

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final-Revised

December 5, 2019

1:00 PM

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)
Mayor-Commissioner Pro Tem Harvey Ward (District 2)
Commissioner David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equal Opportunity at (352)334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8773. For STS French Creole relay, please call 1-877-955-8707.

CALL TO ORDER - 1:02 PM**AGENDA STATEMENT**

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

ROLL CALL**INVOCATION****PROPHET GEORGE YOUNG****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**[190680.](#)**Approval of Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of November 18, and November 21, 2019.

[190680 November 18, 2019 Minutes 20191005.pdf](#)

[190680\(A\) November 21, 2019 Minutes 20191205.pdf](#)

[190660.](#)**Adoption of Rules of Procedure for the GCRA Advisory Board (B)**

Explanation: Section 2-408 of the Code of Ordinances states that the GCRA Advisory Board may adopt rules of procedure subject to approval by the City Commission, to govern the conduct of its meetings. At the first meeting of the GCRA Advisory Board on October 8, 2019, the Board unanimously approved to adopt the bylaws as amended.

Fiscal Note: None

RECOMMENDATION

Approve Adoption of Rules of Procedure for the Gainesville Community Reinvestment Area Advisory Board.

[190660_GCRA Advisory Board Bylaws_20191205.pdf](#)

[190673.](#)

Authorization for Pavement Preservation Treatments (B)

This item is a request for the City Commission to approve the guaranteed maximum price (GMP) of \$1,400,233.00 for the FY20 Pavement Preservation Treatment Project. Contracted per Agreement for Construction Management for Minor Projects with AKEA Inc. dated March 23, 2018.

Explanation: The Pavement Management Program includes a plan to utilize Pavement Preservation Treatments under contract work in addition to in-house work each year. Staff worked with a Pavement Management Consultant, Transmap Company, to develop a Three-Year Pavement Management Plan for the funding projected to be available over a three year period. We are in Year Two (2) of our Three-Year plan. The Strategy utilized in the development of the plan is to use a 40/60 split between the traditional and preservation maintenance strategies to meet the optimal Pavement Condition Index (PCI). Due to the specialized nature of the preservation maintenance techniques, this work is best accomplished through contract work. Therefore, we are proposing to utilize the assistance of our Construction Management contracts to accomplish this work. In addition, to the pavement preservation treatments, the contractor will ensure that ADA compliance is met as applicable and any damaged curb/gutter components are repaired as needed. The management firm provided a guaranteed maximum price of \$1,400,233.00 for the second year. The management firm will also provide advance notification to residents and businesses of the scheduled work and contact information for questions. AKEA Inc. is a qualified Service Disabled Veteran firm.

Fiscal Note: Funding in the amount of \$1,400,233 is available through the annual allocation for Pavement Management Program in the Capital Improvement Plan.

RECOMMENDATION

The City Commission: 1) approve the GMP; 2) Authorize the City Manager to execute the appropriate construction documents to AKEA Inc, subject to City Attorney's approval to form and Legality and 3) Authorize the City Manager to execute any and all related documents.

[190673A_GMP Pavement Project AKEA_20191205.pdf](#)

[190673B_AKEA Master CM Agreement 2018-74_20191205-K.pdf](#)

[190668.](#)

Audit of the General Government Enterprise Resource Planning System Implementation - Interim Report II (B)

Explanation: In accordance with our Annual Audit Plan, the City Auditor's Office has completed the Interim II report of the implementation process of the planned IT system to date. We conducted this audit in accordance with Government Auditing Standards issued by the Comptroller General of the United States and the Information Audit and Systems Audit and Control Association's Information Systems Audit and Assurance Standards. Our report and the City Manager's response are attached for your review.

RECOMMENDATION

The Interim City Auditor recommends that the Audit and Finance Committee accept the Interim City Auditor's report and the City Manager's response.

Legislative History

11/22/19 Audit and Finance Approved as Recommended
 Committee

[190668. Audit of the General Government Enterprise Resource Planning System](#)

[190683.](#)

Addison Chantz Thomas v. City of Gainesville d/b/a Gainesville Regional Utilities; Case No. 2018-CA-361; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)

Explanation: On October 7, 2015, at approximately 8:19 p.m., a City-owned sports utility vehicle driven by a City employee collided with a pickup truck carrying Mr. Thomas as a front-seat passenger. The accident occurred at the intersection of NW 115th Terrace and NW 39th Avenue. Prior to the accident, the City employee (since retired) was heading home after using the gym located at the GRU Eastside Operations Center. The City vehicle was assigned to the employee as a take-home vehicle. The employee, who had supervisory authority over the GRU electric substations, was heading west on NW 39th Avenue and decided to check whether the gate at the Springhill substation on NW 115th Terrace was properly secured. After visually checking the gate, the employee made a u-turn and proceeded back toward NW 39th Avenue. Upon reaching the intersection with NW 39th Avenue, the employee failed to stop at the stop sign, and collided with the pickup truck that was travelling west on NW 39th Avenue. The pickup truck rolled over and ejected two passengers, including Mr. Thomas.

Emergency vehicles reported to the scene of the accident, and Mr. Thomas was transported to the emergency room with life-threatening injuries. He suffered significant injuries, underwent multiple surgeries, and was hospitalized for 24 days. Many of the injuries are permanent or ongoing in nature. His medical bills related to this accident exceeded \$300,000. At trial, his claimed damages would include the medical bills, plus future medical treatment, lost wages, and for damages related to pain and suffering, mental anguish, inconvenience, and loss of capacity for the enjoyment of life.

The City Attorney's Office, the Risk Management Department, and Gainesville Regional Utilities conducted a thorough evaluation and investigation of this lawsuit. Consideration was also given to the fact that the City enjoys the protection of Sovereign Immunity and Florida operates under a pure comparative negligence standard. Any percentage of fault attributed to the City by way of actions or inactions of the driver would be applied to the damages to determine a verdict in this matter. 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. Prior to court-ordered mediation, a settlement agreement was achieved. Representatives for the City agreed to recommend a settlement in the amount of \$100,000, 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, the Risk Management Department, and Gainesville Regional Utilities that the case be settled for that amount.

Fiscal Impact: Funds are available in the City's General Insurance Fund.

RECOMMENDATION

The City Commission: 1) approve the terms of the negotiated settlement agreement; and 2) authorize the City Attorney to settle the claims of Addison Chantz Thomas, arising from an accident that occurred on or about October 7, 2015.

[190693.](#)

Continuation of the Medicare Supplement Program as Awarded to McGriff Williams Insurance Agency and Florida Blue (B)

This item request the City Commission to award the City's Medicare Supplement Options to McGriff Williams and to designate them as agent of record.

Explanation: The City of Gainesville provides access to its Group Health Plan to all eligible retirees. In an effort to meet the changing demographic and demands of our retirees, the City of Gainesville initiated an Invitation to Bid (ITB) for Medicare Supplement plans C, F and G. By allowing access to a supplement directly from the City, our Medicare eligible retirees will be able to leverage the City's retiree health insurance subsidy towards the cost of a Medicare Supplement as opposed to only being able to use it to offset the cost of the City Group Health Plan. For those retirees eligible for Medicare (age 65 and older) the City's group health plan is secondary to Medicare A and B.

The City's plan has been used as a supplement to Medicare parts A and B, in addition, the plan provides prescription drug coverage as a

substitute for Medicare Part D. The City's plan provides excellent prescription drug coverage but is not as effective as a supplement to Medicare Parts A and B, due to its calendar year deductible and hospital copays. The City provides a subsidy for our Group Health Plan and it is the subsidy that makes our plan a cost effective alternative to a true Medicare Supplement. Medicare Supplements are designed specifically to cover the gaps in Medicare and are a much more efficient method in many cases to fill the gaps in Medicare for our retirees. Specifically, individuals with low prescription costs will have access to a better method to cover those gaps. Enrolling in the supplement will necessitate the retiree enroll in a Medicare part D drug plan. The use of the supplement will be a voluntary option and not a requirement of Medicare eligible retirees and their spouses. In all cases where a retiree elects the Medicare Supplement, the retiree will see a lower cost for coverage. For many, the City's subsidy will cover the entire premium associated with a supplement, thus eliminating the retiree's premium for their supplement.

In response to the ITB, the City received four responses. The lowest bid was received from McGriff-Williams Insurance Agency.

McGriff-Williams is a locally owned and operated insurance firm and will act as the agent of record for providing Medicare Supplements underwritten by Florida Blue to our eligible retirees who elect a supplement.

Medicare Supplements cover gaps in Medicare Part A (Hospitalization) and Part B (Physician and other services) and can be purchased by individuals who qualify for Medicare. What is unique about this program, is that it allows Medicare eligible City Retirees the ability to leverage the City's health insurance subsidy to purchase an individual Medicare Supplement Policy and have the policy "group billed" to the City of Gainesville where the City can apply its subsidy as part of the payment of those policies. Prior to this program, the retiree could only utilize the subsidy towards the City's Group Health Plan. City does not offer a "cash or coverage" option to retirees. When offered cash or coverage options, it changes the taxability of the subsidy for all retirees, including those who are using the subsidy to lower their premium cost associated with the City's Health Plan. The Medicare Supplement Program reduces premium costs for all retirees who participate in the voluntary option.

Medicare Supplement Plans premiums are rated and filed with the State of Florida. The rates are age banded, so the older an individual purchases the supplement, the higher the rate. Once an individual purchases that policy, they remain in the original age band for as long as they stay with the insurer who issued the original policy. For example, if an individual first purchases the policy at age 65, that individual will pay the monthly premium associated with the 65 year age band, which is very advantageous for the retiree, but makes changing to a different carrier costly. If the City were to switch another carrier, every covered retiree would see both the annual premium adjustment increase plus the increase with moving to a new age band premium.

The City has committed to this program and will continue to provide it to our retirees as it saves the retiree and the City money over the Medicare years. The program started as an experiment to see if there was interest in an alternative to the City's Plan once a retiree became Medicare eligible and it has become very successful. The original enrollment in 2015 was just over 120 Medicare eligible retirees and their spouses to 461 in 2019. In addition, the number of retirees who switch to the supplement program at age 65 is about 8 out of 10. Those not making the switch typically cite a spouse not being Medicare eligible or they have a high cost prescription drug not covered by Medicare Part D.

Fiscal Note: The funds necessary to pay the premiums are included and appropriated in the Retiree Health and Accident Benefits Fund. The estimated costs range from \$1,300,000 to 1,500,000 per year depending on final enrollment. In most cases, the City's net cost of providing the retiree health benefit will be lower and in all cases the costs to the retiree will be lower.

[190693_Medicare Supplement Program Presentation 2020_20191205.pdf](#)

[190628.](#)

Appointments to City Commission Advisory Boards and Committees (B)

RECOMMENDATION

The City Commission appoint:

John Murdoch to the Fire Safety Board of Adjustment for a term to expire 11/1/2022.

David Gold to the Public Recreation and Parks Board for a term to expire 6/1/2020.

[190628_FSBA Ballot & Application_20191205.pdf](#)

[190628_PRPB Ballot & Applications_20191205.pdf](#)

[190604.](#)

GRU Operational Update for the Month of October 2019 (B)

Explanation: Staff has prepared a report of statistical data from GRU's operations in the month of October 2019.

Fiscal Note: None.

RECOMMENDATION

Receive report.

[190604_Ops Update October 2019 All Depts_20191205](#)

[120569.](#)

Third Amendment to Interlocal Agreement Between the City of Gainesville, the Alachua County Sheriff, and Alachua County for a

Combined Communications Center (B)

This item requests the City Commission's authorization to enter into a Third Amended Interlocal Agreement with the Alachua County Sheriff and Alachua County for a Combined Communications Center.

Explanation: The City of Gainesville, the Alachua County Sheriff, and Alachua County entered into an Interlocal Agreement for a Combined Communications Center (CCC) on May 12, 2009. After approval by the City Commission, the parties executed the First Amendment to the Interlocal Agreement on August 23, 2011, which modified the provisions that provided for small users to participate in the CCC and to incorporate a funding mechanism for a capital replacement schedule. A Second Amendment to the Interlocal Agreement was approved by City Commission on December 6, 2012.

The parties now wish to enter into a third amendment to the original agreement, modifying the provision relating to a "small user" to allow municipalities that do not meet the definition of a small user to make a request of the Executive Board of their desire to receive services from the center. Prior to entering into an Interlocal Agreement with a municipality that does not meet the definition of a small user, the Sheriff will evaluate and report to the Administrative Board the fiscal and service level impact to the CCC partners. The amendment also authorizes the Sheriff to enter into Interlocal Agreements with the University of Florida and Santa Fe College for call-taking and dispatch services for their police departments.

Fiscal Note: The amendment will change the frequency of billing and the methodology of truing-up costs at the end of the fiscal year. There is no monetary increase in the City's obligation due to the adoption of the amendment.

RECOMMENDATION

The City Commission authorize the Mayor to execute a Third Amendment to the Interlocal Agreement between the City of Gainesville, the Alachua County Sheriff, and Alachua County for a Combined Communications Center.

Legislative History

12/6/12 City Commission Approved as Recommended

[120569 Third Amendment to Interlocal Agreement CCC 20191205](#)

ADOPTION OF REGULAR AGENDA

GENERAL PUBLIC 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.

[190629.](#)

Appointments to the Bicycle Pedestrian Advisory Board, City Beautification Board, Gainesville Human Rights Board and the Historic Preservation Board (B)

RECOMMENDATION

The City Commission discuss appointments to the Bicycle Pedestrian Advisory Board, City Beautification Board, Gainesville Human Rights Board and the Historic Preservation Board and take appropriate action.

[190629_BPAB Ballot & Applications_20191205.pdf](#)

[190629_CBB Ballot & Applications_20191205.pdf](#)

[190629_HPBBallot & Applications_20191205.pdf](#)

[190629_GHRB Ballot & Applications_20191205.pdf](#)

[190077.](#)

City Auditor Executive Search (B)

AGENDA UPDATE - NEW BACK-UP

Explanation: Carlos Holt, City Auditor, was terminated effective June 6, 2019. Eileen Marzak was named Interim City Auditor effective June 7, 2019. Qian Yuan was named Interim City Auditor effective June 24, 2019. Len Loria was named Interim City Auditor effective October 3, 2019.

In order to hire a City Auditor, the City Commission authorized the Human Resources Department to engage the services of an Executive Search Firm to initiate a search to fill the vacant position. Baker Tilly Virchow Krause, LLP was selected to conduct the search and to present qualified candidates to the Commission for consideration.

Prior to today's meeting, Baker Tilly Virchow Krause, LLP presented each Commissioner with a full candidate report, including resumes and other supporting documentation, of the top recommended semi-finalist candidates for consideration. The Commission reviewed those resumes and will select which candidates are to be approved for in-person interviews with the Commission. Candidate interviews will be conducted by the City Commission on December 17th and 18th. A final selection will be made on December 18th. Candidates' cover letters and resumes are included in the backup.

Fiscal Note: The anticipated fiscal impact for the City Auditor executive search is \$32,500. This amount includes \$26,500 in search fees and \$6,000 allocated for candidate travel, meals, and other expenses. This will be funded through unallocated General Fund balance.

RECOMMENDATION

The City Commission: 1) select candidate(s) to move forward in the City Auditor Interview process;

and 2) authorize Baker Tilly Virchow Krause, LLP to invite the selected candidate(s) to participate in the process.

Legislative History

7/18/19	City Commission	Continued
8/1/19	City Commission	Approved as Recommended
10/3/19	City Commission	Approved, as shown above

[190077A_City Auditor Job Description_20190620.pdf](#)

[190077B_City Auditor Selection Timeline_20191003.pdf](#)

[190077C_Baker Tilly Pricing Proposal_20191205.pdf](#)

[190077D_Contract Executive Search City Auditor_20191205.pdf](#)

[190077E_All Candidates Report for Gainesville FL - City Auditor_20191205.pdf](#)

[190077F_City Auditor Interview Schedule_20191218.pdf](#)

[190664.](#)

GRU's FY21 Budget Calendar (B)

AGENDA UPDATE - CHANGED TEXT FILE & NEW BACK-UP

Explanation: Staff requests that the City Commission approve the schedule below for workshops to discuss GRU's proposed budget for Fiscal Year 2021. All workshops will be held in GRU's multi-purpose room. The special meeting will be held in the City Hall Auditorium.

January 21, 2020, 3:00-5:00 p.m. - Budget process & philosophy (Joint with the UAB)

February 25, 2020, 4:00-6:00 p.m. - Budget process & philosophy

April 21, 2020, 3:00-5:00 p.m. - O&M and Capital, Sales, Customer & Revenue Forecast and Debt Service, Cash and Liquidity

May 13, 2020, 5:00-7:00 p.m. - Budget Open Topics

May 26, 2020, 4:00-6:00 p.m. - Fuels and first review of rates

June 24, 2020, 3:00-5:00 p.m. - Special meeting to approve the GRU budget prior to the readings of the Budget Ordinance in September.

Fiscal Note: None.

RECOMMENDATION

The City Commission:

- 1) Approve the list of workshops for discussion of GRU's proposed FY21 budget*
- 2) Approve the requested special meeting with the City Commission for approval of GRU's budget in June 2020.*

[190664_GRU_Draft_2021_Budget_Calendar_20191205.](#)

[190688.](#)

Open Letter to the Alachua County School Board (B)

Explanation: At the City Commission meeting on November 21, 2019, the Commission recommended adding this item to its next regular agenda for discussion.

RECOMMENDATION*Discuss*

[190688_Open Letter to the Alachua County School Board_20191205.pdf](#)

[190661.](#)

Micromobility Process Discussion (B)

This item involves a request to the City Commission to review the draft ordinance on the regulation of micromobility devices in Gainesville and provide input and direction to staff.

AGENDA UPDATE - NEW BACK-UP

Explanation: Micromobility devices are emerging transportation options that provide City residents and visitors with alternative shared transportation options. Micromobility devices are described as any motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips. This term includes motorized scooters and motorized bicycles, as defined by the Florida Statutes.

Staff has conducted extensive research on the advantages and disadvantages of Micromobility, including looking at the challenges other local governments and peer cities have encountered related to Micromobility services. Staff believes it is in the best interest of the City to regulate Micromobility services in order to promote user safety, ensure the public right-of-way is used in a safe manner and prevent obstruction of the right-of-way.

City staff has coordinated with the University of Florida to seek input and address concerns; as well as presented information and received public feedback at the Mobility Workshop held April 24, 2019. Staff requests that the City Commission review the draft ordinance included in the back-up and provide input and direction.

Fiscal Note: This is a discussion item only with no fiscal impacts at this time.

RECOMMENDATION

The City Commission review the draft ordinance on the regulation of Micromobility devices in Gainesville and provide direction to staff.

[190661A_Draft Ordinance Micromobility_20191205](#)

[190661B_Mobility MOB105 Dockless Mobility MOU UF Signed_20191205](#)

[Text File](#)

TIME CERTAIN - 2:00 PM

[190710.](#)**The Office of Equal Opportunity will Host a Presentation Given by Griffin & Strong on Racial and Gender Disparity (B)**

Explanation: The Senior Director of Griffin & Strong Consulting Group, Ms. Michele Clark Jenkins, will conduct a presentation on race and gender disparity. Some of the studies that were performed were centered around Minority owned businesses, Women owned businesses, Disabled businesses, Local businesses and Veteran owned businesses.

Fiscal Note: None at this time. This is an informative presentation only.

RECOMMENDATION

The City Commission receive information regarding disparity and the impact to the City.

[190710 Racial and Gender Disparity 20191205.pdf](#)

COMMISSION COMMENT**RECESS - 4:53 PM****RECONVENE - 5:31 PM****PLEDGE OF ALLEGIANCE****PROCLAMATIONS/SPECIAL RECOGNITIONS**[190681.](#)**Sunshine State Book Festival Days- January 24-26, 2020 (B)****RECOMMENDATION**

Sunshine State Book Festival Writers Alliance of Gainesville Marketing and PR Coordinator Roz Miller and Director of the Book Festival Mallory O'Connor to accept the proclamation.

[190681 SunshineStateBookFestivalDays 20191205.pdf](#)

[190682.](#)**Bob Gasche Day - December 17, 2019 (B)****RECOMMENDATION**

Milton Lewis Young Marine Commander Carey Hill to accept the proclamation.

[190682 BobGascheDay 20191205.pdf](#)

[190713.](#)**Declaring Climate Emergency (B)**

AGENDA UPDATE - CHANGED TEXT FILE

RECOMMENDATION *Soc. Environmental Ambassadors Professor
Stephen Mulkey to accept the proclamation.*

[190713_DeclaringClimateEmergency_20191205.pdf](#)

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

RESOLUTIONS - ROLL CALL REQUIRED

[190709.](#)

A Resolution of the Gainesville City Commission Declaring a Climate Emergency (B)

This is a request for the City Commission to adopt a resolution of the City Commission of the City of Gainesville, Florida, declaring a climate emergency, urging the State of Florida and the United States Government to declare a climate emergency, and requesting regional collaboration on a transition plan and emergency mobilization effort to restore a safe and sustainable climate; further directing the City Clerk to send a copy of this resolution to the Officials.

AGENDA UPDATE - REVISED BACK-UP

RECOMMENDATION *The City Commission adopt the Resolution of the
City Commission of the City of Gainesville,
FLorida, declaring a climate emergency.*

[190709_Resolution of Climate Emergency for the City of Gainesville_20191205.pdf](#)

[190709_Resolution_20191205.pdf](#)

[190610.](#)

Fourth Quarter Amendment through September 30, 2019 to the FY 2019 General Government Financial and Operating Plan Budget (B)

Resolution No. 190610

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, 2018 and ending September 30, 2019; amending Resolution No. 180364, as amended by Resolution No. 180771, Resolution No. 190034, and Resolution No. 190382, 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 2019 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 *The Interim City Auditor recommends the Audit and Finance Committee review and recommend the City Commission adopt the proposed resolution.*

Legislative History

11/22/19 Audit and Finance Approved as Recommended
Committee

[190610A_4th Budget Amendment Resolution_20191118.pdf](#)

[190610B_FY2019 4th QTR Amendatory and Summary_20191122.pdf](#)

[190610_Resolution_20191205.pdf](#)

[190633.](#)

Approving and Adopting the Fiscal Year 2020 Annual Audit Plan (B)

Explanation: Resolution 150127, City Auditor Responsibilities and Administrative Procedures, Section 6(B) requires the City Auditor to submit an Annual Audit Plan to the Commission for approval. The process of preparing the Annual Audit Plan includes defining auditable units, obtaining input from City Commissioners and Charter Officers, evaluating information gained from previous audits and assessing the relative risks involved in different City programs and operations.

Each potential project is weighed against other planned or required projects resulting in Exhibit A, which represents a compilation of proposed audits for the City Auditor's work plan for fiscal year 2020.

RECOMMENDATION *The Interim City Auditor recommends the Audit and Finance Committee review and recommend the City Commission adopt by resolution the proposed Fiscal Year 2020 Annual Audit Plan.*

Legislative History

11/22/19 Audit and Finance Approved as Recommended
Committee

[190663. Fiscal Year 2020 Annual Audit Plan_20191205](#)

[190633_Resolution_20191205.pdf](#)

[190671.](#)

Exchange of Real Property for the Southeast 4th Street Reconstruction Project (B)

This item involves a request to declare as surplus and approve an exchange of

properties for the SE 4th Street Road Project with Ashley P. Reeb.

Explanation: On February 18, 2010 the City Commission declared parcel number 11367-000-000, located at 1718 Northeast 4th Avenue ("City Property"), as surplus and approved the conveyance of the parcel to Alachua Habitat for Humanity, Inc. ("Habitat") to be used for the development of new affordable housing for an income qualified low-income first-time homebuyer. The City Property was conveyed to Habitat by quit claim deed and recorded in Official Records Book 3941, Page 1242 on March 9, 2010. The deed contained a reverter clause which required Habitat to complete construction and receive a certificate of occupancy within two years from the date of execution of the deed, as well as convey the City Property with the constructed dwelling as required within 90 days of the completion of construction. Habitat did not meet the requirements of the reverter clause and, therefore, conveyed the City Property back to the City on March 19, 2012 by quit claim deed recorded in Official Records Book 4096, Page 510.

The City now has a need to acquire Right-of-Way from the property owned by Ashley P. Reeb, located at 949 Southeast 4th Street with a Tax Parcel ID Number of 16032-000-000 ("Reeb Property"), to fully complete the Southeast 4th Street Reconstruction Project ("Project"). Ms. Reeb desires an exchange of land in lieu of payment for the land rights and has approved the City Property as an acceptable trade after other potential surplus properties were initially presented.

Staff is seeking approval to declare City-owned Tax Parcel Number 11367-000-000 as surplus and to achieve a specific objective according to the City's Real Estate Policies, namely to exchange this City Property for a deed to the western 639± square feet of the Reeb Property so that the City may complete the Project according to the design plans.

The City Property is currently priced at \$1.31 per square foot, and the Reeb Property is currently priced at \$1.50 per square foot based on the Just Value for each parcel.

If the exchange is not approved, the other alternatives are costly for the City. The options would be: 1) start condemnation proceedings on the Reeb Property; or 2) revise the construction plans with the subcontractor to redirect the sidewalk and bike paths to the western side of Southeast 4th Street and back again to the eastern side to circumvent the Reeb Property entirely. This option would greatly affect the flow of pedestrian and bicycle traffic in this area and is not the original intent of the Project.

GRU has requested that the south ten (10) feet of the City Property be reserved as an easement for possible future service.

Staff believes the exchange of property for the requested land rights is in the best interest of the City.

Fiscal Note: Funds for recording the instruments are available in the Southeast 4th

Street Renovation Project budget. Additionally, the City will receive revenue once the City Property is placed back on the tax rolls.

RECOMMENDATION

The City Commission: 1) approve the Resolution declaring the City Property, as further described therein, as surplus, reserving the south ten (10) feet for a public utility; 2) authorize the City Manager to execute the contract for the purchase and sale of real property, subject to review and approval of the City Attorney's Office as to form and legality; and 3) authorize the Mayor to execute, and the Clerk to attest, the Special Warranty Deed conveying the City Property to Ashley P. Reeb, subject to review and approval of the City Attorney's Office as to form and legality.

[190671A_FARBAR City as Buyer Page 1 Revised_20191205.pdf](#)

[190671B_Resolution for Exchange 11182019_20191205.pdf](#)

[190671C_Parcel Aerials_20191205.pdf](#)

[190671_Resolution_20191205.pdf](#)

[190671_Special Warranty Deed_20191205.pdf](#)

[180943.](#)

City Commission Rules - Public Comment (B)

Resolution No. 180943

A Resolution of the City of Gainesville, Florida amending and restating the rules of the City Commission; providing a repealing clause and providing an immediate effective date.

Explanation: At the November 7th, City Commission meeting, the Commission considered changes to its current rules. The proposed changes are in the backup. The Commission approved the following:

The lettered sections refer to the staff's presentation. The numbered sections refer to Commissioner Hayes-Santos and Mayor Poe's additions:

a) Add Early Citizen Comment. Speakers may use 3 minutes to speak to one agenda item or 5 minutes to speak to more than one agenda item. Speakers waive the right to speak later in the meeting.

b) The general rule that there will be no applause, cheering or outbursts of approval is waived during proclamations/special recognitions

c) Members of the public may have three minutes for General Public Comment at each meeting. There will still be three General Public Comment opportunities at each meeting.

- d) *Incorporate proposed civility and decorum language*
- e) *Public Comment is allowed on all agenda items except those designated as purely informational or procedural*
- f) *Public Comment Speakers shall register before speaking. The clerk will call registered speakers to the podium to address the Commission.*
- g) *Written public comment will now be accepted and incorporated into the record*
- h) *Rule 14 (Roberts Rules of Order) shall be removed*
 - 1) *Change the word "citizen" to "public" throughout the rules*
 - 2) *Change "Chair pro tem" to "Mayor pro tem"*
 - 3) *Add "Business Discussion Items" section to the evening agenda, before public hearings*
 - 4) *Page 3, line 15: Add Special Meetings to the list of times when meetings may be cancelled*
 - 5) *Page 5, line 10: Change makeup of Audit Finance committee to be "Mayor and Mayor pro tem"*
 - 6) *Page 8, line 34: add "on agenda items" to the end of the sentence*
 - 7) *Page 9, line 2: staff to return with language that will include referrals made during the meeting*
 - 8) *Page 9, line 5: add "general public comment and early public comment"*
 - 9) *Page 9, line 7: staff to return with policy language proposal on timing of speaker registration*
 - 10) *Page 10, line 4: add "or public"*
 - 11) *Page 11: add "Members of the Commission may not advocate for or against anyone running for office. Members of the Commission may not advertise for-profit businesses."*
 - 12) *Rules around the substance of General Public Comment remain as is (no limits on the substance of the comments)*
 - 13) *Early Public Comment will be situated on the agenda before General Public Comment in both the afternoon and evening sessions*
 - 14) *Early speaker registration is not required for items that were scheduled at the last minute or generated by Commissioner comment*
 - 15) *Speaking at Early Public Comment does not waive the opportunity to speak on items that were scheduled at the last minute or generated by Commissioner comment.*

The resolution incorporates all of the changes listed above except #9, and a portion of #14 and #15. The clerk's staff will come back to the commission at a later date to propose the timing of speaker registration. For items 7, 14 and 15, staff added a new section referring to the Commission Comment portion of the meeting which will allow persons to speak on items raised during commission comment for vote. Because Commission Comment is the only portion of the meeting where a non-agenda item may be voted on, staff did not add a section for citizen comment on last minute items. For #11, staff moved this to Rule 14 as

Rule 10 only refers to public comment and decorum.

RECOMMENDATION *The City Commission adopt the resolution.*

Legislative History

4/4/19	City Commission	Referred to the General Policy Committee
4/25/19	General Policy Committee	Approved, as shown above
8/8/19	General Policy Committee	Approved, as shown above
11/7/19	City Commission	Approved, as shown above

[180943 City Commission Rules 20190425.pdf](#)

[180943\(A\) Public Comment at City Commission Meetings 20190425.pdf](#)

[190058 & 180943 Public Meeting Improvements Research 20190808.pdf](#)

[190058 & 180943 Public Meeting Improvements Presentation 20190808.pdf](#)

[180943 City Attorney Memorandum 20190808.pdf](#)

[180943B Public Comment Amendment 20191107.pdf](#)

[180943C MOD PowerPoint Presentation 20191107.pdf](#)

[180943A draft resolution 20191205.pdf](#)

[180943B changes after 11.07.19 ccom 20191205.pdf](#)

[180943 Resolution 20191205.pdf](#)

PUBLIC HEARINGS

[170427.](#)

Rezone Property from Alachua County Agriculture (A) to City of Gainesville Planned Development District (PD) to Allow for Single-Family Residential, Multi-Family Residential, Mixed-Use Development, Conservation Management Areas, and to Allow for a Managed Transition from Silviculture use to Urban Development (B)

Petition PB-17-65. eda engineers-surveyors-planners, inc., agent for Weyerhaeuser NR Company. Rezone property from Alachua County Agriculture (A) district to City of Gainesville Planned Development (PD) district to allow for single family residential, multi-family residential, mixed-use development, conservation management areas, and to allow for a managed transition from silviculture use to urban development. Located east and west of SR 121, north of NW 77th Avenue, and south of 122nd Place

AGENDA UPDATE - ADDITIONAL BACK-UP SUBMITTED FROM PETITIONER

Explanation: The subject property consists of approximately 1,778 acres known as "Plum Creek" in the City's Comprehensive Plan and is generally located to the west and east of SR 121 and North of NW 77th Avenue. The

southernmost portion of the property, approximately 460 acres, was annexed in 1992, and the remaining acreage was annexed in 2007 (Ord. 060731). At the time of annexation the property had a future land use designation of Alachua County Rural/Agricultural. Much of the subject property has historically been used for silvicultural activities. Alachua County Agricultural zoning has remained with the property since its annexation.

The rezoning proposal by the property owner is to apply PD zoning to the portion of the property south of the phase line as described in the staff report and the submitted Gainesville 121 PD Report. The PD would consist of five distinct districts: Residential, Mixed-use, Single Family Detached, Conservation Management Areas, and Utility Easements.

Fiscal Note: None

RECOMMENDATION

Staff to City Plan Board - Staff recommends that the City Commission take action on this item by making a motion to support one of the following three options:

Option 1: Deny the petition.

Option 2: Approve the petition with the following conditions:

Condition 1: In Mixed-Use, Residential, and Single Family Detached Areas as depicted on the PD Layout Plan ongoing silviculture operations may continue until such time as a Certificate of Occupancy is issued for any building associated with an approved development plan or subdivision plat. Upon issuance of said Certificate of Occupancy the following shall immediately occur: All silvicultural activity shall cease in perpetuity within the boundaries of the development plan or subdivision; and All silvicultural activities will cease in perpetuity within a 200-foot area measured from the outside perimeter of the boundaries described above.

Condition 2: In Conservation Management Districts perpetual silviculture activities may occur under Florida Forestry Service Best Management Practices except in wetlands and wetland buffer areas. In wetland and wetland buffer areas currently establish as pine plantations, one-time harvest events may occur to remove planted pines. No re-establishment of pine plantations or expansion of silviculture activities into wetlands or wetland buffer areas shall be permitted.

Condition 3: In Conservation Land Use Areas one-time pine harvest events may occur in areas currently established as pine plantations. No re-establishment of pine plantations or expansion of silviculture activities into wetlands or wetland buffer areas shall be permitted. Harvested upland pine plantations can be restored to pine flatwood habitats and/or allowed to naturally generate into mixed hardwood/pine flatwood habitats.

Condition 4: Concurrent with the adoption of the PD rezoning ordinance, all lands south of the phase line designated Conservation Land Use shall be rezoned to Conservation zoning in conformance with Future Land Use Element Policy 4.3.4(b).

Condition 5: "Firewise" landscaping practices shall be applied to all development within the PD district. "Firewise" shall be defined as "plants known to be less-flammable separated by walkways and grassed areas" as articulated by the Florida Forest Service.

Condition 6: The following note shall be added to the PD Layout Plan detailing the process for determining adherence to requirements for providing affordable housing: Following completion of five hundred residential units a report shall be submitted to the City documenting the percentage of all constructed units that fall within the 80% - 120% of the median income for Alachua County for a family of four. In the event that less than 5% of constructed units are within the affordable range, an action plan designed to ensure the 5% affordable housing target will be achieved at buildout shall be agreed upon by the developer and the City and memorialized in a binding agreement.

Condition 7: A note shall be added to the PD Layout Plan indicating the total maximum number of residential units is 1,890, as specified in FLUE Policy 4.3.4.

Option 3: Approve the petition.

City Plan Board Recommendation to City Commission - The City Plan Board recommends approval of PB-17-65 with the removal of Condition 1 and Condition 2 as presented in the staff report subject to the applicant seeking input from relevant agencies for the Conservation Management Plans.

The City Plan Board also recommends the adoption of a separate condition which states: "The rezoning of the Gainesville 121 to Planned Development does not become effective until a Management Plan that addresses continued silviculture activities is adopted for the Conservation Management Areas located within the PD."

[170427A_Staff Report_20191205](#)

[170427B_Staff_PPT_20191205](#)

[170427_11-20-19_Ltr to City Clerk_20191205.pdf](#)

[170427_Petitioner's_Slides PB-17-65 for_12-5-19_20191205.pdf](#)

[170427_Petitioner Letter_20191205.pdf](#)

[170427A_order_20200116.pdf](#)

[190287.](#)

Amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential: 1-4 Dwelling Units Per Acre to City of Gainesville Mixed-Use Low Intensity (MUL): 8-30 Dwelling Units Per Acre (B)

Petition PB-19-77 LUC. City of Gainesville. Amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential: 1-4 Dwelling Units per acre to City of Gainesville Mixed-Use Low Intensity (MUL): 8-30 Dwelling Units per acre. Located at 4551 NW 39th Avenue.

AGENDA UPDATE - NEW POWERPOINT FROM CHW

Explanation: The subject property is recently annexed and consists of one parcel totaling approximately 5.07 acres. State and local laws require Alachua County land use, zoning and subdivision regulations to remain in effect on annexed property until the City's Comprehensive Plan is amended. This application is a City-initiated request to amend the land use category on the subject property from Alachua County Low Density Residential to City of Gainesville Mixed-Use Low Intensity (MUL). A concurrent application requesting that the property be rezoned from Alachua County Residential Single-Family to City of Gainesville Mixed-Use Low Intensity (MU-1) is filed under Petition PB-19-78 ZON.

At the August 22nd City Plan Board meeting the Board continued the petition, expressing interest in adopting a residential land use at the subject property; therefore, staff presented two additional options for consideration by the Board for the land use change: City of Gainesville Residential Medium-Density (RM): 8-30 dwelling units per acre or City of Gainesville Residential Low-Density (RL): up to 15 dwelling units per acre.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - Approve Petition PB-19-77 LUC providing a Future Land Use designation of City of Gainesville Residential Low-Density (RL): up to 15 dwelling units per acre.

Staff to City Plan Board - Approve Petition PB-19-77 LUC providing a Future Land Use designation of City of Gainesville Mixed-Use Low-Intensity (MUL): 8-30 dwelling units per acre.

[190287A PB-19-77 Staff Report 20191205](#)

[190287B PB-19-77 Staff Presentation 20191205](#)

[190287C PB-19-77 Property Owner Developable Area Map 20191205](#)

[190287 PRES 191205 NIMBA CC 1 20191205.pdf](#)

[190288.](#)

Rezone Property from Alachua County Residential Single Family (R-1A): 1-4 Dwelling Units per acre to City of Gainesville Mixed-Use Low Intensity (MU-1): 8-30 Dwelling Units per acre (B)

Petition PB-19-78 ZON. City of Gainesville. Rezone Property from Alachua County Residential Single Family (R-1A): 1-4 Dwelling Units per acre to City of Gainesville Mixed-Use Low Intensity (MU-1): 8-30 Dwelling Units per acre. Located at 4551 NW 39th Avenue.

AGENDA UPDATE - NEW POWERPOINT FROM CHW

Explanation: The subject property is recently annexed and consists of one parcel totaling approximately 5.07 acres. State and local laws require Alachua County land use and zoning regulations to remain in effect on annexed property until the City's Comprehensive Plan is amended. This application is a City-initiated request to rezone the property from Alachua County Residential Single Family (R-1A): 1-4 dwelling units per acre to City of Gainesville Mixed-Use Low Intensity (MU-1): 8-30 dwelling units per acre. A concurrent application requesting to amend the City of Gainesville Future Land Use Map from Alachua County Low Density Residential: 1-4 dwelling units per acre to City of Gainesville Mixed-Use Low Intensity (MUL): 8-30 dwelling units per acre is filed under Petition PB-19-77 LUC.

At the August 22nd City Plan Board meeting the Board continued the petition, expressing interest in rezoning the subject property to a residential district; therefore, staff presented two additional options for consideration by the Board for the rezoning of the property: (1) City of Gainesville Residential Multi-family (RMF-8): 8-20 dwelling units per acre; (2) City of Gainesville Residential Single/Multi-family (RMF-5): up to 12 dwelling units per acre.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - Approve Petition PB-19-78 ZON providing a zoning designation of City of Gainesville Residential Single/Multi-Family (RMF-5): up to 12 dwelling units per acre.

Staff to City Plan Board - Approve Petition PB-19-78 ZON providing a zoning designation of City of Gainesville Mixed-Use Low-Intensity (MU-1): 8-30 dwelling units per acre.

[190288A PB-19-78 ZON Staff Report 20191205](#)

[190288B PB-19-78 ZON Staff Presentation 20191205](#)

[190288C PB-19-78 Property Owner Developable Area Map](#)

[190288 PRES 191205 NIMBA CC 1 20191205.pdf](#)

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[190086.](#)

Land Use Change -38.95 Acres of Property Known as Sterling Place (B)

Ordinance No. 190086

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 38.95 acres of property known as Sterling Place generally located south of NW 73rd Avenue, west of NW 43rd Street, north of NW 64th Boulevard, and east of NW 52nd Terrace, as more specifically described in this ordinance, from Alachua County Low-Density Residential to City of Gainesville Single-Family (SF); 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 October 3, 2019, 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, St. Johns River Water Management District and Florida Department of Environmental Protection. 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 amends the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 38.95 acres property known as Sterling Place, located north of Millhopper Road and west of NW 43rd Street, from Alachua County Low-Density Residential to City of Gainesville Single-Family (SF). This property is a residential subdivision and was annexed by referendum into the city on April 19, 2018. As a result of annexation, the city must now assign appropriate land use and zoning designations.

The City Plan Board held a public hearing on June 27, 2019, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

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

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

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

6/27/19	City Plan Board	Approved
10/3/19	City Commission	Adopted on First Reading (Ordinance)

[190086A draft ordinance 20191003.pdf](#)

[190086B Staff Report 20191003](#)

[190086C Staff PPT 20191003](#)

[190086D Public Notice 20191003](#)

[190086E Engagement Note 20191003](#)

[190086B State Review Letters 20191205.pdf](#)

[190086 Ordinance 20191205.pdf](#)

[190087.](#)

Quasi-Judicial - Rezoning 38.95 Acres of Property Known as Sterling Place (B)

Ordinance No. 190087

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 38.95 acres of property known as Sterling Place generally located south of NW 73rd Avenue, west of NW 43rd Street, north of NW 64th Boulevard, and east of NW 52nd Terrace, as more specifically described in this ordinance, from Alachua County Single-Family Low-Density (R-1a) district to City of Gainesville Single-Family Residential (RSF-1) district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning approximately 38.95 acres of property known as Sterling Place, located north of Millhopper Road and west of NW 43rd Street, from Alachua County Single-Family Low-Density (R-1a) district to City of Gainesville Single-Family Residential (RSF-1) district. This property is a residential subdivision and was annexed by referendum into the city on April 19, 2018. As a result of annexation, the city must now assign appropriate land use and zoning designations. The requested rezoning is consistent with the Comprehensive Plan and meets all applicable review criteria.

The City Plan Board held a public hearing on June 27, 2019, where it voted to recommend approval of this rezoning.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 190086 becomes effective as provided therein.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

6/27/19 City Plan Board Approved
10/3/19 City Commission Adopted on First Reading (Ordinance)

[190087A draft ordinance 20191003.pdf](#)

[190087B Staff Report 20191003](#)

[190087C Staff PPT 20191003](#)

[190087D Public Notice 20191003](#)

[190087E Engagement Note 20191003](#)

[190087 Ordinance 20191205.pdf](#)

[190169.](#)**Land Use Change - 11.18 Acres of Property Located Southwest of East University Avenue and SE 38th Street (B)**

Ordinance No. 190169

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 11.18 acres of property known as East Lake Forest generally located southwest of the intersection of East University Avenue and SE 38th Street, as more specifically described in this ordinance, from Alachua County Institutional and Alachua County Medium Density to City of Gainesville Residential Low-Density (RL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

Update since first reading: On October 3, 2019, 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, St. Johns River Water Management District and Florida Department of Environmental Protection. 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 amends the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 11.18 acres of property known as East Lake Forest generally located southwest of the intersection of East University Avenue and SE 38th Street from Alachua County Institutional and Alachua County Medium Density to City of

Gainesville Residential Low-Density (RL). This property is a residential subdivision and was voluntarily annexed into the city on August 15, 2019 (Ordinance No. 181064). As a result of annexation, the city must now assign appropriate land use and zoning designations.

The City Plan Board held a public hearing on July 25, 2019, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

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

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

10/3/19 City Commission Adopted on First Reading (Ordinance)

[190169A_draft ordinance_20191003.pdf](#)

[190169B_Staff Report w Exhibits A-F_20191003](#)

[190169C_Staff PPT_20191003](#)

[190169B_State Review Letters_20191205.pdf](#)

[190169_Ordinance_20191205.pdf](#)

[190170.](#)

Quasi-Judicial - Rezoning 11.18 Acres of Property Located Southwest

of East University Avenue and SE 38th Street (B)

Ordinance No. 190170

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 11.18 acres of property known as East Lake Forest generally located southwest of the intersection of East University Avenue and SE 38th Street, as more specifically described in this ordinance, from Alachua County Single-Family Medium Density (R-1b) district to City of Gainesville Single/Multi-Family Residential (RMF-5) district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning approximately 11.18 acres of property known as East Lake Forest generally located southwest of the intersection of East University Avenue and SE 38th Street from Alachua County Single-Family Medium Density (R-1b) district to City of Gainesville Single/Multi-Family Residential (RMF-5) district. This property is in the Lake Forest Farms subdivision and was voluntarily annexed into the city on August 15, 2019 (Ordinance No. 181064). As a result of annexation, the city must now assign appropriate land use and zoning designations. The requested rezoning is consistent with the Comprehensive Plan and meets all applicable review criteria.

The City Plan Board held a public hearing on July 25, 2019, where it voted to recommend approval of this rezoning.

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 190169 becomes effective as provided therein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

10/3/19 City Commission Adopted on First Reading (Ordinance)

[190170A_draft ordinance_20191003.pdf](#)

[190170B_Staff Report w Exhibits A-E_20191003](#)

[190170C_Staff PPT_20191003](#)

[190170_Ordinance_20191205.pdf](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[190264.](#)

Ordinance Amending Sections Related to City Beautification Board (B)

Ordinance No. 190264

An ordinance of the City of Gainesville, Florida, amending sections of the Code of Ordinances relating to the City Beautification Board; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

AGENDA UPDATE - CHANGED TEXT FILE

Explanation: At its meeting of September 5, 2019, the City Beautification Board requested that the City Commission reduce the number of members of the board from 15 to 9 because of low attendance and in order to more efficiently conduct the functions of the City Beautification Board. The City Beautification Board also requested that the duty of sanitation be removed from the official duties and functions of City Beautification Board because the City Beautification Board no longer serves this function. The City Commission directed the City Attorney's Office to draft an amendment to the Code of Ordinances to reduce the number of members of the City Beautification Board from 15 to 9 and to remove the function and duty of sanitation. In drafting the Ordinance, the City Attorney's Office also removed outdated provisions governing the term of board members who served from 1996-1997.

The City Beautification Board requests that the City Commission approve revised Rules for the City Beautification board which reflect the above changes. The City Beautification Board has approved the proposed Rules.

Fiscal Note: No fiscal impact is expected.

RECOMMENDATION

The City Commission: 1) adopt the proposed ordinance; and 2) approve the revised Rules for the City Beautification Board.

Legislative History

9/5/19 City Commission Approved, as shown above

11/21/19 City Commission Continued

[190264A_CBBCommisssonletter_20190905](#)

[190264B_190125_City Beautification Board Bylaws_20190905](#)

[190264C_ATTENDANCE-SHEET-2018_20190905](#)

[190264D_ATTENDANCE-SHEET-2019_20190905](#)

[190264_draft ordinance_20191121.pdf](#)

[190264_draft rules_20191121.pdf](#)

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

COMMISSION COMMENT

ADJOURNMENT - 10:01 PM