C ITB Auction Services-ADD#2 20180607.pdf](#)

[171086D ITB Auction Services-ADD#3 20180607.pdf](#)

[171086E GovDeals Submittal 20180607.pdf](#)

[171086F Atkinson Realty and Auction, Inc- Vendor Submission 20180607.pdf](#)

[171086G Weeks Auction Company, LLC - Vendor Submission 20180607.pdf](#)

[171086H Bid Tabulation 20180607.pdf](#)

[171088.](#)

Grant Application to the Federal Transit Administration's Low or No Emission Vehicle Grant Program (NB)

This is a request for City Commission approval for the Regional Transit System (RTS) to submit a grant application to the Federal Transit Administration's Low or No Emission Vehicle Grant Program.

Explanation: On April 23, 2018, the Federal Transit Administration (FTA) announced the availability of approximately \$84.45 million for the purchase or lease of low or no emission vehicles as well as related equipment or facilities. The Low or No Emission Competitive program provides funding to state and local governmental authorities for the purchase or lease of zero-emission and low-emission transit buses as well as acquisition, construction, and leasing of required supporting facilities. The main purpose of the Low-No Program is to support the transition of the nation's transit fleet to the lowest polluting and most energy efficient transit vehicles. The grant program encourages applicants to partner with key electric/low-emission vehicle industries as well as project consultants.

RTS provides key services for the community, providing over 10 million safe, reliable, and convenient passenger trips per year. To continue to do this, RTS is in critical need of new buses. The average fleet age is

approximately 10 years old with nearly 40% of buses past their useful life. Newer buses improve comfort, increase schedule reliability, and reduce greenhouse gas emissions. With the largest transit mode share and the highest service productivity in the state, and as a successful recipient of an FY17 Low or No Emission Vehicle Program grant award, RTS is positioned to implement this project quickly and effectively, if funded.

Eligible recipients may submit an application in partnership with other entities that intend to participate in the implementation of the project, including but not limited to specific vehicle manufacturers, equipment vendors, owners or operators of related facilities, or project consultants. For its FY18 application, RTS is partnering with Gillig (electric bus manufacturer), and the Center for Transportation and the Environment, a nonprofit, 501(c)(3) organization that develops technologies and implements solutions to achieve energy and environmental sustainability. Applicants must submit proposals electronically no later than June 18, 2018.

Fiscal Note: RTS would like to apply to the FTA for approximately \$3 million in funding through the Low or No Emission Vehicle Grant Program. The grant requires a 20% match which can be met with Florida Department of Transportation (FDOT) toll development credits; RTS is currently eligible to utilize toll credits for this grant application.

RECOMMENDATION

The City Commission authorize the City Manager or designee to: 1) submit an application to the Federal Transit Administration's Low or No Emission Vehicle Grant Program, and 2) if the grant is awarded, execute the grant award agreement and all related documents, subject to approval by the City Attorney as to form and legality.

[180005.](#)

Extension of Service Agreement for Groundskeeping and Maintenance of Ironwood Golf Course (B)

This is a request for the City Commission to authorize the City Manager to sign a four-year extension to the Agreement for Groundskeeping Services at Ironwood Golf Course.

Explanation: After a Centralized Bid Solicitation in 2013, the City of Gainesville contracted with OneSource Landscape & Golf Services, an ABM Company (now known as "ABM Industry Groups, LCC") to provide full landscaping and maintenance services at Ironwood Golf Course. The Agreement term was for four years with the option of up to two additional four-year extensions.

In 2017, the Agreement was amended slightly to address duties associated with the course's renovation that were not included in the

original Request for Proposal. These duties addressed additional drainage and materials to complete the fairway renovations.

The City has been satisfied with ABM's quality of work and Ironwood would like to extend the contract for an additional four-year term.

Fiscal Note: Ironwood Golf Course's landscaping and grounds maintenance costs over the next four years will total \$2,186,088. The funds will come out of the Ironwood budget for the remaining part of FY18 and all of FY19. Starting in FY20, when Ironwood's budget is incorporated into the General Fund, the remaining balance of the contract will come from the General Fund.

RECOMMENDATION

The City Commission: 1) approve the four-year extension of Ironwood Golf Course's agreement with ABM Industry Groups, LLC for landscaping and grounds maintenance; and 2) authorize the City Manager to approve the First Amendment to the existing agreement, subject to approval by the City Attorney as to form and legality.

[180005A Signed Agreement ABM Ironwood Grounds 20180607.pdf](#)

[180005B Draft First Amendment ABM Ironwood 20180607.pdf](#)

[180042.](#)

Request to Schedule a Joint City Commission/Utility Advisory Board Meeting (NB)

Explanation: In the preparation of GRU's FY2019 budget, staff is seeking guidance from both the Utility Advisory Board and the City Commission on rate options. Due to a tight timeline for completion of GRU's proposed budget, staff is requesting permission to schedule a joint special meeting of the City Commission and Utility Advisory Board for discussion, consensus and guidance on various rate options.

Fiscal Note: None.

RECOMMENDATION

The City Commission grant permission for staff to work with the Clerk of the Commission to schedule a joint special meeting of the City Commission and the Utility Advisory Board in June 2018.

ADOPTION OF REGULAR AGENDA

GENERAL CITIZEN COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total

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

[170667.](#)

Equal Opportunity Director Charter Officer Finalist Selection Process (B)

MODIFICATION - REMOVE BACK-UP

Explanation: Torey Alston, Equal Opportunity Director, resigned from his employment with the City of Gainesville effective February 6, 2018. Dr. Bridget Lee was selected to serve in an interim capacity at the January 18, 2018 City Commission meeting while the search for the regular full-time Equal Opportunity Director is being conducted.

On January 4, 2018, the City Commission authorized the Human Resources Department to engage the services of an Executive Search Firm to initiate the search. The Mercer Group, Inc. was selected.

Prior to today's meeting, the Mercer Group presented each Commissioner with the resumes of the top recommended semi-finalist candidates for consideration.

Today, the Mercer Group is requesting the City Commission select between 3 to 5 finalists who will be invited to interview with the Commission, in person, for the full-time Equal Opportunity Director role.

The in person interviews will take place over two days; the schedule will include a panel-style interview with the full City Commission, a community reception which citizens and Commissioners are invited to, and finally, one-on-one interviews with each Commissioner.

Dates for the in person process will be confirmed and announced in advance through the City's public information office.

Fiscal Note: Funds of \$15,750 for the executive search firm service are available within the current fiscal year operating budget. Equal Opportunity Director salary is approved in the FY'18 budget.

RECOMMENDATION

The City Commission discuss semi-finalist candidates and select between 3 to 5 finalists to be invited to interview with the Commission, in person, for the full-time Equal Opportunity Director role.

Legislative History

1/4/18	City Commission	Approved as Recommended
1/18/18	City Commission	Approved, as shown above
3/1/18	City Commission	Discussed

[170667C_Equal Opportunity Director Job Description_20180301.pdf](#)
[170667E_The Mercer Group Search Firm Contract for HR signature_20180301.](#)
[NEW_170667A_EO Director Recruitment Suggested Timeline Adusted_201806](#)
[NEW_170667B_Semi-finalists for Equal Opportunity Director_20180607.pdf](#)
[NEW_170667C_Summary BOOKER_20180607.pdf](#)
[NEW_170667D_Summary JORDAN_20180607.pdf](#)
[NEW_170667E_Summary LEE_20180607.pdf](#)
[NEW_170667F_Summary NEWSOM_20180607.pdf](#)
[NEW_170667G_Summary STEWART_20180607.pdf](#)

170717.**Charter Review Commission (B)**

Explanation: At the January 4, 2018 City Commission Meeting, the City Commission referred this issue to the General Policy Committee. The General Policy Committee discussed this issue at its meetings on March 8, 2018 and April 12, 2018 and directed the City Attorney to draft an ordinance based on the Charter Review Commission process set forth in the Alachua County Charter, with some modifications, such as staffing and analysis by the City Charter Officers and review and veto by the City Commission.

A timeline for the process set forth in the draft ordinance is as follows:

- * March 12, 2019 City Election: referendum on whether to amend charter to create a city charter review commission (CCRC)
- * May 3-November 3, 2019: City Commission appoints members of CCRC
- * Within 30 days of appointment: CCRC holds first meeting
- * By May 3, 2020: CCRC proposes charter amendment(s), if any, to the City Commission
- * May-June 2020: City Commission reviews and vetoes proposed amendment(s) or adopts resolution forwarding amendment(s) to Supervisor of Elections
- * By July 3, 2020: Clerk of Commission forwards adopted resolution to the Supervisor of Elections
- * November 3, 2020 General Election: proposed charter amendment(s) are voted on by the City electorate

Fiscal Note: As set forth in the draft ordinance, the City Commission will budget funds for the work of the CCRC. The City Charter Officers will provide staff, as necessary for the work of the CCRC.

RECOMMENDATION City Commission discuss the draft ordinance.

Legislative History

1/4/18	City Commission	Referred to the General Policy Committee
3/8/18	General Policy Committee	Approved, as shown above

4/12/18 General Policy Approved, as shown above
 Committee

[170717A Gainesville City Charter 20180308.pdf](#)

[170717B Charter Review Committee Report 2005 20180308.pdf](#)

[170717A-draft ordinance or discussion 20180607.pdf](#)

[180019.](#)

2018 State Legislative Update - End of Session Report (B)

This is a request for the City Commission to hear a presentation from Peebles, Smith & Matthews, Inc., regarding the 2018 state legislative session.

Explanation: The City of Gainesville's state lobbying firm, Peebles, Smith & Matthews, Inc., will provide an update and end of session report regarding key pieces of legislation that were considered and passed during the state of Florida's 2018 legislative session. This presentation will cover topics such as the state budget and appropriations, areas of interest for municipalities, and the local bill relating to Gainesville's Community Redevelopment Agency (CRA).

Fiscal Note: None

RECOMMENDATION *The City Commission hear a presentation regarding the 2018 state legislative session.*

[180019A State Agenda FY18 20180607.pdf](#)

[180019B PSM 2018 Legislative Summary 20180607.pdf](#)

[170788.](#)

Community Redevelopment Agency Follow Up & Next Steps (NB)

MODIFICATION - ADD ITEM

RECOMMENDATION *The City Commission to follow up from Joint City/County Commission meeting held on May 31, 2018 and take action deemed appropriate.*

Legislative History

2/1/18	City Commission	Approved, as shown above
2/8/18	City Commission	Approved, as shown above
2/12/18	City Commission	Approved, as shown above
3/12/18	City Commission	Approved, as shown above
4/30/18	City Commission	Approved, as shown above
5/17/18	City Commission	Approved, as shown above
5/31/18	City Commission	Approved, as shown above

[170788 County Motion 20180212.pdf](#)

[170788 CRA Discussion Points for Joint City County Meeting 20180312.pdf](#)

[170788 draft interlocal agreement 20180430.pdf](#)

[170788 Co. Comm Byerly Document 20180430.pdf](#)

[170788 draft interlocal agreement 20180517.pdf](#)

[180067.](#)

Gainesville Fire Rescue Post-FSAA Mutual Aid Agreement Update (B)

This item provides an update on a Mutual Aid Agreement for fire services between Alachua County and the City of Gainesville.

MODIFICATION - ADD ITEM AND NEW BACK-UP

Explanation: At midnight on May 31st, 2018, the Fire Services Assistance Agreement between Alachua County and City of Gainesville for Fire Services of October 10th, 2006 expired and jurisdictional dispatching for fire and emergency medical services (EMS) began. At the joint City-County Commission meeting May 31st, 2018 the City Commission directed staff to provide an update on the development of a mutual aid agreement at the June 7th, 2018 City Commission meeting.

Fiscal Note: There is no fiscal note at this time.

RECOMMENDATION

The City Commission: 1) receive the presentation; and 2) provide direction to City Manager regarding future updates.

[180067 Post-FSAA Update 20180607](#)

COMMITTEE DISCUSSION ITEMS - Items placed on the agenda by the Audit & Finance Committee or General Policy Committee or moved from Consent

OTHER POLICY DISCUSSION ITEMS - If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs

INFORMATIONAL PRESENTATIONS - Items that do not request or require any Commission action. If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs.

4:30 - 5:30pm Dinner Break

5:30 - Call to order Evening Session

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[180057.](#)

Commemoration of Beverly Hill (NB)

RECOMMENDATION

The City Commission posthumously recognize former Mayor-Commissioner and Supervisor of Elections Beverly Hill.

[180065.](#)

World Blood Donor Day (B)

RECOMMENDATION

Nancy Eckert, CEO of LifeSouth Community Blood Centers, Inc., will accept the proclamation.

[180065_World Blood Donor Day Reading proc_20180607.pdf](#)

GENERAL CITIZEN COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[171039.](#)

Vacation of Public Right-of-Way - Alley Between SE 1st Avenue and East University (B)

Ordinance No. 171039

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close an unimproved public right-of-way between lots 3 and 4 of the G.B. Crawford Addition Subdivision and located between SE 1st Avenue and East University Avenue, as more specifically described in this ordinance; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance vacates an 8-foot wide alley that lays between lots 3 and 4 of the G.B. Crawford Addition Subdivision, between East University Avenue and SE 1st Avenue. The distance the alley runs between the avenues is approximately 205 feet, and the right-of-way to be vacated is approximately 0.04 acres in total. Each of the property owner(s) with property abutting this subject public right-of-way have signed the

application requesting this vacation.

Vacation of this right-of-way will facilitate the redevelopment of the adjoining properties on either side of the alley. The right-of-way is primarily paved and was part of the parking and vehicular use area of the former ABC alcoholic beverage store that is adjacent to the right-of-way on the east side. The two ends of the alley right-of-way are unimproved. The driveway for the former ABC store provided through access from East University Avenue to SE 1st Avenue, thus rendering the right-of-way unnecessary for providing access for the general public. The right-of-way did provide additional vehicle space for the patrons of the privately owned abutting business.

Pursuant to Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan and Section 30-3.41 of the Land Development Code, public street right-of-ways may only be vacated by the City Commission upon its finding that the following criteria have been met:

- 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest.*
- 2. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use.*
- 3. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops.*
- 4. The loss of the street is necessary for the construction of a high-density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses.*
- 5. There is no reasonably foreseeable need for any type of transportation corridor for the area.*

Staff recommends approval of this vacation of public right-of-way based on the criteria. The City Plan Board, on April 26, 2018, held a public hearing and voted to recommend that the City Commission approve this public right-of-way vacation.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[171039 Staff report w Exhibits 1-3 20180426.pdf](#)

[171039B Staff report w Exhibits 1-3 20180607.pdf](#)

[171039C_PB-18-35 SVA CPB minutes draft 20180607.pdf](#)

[171039D Staff PPT 20180607.pdf](#)

[171039A_draft ordinance 20180607.pdf](#)

[160566.](#)**Vacation of Public Right-of-Way - Portion of SE 3rd Terrace Near the Intersection of SE 4th Street and Williston Road (B)**

Ordinance No. 160566

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close an unimproved public right-of-way that includes a portion of SE 3rd Terrace lying between blocks 19 and 20 of the Norwood Heights Subdivision and located south of SE 14th Lane, west of SE 4th Street, north of SE Williston Road, and east of SE 2nd Terrace, as more specifically described in this ordinance; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance vacates an unimproved public right-of-way that is an approximately 30'x230' portion of SE 3rd Terrace located near the intersection of SE 4th Street and SE Williston Road. The subject platted portion of SE 3rd Terrace lies between blocks 19 and 20 of the Norwood Heights Subdivision recorded in 1925. The property adjacent to both sides of the subject public right-of-way is owned by the same person, and the owner's authorization has been included with the application. Vacation of this public right-of-way will facilitate the planned improvements to SE 4th Street to the east.

Pursuant to Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan and Section 30-3.41 of the Land Development Code, public street right-of-ways may only be vacated by the City Commission upon its finding that the following criteria have been met:

- 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest.*
- 2. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use.*
- 3. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops.*
- 4. The loss of the street is necessary for the construction of a high-density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses.*
- 5. There is no reasonably foreseeable need for any type of transportation corridor for the area.*

Staff recommends approval of this vacation of public right-of-way based on the criteria. The City Plan Board, on January 26, 2017, held a public hearing and voted to recommend that the City Commission approve this public right-of-way vacation.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[160566_Staff report and Exhibits A&B_20170123](#)

[160566B_Staff report and Exhibits A&B_20180607.pdf](#)

[160566C_CPB minutes_20180607.pdf](#)

[160566D_Staff PPT_20180607.pdf](#)

[160566A_draft ordinance_20180607.pdf](#)

[180024.](#)

Ordinance Setting 2019 Election Dates, Early Voting Dates and Qualifying Dates (B)

Ordinance No. 180024

An ordinance of the City of Gainesville, Florida, setting March 12, 2019 as the date for the 2019 regular City election and April 23, 2019 as the date for the 2019 run-off election, if necessary; setting the early voting dates for the 2019 regular city election and 2019 run-off election, if necessary; setting the dates for qualifying for the 2019 regular election; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: Section 9-2 of the City Code of Ordinances requires that the Clerk of the Commission recommend a date for the regular election to the City Commission, who then sets the date by adopting an ordinance no later than July 1 of each year. For 2019, the Clerk recommends via this ordinance that the regular election date be set as Tuesday, March 12, 2019.

Section 9-2 of the City Code of Ordinances requires that a runoff election (if necessary) be held on the sixth Tuesday following the regular election, so this ordinance identifies that date as Tuesday, April 23, 2019.

Section 9-10 of the City Code of Ordinances states the period to qualify as a candidate for the City Commission shall be between the 50th and 46th day prior to the date of the regular election, so this ordinance identifies those dates as between noon on Monday, January 21, 2019 to noon on Friday, January 25, 2019.

Section 9.6-5 of the City Code of Ordinances states that early voting dates shall be set forth in the election ordinance adopted annually by the City Commission, so this ordinance sets the early voting dates of Saturday, March 2, 2019 to and including Saturday, March 9, 2019 for the regular election and early voting dates of Saturday, April 13, 2019 to and including Saturday, April 20, 2019 for the run-off election, if necessary.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

[180024_draft elections ordinance_20180607.pdf](#)

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[170829.](#)

Quasi-Judicial - Rezoning 0.38 Acres at 3520 NE Waldo Road (B)

Ordinance No. 170829; Petition No. PB-17-07 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.38 acres of property generally located at 3520 NE Waldo Road, as more specifically described in this ordinance, from General Business (BUS) to Business Industrial (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance, which was requested by the owner(s) of the subject property, will amend the Zoning Map Atlas of the City of Gainesville by rezoning approximately 0.38 acres of property located at 3520 NE Waldo Road from General Business (BUS) to Business Industrial (BI). The site is located on the southwest corner of the intersection of two major State Road arterials: NE 39th Avenue (SR 222) and NE Waldo Road (SR 24). The property owner(s) of the subject property stated that the surrounding property owners are contemplating combining their properties to create a better development opportunity. The site is diagonally across from the BI-zoned area at the northeast quadrant of this intersection that is the current site of the Alachua County Agricultural Extension Office which, along with the Fairgrounds site to its east and undeveloped City of Gainesville/airport property to its north, has substantial redevelopment and economic development potential.

The City Plan Board held a public hearing on February 22, 2018, where it voted to recommend approval of this rezoning.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearing and shall become effective immediately upon adoption.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

5/17/18	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance)
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[170829_Staff Report w Appendices A-C_20180222.pdf](#)

[170829A_draft ordinance_20180517.pdf](#)

[170829B_Staff Report w Appendices A-C_20180517.pdf](#)

[170829C_CPB 180222 minutes.pdf](#)

[170829D_Staff PPT_20180517.pdf](#)

[170996.](#)

Request to Extend Deadline By Which Land Owner/Developer Shall Obtain Planned Development (PD) Zoning That Implements the Plum Creek Planned Use District (PUD) As Provided in Comprehensive Plan (B)

Ordinance No. 170996

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 070447 (as was subsequently amended by Ordinance Nos. 100189, 110700, and 150540) to extend the deadline for the property owner/developer to have a Planned Development (PD) zoning ordinance adopted that implements the adopted Plum Creek Planned Use District (PUD) land use overlay; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

This ordinance will extend the deadline for the property owner/developer to have a Planned Development (PD) zoning ordinance adopted that implements the Planned Use District (PUD) land use portion of an approximately 1778-acre development called "Plum Creek" in the City's Comprehensive Plan, which is generally located north of US 441 and along the east and west sides of SR 121 (NW 22nd Street). This is the owner/developer's fourth requested extension of that deadline.

On January 26, 2009, the City Commission adopted Ordinance No. 070447 and assigned the following four land use categories to the 1778-acre Plum Creek: 1) Conservation; 2) Single-Family; 3) Residential Low-Density; and 4) Planned Use District (PUD) overlay with an underlying land use category of Agriculture. Ordinance No. 070447 specified that Planned Development (PD) zoning must implement the Plum Creek areas with a land use designation of Single-Family, Residential Low-Density, and PUD (all of Plum Creek except those areas with a Conservation land use designation). Although Ordinance No. 070447 stated that the rezoning to PD for the portions designated Single-Family and Residential Low-Density could occur incrementally over time upon request of the owner/developer, the ordinance gave a time limit to the owner/developer of 18 months to have a PD rezoning ordinance adopted for the PUD portion of Plum Creek. If this time limit was not met, the consequence was that the PUD land use overlay would be automatically removed and thereby leave that portion of Plum Creek

with a land use category of Agriculture.

On October 21, 2010, the City Commission adopted Ordinance No. 100189 and extended the subject PD rezoning deadline until July 26, 2012. On May 3, 2012, the City Commission adopted Ordinance No. 110700 and extended the deadline until July 26, 2016. On March 3, 2016, the City Commission adopted Ordinance No. 150540 and extended the deadline until July 26, 2018.

On June 15, 2017, the owner/developer submitted an application to have a PD rezoning ordinance adopted for the PUD portion of Plum Creek, and on October 26, 2017, the City Plan Board held a hearing on the application. The owner/developer now is asking for a fourth extension of the deadline to adopt a PD rezoning ordinance, to July 26, 2019.

Fiscal Note: None.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

5/17/18 City Commission Adopted on First Reading (Ordinance)

[170996A_draft ordinance_20180517.pdf](#)

[170966B_Staff PPT_20180517.pdf](#)

[170483](#)

Land Use Change - Southwest Corner of SW 52nd Street and SW 20th Avenue (B)

Ordinance No. 170483; Petition PB-17-92 LUC

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 18.5 acres of property generally located at the southwest corner of SW 52nd Street and SW 20th Avenue, as more specifically described in this ordinance, from Planned Use District (PUD) and Residential Medium-Density (RM) to Mixed-Use Low-Intensity (MUL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

Update since first reading: On March 15, 2018, the City Commission approved this ordinance on first reading. City staff then transmitted this

ordinance to the state reviewing agencies in accordance with the statutory expedited review process for comprehensive plan amendments. During the 30-day comment period, the City received letters from the Florida Department of Economic Opportunity, Florida Department of Environmental Protection, North Central Florida Regional Planning Council, St. Johns River Water Management District, and Florida Department of Transportation. The comments received did not identify any adverse impacts to important state resources and facilities within the scope of review of the respective state agencies, and therefore did not necessitate any changes to the ordinance.

This ordinance will amend the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 18.5 acres of undeveloped property in east Gainesville from Planned Use District (PUD) and Residential Medium-Density (RM) to Mixed-Use Low-Intensity (MUL). The proposed MUL land use will encourage development of this undeveloped property located in an urbanized area, will allow a mix of residential and non-residential uses, and is compatible with the surrounding area. The northern 4.8 acres (along SW 20th Avenue) of this property received PUD land use in 2010, and Planned Development District (PD) zoning in 2012. The existing PUD/PD allows:

- * Uses consistent with the MUL land use category.
- * MAX of 10 residential units (MAX 2 bedrooms/unit).
- * MAX of 45,000 sq. ft. of non-residential use (20,000 sq. ft. retail/commercial, and 20,000 sq. ft. of office).
- * 5,000 sq. ft. for a stand-alone bank with drive-through lane, and various other requirements.

This property was undeveloped at the time of the PUD/PD approvals and remains so today, despite "diligently pursuing potential tenants for half a decade," as stated in the applicant's report. The proposed land use amendment includes the adjacent 13.7-acre, undeveloped property to the south, which has Residential Medium-Density land use (and RMF-6 zoning). The substantially expanded area in combination with the proposed MUL land use will increase the potential amount of both residential and non-residential use relative to the current PUD and RM land use designations, and will provide additional development flexibility. This land use change is consistent with the Comprehensive Plan and is supportive of the City's objectives of discouraging urban sprawl, encouraging infill development, and promoting transportation choice.

The City Plan Board held a public hearing on October 26, 2017, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

CITY ATTORNEY MEMORANDUM

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal

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

Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

RECOMMENDATION

The City Commission: 1) receive letters from the Florida Department of Economic Opportunity, Florida Department of Environmental Protection, North Central Florida Regional Planning Council, St. Johns River Water Management District, and Florida Department of Transportation; and 2) adopt the proposed ordinance.

Legislative History

3/15/18 City Commission Approved (Petition) and Adopted on First Reading (Ordinance)

[170483 Staff report w Appendices A-C 20171026.pdf](#)

[170483A draft ordinance 20180315.pdf](#)

[170483B Staff report w Appendices A-C 20180315.pdf](#)

[170483C Staff PPT 20180315.pdf](#)

[170483B State Review Letters 20180607.pdf](#)

[170484.](#)

Quasi-Judicial - Rezoning Southwest Corner of SW 52nd Street and SW 20th Avenue (B)

Ordinance No. 170484; Petition PB-17-93 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 18.5 acres of property generally located at the southwest corner of SW 52nd Street and SW 20th Avenue, as more specifically described in this ordinance, from Planned Development District (PD) and Residential Multi-Family (RMF-6) to Mixed-Use Low-Intensity (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance will amend the Zoning Map Atlas of the City of Gainesville by rezoning approximately 18.5 acres of undeveloped property in east Gainesville from Planned Development District (PD) and Residential Multi-Family (RMF-6) to Mixed-Use Low-Intensity (MU-1). The proposed MU-1 zoning will encourage development of this undeveloped property in an urbanized area, will allow a mix of residential and non-residential uses, and is compatible with the surrounding area. The northern 4.8 acres (along SW 20th Avenue) of this property received PD zoning in 2012, which currently allows:

** Uses consistent with the MU-1 district.*

** MAX of 45,000 sq. ft. of non-residential use (20,000 sq. ft. for retail/commercial; 20,000 sq. ft. of office; and 5,000 sq. ft. for a stand-alone bank with drive-through lane), and various other requirements.*

This property was undeveloped at the time of the PD approval and remains so today, despite "diligently pursuing potential tenants for half a decade," as stated in the applicant's report. The proposed rezoning to MU-1 includes the adjacent approximately 13.7-acre undeveloped property to the south, which has RMF-6 zoning. The substantially expanded area in combination with the proposed MU-1 zoning will increase the potential amount of both residential and non-residential use relative to the current PD and RMF-6 zoning, and will provide flexibility that is lacking under the current zoning. The proposed rezoning is consistent with the Comprehensive Plan and is supportive of the City's objectives of discouraging urban sprawl, encouraging infill development, and promoting transportation choice.

The City Plan Board held a public hearing on October 26, 2017, where it voted to recommend approval of this rezoning.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearing and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 170483 becomes effective as provided therein.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

3/15/18 City Commission Approved (Petition) and Adopted on First Reading
(Ordinance)

[170484_Staff report w Appendices A-C_20171026.pdf](#)

[170484A_draft ordinance_20180315.pdf](#)

[170484B_Staff report w Appendices A-C_20180315.pdf](#)

[170484C_Staff PPT_20180315.pdf](#)

PLANNING PETITIONS

**CITIZEN COMMENT - For items not on the agenda, limited to 3 minutes per citizen
and not to exceed 30 minutes total**

COMMISSION COMMENT

**10:00pm or earlier - Adjourn - If later than 10:00pm, the Commission may waive the
rules to extend the meeting or may schedule a date/time to continue the meeting**