

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**February 21, 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)***

***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****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**[180753.](#)**Joint Workshop with Utility Advisory Board (NB)**

*Explanation: In Fall 2018, the City Commission voted to schedule quarterly joint meetings with the Utility Advisory Board. The first of those meetings has been scheduled for February 26, 2019. There is also a City Commission workshop scheduled for February 28, 2019, to continue the discussion of the GFT and the financial sustainability of GRU. In order to make efficient use of staff's, the UAB's and the City Commission's time, staff proposes cancelling the February 26th joint meeting and changing the February 28th workshop to a joint workshop with the UAB.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) cancel the February 26, 2019, joint workshop between the City Commission and UAB; and 2) change the February 28, 2019, Commission workshop to a joint workshop with the UAB to discuss GRU's financial sustainability.*

[180709.](#)**Agreement between the City of Gainesville and Keep Alachua County Beautiful for FY19-FY20 (B)**

**This item is a request for the City Commission to approve the execution of an agreement with Keep Alachua County Beautiful in the**

amount of \$55,000 annually.

*Explanation: Keep Alachua County Beautiful (KACB) is the sponsor of “The Great American Cleanup,” “GROW HUB” and other anti-litter/beautification activities. The Great American Cleanup is traditionally held each spring and recruits thousands of volunteers to pick up litter, remove graffiti, paint run-down buildings, clean up illegal dump sites, and otherwise beautify Gainesville, the other cities in Alachua County and the unincorporated area of Alachua County.*

*KACB was certified in 1995 as the local affiliate of Keep Florida Beautiful and Keep America Beautiful. The City of Gainesville has been a KACB member since the certification of this non-profit organization and has supported KACB with an annual contribution of either \$15,000 or \$20,000 for the past thirteen years. The City of Gainesville has also provided in-kind services of approximately \$6,000 each year in support of the Great American Cleanup activities.*

*The Agreement provides:*

- 1. Contribution of up to \$5,903.50 in-kind services.*
- 2. Payment of \$15,000 to renew the City membership in Keep Alachua County Beautiful.*
- 3. Payment of \$10,000 for continued implementation of “The Beautiful Block Program.” The Beautiful Block Program is necessary to recruit block captains from targeted neighborhoods and to provide guidance and tools to empower neighborhoods to keep their own blocks clean and beautiful.*
- 4. Payment of \$10,000 for the implementation of the “Community Outreach Program.” This program includes outreach to various segments of the community including U.F. students through numerous means and venues, with the object of increasing education and awareness about litter, graffiti and beautification opportunities in order to encourage individuals to become part of the solution.*
- 5. Reimbursement up to \$20,000 for coordination of beautification services. KACB will perform specified cleanup and beautification projects in coordination with the City Solid Waste and Parks Divisions. These projects include, but are not limited to: “The Great American Cleanup,” graffiti removal, year-round cleanup of right-of-ways and public places, tree and shrub plantings, and public education programs for litter and graffiti prevention.*

*Fiscal Note: Funding in the amount of \$55,000 is available in the adopted Public Works Department Solid Waste Fund FY2019 operating budget.*

**RECOMMENDATION**

*The City Commission authorize the City Manager to execute the contract with Keep Alachua County*

*Beautiful for the period of October 1, 2018 through September 30, 2020, subject to approval by the City Attorney as to form and legality.*

[180709\\_KACB Executed Agreement\\_20190221.pdf](#)

[180715.](#)

### **Partial Release of Easement - Lot 1 of Kingswood First Addition (B)**

**This item is a request to approve and authorize Partial Release of Easement over Lot 1 of Kingswood First Addition.**

*Explanation: In 1967, Kingswood First Addition to Gainesville was platted in Plat Book G, page 65 of the Public Records of Alachua County, Florida. According to the Plat, there was a 15 foot Drainage Easement along the eastern boundary of Lot 1. It has come to the attention of staff that the existing residential structure, encroaches 5 feet into the Drainage Easement. This encroachment creates a cloud on the title of the property owner. The encroachment does not conflict with the existing drainage facility. Staff believe the Release of the Easement would be in the best benefit for the future use of the property.*

*Fiscal Note: There is no impact with this request.*

#### **RECOMMENDATION**

*The City Commission: 1) approve the Partial Release of Easement over a portion of Lot 1 of Kingswood First Addition, Plat Book G, page 65; and 2) authorize the Mayor to execute and the Clerk to attest the Partial Release of Easement over a portion of Lot 1 of Kingswood First Addition, subject to the approval of the City Attorney as to form and legality.*

[180715A Exhibit A 20190221.pdf](#)

[180715B Plat G 65 20190221.pdf](#)

[180715C PARTIAL REL of Easement 20190221.pdf](#)

[180645.](#)

### **Authorization for Pavement Preservation Treatments (B)**

**This item is a request for the City Commission to approve the guaranteed maximum price of \$1,451,007 for Pavement Preservation Treatment Project under contract with the Construction Management Firm, DE Scorpio Corporation.**

*Explanation: The Pavement Management Program includes a plan to utilize Pavement Preservation Treatments under contract work in addition to*

*in-house work each year. 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 will be providing a guaranteed maximum price of \$1,451,007.00 for the first year. The management firm will also provide advance notification to residents and businesses of the scheduled work and contact information for questions.*

*Fiscal Note: Funding is available through the annual allocation for Pavement Management Program in the Capital Improvement Plan.*

**RECOMMENDATION**

*The City Commission: 1) approve the project task; 2) authorize the City Manager or designee to execute the appropriate construction documents with DE Scorpio Corporation, subject to City Attorney's approval as to form and Legality; and 3) authorize the City Manager to execute any and all related documents.*

[180645A Master CM Agreement DE Scorpio 20190221.PDF](#)

[180645B GMP Proposal 20190221.pdf](#)

[180645C Pavement Preservation GMP 20190221.pdf](#)

[180708.](#)

**Twelfth Amendment to the Contract for Professional Consulting Services for the Archer Road (SR 24) and SW 16th Ave (SR 226) Project (B)**

**This item is a request for the City Commission to approve the proposal and to execute the amendment for additional post design services work for the construction phase of the Archer Road project located between SW 16th Avenue and SW 13th Street. The work is proposed for the amount of \$36,801.76.**

*Explanation: This amendment is necessary to provide additional post design services work by the Engineer of Record, Kimley Horn & Associates, Inc. (KHA) while the Archer Road Project is being constructed by the Contractor, Florida Safety Contractors, Inc. The scope of this work includes review of requests for information (RFI) from the contractor and stakeholders, field visits, submittal reviews, and design plan revisions that become necessary to facilitate resolution of utility issues, and other unforeseen issues or changes during construction of the project. This project has*

required more than usual number of meetings, changes and clarifications due to the scope changes before bidding and the need to bring the project within budget. Along with the Florida Department of Transportation and University of Florida, KHA is a primary team member on the project. The Amendment is requested to compensate them for their work through completion of construction.

*Fiscal Note:* Funding in the amount of \$36,801.76 is allocated and identified in the Campus development Agreement.

**RECOMMENDATION**

The City Commission: 1) authorize the City Manager to execute the Twelfth Amendment to the contract for Professional Consulting Services for the Archer Road (SR 24) and SW 16th Ave (SR 226) Project, subject to approval by the City Attorney as to form and legality; 2) authorize the City Manager to issue a modified purchase order in the amount not to exceed \$36,801.76 which represents the total for professional services included to date.

[Archer Rd Post Design Amend 12 2018-12-10 .pdf](#)

[180710.](#)

**Crises CoAg Grant - Center for Disease Control and Prevention through Florida Department of Health (B)**

**This item is a request for the City Commission to approve the submission and acceptance of a grant, awarded, from Center for Disease Control and Prevention (CDC) through the Florida Department of Health (FDOH).**

*Explanation:* This Crises CoAg Grant (Hurricane Relief Funding) was designed to cover equipment and supplies to enhance recovery efforts of local vector control organizations to perform Integrated Mosquito Management, which includes vector borne disease surveillance, prevention, and response. The funding was awarded to 30 individual Mosquito Control Programs through the competitive process, and will be used for operating expenses including but not limited to: seasonal/temporary/full time staff, abatement materials (adulticides and larvicides), surveillance tools (traps, ovicups, microscopes), data management equipment, application tools and equipment (hand held, backpack, and truck mounted sprayers, ULVs, thermal foggers, misters, PPE, repellent), etc.. These funds would help local jurisdictions in preventing transmission of endemic and exotic arboviruses by using evidence based, best management practices which can also include source reduction, communication, and public education. Further breakdown of each allocation is as follows: adulticide and larvicide up to 40%, mosquito control equipment 30%, mosquito control personnel 20%, and additional supplies 10%. Jurisdictions heavily impacted by hurricane Irma and at higher risk of vector borne disease transmission

*(endemic and exotic) will be given priority.*

*Fiscal Note: The amount of the grant is \$25,000 with no local match required.*

**RECOMMENDATION**

*The City Commission: 1) approve the submission and accept the grant; 2) authorize the City Manager to execute all related documents, subject to approval by the City Attorney as to form and legality.*

[180710A Allowable Items for MCPs 20190221.pdf](#)

[180710B CDC grant 20190221.pdf](#)

[180710C City of Gainesville budget 20190221.pdf](#)

[180712.](#)

**The Vector Control Collaborative (VCC), the National Association of County and City Health Officials (B)**

**This item is a request for the City Commission approve the submission and acceptance of a grant, if awarded, from the National Association of County and City Health Officials (NACCHO).**

*Explanation: The National Association of County and City Health Officials (NACCHO) and the Centers for Disease Control and Prevention (CDC) have established the Vector Control Collaborative to match local vector control programs that have demonstrated expertise in core capabilities with vector control programs looking for guidance, tools, and recommendations to build program capabilities. NACCHO intends to award up to six (6) entities with a maximum of \$20,000 each to form mentorship pairs that will improve participant capacity to address vector-borne diseases, with an emphasis on mosquito and tick-borne disease prevention.*

*Fiscal Note: The amount of the grant is \$18,664 with no local match required.*

**RECOMMENDATION**

*The City Commission: 1) approve the submission and accept the grant; 2) authorize the City Manager to execute all related documents, subject to approval by the City Attorney as to form and legality.*

[180712 Grant Application 20190221.pdf](#)

[180714.](#)

**Bid Award - Annual Contract for Redimix Concrete Material - Pick Up (B)**

**This item is a request for the City Commission to award the bid to**

## Argos USA, LLC for Annual Redi-Mix Concrete - Pick Up.

*Explanation:* On December 19, 2018, the Purchasing Division solicited bids for an initial two (2) year annual contract for Redi-Mix Concrete with the option to renew for two additional one year periods. On January 9, 2019, One (1) firm responded with a bid. Argos USA, LLC, has been deemed to be a responsible and responsive bidder in the meeting the specifications as set forth in the Invitation to Bid. It is in the best interest of the City to award to the sole bidder.

The Public Works Department Operations Division purchases Redi-Mix concrete annually for use in the routine maintenance of City streets and drainage facilities. Redi-Mix concrete is used in capital projects and in repairs to City facilities as necessitated by utility installations.

*Fiscal Note:* Funding sources are available and will be identified as needed through the Public Works Department FY 2019 Operating budget, Stormwater Fund and the City's Capital Improvement Plan capital project accounts.

### RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute contracts with Argos USA, LLC., subject to approval of the City Attorney as to form and legality; and 2) authorize the City Manager to execute the contracts and all related documents.

[180714A Redi Mix Pickup Bid 20190221.pdf](#)

[180714B Addendum 1 20190221.pdf](#)

[180714C Bid Form 20190221.pdf](#)

[180714D Agreement for Redi Mix Concrete Pickup 20190221.pdf](#)

[180714E Bid Tab 20190221.pdf](#)

## 180761.

### Special Event Permits - Project Update (NB)

*Explanation:* Background

The Special Event Permit project has been an ongoing process improvement initiative within the City Manager's office. The goal of the project is two-fold:

- Citizen-focused: to create a streamlined solution for event organizers to plan and execute their events within the City of Gainesville
- City-focused: to provide a holistic operational approach that supports events, focusing on health and human safety

#### Analysis

The current process to get an event permit in the City of Gainesville is outdated and cumbersome. It is manual, time-consuming process that relies on a paper form last updated April 30, 2007. Since then, the City has grown and events have changed. Updates to City ordinances should be reviewed and updated where necessary.

#### Process

- 2017-2018. A small team of cross-departmental City employees undertook to create a new online application form.
- November 2018. The project was assigned to a committee of City employees to launch the online form. A usability test was conducted with event organizers. The result of this study was that digitizing the current process does not improve the citizen experience or enable the City to support events. We must design a more robust process first.
- December 2018 - March 2019. Staff met with all departments that handle special events to document current state, completed an ordinance review, and lead design thinking sessions with event organizers.

*Fiscal Note: None*

**RECOMMENDATION**      *The City Commission refer to the General Policy Committee discussion of updating ordinances that relate to hosting Special Events. Discussion to occur at the March 14, 2019, General Policy Meeting.*

[180762.](#)

**GTEC Lease Agreement (NB)**

**RECOMMENDATION**      *The City Commission refer to the General Policy Committee discussion of the GTEC Lease Agreement which is set to expire on April 1, 2019. Discussion to occur at the March 14, 2019, General Policy Meeting.*

[180754.](#)

**City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of January 28 (2) and February 7, 2019.*

[180754\\_January 28 Minutes\\_20190221.pdf](#)

[180754\(A\) January 28 Minutes\\_20190221.pdf](#)

[180754\(B\) February 7 Minutes\\_20190221.pdf](#)

[180763.](#)

**Non-Compliance with Attendance Requirements (B)**

**RECOMMENDATION**      *The City Commission approve the removal of Jason Diven and Matthew Gallagher from the Historic Preservation Board, effective immediately.*

[180763 Jason Diven Matthew Gallagher 20190221.pdf](#)

[180744.](#)**Nominations - Library District Board of Trustees (B)****RECOMMENDATION**

*The City Commission nominate the applicant for consideration of appointment by the Library District Governing Board.*

[180744 Library Nominations 20190221.pdf](#)

[180764.](#)**Appointments to City Commission Advisory Boards and Committees (NB)****RECOMMENDATION**

*The City Commission appoint:*

*Nora Kilroy as an Administrative Voting Member to the Student Community Relations Advisory Board for a term to expire 9/30/21*

*Jessica Wilson to the Nature Centers Commission for a term to expire 11/1/22*

*Allison Basker, Brent Hartman, Derriante Mitchell and Teresa (Terri) Weichman for a term to expire 11/1/22*

*Trish Everitt to Gainesville Art and Public Places Trust for a term to expire 9/30/20*

*James Moss to the Bicycle/Pedestrian Advisory Board for a term to expire 12/31/22*

*Donald Niemann to the Gainesville Cultural Affairs Board for a term to expire 9/30/2019*

*Marc Frank and Jason Smith to the Tree Advisory Board for a term to expire 1/1/22*

*Trista, Brophy-Duron, Devin Downs and Debra Krawczykiewicz to the City Beautification Board for a term to expire 11/1/22.*

[180756.](#)**Stephen P. Staal, MD v. City of Gainesville; Case No. 2017-CA-3456; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)**

*Explanation: On September 22, 2016, at approximately 5:10 PM a City-owned RTS bus was traveling its scheduled route northbound on SW 12th Street approaching SW 2nd Avenue. The intersection of SW 12th Street and SW 2nd Avenue was controlled by a round-about. SW 12th Avenue was previously designated as a "bicycle boulevard" and had all of the associated street markings and signage. The driver of the City bus stopped and checked her mirrors and surroundings at the round-about*

before she initiated a right hand turn into the round-about to proceed eastbound onto SW 2nd Avenue. After yielding to other vehicles, the driver of the City bus proceeded to turn right. At the same time, Dr. Stephen Staal was also proceeding northbound on SW 12th Street approaching the roundabout intersection with SW 2nd Avenue. Dr. Staal was riding a bicycle, commuting home from his office on the University of Florida campus. He was wearing a bicycle helmet with reflectors and a bright yellow safety vest. Dr. Staal caught up with the bus from behind, and attempted to enter the roundabout alongside the bus. The bicycle made contact with the right rear side of the bus, and Dr. Staal's foot was pinned between the bus wheel and the curb. His ankle and tibia were crushed, leading to an amputation of his left leg below the knee.

Dr. Staal's injuries were traumatic and extreme. He has endured multiple surgeries, and a 10-day hospital stay. The medical bills and out of pocket expenses exceed \$360,000. He is a practicing oncologist with UF Health, and was out of work for approximately 4 months. If this case were to proceed to trial, the past medical bills would be only a part of the damages Dr. Staal would seek to recover. The permanent and ongoing nature of an amputation would lead him to also seek damages for future medical expenses, pain and suffering, mental anguish, inconvenience, loss of capacity for the enjoyment of life, loss of earnings, and loss of ability to lead and enjoy a normal life. The non-medical damages could greatly exceed the medical bills.

The City Attorney's Office and Risk Management Department conducted a thorough evaluation and investigation of this lawsuit in conjunction with the Regional Transit System. Given the undisputed nature of the damages, the City's defense focused on issues of liability. However, consideration was also given to the fact that 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 massive 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. After court-ordered mediation, a negotiated settlement was achieved, wherein representatives for the City agreed to recommend a settlement in the amount of \$165,000, subject to the approval of the City Commission of the City of Gainesville, and in exchange Dr. Staal will provide a full and complete Release to the City. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.

*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 claim of Stephen P. Staal, MD, arising from an accident that occurred on or about September 22, 2016.

**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.**

[180711.](#)

**Interlocal Agreement Between Alachua County and the City for Recycling Processing (B)**

**This item is a request for the City Commission to approve an Interlocal Agreement with Alachua County for the processing of recyclables generated by the City's Solid Waste Residential Curbside Collection program.**

*Explanation: In 2009 the City and County, working cooperatively, determined that the processing of the community's residential recycling would be best served by contracting directly with the processor and marketer of the recyclable materials rather than leaving that responsibility to the hauler.*

*A seven (7) year contract was negotiated with SP Recycling Corporation to process the recyclables from the residential collection programs of both the City and the County at the rate of \$45/ton, which cost was at least partially offset by revenues paid to the City and County for the market value of the material that was resold by the processor. The amount of revenue paid to the City and County was calculated using a sliding scale of 10% to 50% of the Weighted Average Price of the materials based on published commodity prices in industry publications, such as the Official Board Markets, the London Exchange, and Waste News. SP Recycling Corporation filed bankruptcy in 2014 and assigned their contract to Alachua County. That contract expired September 30, 2016, and was replaced with a two year contract with a new pricing structure.*

*Taking into account the current depressed commodities prices, and with an eye toward creating a processing agreement that will remain sustainable despite market fluctuations; the County abolished the flat fee and revenue share and replaced it with a sliding scale tipping fee that becomes a revenue share at prices above \$149.99/ton going forward. The revenue share tops out at \$35/ton for a blended ton over \$190. Under this agreement the City will pay the County a processing fee on a sliding scale per ton based upon the blended total rate for commodity markets for the current month. The sliding processing rate will remain the same through September 30, 2019 unless both parties agree to amend the Agreement.*

The City's net cost for processing recyclables for the past 12 months was over \$124,169. Assuming the same quantity of recyclables processed and the same average blended total rate for commodity sales in FY19, the City's net cost for processing is estimated to be \$164,085 under the new sliding schedule of fees until the market improves.

*Fiscal Note:* Funding is allocated and identified in the Solid Waste Fund through the monthly residential Refuse Rate.

**RECOMMENDATION**

The City Commission authorize the City Manager to execute the Interlocal Agreement between Alachua County and the City of Gainesville for Recycling Processing through September 30, 2019, subject to approval by the City Attorney as to form and legality.

[180711 Interlocal Agreement 20190221.pdf](#)

[180745](#)

**ITN Award - Enterprise Resource Planning (ERP) Product Solution(s) and Implementation Services. Bid # CMGR-180083-MS (B)**

**This item is a request for the City Commission to authorize the ITN award to Workday, Inc. to provide the City the ERP Software Product and Implementation Services.**

AGENDA UPDATE - ADDITIONAL BACK-UP

*Explanation:* On May 23, 2018 the City's Purchasing Division solicited an Invitation to Negotiate for Enterprise Resource Planning (ERP) Product Solution(s) and Implementation Services. 7 consulting firms submitted proposals by July 6th, 2018. Evaluators reviewed and scored the proposals on July 23rd, 2018, and the 4 highest ranked vendors were invited for oral presentations on August 14th, 2018. Evaluation team selected 2 vendors for product demonstrations. The product demonstrations occurred between Oct 22nd and Nov 1st, 2018. Staff participated in both demonstrations, asked questions and provided feedback to the evaluation team, which was consistent with the evaluators' final selection. On Nov 20th, 2018 evaluators decided to enter negotiations with both vendors, separately. Notice of Intent to award was posted on Jan 16th, 2019.

The final ranking of the firms are as follows:

1st - Workday, Inc./Collaborative Solutions

2nd - AST, LLC/Oracle

The documentation related to the ITN is included in the back-up. Bidders have asserted that certain portions of the documentation are "confidential." Those portions asserted to be confidential have been redacted from the back-up.

*Fiscal Note:* Workday costs for the product and the Implementation services will be negotiated to be a fixed fee amount not to exceed \$5,000,000 and will be funded through the existing capital budget for the ERP Project of \$7,000,000, with the ongoing maintenance cost not to exceed \$750,000

*annually for next 5 years.*

*As part of our solution with Workday, Inc., they have locked in the price of \$60,000 per year (in addition to the above annual maintenance cost) to add Prism (an analytical tool) at a later date should the City determine it is appropriate. The necessity of this addition may not be determined until later on in the project.*

**RECOMMENDATION**

*That the City Commission: 1) approve the Award to Workday, Inc.; 2) authorize the City Manager to execute all related documents, including contract, amendments and extensions, subject to approval by the City Attorney as to form and legality.*

[180745A ITN for ERP Product Solutions and Implementation System-FINAL 20](#)  
[180745B Appendix 1 - Submittal Cover Page 20190221.pdf](#)  
[180745C Appendix 2 - Glossary 20190221.pdf](#)  
[180745D Exhibit 1 - Functional Requirements 20190221.pdf](#)  
[180745E Exhibit 2 - Department Diagrams 20190221.pdf](#)  
[180745EEE AST REDACTED 20190221.pdf](#)  
[180745FFF - EPIUSE Submittal REDACTED 20190221.pdf](#)  
[180745G - Exhibit 4- Infrastructure Technical Minimum Requirements 2019022](#)  
[180745GGG - Metaformers Proposal for the City of Gainesville Response 07-0](#)  
[180745H - Exhibit 5 - Pricing Spreadsheet 20190221.pdf](#)  
[180745HHH - ORG REDACT Electronic Infor response to Gainesville REDACTI](#)  
[180745I - Exhibit 6 - Draft Contract Terms and Conditions 20190221.pdf](#)  
[180745J - Exhibit 7 - Assignment of Intellectual Property 20190221.pdf](#)  
[180745JJJ - CRT Gainesville - Technical Response REDACTED 20190221.pdf](#)  
[180745K - Exhibit 8 - NonDisclosure Agreement 20190221.pdf](#)  
[180745KKK-City of Gainesville, FL - Proposal Response REDACTED 2019022](#)  
[180745L - Small Business Form 20190221.pdf](#)  
[180745LLL - Evaluator 1 20190221.pdf](#)  
[180745M -Revised Exhibit 1 20190221.pdf](#)  
[180745MMM - Evaluator 2 20190221.pdf](#)  
[180745N - Addendum 1 20190221.pdf](#)  
[180745NNN - Evaluator 3 20190221.pdf](#)  
[180745O - Addendum 2 20190221.pdf](#)  
[180745OOO - Evaluator 4 20190221.pdf](#)  
[180745P - Addendum 3 20190221.pdf](#)  
[180745PPP - Evaluator 5 20190221.pdf](#)  
[180745Q - Addendum 4 20190221.pdf](#)  
[180745QQQ - Evaluator 6 20190221.pdf](#)  
[180745R - Addendum 5 20190221.pdf](#)  
[180745RRR - Evaluator 7 20190221.pdf](#)  
[180745S - Addendum 6 20190221.pdf](#)  
[180745SSS - Written Summary 20190221.pdf](#)  
[180745T - Addendum 7 20190221.pdf](#)  
[180745U - Addendum 8 20190221.pdf](#)  
[180745V - Bid Record 20190221.pdf](#)  
[180745WWW - Award Public Notice-Notification 20190221.pdf](#)  
[180745XXX - Recordings Memo 20190221.pdf](#)  
[180745AA - Sworn Officers 20190221.pdf](#)

[180745AAA - Sick Leave 20190221.pdf](#)  
[180745AB - Award Public Notice-Notification 20190221.pdf](#)  
[180745BB - B-4 Longevity 20190221.pdf](#)  
[180745BBB - L-8 Military Leave - Administrative Procedures Supp Pay 201902](#)  
[180745CC - C-2 Performance-Based Merit Awards 20190221.pdf](#)  
[180745DD - C-3 Changes in Employee Status Affecting Compensation revised](#)  
[180745EE - C-3 Changes in Employee Status Affecting Compensation 201902](#)  
[180745FF - C-3 Changes in Employee Status Affecting Pay 20190221.pdf](#)  
[180745GG - C-4 Extra Compensation to Exempt Employees 20190221.pdf](#)  
[180745HH - C-5 Performance Management Policy 20190221.pdf](#)  
[180745JJ - E-1 Employment Policy 20190221.pdf](#)  
[180745KK - E-1 HR Practice - Background Screening 20190221.pdf](#)  
[180745LL - E-1 HR Practice - Employment of Retirees 20190221.pdf](#)  
[180745MM - E-1 HR Practice - Temporary Employment Practices 20190221.pc](#)  
[180745NN - E-2 Nepotism Policy 20190221.pdf](#)  
[180745OO - E-3 Code of Conduct 20190221.pdf](#)  
[180745PP - E-4 Grievances 20190221.pdf](#)  
[180745QQ - E-5 Layoff and Recall 20190221.pdf](#)  
[180745RR - E-6 Separation from Service 20190221.pdf](#)  
[180745SS E-7 Outside Employment, Business or Volunteer Activity 20190221](#)  
[180745TT E-8 Hours of Work and Overtime 20190221.pdf](#)  
[180745UU L-2 General Leave Policies 20190221.pdf](#)  
[180745VV L-3 Paid Time Off Leave System \(New System\) 20190221.pdf](#)  
[180745W B-1 Tuition Reimbursement 20190221.pdf](#)  
[180745WW L-3 Paid Time Off Leave System \(Revised 11-2-17\) 20190221.pdf](#)  
[180745X B-2 Employee Assistance Program 20190221.pdf](#)  
[180745XX L-4 Designated Leave System \(Old System\) 20190221.pdf](#)  
[180745Y B-3 Non-represented Employees Policy 20190221.pdf](#)  
[180745YY L-5 Leave of absence with or without pay \(Revised 11-2-17\) 201902](#)  
[180745Z B-3 Non-Represented Employees 20190221.pdf](#)  
[180745ZZ L-6 Holidays 20190221.pdf](#)  
[180745II C-6 Policy -Classification Plan 20190221.pdf](#)  
[180745DDD Workday REDACTED 20190221.pdf](#)  
[180745ZZZ CityCommission Presentation PPT 20190221.pdf](#)

[180703.](#)

**Annual Follow-up on Outstanding Recommendations from Previous Engagements (B)**

*Explanation: In accordance with our Annual Audit Plan, the City Auditor's Office has completed the annual follow-up on all open recommendations from previous audits, attestations, and non-audit services performed by the City Auditor's Office. As this engagement is not an audit, we did not and could not conduct it in accordance with Government Auditing Standards issued by the Comptroller General of the United States. We did, however, comply with the independence assessment.*

**RECOMMENDATION**            *The City Auditor recommends that the City Commission accept the City Auditor's report.*

**Legislative History**

2/7/19            City Commission            Continued

[180703\\_Audit Recommendation Status Final Report\\_20180130](#)

[180693.](#)

**GRU's Budget Calendar (NB)**

*Explanation: At the February 7, 2019, City Commission meeting, staff presented a budget calendar on the consent agenda requesting dates for joint workshops with the Utility Advisory Board. The Commission suggested that staff bring back a revised calendar that included only Commission workshops and put it on the regular agenda for discussion.*

*Staff returns today to request that the City Commission approve the schedule below for a series of workshops to discuss GRU's proposed budget for FY2020. Each workshop will be scheduled from 1:30-5:30 PM in GRU's Multipurpose Room.*

*04/03/19 - O&M and Capital*

*4/17/19 - Sales, Customer & Revenue Forecast, and Debt Service, Cash / Liquidity*

*5/1/19 - Fuels & First Review of Rates*

*5/14/19 - Other Budget Topics as Needed*

*Staff also requests a special meeting with the City Commission for the following date:*

*6/5/19 - 1:30-5:30 - Overall Budget presented to City Commission for approval*

*Fiscal Note: None.*

**RECOMMENDATION**            *The City Commission:*

- 1) Approve the schedule of workshops with for discussion of GRU's proposed FY2020 budget;*
- 2) Approve the requested special meeting with the City Commission for approval of GRU's budget.*

**Legislative History**

2/7/19 City Commission Continued

[180657.](#)

**Charter Officers' Annual Performance Evaluation Process (B)**

*Explanation: The City Commission evaluates the performance of the Charter Officers on an annual basis. This review covers the last fiscal year ending September 30, 2018. Each Charter Officer was asked to provide a report to, and discuss with, the City Commission the accomplishments of his/her areas of responsibility for that period. Based upon this discussion, the Commission was to provide ratings and comments on each Charter Officers' performance during the year. During the February 7th City Commission meeting, a motion was made to authorize raises for Charter Officers, the motion failed by a vote of 3-4. Therefore, no raises will be given to the Charter Officers for FY18.*

*A second motion was made and seconded to move the balance of item discussion surrounding the Charter Officer Performance Evaluation Process to the next City Commission meeting on February 21st. The discussion will continue on how best to engage in the Charter Officer performance evaluation process moving forward.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission engage in a discussion with Human Resources regarding the Charter Officer performance evaluation timeline and scoring criteria and to provide consistency and clarity to the Charter Officer evaluation process overall.*

**Legislative History**

2/7/19 City Commission Approved, as shown above

[NEW 180657 FY18 Charter Officer Performance Review Overall Score Summ:](#)

[NEW 180657 FY19 Charter Officer Performance Evaluation Form 20190221.r](#)

[180765.](#)

**Discussion of Commission Summer Recess (NB)**

**RECOMMENDATION**

*The City Commission direct the Clerk to cancel all City Commission and committee meetings from June 24 - July 12, 2019.*

**COMMISSION COMMENT**

**4:30 - 5:30pm DINNER BREAK**

**5:30 - CALL TO ORDER - Evening Session**

**PLEDGE OF ALLEGIANCE****PROCLAMATIONS/SPECIAL RECOGNITIONS**[180755.](#)**The Tenth Annual Cinema Verde International Environmental Film and Arts Festival (B)****RECOMMENDATION***Trish Riley to receive proclamation*[CinemaVerdeEnvironmentalEducationMonth\\_20190221](#)

**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**[180747.](#)**Resolution Authorizing the Issuance of City of Gainesville Utility System Revenue Bonds 2019 Series A and 2019 Series B (B)**

*Explanation: Gainesville Regional Utilities (GRU) is planning the issuance of 2019 Series A and 2019 Series B revenue bonds. 2019 Series A is a fixed rate tax-exempt issue which will generate approximately \$181M in proceeds which will provide:*

- \$73M to finance capital improvement projects in FY19 and FY20
- \$23M to finance capital improvement projects which would have been otherwise paid with utility revenues on deposit and thereby replenish Utility Plant Improvement Fund (UPIF) reserves, and
- \$85M to convert GRU's currently outstanding tax-exempt short term commercial paper to long term fixed rate bonds. This change will:
  - o Improve the risk profile of the debt portfolio by reducing unhedged variable rate debt
  - o Develop a better match between GRU's cash and investment balances and unhedged variable rate debt, and
  - o Improve liquidity metrics

*2019 Series B is a taxable fixed rate issue which will generate approximately \$27.1M in proceeds which will provide:*

- \$8M to fund GRUCom capital projects over the next several years
- \$8M to convert currently outstanding GRU taxable commercial paper previously used to finance GRUCom projects to long term fixed rate bonds, and
- \$10.1M to refund currently outstanding 2005 Series B taxable bonds maturing in FY19 - FY21

*If approved, the schedule for this issue calls for pricing the bonds on or*

about April 2, with a proposed closing date of April 12. Staff is also working on a proposal to issue 2019 Series C bonds. This variable rate issue would provide approximately \$10M to fund capital projects and approximately \$57M to refund certain maturities of currently outstanding variable rate bond series. It is currently anticipated that this proposal will be brought forward for consideration by the Utility Advisory Board at their March 14th meeting and to the City Commission at their March 21st meeting.

This item was presented to the UAB on March 13, 2019, and they voted unanimously to advise the Commission to approve the staff recommendation. The UAB chair drafted a statement of justification for their vote and the statement is included in the back-up for this item.

*Fiscal Note:* As noted above, the 2019 Series A & B issue will provide resources to:

- Fund capital projects
- Convert all currently outstanding GRU commercial paper to long term fixed rate bonds, and
- Refund outstanding 2005 Series B Bonds

**RECOMMENDATION**

The City Commission approve the Thirtieth Supplemental Utilities System Revenue Bond Resolution and thereby approve the issuance and sale of the 2019 Series A and 2019 Series B Bonds to the underwriters and approve the forms of the Bond Purchase Contract, Preliminary Official Statement, and Continuing Disclosure Certificate, and authorize the execution and delivery thereof, subject to approval of the City Attorney as to form and legality.

The UAB advises that the City Commission approve the staff recommendation.

[180747 Resolution w-Exhibits 20190213](#)

[180747 PFM 2019 AB 20190213](#)

[180747 UAB Vote Justification 2019 Transaction 20190221](#)

[180767.](#)

**City Commission Rules Update (B)**

**RECOMMENDATION**

The City Commission amend its rules to add General Policy Committee agenda review immediately following agenda review for the City Commission meetings.

[180767 City Commission Rules-0001 20190221.pdf](#)

**PUBLIC HEARINGS**

**ORDINANCES, 2ND READING - ROLL CALL REQUIRED**

[171078.](#)**Ordinance Amending Local Business Tax Code Provisions (B)**

Ordinance No. 171078

An ordinance of the City of Gainesville, Florida, amending sections 25-45, 25-50 and 25-50.1 of the Code of Ordinances related to the Local Business Tax to conform to statutory amendments and sunset provisions; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: The Florida Legislature enacted changes to Section 205.055, Florida Statutes, effective July 1, 2018, which affect the city's local business tax ordinance. This ordinance revises the City Code to be consistent with the statutory amendments and repeals provisions that have previously sunset.*

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

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

**Legislative History**

1/17/19	City Commission	Withdrawn
2/7/19	City Commission	Adopted on First Reading (Ordinance)

[171078\\_local business tax\\_20190117.pdf](#)

[171078\\_local business tax\\_20190207.pdf](#)

[170971.](#)**Text Change - Amending the Land Development Code Relating to Tree Regulations (B)**

Ordinance No. 170971

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) relating to tree regulations; by amending Section 30-4.9 and Section 30-4.13 to incentivize the preservation of trees with bonus residential density; by amending Section 30-8.7 relating to tree mitigation; by amending Section 30-8.9 to clarify tree size required with development; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: STAFF REPORT*

*This ordinance will amend the Land Development Code relating to tree*

regulations. The City Plan Board held a public hearing on July 26, 2018, where it voted to recommend approval of this amendment to the Land Development Code, and the City Commission held a public hearing on August 16, 2018, where it approved the petition and directed the drafting of this ordinance.

#### CITY ATTORNEY MEMORANDUM

*This ordinance requires two hearings and will become effective immediately upon adoption at second reading.*

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

#### Legislative History

2/7/19      City Commission      Adopted on First Reading (Ordinance)

[170971A draft ordinance 20190207.pdf](#)

[170971B Staff PPT 20190207 Trees.pdf](#)

[170974.](#)

#### **Text Change - Amending Urban Standards in the Land Development Code (B)**

Ordinance No. 170974

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) relating to urban development standards; by amending definitions in Section 30-2.1; by amending Section 30-3.49 to clarify the review and approval of master plans; by amending Section 30-3.56 to clarify the selection of hearing officers; by amending Section 30-4.3 relating to parcels divided by district boundaries; by amending Section 30-4.8 to eliminate a provision on rounding the calculation for maximum bedrooms limit; by amending Section 30-4.13 to eliminate a first floor elevation standard for buildings within the transect zoning districts; by amending Section 30-4.15 to add a standard for active ground-floor uses in buildings with ground-floor parking on local streets; by amending Section 30-4.20 to correct a scrivener's error regarding the bonus height limit for buildings within the Office (OF) zoning district; by amending Section 30-4.24 to make building height limits within the Medical Services (MD) zoning district consistent with the Comprehensive Plan; by amending Section 30-5.37 to correct scrivener's errors relating to home occupation permits; by amending Section 30-5.40 relating to form standards for outdoor cafes; by amending Section 30-5.44 relating to form standards for sidewalk cafes; by amending Section 30-7.7 to add regulations to residential parking during University of Florida events; by amending Section 30-8.3 to correct an outdated reference to the Gainesville Regional Airport master plan; by amending Section 30-8.29 to correct a scrivener's error relating to floodplain

inspections; by amending Section 30-9.2 to clarify the applicability of the sign code; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: STAFF REPORT*

*This ordinance will amend the Land Development Code relating to a variety of urban design standards, and corrects scrivener errors and references in the Land Development Code. The City Plan Board held a public hearing on July 26, 2018, where it voted to recommend approval of this amendment to the Land Development Code, and the City Commission held a public hearing on August 16, 2018, where it approved the petition and directed the drafting of this ordinance.*

#### CITY ATTORNEY MEMORANDUM

*This ordinance requires two hearings and will become effective immediately upon adoption at second reading.*

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

#### Legislative History

2/7/19            City Commission            Adopted on First Reading (Ordinance)

[170974A draft ordinance 20190207.pdf](#)

[170974B Staff PPT 20190207.pdf](#)

[170975.](#)

#### **Text Change - Amending the Land Development Code to Allow Certain Uses in the U4, U6, U7, U8, U9, and DT Zoning Districts and to Correct Scriveners Errors (B)**

Ordinance No. 170975

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to add outdoor recreation as a permitted use by right in the Downtown (DT) zoning district, to add health services as a permitted use by right in the Urban 6 (U6), Urban 7 (U7), Urban 8 (U8), Urban 9 (U9), and Downtown (DT) zoning districts, to change Personal Services from a use allowable by Special Use Permit to a use allowable by right in the Urban 4 (U4) zoning district, and to correct scrivener errors; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: STAFF REPORT*

*This ordinance will add 'outdoor recreation' as a permitted use by right in the Downtown (DT) zoning district, will add 'health services' as a*

permitted use by right in the Urban 6 (U6), Urban 7 (U7), Urban 8 (U8), Urban 9 (U9), and Downtown (DT) zoning districts, will change Personal Services from a use allowable by Special Use Permit to a use allowable by right in the Urban 4 (U4) zoning district, and will correct a scrivener's error relating to the citywide prohibition of simulated gambling establishments. The City Plan Board held a public hearing on July 26, 2018, where it voted to recommend approval of this amendment to the Land Development Code, and the City Commission held a public hearing on August 16, 2018, where it approved the petition and directed the drafting of this ordinance.

#### CITY ATTORNEY MEMORANDUM

*This ordinance requires two hearings and will become effective immediately upon adoption at second reading.*

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

#### Legislative History

2/7/19            City Commission            Adopted on First Reading (Ordinance)

[170975A\\_draft ordinance\\_20190207.pdf](#)

[170975B\\_Staff PPT\\_20190207.pdf](#)

### [180416.](#)

#### **Voluntary Annexation - 5.07 Acres Located SW of the Intersection of NW 43rd ST and NW 39th AVE (B)**

Ordinance No. 180416

An ordinance of the City of Gainesville, Florida, annexing approximately 5.07 acres of privately-owned property that is generally located south of NW 39th Avenue, west of NW 45th Street, north of parcel number 06111-007-000, and east of parcel number 06112-010-046, as more specifically described in this ordinance, as petitioned for by the property owner pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: This ordinance, at the request of the property owners of the subject property, will annex into the corporate limits of the City of Gainesville approximately 5.07 acres of privately-owned property generally located south of NW 39th Avenue, west of NW 45th Street, north of parcel number 06111-007-000, and east of parcel number 06112-010-046. On October 18, 2018, the City Commission received and accepted a petition for voluntary annexation of the property and directed the City Attorney to*

*prepare this annexation ordinance.*

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

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

*Therefore, and in light of the general purpose of municipal incorporation and the fact that a property owner has voluntarily requested to be annexed into the City of Gainesville, city staff recommends adoption of this voluntary annexation ordinance.*

*The City Commission must decide, based on the map of the annexation area, the opinion and testimony of city staff, and other competent substantial evidence included in the record, whether the proposed annexation meets the essential requirements of the applicable state annexation law as described herein.*

#### **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

10/18/18 City Commission Approved as Recommended  
 2/7/19 City Commission Adopted on First Reading (Ordinance)

[180416A NimbaPartners Petition VolAnnex 20181018.pdf](#)

[180416B Nimba Partners Map 20181018.pdf](#)

[180416B Nimba Partners Voluntary Annexation USR 20190207.pdf](#)

[180416C Staff PPT 20190207.pdf](#)

[180416A draft ordinance 20190207](#)

180538.**Voluntary Annexation - 3.987 Acres of Property North of SW Archer Road and East of SW 50th Street (B)**

Ordinance No. 180538

An ordinance of the City of Gainesville, Florida, annexing approximately 3.987 acres of privately-owned property that is generally located south of Oak Park Village and tax parcel 06916-000-000, west of SW 47th Street, north of SW Archer Road, and east of SW 50th Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: This ordinance, at the request of the property owners of the subject property, will annex into the corporate limits of the City of Gainesville approximately 3.987 acres of privately-owned property that is generally located south of Oak Park Village and tax parcel 06916-000-000, west of SW 47th Street, north of SW Archer Road, and east of SW 50th Street. On October 18, 2018, the City Commission received and accepted a petition for voluntary annexation and directed the City to prepare an annexation ordinance for tax parcels 06932-000-000 and 069031-000-000 (Legistar No. 180415). On December 6, 2018, the City received and accepted a petition for voluntary annexation and directed the City to prepare an annexation ordinance for tax parcel 06931-001-000 (Legistar No. 180538). These two petitions are together the subject of this ordinance.*

*Municipal annexation in Florida is governed by the Municipal Annexation or Contraction Act, which is found in Chapter 171, Florida Statutes. Section 171.044, F.S., sets forth the requirements and procedure for voluntary annexation, whereby property owners may voluntarily request a*

*municipality to include their property within the corporate limits of that municipality. Besides various procedural requirements, Section 171.044, F.S., sets forth the following substantive requirements for voluntary annexations: 1) the proposed annexation area must be "contiguous" to the municipality; 2) the proposed annexation area must be "reasonably compact"; and 3) the annexation must not create any "enclaves."*

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

*Therefore, and in light of the general purpose of municipal incorporation and the fact that a property owner has voluntarily requested to be annexed into the City of Gainesville, city staff recommends adoption of this voluntary annexation ordinance.*

*The City Commission must decide, based on the map of the annexation area, the opinion and testimony of city staff, and other competent substantial evidence included in the record, whether the proposed annexation meets the essential requirements of the applicable state annexation law as described herein.*

#### **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**

12/6/18	City Commission	Approved as Recommended
2/7/19	City Commission	Adopted on First Reading (Ordinance)

[180538A\\_Voluntary Annexation Petition\\_20181206.pdf](#)

[180538B\\_Archer Health Voluntary Annexation USR\\_20190207.pdf](#)

[180538C\\_Staff PPT\\_20190207.pdf](#)

[180538A\\_draft ordinance\\_20190207](#)

## ORDINANCES, 1ST READING - ROLL CALL REQUIRED

### [180102.](#)

#### **Update of the 5-Year Schedule of Capital Improvements in the Capital Improvements Element of the Comprehensive Plan (B)**

Ordinance No. 180102

An ordinance of the City of Gainesville, Florida, updating Table 14: 5-Year Schedule of Capital Improvements in the Capital Improvements Element of the Comprehensive Plan; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: STAFF REPORT*

*This ordinance is the state-required annual update of the City's 5-Year Schedule of Capital Improvements, which is found in the Capital Improvements Element of the Comprehensive Plan. This update will reflect the City's capital improvements projects that are scheduled from FY 19-23. Capital improvements are defined as: land, non-structural improvements to land, and structures (including the costs for design, permitting, construction, furnishings and equipment) with a unit cost of \$25,000 or more and that have an expected life of at least two years. The capital improvements in the 5-Year Schedule are primarily related to levels of service (LOS) adopted in the Comprehensive Plan and are needed to: correct existing deficiencies in LOS; maintain existing LOS; or deal with projected LOS deficiencies that will occur during the 5-year planning period.*

*In addition, beginning in calendar year 2019, the required 5-Year Schedule will be incorporated into the capital planning process of the City of Gainesville. That broader capital planning process will include a 5-Year Capital Improvements Plan (CIP) and a 6-10 year CIP. The purpose of the broader capital planning process is to provide the City Commission, citizens, and staff (General Government and GRU) with an integrated capital plan with coordinated planning, funding, timing, and implementation. The 6-10 year component (unlike the 5-Year Schedule) is not a statutory requirement, but it is being added for consistency with the revised capital planning process that was approved by the City Commission at the April 24, 2018 budget workshop. Staff finds that this proposed update to the Schedule of Capital Improvements is consistent with the various elements of the Comprehensive Plan. The City Plan Board held a public hearing on June 28, 2018, where it voted to*

*recommend approval of this update to the Schedule of Capital Improvements.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and shall become effective immediately upon adoption at second reading.*

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

[180102\\_Staff Report w Appendices A-C\\_20180628.pdf](#)

[180102A\\_draft ordinance\\_20190221.pdf](#)

[180102B\\_Staff Report w Appendices A-C\\_20190221.pdf](#)

[180102C\\_180628 CPB minutes\\_20190221.pdf](#)

[180102D\\_Staff PPT\\_20190221.pdf](#)

[180559.](#)

**Quasi-Judicial - Rezoning 20 acres located at 4500 NW 27th Avenue (B)**

Ordinance No. 180559

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 20 acres of property generally located at 4500 NW 27th Avenue, as more specifically described in this ordinance, from Planned Development District (PD) to General Office District (OF); 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 from Planned Development District (PD) to General Office District (OF) approximately 20 acres of property located in the vicinity of 4500 NW 27th Avenue. The subject property does not front any streets and is accessible by NW 27th Avenue, which terminates at the parcel. The proposed OF zoning for the property is consistent with the parcel's Office future land use category. The proposed Office zoning would allow the redevelopment of the property with a density that allows up to 20 units per acre as compared to the existing PD's square footage restriction of 160,000 square feet of development.*

*The PD (Z-95-1) was adopted by Alachua County in 1995. The subject property was then annexed into the City of Gainesville in 2002 and the City adopted the County's PD ordinance as the appropriate zoning for the property at that time. This PD was never updated to City of Gainesville terminology or regulations and still references Alachua County's Land Development Code and the Board of County Commissioners. The PD was created with the development of a master plan for the parcel. The*

*master plan was designed for the original occupant of the site, Barr Systems. The master plan allowed up to 160,000 sq. ft of development and intended to build the campus in two phases; the first phase of the campus was constructed between 1997 and 1999.*

*The rezoning request is consistent with the City's Comprehensive Plan and meets all applicable review criteria. The City Plan Board held a public hearing on November 29, 2018, where it voted to recommend approval of this rezoning.*

#### CITY ATTORNEY MEMORANDUM

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

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

[180559\\_Staff Report w Appendices A - D\\_20181129.pdf](#)

[180559B\\_Staff Report w Appendices A - D\\_20190221.pdf](#)

[180559C\\_Staff PPT\\_20190221.pdf](#)

[180559A\\_draft ordinance\\_20190221.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**

**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**