

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

March 19, 2015

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Lauren Poe (At Large)
Commissioner Helen Warren (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Mayor-Commissioner Pro Tem Todd Chase (District 2)
Commissioner Craig Carter (District 3)
Commissioner Randy Wells (District 4)

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER**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 THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)****CITY MANAGER, CONSENT AGENDA ITEMS**

[140745.](#)

Domestic Violence Grant Application (NB)

This is a request for City Commission approval for the Gainesville Police Department to accept a grant if awarded from the U.S. Department of Justice, Office on Violence against Women (OVW).

Explanation: In 2007 the City of Gainesville was awarded a domestic violence grant from the Office of Justice Programs, Office on Violence Against Women, which provided two years of funding for the project and has had additional awards given for this project for additional years. The Gainesville Police Department has continued to work with partner agencies to impact the number and effect of domestic violence incidents within our community.

On February 11, 2015, the Office on Violence against Women (OVW) released a solicitation for the "OVW Fiscal Year 2015 Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program Solicitation". The City of Gainesville is eligible to seek funding under this program. The grant program is designed to fund cooperative projects such as the project the Gainesville Police Department implemented in 2007, partnering with the State Attorney's Office, Alachua County Office of Victim Services, Peaceful Paths, and the Black

on Black Crime Task Force. The Police Department will utilize funds from the grant to help provide victims with protection services they need to pursue safe and healthy lives, while improving communities' capacity to hold offenders accountable for their crimes.

The application will be submitted by March 24, 2015.

The solicitation allows for funding requests for a 36-month period and the amount allowed is up to \$450,000 which is based on the population of the City of Gainesville.

Fiscal Note: The grant does not require any local matching funds. No significant impact to the Gainesville Police Department's budget.

RECOMMENDATION

The City Commission authorize the City Manager to: 1) accept the grant, if awarded and; 2) execute any other necessary documents, pending review by the City Attorney as to form and legality.

[140752](#).

2015 AED Grant.com Grant Application (NB)

This item request approval of the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept, if awarded, a grant from AEDGrant.com to purchase new AED machines.

Explanation: Several AED machines at Parks, Recreation and Cultural Affairs facilities are outdated and the replacement batteries can no longer be purchased due to the fact they are no longer being manufactured. PRCA has purchased AEDs over the course of several years, starting with the three pools in 2004 and then slowly adding the units to each of the Centers from 2005 to 2008. The current model (LifePak 500) has been discontinued. Hence, the batteries will no longer be available for replacement. This has created a dilemma in terms of providing an extra measure of safety for users of PRCA facilities. In 2014 PRCA documented a notable increase in the number of visitors at its facilities. Ten new AED machines were purchased last year with discounts received from AEDGrant.com. The funds from AEDGrant.com will assist PRCA in purchasing the remaining AED machines needed to upgrade all of its facilities and park locations.

Fiscal Note: PRCA has funds budgeted to purchase the remaining AEDs needed with the assistance of the AED grant. No additional funds will be necessary to facilitate this request.

RECOMMENDATION

The City Commission: 1) approve the request to accept the grant if awarded by AEDGrant.com; and 2) authorize the City Manager or designee to execute the grant award agreement and other grant-related documents, subject to approval by the City Attorney as to form and legality.

[140753.](#)**2015 Visit Florida Cultural, Heritage Rural and Nature Grant (NB)**

This item requests City Commission approval for Parks, Recreation and Cultural Affairs (PRCA) Department to accept, if awarded, a grant from Visit Florida Cultural, Heritage, Rural and Nature Grant program, to update the “Step Back to Historic Gainesville cell phone tour brochure to include additional historic sites owned by the City of Gainesville as well as its agency partners.

Explanation: The City of Gainesville Parks Recreation and Cultural Affairs (PRCA) Department has submitted a grant application to the Visit Florida Cultural, Heritage, Rural and Nature (CHRN) Grant program to support the revision of the cultural heritage brochure, “Step Back in Time to Historic Gainesville.” If awarded, the funds will enable PRCA to update the brochure to include City-owned historical properties as well as sites from our agency partners throughout Alachua County. The brochure will be distributed at every rest area north and south of Gainesville as well as the use of new multimedia platforms. It is estimated that the new brochure will have an impact on the local economy whereby visitors will spend money in local restaurants, shops and parks.

Fiscal Note: The required cash match will be provided from the Tourism Product Development Grant in the PRCA budget. No additional funds will be necessary to facilitate this request.

RECOMMENDATION

The City Commission: 1) approve the request to accept the grant if awarded from the Visit Florida CHRN Grant program; and 2) authorize the City Manager or designee to execute the grant award agreement and other grant related documents, subject to approval by the City Attorney as to form and legality.

[140775.](#)**Alcohol Sales and Consumption for Permitted Events at Parking Lot 10 and Parking Lot 13 (B)**

This item involves a request for the City Commission to approve Parking Lot 10 and Parking Lot 13 as City-owned property eligible for special event sales of alcohol.

Explanation: The City Commission approved a new ordinance relating to the sale, dispensing, consumption, and possession of alcoholic beverages on second reading on March 6, 2014. The ordinance was intended to provide a comprehensive approach to temporary special event sales of alcohol and to consolidate relevant provisions in one section of the City Code of Ordinances. The ordinance provides for issuance of alcohol event permits for the temporary sale of beer, wine and other alcoholic beverages.

The ordinance allows the City Commission to determine which parcels

of City-owned property can be made available for special event sales of alcohol. In the presentation of the ordinance to the City Commission, a few examples of City-owned properties were provided as examples that staff felt would be appropriate for such events. These City-owned properties included the Bo Diddley Community Plaza, Parking Lot 10 and Parking Lot 13.

At this time, staff is recommending that Parking Lot 10 and Parking Lot 13 be approved as City-owned property eligible for special event sales of alcohol. The Bo Diddley Community Plaza and adjoining streets of the Plaza are eligible for special event sales of alcohol (such as United Downtown).

Fiscal Note: There is no fiscal impact expected. Special events are evaluated for the City services needed to support them and the cost of these services is paid by those receiving permits for the events.

RECOMMENDATION The City Commission approve Parking Lot 10 and Parking Lot 13 as City-owned property eligible for special event sales of alcohol.

[140755_Alcohol Ordinance_20150319.pdf](#)

[140781.](#)

Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhoods) (NB)

This is a request for City Commission approval for the Gainesville Police Department to accept a grant if awarded from the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance in implementing gang and gun crime enforcement, intervention, and prevention initiatives within the community.

Explanation: The Gainesville Police Department has applied for the U.S. Department of Justice's Violent Gang and Gun Crime Reduction Program, also known as Project Safe Neighborhood (PSN), in support of its efforts to reduce gun and gang-related violent crime. The grant deadline was March 3, 2015. The grant awards can be up to \$300,000 for our category.

This grant will enable the City of Gainesville to more effectively counter the increasing gang and gang associated activities occurring locally, particularly in the Pine Ridge community. Research conducted by the Office of Juvenile Justice and Delinquency Prevention finds that gang violence is a product of social disorganization and presumes gangs become chronic and serious problems in communities where key organizations are inadequately integrated and where there are insufficient resources to target gang-involved youth.

Funding from this grant will also be used for operational expenses,

employment assistance, and supplies in order to address this issue via prevention, suppression, and intervention. The research partner along with the department's crime analysts will analyze criminal data and help develop a proactive plan for gun crime and gang violence reduction.

Fiscal Note: There is no match requirement for this grant.

RECOMMENDATION

The City Commission authorizes the City Manager to: 1) accept the grant if awarded, by the U.S. Department of Justice Office of Justice Programs, Bureau of Justice Assistance; and 2) if awarded, execute any grant documents, subject to approval as to form and legality by the City Attorney.

[140659](#)

City Auditor Employment Agreement and Appoint Interim City Auditor (B)

This is a request for the City Commission to approve the City Auditor Employment Agreement and appoint an Interim City Auditor.

MODIFICATION - Moved from Regular Agenda to the Consent Agenda

Explanation: On April 2, 2015, City Auditor Brent Godshalk will be retiring. In order to prepare for his departure, it was necessary to pursue a replacement.

The City Commission authorized the Human Resources Department to engage the services of an executive search firm to initiate a search to fill the soon-to-be-vacant City Auditor position. Bob Murray and Associates a/k/a S. Renee Narloch & Associates conducted a search and presented a slate of candidates to be considered. Candidates were interviewed on February 23rd and 24th.

The City Commission selected a City Auditor and authorized the Mayor to negotiate a contract with Carlos Holt on February 24th.

Fiscal Note: Salary of \$130,000 is approved in the FY15 budget.

RECOMMENDATION

The City Commission: 1) approve the employment agreement of Carlos Holt; and 2) appoint Eileen Marzak as Interim City Auditor from April 3, 2015 until Mr. Holt's start date (anticipated to be April 13, 2015).

Legislative History

2/5/15	City Commission	Approved as Amended
2/23/15	City Commission	Completed
2/24/15	City Commission	Approved, as shown above - See Motion(s)

[140659_Candidates for City Auditor_20150205.pdf](#)

[140659A_City Auditor Interview Schedule_30150223.pdf](#)

[140659B_Kelly Hammond Resume_20150223.pdf](#)

[140659C_Magdy Mossaad Resume_20150223.pdf](#)

[140659D_Carlos Holt Resume_20150223.pdf](#)

[140659-MOD_City Auditor Employment Agreement - Carlos Holt_20150319.pdf](#)

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[130621.](#)

MODIFICATION - Added item

Explanation: During the February 19, 2015 City Commission Meeting, the City Commission selected candidates to be interviewed for the General Manager-Utilities position. The Commission requested the H. R. Department to work with the Clerk of Commission to find suitable dates for interviewing those candidates. During the March 5, 2015 City Commission Meeting, the City Commission approved an interview schedule that involved all candidates interviewing on March 24-25, 2015. Subsequently, one of the candidates has presented a scheduling conflict for the March 24-25, 2015 interviews, but can be available for the interview process at a later date, such as March 30, 2015 .

Fiscal Note: Funds required upon placement of the General Manager-Utilities have been allocated in the FY15 budget.

RECOMMENDATION

The City Commission authorize the H. R. Department to work with the Clerk of Commission and the candidate to schedule a meeting or a special meeting to interview one of the General Manager-Utilities candidates who is unable to be present for the March 24-25 scheduled interviews.

Legislative History

1/16/14	City Commission	Approved as Recommended
2/20/14	City Commission	Approved, as shown above
6/25/14	City Commission	Discussed
7/17/14	City Commission	Approved as Recommended
2/19/15	City Commission	Approved as Amended
3/5/15	City Commission	Approved as Recommended

[130621 GM-Utilities Executive Search Plan 20140220](#)
[Item No130621 General Manager Utilities Job Description 20140220](#)
[103621 GM Search Mycoff Contract10-01-11 to 09-30-14-20140220](#)
[130621 GM-Utilities Draft Executive Search Plan for Discussion 20140625](#)
[130621 General Manager Utilities Job Description 20140625](#)
[130621 GM-Utilities Executive Search Plan 20140717](#)
[130621 General Manager Utilities Job Description 20140717](#)
[130621 General Manager Candidate List 20140219](#)
[130621 Bielarski Resume - GM Search 20150219](#)
[130621 Dickerson Resume - GM Search 20150219](#)
[130621 McGarrah Resume - GM Search 20150219](#)
[130621 Miller Resume - GM Search 20150219](#)
[130621 Stone Resume - GM Search 20150219](#)
[130621 Williams Resume - GM Search 20150219](#)
[130621 Wishart - Resume GM Search 20150305](#)
[130621 GM-Utilities Interview Schedule 20150305](#)

CITY ATTORNEY, CONSENT AGENDA ITEMS

[140751.](#)

GISSELLE PINARES VS. CITY OF GAINESVILLE, CASE NO. 1:15-cv-10-RS-GRJ (NB)

Explanation: On February 3, 2015, the City of Gainesville received a Complaint filed with the United States District Court by Gisselle Pinares, a former City employee. Ms. Pinares alleges she was unlawfully terminated and retaliated against under the Family Medical Leave Act (FMLA).

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Gisselle Pinares vs. City of Gainesville, Case No. 1:15-cv-10-RS-GRJ.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[140824.](#)

Appointments to City Commission Advisory Boards and Committees (NB)

MODIFICATION - Added item

RECOMMENDATION

The City Commission appoint:
Kathryn G. Crummer to the Nature Centers Commission for a term to expire 11/1/18
Becky Rountree to the Board of Trustees of the Consolidated Police Officers' and Firefighters

*Retirement Plan for a term to expire 4/19/17
William H. Burger to the Public Recreation and
Parks Board for a term to expire 6/1/18
Tricia A. Peddicord, Karla Shopoff and Abigail J.
Dougherty to the City Beautification Board for a
term to expire 11/1/18
James (Jim) East to the Regional Transit System
Advisory Board for a term to expire 9/30/17
Robert Wright to the Citizens Advisory Committee
for Community Development for a term to expire
11/1/18
Karly K. Pulido to the Gainesville Energy Advisory
Committee for a term to expire 9/30/18.*

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

[140742.](#)

Community Development Committee's Charter/Scope of Work Statement (NB)

**This is a request for the City Commission to approve the Community
Development Committee's Scope of Work.**

*Explanation: This item is to initiate a Community Development Committee Scope of
Work statement to be placed on file with the Clerk's office. At the
January 7, 2015 Community Development Committee meeting, the
Committee discussed what ideas and vision the Community
Development Committee Charter and Scope should encompass. The
Committee members directed staff to report back with a draft Scope of
Work statement for consideration and review.*

*At the February 4th Community Development Committee meeting, the
Committee reviewed staff's submitted scope of work. After deliberation
and discussion, a motion was made and unanimously carried to move
this item to the full City Commission.*

*The Community Development Committee approved the proposed
Community Development Committee's Scope of Work statement as
submitted to read in its entirety:*

*The Community Development Committee (CDC), appointed by the City
Commission, receives referrals from the City Commission related to City
Planning, Zoning, Development, Building, Re-Development, Housing,
and Code Enforcement. The Community Development Committee
seeks to engage the community and utilize best practices to improve the
delivery of the aforementioned services on behalf of the Mayor and City*

Commission.

Fiscal Note: None

RECOMMENDATION

The City Commission approve the Community Development Committee's Scope of Work statement to read: The Community Development Committee (CDC), appointed by the City Commission, receives referrals from the City Commission related to City Planning, Zoning, Development, Building, Re-Development, Housing, and Code Enforcement. The Community Development Committee seeks to engage the community and utilize best practices to improve the delivery of the aforementioned services on behalf of the Mayor and City Commission.

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

[130508.](#)

Strategic Initiative 6.3: Identify Steps of Implementation for the Parks, Recreation & Cultural Affairs Master Plan and Continued Acquisition of Conservation Land (B)

This item requests the City Commission accept the proposal to the City of Gainesville from the Trust for Public Land Regional Office to conduct feasibility research and provide recommendations to develop a program to fund implementation of the Master Plan.

Explanation: At the January 8, 2015 meeting, the Committee voted to recommend to the full City Commission to place a funding initiative on the ballot in March 2016, to fund a portion of the Master Plan projects. The recommendation is for ½ mill to be collected for six years, generating approximately \$14,000,000 to \$15,000,000. In addition, staff was directed to revise the Prioritized List of Master Plan Projects which reflect the above amount and return to the February meeting to present the revised list.

At the February 12, 2015 meeting, the Committee voted to request the Mayor to send a letter to the Trust for Public Land (TPL) Regional Office located in Tallahassee, Florida, requesting Technical Advice and Assistance with the Commission's Strategic Initiative 6.3 to develop a program to fund the implementation of the Master Plan. TPL provides professional technical services to state and local government executives, boards and public agencies that need to research and evaluate recreation and conservation options.

At the February 19, 2015 City Commission meeting the Commission approved a request for the Mayor to send a letter to TPL's Regional Office as recommended by the Recreation, Cultural Affairs and Public Works Committee. In response to the Mayor's letter, TPL has provided

a proposal for technical advice and assistance to support the City's efforts.

At the March 12, 2015 meeting the Committee voted to request that the TPL proposal be brought to the City Commission on March 19, 2015 for acceptance of the proposal and to direct the City Manager to proceed. TPL's findings and recommendations should be available in May, 2015.

Fiscal Note: Funding of \$6,100 for the professional technical services outlined in the TPL proposal is available in the PRCA approved FY14-15 budget. No additional funds will be necessary to facilitate this request.

RECOMMENDATION

The City Commission accept the proposal to the City of Gainesville from the Trust for Public Land Regional Office to conduct feasibility research and provide recommendations to develop a program to fund implementation of the Parks, Recreation and Cultural Affairs Master Plan.

Legislative History

11/19/13	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
1/8/15	Recreation, Cultural Affairs and Public Works Committee	Approved as shown above (See Motion)
2/12/15	Recreation, Cultural Affairs and Public Works Committee	Discussed
2/19/15	City Commission	Approved as Recommended

[130508A Master Plan Presentation 20150108 .pdf](#)

[130508B Achievements List 20150108.pdf](#)

[130508C Master Plan Prioritization List 20150108.pdf](#)

[130508D Master Plan Recommendations 20150108.pdf](#)

[130508 Rev Master Plan Project List 20150212.pdf](#)

[130508A COG Ltr 20150312.pdf](#)

[130508B TPL Proposal 20150312.pdf](#)

[130508 MOD TPL Proposal 20150319.pdf](#)

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE GENERAL GOVERNMENT REGULAR AGENDA (Read if any, each item added or modified)

GENERAL GOVERNMENT-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)

CLERK OF THE COMMISSION[140803.](#)**Referral Lists (B)****RECOMMENDATION***The City Commission review the referral lists.*[140803_referral lists_20150319.pdf](#)[140831.](#)**Appointments to the Tree Advisory Board (B)***MODIFICATION - Added item***RECOMMENDATION***The City Commission appoint one member Ivor Kincaide for a term to expire 1/1/18 to the Tree Advisory Board and discuss one appointment to the Tree Advisory Board and take appropriate action.*[140831_ApptTreeBoard_20150319.pdf](#)[140832.](#)**Appointments to the Historic Preservation Board and the Gainesville Human Rights Board (B)***MODIFICATION - Added item***RECOMMENDATION***The City Commission discuss appointments to the Historic Preservation Board and the Gainesville Human Rights Board and take appropriate action.*[140832_ApptHPBHRB_20150319.pdf](#)**CITY MANAGER**[140507.](#)**Delinquency Prevention Presentation for Strategic Initiative 3.3: Improve Educational, Employment and Re-Entry Opportunities for Young Persons (Up to the Age of 24) (B)**

This item provides an update on juvenile crime reduction efforts presented jointly by the Gainesville Police Department, the State Attorney's Office and the Parks, Recreation and Cultural Affairs Department. **ESTIMATED STAFF PRESENTATION 15 MINUTES**

Explanation: Chief Tony Jones, Gainesville Police Department; Shannon Keleher,

Recreation Manager , Parks, Recreation and Cultural Affairs Department; and Gretchen Casey, Director of Victim Services, State Attorney's Office, 8th Judicial District, have worked together in partnership for the past six years to reduce juvenile crime each summer.

The State Attorney's Office has recently updated its statistics and through a PowerPoint presentation by Ms. Casey, the status of juvenile delinquency will be provided for information purposes.

Fiscal Note: No funds are being requested.

RECOMMENDATION *The City Commission receive a presentation regarding Strategic Initiative 3.3.*

[140507_PPT_20150319.pdf](#)

[140724.](#)

One Mill Initiative for Alachua County Public Schools (B)

This item is a request for the City Commission to receive a presentation on the One Mill Initiative for Alachua County Public Schools.

MODIFICATION - Added PowerPoint Presentation from Perry McGriff

Explanation: The School Board of Alachua County has requested that the City Commission receive a presentation on the One Mill Initiative for Alachua County Public Schools from Mr. Perry McGriff, the chairman of the One Mill Oversight Committee.

Fiscal Note: None

RECOMMENDATION *The City Commission receive a presentation on the One Mill Initiative for Alachua County Public Schools.*

[140724_SBAC_One Mill PPT_20150319.pdf](#)

[140724_MOD_One Mill Oversight Committee Update_20150319.pdf](#)

[140794.](#)

2015 Telephone Town Hall Meeting (NB)

This item requests direction from the City Commission on the topic for the 2015 Telephone Town Hall Meeting.

Explanation: As part of the strategic planning process, the City Commission holds special meetings throughout the year to reach out to Gainesville residents to help ensure the City's priorities align with the needs of our community.

On June 8, 2015 the City Commission will host a Telephone Town Hall to reach potentially 23,000 Gainesville residents over the phone. The

call will last for one hour during which participants have the opportunity to ask questions, share comments, vote in polls, or just listen in.

Staff is requesting direction from the City Commission on the topic for the 2015 Telephone Town Hall Meeting.

One option is to choose one (or more) topic areas from the Community Forum held on March 2, 2015. This option would give more residents the opportunity to provide input on reimagining public service. The topic areas included:

- *Communications & Technology: Communicating with and accessing your city through technology*
- *Development Review Services: Improving the development review process by instituting new ideas and technological tools*
- *Emergency & Non-Emergency Services: Exploring alternative methods for accessing non-emergency services from public safety personnel*
- *Senior Services: Identifying resources for senior caretakers to help them maintain independence*

Another option is to propose a topic not addressed during the Community Forum held on March 2, 2015.

Fiscal Note: The cost of a Telephone Town Hall meeting is approximately \$4,500 for a one-hour call and is included in the FY15 budget.

RECOMMENDATION

The City Commission direct the City Manager to proceed with planning the 2015 Telephone Town Hall and provide direction on the topic.

[130546.](#)

Discuss Local Bill to Repeal the Alachua County Boundary Adjustment Act (B)

This is a request for the City Commission to hear a presentation from staff on the local bill to repeal the Alachua County Boundary Adjustment Act and take a position.

Explanation: The Alachua County Boundary Adjustment Act is an Interlocal Service Boundary Agreement passed in 1990 by the Legislature of the State of Florida to set forth procedures for establishing municipal reserve areas and for adjusting the boundaries of municipalities in Alachua County. The provisions set forth in the Alachua County Boundary Adjustment Act preempt other laws, specifically the Municipal Annexation or Contraction Act (Fla. Stat. §171).

In anticipation of the 2014 legislative session, multiple public hearings were held to discuss repealing the Boundary Adjustment Act. On December 5, 2013, the City Commission discussed the local bill, sponsored by State Representative Clovis Watson, Jr., to repeal the Alachua County Boundary Adjustment Act. The Commission indicated

that elements of the Boundary Adjustment Act were antiquated but expressed an interest in retaining the urban reserves to promote long-term planning and inter-local collaboration. A great deal of community outreach and city/county coordination went into the establishment of the urban reserves. They are beneficial because they provide a roadmap of where each municipality can and cannot annex. The City Commission voted unanimously to enter into negotiations with the other eight municipalities in Alachua County to draft a bill that defaults to state law for annexation procedures but retains the urban reserve areas.

On January 28, 2014, the Alachua County League of Cities (ACLC) met and discussed alternatives to repealing the Boundary Adjustment Act. At this meeting, there was general consensus among the Alachua County League of Cities' representatives to amend the Boundary Adjustment Act to only set forth procedures for establishing and updating municipal reserve areas, with all activity related to municipal annexation governed by general law. On February 6, 2014, the Gainesville City Commission heard an update on the progress of negotiations with the members of the Alachua County League of Cities and a new bill called the Urban Reserve Act (URA) to repeal and replace the Boundary Adjustment Act was presented by staff.

On February 25, 2014, State Representative Clovis Watson, Jr. notified the Alachua County League of Cities that there was insufficient time to bring the new bill forward for the 2014 legislative session and encouraged cities to bring the bill forward in a future legislative session.

From March to May of 2014, a team of representatives from the Alachua County League of Cities worked to refine the Urban Reserve Act and set a timeline to bring it forward during the 2015 legislative session. On May 27, 2014 the Alachua County League of Cities met and heard a presentation on the proposed Urban Reserve Act. The representatives in attendance agreed to present the new Urban Reserve Act to each of their City Commissions prior to October 2014 and seek support for the repeal and replacement of the Boundary Adjustment Act.

On August 7, 2014 the Gainesville City Commission heard a presentation by staff and Hawthorne Mayor Matt Surrency on the proposed Urban Reserve Act and voted to support the local effort to repeal and replace the Alachua County Boundary Adjustment Act with the Alachua County Urban Reserve Act in the 2015 legislative agenda.

On Thursday, January 29, 2015 Representative Keith Perry introduced local legislation to repeal the Boundary Adjust Act (BAA), without an option to replace the Act. The Delegation's action was to support repeal of the Boundary Adjust Act; the bill passed the delegation with a 2-1 vote.

On February 24, 2015 the Alachua County League of Cities met to discuss the local bill to repeal the BAA. The League voted to support the

repeal of the BAA and to establish interlocal agreements to maintain and update the urban reserves with a time certain of March 1, 2016.

The Board of County Commissioners and the City Commission of Newberry have voted to oppose the repeal of the BAA. The remaining municipalities have maintained a position of support for the repeal of the BAA.

Fiscal Note: None

RECOMMENDATION

The City Commission: 1) take a position on the local bill to repeal the Alachua County Boundary Adjustment Act; and 2) direct the City Manager to continue to work with all stakeholders to identify options to retain the urban reserve areas if the BAA is repealed.

Legislative History

12/5/13	City Commission	Approved, as shown above
2/6/14	City Commission	Heard
8/7/14	City Commission	Approved as Recommended

[130546A Chapter 90-946 20131205.pdf](#)

[130546B Florida Statute 171 20131205.pdf](#)

[130546C Reserve Areas 20131205.pdf](#)

[130546D BAA PowerPt 20131205.pdf](#)

[130546 MOD BAA Proposed Revisions 1-28-14 20140206.pdf](#)

[130546A Urban Reserve Act FINAL 20140807.pdf](#)

[130546B URA PPT Presentation 20140807.pdf](#)

[130546 Letter from County 20150319.pdf](#)

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC SAFETY COMMITTEE

[140741.](#)

Vehicle For Hire Ordinance Revisions (B)

MODIFICATION - New Back-up and Revised Power Point

Explanation: City staff has been meeting weekly since the Public Safety Committee and Economic Development/University Community Committee Joint

Committee meeting on October 29, 2014 to prepare a draft ordinance meeting the direction provided by the Joint Committee. Consistent with the approved motion this has been to: 1) accommodate Transportation Network Company (TNC) models; 2) revisit the existing Vehicle for Hire (VFH) ordinance to streamline/make more efficient where possible; and, 3) create a level playing field for both tradition VFH operators and TNC's and eliminate unnecessary regulation.

Staff reviewed TNC ordinances approved by other jurisdictions when developing the draft ordinance and shared updated versions of the draft ordinance with stakeholders on a few occasions seeking input. Staff also hosted a meeting with stakeholders on January 26, 2015 to review the draft ordinance, answer questions and seek further feedback. At the February 23, 2015 Joint Committee meeting, staff presented their proposed changes to the members of committees for their review and input. Representatives from several stakeholder companies were in attendance to give input. The draft ordinance has been modified subsequent to the February 23, 2015 meeting based on the Joint Committee's discussion including the proposed fee structure and insurance requirements.

Key issues addressed in the draft ordinance revisions to accommodate TNCs includes: 1) background checks for drivers, 2) vehicle inspections, 3) insurance requirements, 4) features to help customers identify the driver and their vehicle, 5) TNC drivers accepting rides booked through the mobile app only, no hails, 6) fee structure, 7) operation on private property such as the Airport, and 8) reducing the regulatory burden on existing vehicle for hire operators.

As proposed, TNCs can choose to handle their own background checks and vehicle inspections through companies approved by the City. Insurance requirements have generally been set to match State requirements. Private property owners such as the Airport may establish their own regulations of VFHs as they currently do.

Fiscal Note: On January 15, 2015, the City Commission approved an ordinance to waive vehicle for hire fees for a 12 month period. The draft ordinance includes proposed fees for TNCs.

RECOMMENDATION

The City Commission hear a presentation from staff and direct the City Attorney to draft and the Clerk of the Commission to advertise the ordinances for City Commission consideration.

Legislative History

2/23/15	Public Safety Committee	Discussed
---------	----------------------------	-----------

[140741a_VFH_Gville_Draft_20150223](#)
[14071b_TNC_PUBLIC_DRAFT_20150223](#)
[140741c_TNC_&_VFH_Presentation_20150223](#)
[14071d_VFH_Public_Clean_Draft_20150223](#)
[140741e_TNC_Public_Clean_Draft_20150223](#)
[140741a_TNC_Public_Clean_Draft_20150319](#)
[14071b_VFH_Public_Clean_Draft_20150319](#)
[140741c_TNC_Draft_20150319.pdf](#)
[14071d_VFH_Draft_20150319](#)
[140741e_HouseBill817_20150319](#)
[140741f_HouseBill757_20150319](#)
[140741g-MOD_VFH_and_TNC_Presentation_20150319.pdf](#)
[140741h-MOD_VFH_Public_Draft_20150319.pdf](#)
[140741i_VFH_Clean_DRAFT_20150319.pdf](#)
[140741j-MOD_DRAFT_Gainesville_TNC_20150319.pdf](#)
[140741k-MOD_Clean_DRAFT_Gainesville_TNC_20150319.pdf](#)

GENERAL GOVERNMENT ADVISORY BOARD/COMMITTEE REPORTS. Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.

GENERAL GOVERNMENT-RELATED ITEMS FROM OUTSIDE AGENCIES. Must be submitted by a Charter Officer. Update limited to ten (10) minutes.

GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION

GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)

GAINESVILLE REGIONAL UTILITIES items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.

5:30 P.M.

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by Commissioner or Charter Officer

[140797.](#)

Autism Awareness Month - March 2015 (B)

RECOMMENDATION *Lenorea Francis to accept the proclamation.*

[140797_AutisimMonth_20150319.pdf](#)

[140798.](#)

Doctor's Day - March 30, 2015 (B)

RECOMMENDATION *Alachua County Medical Alliance Mrs. Roslyn Levy and Dr. Mary Grooms to accept the proclamation.*

[140798_DoctorsDay_20150319.pdf](#)

[140805.](#)

Phalanx Defense Systems Day - March 19, 2015 (B)

RECOMMENDATION *Phalanx Chief Executive Officer James Coats, Chief Technology Officer John Perkins and Chief Operating Officer Justin Mowitz to accept the proclamation.*

[140805_PhalanxDefense_20150319.pdf](#)

6:00 P.M.

CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as allows for 30 minutes of citizen comment)

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[140729.](#)

Resolution Creating Blue Ribbon Advisory Committee on Economic Competitiveness (B)

MODIFICATION - Revised Back-up

Explanation: At the February 19, 2015, City Commission meeting, Mayor Ed Braddy presented an agenda item on his initiative to re-imagine economic development in the City. As part of this item, the Mayor outlined his concept for establishment of a City "blue ribbon committee" to research best practices for business development and to make recommendations to the City Commission on how the City can improve its business environment. This Resolution creates this committee and provides for its composition, responsibilities, operations and use of City resources.

RECOMMENDATION *The City Commission adopt the Resolution.*

Legislative History

2/19/15 City Commission Approved, as shown above

[140729_draft_resolution_20150319.pdf](#)

[140729_revised_resolution_20150319.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[130515.](#)

QUASI-JUDICIAL - PLANNED DEVELOPMENT AMENDMENT - GAINESVILLE MIXED-USE DEVELOPMENT ON NW 13TH STREET" (B)

Ordinance No. 130515; Petition PB-13-85 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning to Planned Development District (PD) approximately 1.67 acres of property located at 1226 NW 3rd Avenue, 303 NW 13th Street, 1249 NW 4th Avenue and 1227 NW 4th Avenue, as more specifically described in this ordinance; adopting PD maps, a PD report, and development conditions; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an effective date.

MODIFICATION - Revised Text File and Back-up.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

NOTE: The first reading of this ordinance was continued until March 19, 2015, with direction from the City Commission to amend the draft ordinance as discussed at the meeting on March 5, 2015. The following has been revised since the meeting on March 5, 2015:

- 1. The building is no longer limited to 6 stories (or 5 stories for the parking garage), but the maximum height limit of 85 feet (and 60 feet for the parking garage) remains.*
- 2. The maximum number of bedrooms has been specified, rather than stating the standard calculation equation for maximum number of bedrooms.*
- 3. The building elevations have changed.*

This ordinance amends and supersedes an existing Planned Development District (PD) located on NW 13th Street that was originally adopted on January 19, 2012, by Ordinance No. 100897. A 0.14 acre parcel, located at 1226 NW 3rd Avenue and currently developed with a single-family residence, will be added to the southeast corner of the existing 1.53-acre PD. Both the new parcel and the approximately 0.3-acre parcel located at 1227 NW 4th Avenue are located within the University Heights Historic District-North, and both structures are considered contributing structures to the historical character of the

district. The entire PD is located within the Traditional City Special Area Plan and the Fifth Avenue/Pleasant Street Redevelopment Area.

This ordinance will enable the applicant to construct a mixed-use redevelopment project that will include commercial and multi-family residential uses. The PD Report outlines the permitted uses within the development and some basic design standards. The permitted uses are a subset of the uses currently allowed by the UMU-2 zoning district, omitting certain uses such as rooming houses, day care facilities, limited automotive services, and hardware stores. The PD Report describes a 6-story building on the site that will transition to a lower height to the east adjacent to the University Heights North neighborhood. The building will use a parking garage that will be accessed from entrances on NW 3rd and 4th Avenues. Solid waste collection and freight access will be contained within the garage.

A basic layout for the site is shown on the PD Layout Map, which depicts the building envelope and setbacks from the streets and from the adjacent properties to the east. Development standards are also listed on the layout map, including the intensity of uses, maximum building height, building coverage, and setbacks. New building elevations are also included with this ordinance.

The major revisions from the existing approved PD include:

- 1. Reduction of the overall maximum building height from 8 stories to 6 stories, and 106 feet to 85 feet.*
- 2. An allowance for the highest portion of the building to extend further to the east (by approximately 50 feet), and for the parking garage to extend further to the east (by approximately 75 feet). This is made possible by the incorporation of the additional parcel.*
- 3. Removal and relocation of a second historic house from the additional parcel.*
- 4. An increase in the maximum number of multiple-family units from 168 to 202, and an increase in the maximum number of bedrooms from 230 to a maximum average of 2.75 bedrooms per unit.*
- 5. Removal of 20,000 square feet of office, and clarification that a total of 26,000 square feet of nonresidential uses is allowed.*
- 6. Removal of a requirement to preserve an existing 56" heritage live oak tree on the site.*
- 7. Revision of the building elevations and removal of requirements for exterior building materials to be a combination of brick, stone and stucco.*

Staff finds this proposal to meet the minimum requirements for a rezoning to the Planned Development District (PD) as specified in Section 30-213 and Section 30-216 of the Land Development Code.

After public notice was published in the Gainesville Sun on October 8, 2013, the City Plan Board held a public hearing on October 24, 2013, and by a vote of 5-1 recommended approval of the petition with certain

revisions. The City Commission held a public hearing on January 16, 2014, and approved the petition by a vote of 4-3. Following a delay initiated by the land owner/agent, the land owner/agent has requested minor revisions to this ordinance and has requested that this ordinance now proceed to the City Commission for consideration. The changes requested include: the 202 allowable residential units are now calculated with a maximum average of 2.75 bedrooms per unit, and the condition requiring relocation of the existing historic structures has been revised to allow the owner/agent to apply for a demolition permit under Section 30-112 of the Land Development Code if relocation presents an undue hardship (i.e., financially or structurally infeasible).

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and, following adoption, shall become effective upon Planned Use District (PUD) Ordinance No. 130514 becoming effective as provided therein.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

12/19/13	City Commission	Continued (Petition)
1/16/14	City Commission	Approved (Petition)
3/5/15	City Commission	Continued (1st Reading)

[130515A CPB conditions 20131219.pdf](#)

[130515B Revised elevations 20131219.pdf](#)

[130515C Staff report 20131219.pdf](#)

[130515D Append A Application and Workshop information 20131219.pdf](#)

[130515E Append B Supplemental Documents 20131219.pdf](#)

[130515F Append C TRC Comments 20131219.pdf](#)

[130515G CPB Minutes draft 20131219.pdf](#)

[130515H staff ppt 20131219.pdf](#)

[130515A CPB conditions 20140116.pdf](#)

[130515B Revised elevations 20140116.pdf](#)

[130515C Staff report 20140116.pdf](#)

[130515D Append A Application and Workshop information 20140116.pdf](#)

[130515E Append B Supplemental Documents 20140116.pdf](#)

[130515F Append C TRC Comments 20140116.pdf](#)

[130515G CPB Minutes draft 20140116.pdf](#)

[130515H staff ppt 20140116.pdf](#)

[130515H-MOD Staff PPT 20140116.pdf](#)

[130515A draft ordinance 20150305.pdf](#)

[130515A amended draft ordinancej 20150319.pdf](#)

[140721.](#)**Hatchett Creek Planned Use District - Time Extension (B)**

Ordinance No. 140721

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 100776 to extend certain time limits to apply for and obtain Planned Development District (PD) zoning for the Hatchett Creek Planned Use District (PUD); providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: **PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

Planned Use District (PUD) is an overlay land use category created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations are compatible with the character of the surrounding land uses and environmental conditions of the subject land. Once a PUD is adopted, an associated Planned Development District (PD) zoning ordinance generally must be adopted within 18 months or the PUD overlay becomes null and void, leaving the land with the original and underlying land use category.

On December 17, 2009, the City Commission adopted Ordinance No. 070210, which overlaid the PUD land use category, with development conditions, on certain land that is the subject of this ordinance and is commonly known as "Hatchet Creek". Ordinance No. 070210 included a condition that within 18 months, Hatchett Creek's owner/developer shall either apply for and obtain an associated PD zoning or file an application to extend the aforesaid 18 month period. Following Hatchett Creek's owner/developer timely filing an extension application per Ordinance No. 070210, the City Commission on July 21, 2011, adopted Ordinance No. 100776 granting the extension and establishing that Hatchett Creek's owner/developer shall either apply for and obtain PD zoning by June 30, 2015, or file an application by February 26, 2015, to extend such date. On February 3, 2015, Hatchett Creek's owner/developer filed an application to request a 3-year extension and cited market viability and revisions to the overall development plan concept as reasons for the request.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[140721_draft ordinance_20150319.pdf](#)

[140721A Request for Extension letter 20150319.pdf](#)

[140721B Existing Ord 100776 20150319.pdf](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED[130557.](#)**BUTLER DEVELOPMENT CONDITIONAL VACATION OF PUBLIC RIGHT-OF-WAY (B)**

Ordinance No. 130557; Petition No. PB-14-148 SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close a portion of SW 42nd Street generally located between SW 24th Avenue and the 3200 block of SW 42nd Street, together with two stormwater parcels associated with SW 42nd Street, as more specifically described in this ordinance; providing terms and conditions; providing a severability clause; providing a repealing clause; providing directions to the Clerk of the Commission; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This ordinance will conditionally vacate a public right-of-way located in the Butler Development, which is an approximately 267 acre private development located north of SW Archer Road, south of SW 24th Avenue, east of SW 40th Boulevard, and west of SW 34th Street. Specifically, this ordinance will vacate a portion of SW 42nd Street between the northern and southern boundaries of the Butler Development (approximately from SW 24th Avenue to the 3200 block of SW 42nd Street) together with two stormwater parcels associated with SW 42nd Street. As a condition of this public right-of-way vacation, the Butler Development will construct and dedicate to the public use and benefit certain road improvements, including an extension of SW 62nd Boulevard from Archer Road to the western boundary of the Butler Development. The request satisfies the requirements for a street vacation and complies with the appropriate policies of the Comprehensive Plan.

The City Plan Board held a public hearing on January 22, 2015, and voted to recommended approval of this petition.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption; however, the vacation of public right-of-way and associated stormwater parcels that are the subject of this ordinance will not become effective until this ordinance together with the executed affidavit of completion described in the ordinance has been recorded in the Public Records of Alachua County, Florida.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

3/5/15 City Commission Approved (Petition) and Adopted on First Reading
(Ordinance)

[130557A_draft ordinance_20150305.pdf](#)

[130557B_Staff report_20150305.pdf](#)

[130557C_Plan Board Draft Ordinance_20150305.pdf](#)

[130557D_CPB minutes_20150305.pdf](#)

[140023.](#)

**TEXT CHANGE - CONCURRENCY AND TRANSPORTATION
MOBILITY AMENDMENTS FOR CONSISTENCY WITH THE
COMPREHENSIVE PLAN (B)**

Ordinance 140023; Petition No. PB-13-127 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code regarding concurrency and transportation mobility for consistency with the Comprehensive Plan; by amending definitions in Section 30-23; by amending the title of Article III; by amending concurrency management provisions in Article III, Division 2; by repealing and deleting in its entirety Article III, Division 3 regarding proportionate fair-share; by repealing and deleting in its entirety Article III, Division 4 regarding the State Mandated Transportation Concurrency Exception Area (TCEA); by creating a new Article III, Division 3 regarding the Transportation Mobility Program (TMP); by amending excess parking requirements in Section 30-333; by amending provisions in Appendix A, Section 4 regarding the Special Area Plan for Traditional City Minimum Development Standards; by amending provisions in Appendix A, Section 5 regarding the Special Area Plan for Central Corridors Minimum Development Standards; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF
REPORT*

This ordinance amends the Land Development Code to update it for consistency with the recently adopted Comprehensive Plan. On August 15, 2013, the City Commission adopted Ordinance No. 120370 (which became effective on October 12, 2013) and amended the Comprehensive Plan pursuant to a state requirement to comply with changes to Florida Statutes, address changes in local conditions, and correct internal inconsistencies. As a result, this ordinance will amend the Land Development Code for consistency as follows:

** Transportation concurrency and the Transportation Concurrency Exception Area (TCEA) have been rescinded, and these provisions are being replaced with a new program called the Transportation Mobility Program (TMP).*

- * Deleted provisions for Proportionate Fair-Share due to rescinding transportation concurrency and changes in state law.
- * Clarified that transportation mobility levels of service (LOS) is for planning purposes and not for transportation concurrency.
- * Revised the LOS standard for Public Schools Facilities (School Concurrency).
- * Timing requirements for meeting concurrency have been amended based on new state law provisions.
- * Obsolete references to the 2000-2010 Comprehensive Plan have been deleted.

After public notice was published in the Gainesville Sun on April 8, 2014, the City Plan Board held a public hearing on April 24, 2014, and recommended approval of the petition by a vote of 6-0.

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.

Legislative History

3/5/15 City Commission Approved (Petition) and Adopted on First Reading (Ordinance)

[140023A draft ordinance 20150305.pdf](#)

[140023B Staff report 20150305.pdf](#)

[140023C Exh A-1 Amendments to LDC 20150305.pdf](#)

[140023D Exh A-2 Application 20150305.pdf](#)

[140023E CPB minutes 20150305.pdf](#)

[140023F staff ppt 20150305.pdf](#)

[140578.](#)

TEXT CHANGE - ELIMINATING FIVE-ACRE MINIMUM SIZE REQUIREMENT FOR CLUSTER SUBDIVISIONS (B)

Ordinance No. 140578; Petition No. PB-14-144 TCH
An ordinance of the City of Gainesville, Florida, amending the Land Development Code Section 30-190 Cluster Subdivisions to eliminate the five-acre minimum size requirement; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance amends the Land Development Code Section 30-190 to eliminate the minimum size requirement and allow Cluster Subdivisions

to be less than the current acreage requirement of five acres. This will allow for greater flexibility on urban parcels that may not meet the five acre requirement and may provide opportunities for more infill development or redevelopment of areas. Cluster subdivisions are subject to development standards that are classified as either environmental or infill based on a criteria that includes the provision of open space, tree preservation, and the protection of environmentally sensitive areas.

After public notice was published in the Gainesville Sun on November 17, 2014, the City Plan Board held a public hearing on December 3, 2014, and recommended approval of the petition by a vote of 5-0.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION The City Commission adopt the proposed ordinance.

Legislative History

3/5/15 City Commission Approved (Petition) and Adopted on First Reading (Ordinance)

[140578A_draft ordinance_20150305.pdf](#)

[140578B_Staff report_20150305.pdf](#)

[140578C_Exh A-1 Land Development Sec 30-190_20150305.pdf](#)

[140578D_Exh B-1 Application_20150305.pdf](#)

[140578E_CPB minutes_20150305.pdf](#)

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

[140397.](#)

Prohibiting Camping on Public Property and Sleeping in Public Right-of-Ways (B)

This item involves a request for the City Commission to consider an ordinance to prohibit camping on public property and sleeping in public right-of-ways.

MODIFICATION - Additional Back-up

Explanation: With the opening and expansion of services at the Empowerment Center as a One-Stop Center for homeless services, City staff is seeking direction from the City Commission to prepare an ordinance for City

Commission consideration to prohibit camping on public property and sleeping in public right-of-ways.

The City recognizes that courts have held it unlawful to criminalize daily life activities that homeless persons engage in in public places when they have no other place to conduct their daily life activities. However, the City, County and Gainesville community have dedicated significant resources to create shelter capacity and supportive services for those who are homeless so that they have an alternative place to engage in necessary daily life activities, such as shower and restroom facilities, storage of personal belongings and shelter for sleeping. City staff has been working with homeless advocates and the providers of homeless services to encourage the use of these services at the Empowerment Center consistent with the purpose and mission of the Empowerment Center. This is in addition to the homeless shelter and services provided by other organizations in the community.

The City has found that camping on public property and sleeping on public right-of-ways create public health, safety and welfare concerns that can be alleviated when safer options are available at community shelters whose purpose is to provide shelter and address the needs of those who are homeless.

In addition, the City has found that camping and sleeping in such public areas that are not designated or set up for such use leads to unhealthy conditions that impact homeless individuals and the general public such as garbage that attracts vermin, lack of food storage facilities facilitating the spread of food-borne diseases, lack of toilet facilities leading to public urination and defecation, exposure to heat and cold and vulnerability to crime among others.

For these reasons, staff believes it is important that the City Commission consider prohibiting camping on public property, and sleeping on public right-of-ways with appropriate safe harbors and exceptions. A draft of such regulations is provided in the back-up for discussion.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

The City Commission direct the City Attorney to draft, and the Clerk of the Commission to advertise an ordinance for City Commission consideration to prohibit camping on public property and sleeping in public right-of-ways, with appropriate safe harbors and exceptions.

[140397A_Draft Regulations_20150319.pdf](#)

[140397B_MOD Memo_20150319.pdf - Adobe Acrobat Pro.pdf](#)

[140814.](#)

Update on Dignity Village Review (B)

This item is a request for the City Commission to hear an update on the Dignity Village review.

MODIFICATION - Added item

Explanation: This item supports City Commission Strategic Initiative 3.1: Continue Implementation of the 10 Year Plan to End Homelessness.

This is the first update on actions taken to date regarding the review of Dignity Village. As there are not currently many government-run homeless camping facilities in the United States, staff was directed to research and identify other such facilities across the country to determine what guidelines, rules and regulations are being used to manage such facilities. Staff was also directed to conduct stakeholders meetings (Alachua County Coalition for Homeless and Hungry Management, Dignity Village residents, the Oversight Board Workgroup and local business owners) to get their input and feedback on rules, regulations and guidelines that would best govern the property. The final document will be submitted to the Gainesville City Commission and used as a basis for future discussions.

Fiscal Note: At this time the City is currently spending funds on 4 porta-lets (3 singles and 1 ADA) with service twice a week at Dignity Village. The cost is approximately \$625 monthly and is being paid for out of Facilities Management funds.

RECOMMENDATION

The City Commission receive an update on the Dignity Village review and provide direction.

[140814_Update on Dignity Village_20150319.pdf](#)

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time permits)

ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)