

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

April 21, 2016

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)

Commissioner Harvey Budd (At Large)

Commissioner Helen Warren (At Large)

Commissioner Charles Goston (District 1)

Commissioner Todd Chase (District 2)

Mayor-Commissioner Pro Tem Craig Carter (District 3)

Commissioner Randy Wells (District 4)

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

CALL TO ORDER**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**

[150808.](#)

Grant Applications for Hoggetowne Medieval Faire and Downtown Cultural Series (NB)

This item is for City Commission approval for the Parks, Recreation and Cultural Affairs Department to submit two applications for grants from the Alachua County Tourist Product Development Program for funds to provide marketing and production support for the Hoggetowne Medieval Faire and the Downtown Cultural Series.

Explanation: The Parks, Recreation and Cultural Affairs Department wishes to submit two grant applications to the Alachua County Tourist Product Development Program for funds to provide marketing and production support for the 2017 Hoggetowne Medieval Faire, and also the 2016/2017 Downtown Cultural Series. Each grant application requests \$50,000. The intent of the Tourist Product Development Program is to stimulate and encourage the development of new experiences for visitors coming into Alachua County. A condition of the grant funding is that a percentage of funds are to be spent on marketing outside of Alachua County. The grants will pay for advertising and promotion in daily and monthly print publications, and will include radio and television broadcasts. The remaining balance will be spent on entertainment and production. The Department has received grant funding from the

Alachua County Tourist Product Development Fund annually since 2008.

Fiscal Note: No matching funds are required.

RECOMMENDATION

The City Commission: 1) approve submission of two applications by the Parks, Recreation and Cultural Affairs Department for grants from the Alachua County Tourist Product Development Program for funds to provide marketing and production support for the Hoggetowne Medieval Faire and the Downtown Cultural Series; 2) authorize the City Manager to execute the grant applications, and 3) if awarded, authorize the City Manager to execute the grant award agreement(s) and other grant-related documents, subject to approval by the City Attorney as to form and legality.

[150822.](#)

Regional Transit System (RTS) Summer 2016 Transit Service Changes (B)

This is a request for the City Commission to approve the proposed RTS Summer 2016 Service Changes.

Explanation: RTS makes transit service changes three times a year. These changes coincide with the semester schedules for the University of Florida (UF) and Santa Fe College (SF). The following proposed service changes reflect the routine decrease in service levels that accompany the summer period and have been approved by both UF and SF respective to the routes they fund. RTS presented these changes for feedback at an advertised public meeting on March 23, 2016 that was jointly held at the same time as the RTS Citizens Advisory Board (CAB). See back-up for the presentation that was presented.

Fiscal Note: In fiscal year 2016-17, the City of Gainesville will receive approximately \$13 million from UF and \$1 million from SF for RTS services.

RECOMMENDATION

The City Commission approve the proposed summer 2016 service changes effective May 2, 2016.

[150822A_Summer 2016 PPT_20160421.pdf](#)

[150822B_Public Meeting Notice_20160421.pdf](#)

[150876.](#)

Agreement with Florida Department of Corrections - Operations Inmate Work Crew (B)

This item requests that the City Commission approve a contract

between the City of Gainesville (City) and Florida Department of Corrections (FDOC) for Inmate Work Crew for Operations Maintenance Activities for the term of May 1, 2016 through May 1, 2019.

Explanation: The Public Works Department contracts with the FDOC to provide an Inmate Work Crew for operations maintenance activities. The inmate work crew consists of an FDOC supervisor and five inmates. Annually, this works out to approximately 2080 hours for the officer and 10,000 hours of inmate labor. This three year contract pays for the salary of the FDOC supervisor along with required tools and supplies in the amount of \$180,116.00. The major work focus of this crew is litter cleanup, trash pickup, and general operational maintenance.

Fiscal Note: First year funds in the amount of \$65,122 are available in the FY2016 Public Works Department operational budget.

RECOMMENDATION

The City Commission authorize the City Manager to execute the contract with Florida Department of Corrections for a contractual inmate work crew for the term of May 1, 2016 through May 1, 2019, subject to approval by the City Attorney as to form and legality.

[150876A_Contract_20160421.pdf](#)

[150876B_AddendumA_20160421.pdf](#)

[150896.](#)

Assistance to Firefighters Fire Prevention and Safety Grant Application FY2015 (NB)

This item requests that the City Commission authorize the City Manager or designee to apply for and, if awarded, accept grant funds from the FY2015 US Department of Homeland Security, Federal Emergency Management Agency Fire Prevention and Safety Grant Program.

MODIFICATION - CHANGED TEXT FILE LANGUAGE

Explanation: The Fire Prevention and Safety Grants are part of the Assistance to Firefighters Grants and support projects that enhance the safety of the public and firefighters from fire and related hazards. The primary goal is to reduce injury and prevent death among high-risk populations. The application period for the FY2015 funding opens April 4th, 2016 and closes May 6th, 2016.

Gainesville Fire Rescue proposes the submission of an application that would fund a Home Fire Sprinkler Initiative to raise community awareness about the lifesaving benefits of installing a home sprinkler system in newly constructed homes, funding to revive GFR's "Project Get Alarmed" smoke alarm, CO detector, and home safety evaluation program, which targets economically challenged residents, and the

purchase of an inflatable fire safety house designed to support home fire safety education and awareness.

The Home Fire Sprinkler Initiative will augment GFR's planned Economic Impact Study of all community specific incentives available to offset the cost of installing residential fire sprinkler systems. The City Commission asked the City Manager to provide a FY17 increment for City Commission consideration to fund the State required Economic Impact Study on October 1, 2015.

Project Get Alarmed has proven to be a resounding community success since 2004 but inconsistent funding creates a concerning backlog of applications. The inflatable fire safety house is customizable and provides hand-on teaching, including practice for home escape plans.

Fiscal Note: The City could receive up to \$116,010.91. Matching funds of five percent (5%) or approximately \$5,800.55 will be identified in the department's budget.

RECOMMENDATION

The City Commission authorize the City Manager or designee to submit the grant application and, if awarded, execute the grant contract and other related documents, pending approval by the City Attorney as to form and legality.

[150912.](#)

Voluntary annexation petition for property owned by James D. Henderson along SW 20th Avenue and west of I-75 (B)

This is the submission of petition for voluntary annexation of parcels 06675-001-000, 06675-003-000, 06676-000-000, 06677-000-000, and 06680-004-000, owned by James D. Henderson. The property is approximately 156 acres and located along SW 20th Avenue and west of I-75.

Explanation: James D. Henderson, property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The property is located to the north and south of SW 20th Avenue and has been described in two parts. Part A is north of SW 20th Avenue and south of SW 8th Avenue, west of Sugar Foot Oaks Subdivision & Interstate I-75, north of Pineglade Subdivision, Tower Oaks Subdivision, and SW 20th Avenue, and east of SW 75th Street. Part B is south of SW 20th Avenue, west of Interstate I-75, north of the boundary line for the City of Gainesville, and east of Portofino Subdivision and SW 17th Road.

Staff has reviewed the requirements of the the Municipal Annexation or Contraction Act (Chapter 171, Florida Statutes). This area meets the requirements of the Act and is appropriate for annexation.

In order to annex these parcels into the City limits, the owner must

submit a petition to the City of Gainesville for voluntary annexation.

Fiscal Note: There is no fiscal impact associated with acceptance of the voluntary annexation petition.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

[150912_Signed-Petition SW 20th Ave Voluntary Annexation_20160421.pdf](#)

[150908.](#)

Request for Proposal - License Agreement for Parking Lot #2 - Area Redevelopment (B)

This item involves a request for the City Commission to approve staff's ranking of proposals related to a License Agreement for Parking Lot #2 and an associated redevelopment project in the general area.

Explanation: On December 3, 2015, the City Commission authorized staff to develop and pursue a competitive process for the licensing of parking spaces in City Parking Lot #2 that would result in a Licensing Agreement for Parking Spaces associated with stimulating redevelopment in the general area.

Staff released a Request for Proposals (RFP) on February 7, 2016 and received one proposal from The Collier Companies that was evaluated and deemed responsible and responsive to the minimum requirements of the RFP which included: 1) submittal of a proposal for a License Agreement for Parking (proposed terms) that would contribute to a redevelopment project within the general area; 2) submittal of draft architectural/engineering plans that depict the redevelopment project; and 3) references to three (3) similar urban core/redevelopment projects.

The proposed project involves the development of approximately 290 market rate apartment homes of urban style housing in the downtown core designed to serve professionals that are working in the downtown area and features a variety of unit types for singles, couples and families. The leasing of parking spaces in parking lot # 2 is to assist the developer in competing for occupants of the units in a convenient manner and the proposer indicates that the addition of the parking lot # 2 spaces to the overall project provision of parking provides the minimum acceptable to the market place and to lenders.

As a result, staff is recommending the following ranking:

- 1) The Collier Companies

Staff wishes to note that in the event that the City Commission agrees with staff's ranking, the License Agreement for Parking Spaces and the redevelopment project are subject to further negotiation and the routine development review process and therefore have their own paths to follow moving forward.

Fiscal Note: Financial terms of a proposed License Agreement for Parking for Parking Lot #2 were included within the proposal and are subject to negotiation.

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking; 2) authorize the City Manager or designee to negotiate a License Agreement for Parking with The Collier Companies with regards to Parking Lot #2, subject to approval of the City Attorney as to form and legality; and 3) direct staff to return the said document to the City Commission for final review and approval.

[150908A_Lot 2 Addendas Docs_20160421.pdf](#)

[150908B_Lot 2 Award Docs_20160421.pdf](#)

[150908C_Lot 2 Bid Docs_20160421.pdf](#)

[150908D_Lot 2 Presentation Materials_20160421.pdf](#)

[150908E_Lot 2 Memo re Recorded Oral Presentations_20160421.pdf](#)

[150908F_Lot 2 Oral Evaluation_20160421.pdf](#)

[150908G_Lot 2 Vendor Submittals & Bid Record_20160421.pdf](#)

[150908H_Lot 2 Written-Technical Evaluation_20160421.pdf](#)

[150909.](#)

2018 Florida Department of State Division of Historical Resources Bureau of Historic Preservation - Small Matching Grant (B)

This agenda item requests authorization from the City Commission for the Planning and Development Services Department to apply for and if awarded, accept a grant from the Florida Department of State, Division of Historical Resources Bureau of Historic Preservation to conduct a survey of the City's post-WWII historic resources and complete an update to the City of Gainesville Historic Preservation, Rehabilitation, and Design Guidelines. No additional funds will be necessary to facilitate this request. Due to Gainesville's status as a Certified Local Government (CLG), the City is exempt from the matching requirement.

Explanation: The City of Gainesville Planning and Development Services Department is seeking to submit an application to the Florida Department of State,

Division of Historical Resources Bureau of Historic Preservation for a \$50,000 grant to conduct a survey of the City's post-World War II historic resources and complete an update to the City of Gainesville Historic Preservation, Rehabilitation, and Design Guidelines.

Fiscal Note: No additional funds will be necessary to facilitate this request. Due to Gainesville's status as a Certified Local Government (CLG), we are exempt from the matching requirement.

RECOMMENDATION

The City Commission 1) authorize the Planning and Development Services Department to apply for the grant 2) approve the request to accept the grant if awarded, from the Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation, and 3) if the grant is awarded, 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.

Alternate Recommendation

The City Commission not authorize the Planning and Development Services Department to apply for the grant.

[150909 Small Matching Grants Guidelines 20160421.pdf](#)

[150925.](#)

2016 USA Football Equipment Grant (NB)

This item requests approval for the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept, if awarded, a grant voucher for \$1,000 from the USA Football Equipment Grant program for football equipment.

Explanation: The Department's Master Plan identified the need to introduce youth to quality athletic programs that incorporate physical activity and life skills, and improve self-esteem. PRCA has a successful youth football program. The cost of equipping the football teams rises annually. The Department does not turn any child away from participating in the program. As a result, the demand for scholarships has increased. This grant voucher, if awarded, will allow the Department to purchase the necessary football equipment for local youth in need.

Fiscal Note: There is no funding match required.

RECOMMENDATION

The City Commission: 1) approve the request to accept a grant voucher, if awarded, from the USA Football Equipment Grant for the use of purchasing equipment for the youth football participants; and 2) authorize the City Manager or his designee to execute the grant voucher

agreement and other related grant documents, subject to approval by the City Attorney as to form and legality.

[150926.](#)

2016 Arts Education and Concerns Trust Foundation Grant (NB)

This item requests approval of the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) in collaboration with the Gainesville Arts & Parks Foundation, Inc., to apply to the Arts Education and Concerns (AEC) Trust Foundation for a grant in the amount of \$36,500 to support a mobile stage cultural concert series entitled, *Picnics in the Parks*.

Explanation: The PRCA Vision 2020 Master Plan identified the need to develop and implement new outreach cultural programming in one or more City parks, especially at Fred Cone Park, Depot Park, Albert "Ray" Massey Westside Park, and the Martin Luther King Multi-Purpose Center. The proposed grant would fund a minimum of four concerts and provide operating funds for the Gainesville Arts & Parks Foundation (GAP Foundation). The Picnics in the Parks mobile stage cultural concert series will provide outdoor cultural programs where they do not currently exist.

Cultural resources play a significant role in transforming lives, as well as enriching creative spirit. PRCA seeks to capture the creative spirit in children and adults through music and the arts with this new outreach program. The Picnics in the Parks mobile stage cultural series will expose youth and adults to cultural arts with music and dance on Saturday afternoons starting in July 2016. Cultural resources connect communities in unique and meaningful ways. It is well known that art and culture are a part of a solution to many challenges that face our communities today e.g. health and wellness, crime prevention, and quality of life for residents and visitors to our community.

The vision for PRCA is to develop a series of mobile stage cultural programs to be implemented on Saturday afternoons initially and then eventually during the weeknights in the fall when both children and adults can attend.

Fiscal Note: There is no fiscal impact of this grant application request.

RECOMMENDATION

*The City Commission: 1) approve the request to accept a grant, if awarded, from the AEC Trust Foundation in partnership with the Gainesville Arts & Parks Foundation to implement the mobile stage cultural concert series, *Picnics in the Parks*; and 2) authorize the City Manager or designee to execute the grant agreement and other related grant documents, subject to approval by the City Attorney as to form and legality.*

[150927.](#)

2016 Past Grantees National Recreation and Parks Association (NRPA) Walmart Foundation Out-of-School Time Programs Grant (NB)

This item requests approval of the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept, if awarded, a grant from National Recreation and Parks Association/Walmart Foundation Out-of-School Time Programs Grant for \$10,000 to support healthy meals at the Recreation Centers.

.Explanation

The department has applied for grant funds in the amount of \$10,000 from the Past Grantees NRPA/Walmart Foundation to support children and adults that attend City recreation centers. Additional meals will be served to needy families in our community in collaboration with our partners, Bread of the Mighty Food Bank and the Alachua County School Board. PRCA recreation center staff will be able to expand the nutritional information programs to teach families about eating healthy. Many times the meals served at the Centers are the only meal that some children will receive on a given day. The Past Grantees NRPA/Walmart Foundation 2016 Out-of-School Time Programs Grant will enhance PRCA's ability to increase the number of healthy meals and snacks served at the centers, as well as purchase much needed equipment.

Fiscal Note: There is no fiscal impact to this grant.

RECOMMENDATION

The City Commission: 1) approve the request to accept the grant if awarded from the NRPA/Walmart Foundation; 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.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

[150928.](#)

CHARLOTTE DE WAAL VS. CITY OF GAINESVILLE, FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-4585 (B)

Explanation: On April 7, 2016, the City was served with a Summons and Complaint filed by Charlotte De Waal. Plaintiff alleges that she was hired as a transit operator trainee on or about December 4, 2013 and subsequently

terminated based on an actual or perceived disability. Plaintiff alleges that she has been discriminated against based on her disability under Title I of the Americans with Disabilities Act. Plaintiff is seeking money damages, interest, court costs, and attorneys fees.

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Charlotte De Waal vs. City of Gainesville, Florida; Eighth Judicial Circuit, Case No. 2015-CA-4585.*

[150928_Charlotte De Waal Consent_20160421.pdf](#)

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[150931.](#)

City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of March 31, April 5, April 7, and April 11, 2016.*

[150931_Minutes_20160421.pdf](#)

[150934.](#)

Resignation of Allison Reagan and Sandra Lamme from the Historic Preservation Board (B)

RECOMMENDATION *The City Commission accepts the resignation of Allison Reagan and Sandra Lamme, effective immediately.*

[150934_Resignations_20160421.pdf](#)

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT AND FINANCE COMMITTEE, CONSENT

EQUAL OPPORTUNITY COMMITTEE, CONSENT

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

CITY MANAGER

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS & PUBLIC WORKS COMMITTEE

[150406.](#)

Prohibiting Smoking in all City parks (NB)

The Recreation, Cultural Affairs and Public Works Committee requests the City Commission consider an ordinance to prohibit smoking in City parks.

Explanation: During their July 1, 2010 meeting, the Gainesville City Commission discussed the topic of prohibiting smoking in the Downtown "Bo Diddley" Plaza, and referred the matter to the Public Safety Committee for further discussion and review.

Staff researched this matter and provided an update to the Public Safety Committee on September 27, 2010 including: 1) feedback from peer cities on what they do to address this issue (ban or restriction to specific areas); 2) advisory board feedback on the topic; 3) signage at the Plaza; 4) review of the current City ordinance governing activities allowed/prohibited in City parks; 5) consideration of cigarette butts and litter enforcement; and 6) designating specific areas for smoking at the Plaza during events.

The Public Safety Committee again discussed this referral at their January 10, 2011 meeting and heard from a representative from the State Health Department regarding the "Communities to Put Prevention to Work Program." The representative provided samples of signage and gave a list of Florida cities that have smoking restriction ordinances.

On February 17, 2011, the Public Safety Committee provided a report to the City Commission. At that time the Commission approved moving forward with voluntary compliance using signage. The Commission also authorized the City Manager to pursue partnerships with the Health Department and "Keep Alachua County Beautiful" for an educational campaign and to have appropriate staff monitor the situation and observe what is taking place in other Florida cities so the issue could be revisited in one year.

At the Committee's March 28, 2012 meeting, Dr. Stephen Pokorny, Director of Health Promotion for the Alachua County Health Department, gave a presentation on effects of a voluntary program to designate a few parks, including the Downtown Plaza as smoke-free zones which appeared to show significant reductions in smoking and consider regulations to legally ban smoking.

A presentation was provided at the May 3, 2012 City Commission meeting with City Commission direction of continuing and expanding voluntary signage to discourage smoking.

At the October 1, 2015 City Commission meeting, Mr. Barry Murphy appeared during Public Comment to express concerns about smoking in the Bo Diddley Plaza. Mr. Murphy suggested that the City brand an anti-smoking message "Bo says No to Smoking". The issue of smoking in parks was referred to the Recreation, Cultural Affairs and Public Works Committee.

The Recreation, Cultural Affairs and Public Works Committee met on March 10, 2016 and heard from the City Attorney's Office, who indicated that the Florida Clean Air act contains an express authorization for school boards to regulate smoking on school premises, which includes outdoors. Although the Florida Attorney General's Office has opined that the Florida Clean Indoor Air Act broadly preempts local regulation of outdoor smoking, the City Attorney's Office is of the opinion that this is a debatable issue and one that has not been decided by the courts or clearly addressed by the Legislature. Several Florida local governments have bans on smoking in parks, and would have an interest in participating in, or in the outcome of, any legal challenge to a local regulation on outdoor smoking.

The Committee agreed to recommend a simple ordinance instituting a \$25 fine for each instance of smoking in City parks. The City would need to publicize the policy through an education campaign and signage in City.

Fiscal Note: There would be costs associated with the installation of signs in City parks.

RECOMMENDATION

The Recreation, Cultural Affairs and Public Works Committee recommends that the City Commission authorize the City Attorney to draft, and the Clerk of the Commission to advertise, an ordinance

prohibiting smoking in all City parks and setting a \$25 fine for violation thereof.

Legislative History

10/1/15	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
12/10/15	Recreation, Cultural Affairs and Public Works Committee	Discussed
3/10/16	Recreation, Cultural Affairs and Public Works Committee	Discussed

[150406A Coral Springs ordinance 20151210.pdf](#)

[150406B CoG Park Regulations 20151210.pdf](#)

[150406C Casselberry smoking in parks 20151210.pdf](#)

[150406D CoG ordinance 20151210.pdf](#)

[150406E Fla Clean Indoor Air Act 20151210.pdf](#)

[150406F statewide policies 20151210.pdf](#)

[150406G Smoke Free Zone sign 20151210.pdf](#)

[150406H Dept of Health assessment 20151210.pdf](#)

[150406I Dept of Health assessment 2.pdf](#)

[150406J Sign photos 20151210.pdf](#)

[150406K City of Parkland 20151210.pdf](#)

GENERAL GOVERNMENT ADVISORY BOARD/COMMITTEE REPORTS. Reports must be placed on the agenda by a 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

[150806.](#)

Selection of the City Manager (NB)

This a request for the City Commission to select a City Manager.

Explanation: On November 5, 2015, City Manager Russ Blackburn resigned. During the Commission Meeting on November 5, 2015, the City Commission appointed Anthony Lyons as the Interim City Manager, and authorized the Human Resources Department to engage the services of an executive search firm to initiate a search to fill the vacant City Manager position.

Colin Baenziger & Associates conducted a search and presented a slate of highly qualified candidates to be considered at the April 7, 2016, City Commission meeting. The City Commission selected candidates to be interviewed, and interviewed those candidates on April 19th and 20th, 2016.

Fiscal Note: Salary is approved in the FY16 budget.

RECOMMENDATION

The City Commission: 1) select the next City Manager (and second and third choices, if deemed appropriate); and 2) authorize the Mayor to negotiate a contract with the successful candidate.

Legislative History

4/7/16 City Commission Approved, as shown above

[150806C_Cowper, Kevin - Resume_20160407.pdf](#)

[150806F_Lyons, Anthony - Resume_20160407.pdf](#)

[150806G_Murphy, J. J. - Resume_20160407.pdf](#)

[150806H_Oglesby, Rosylen - Resume_20160407pdf.pdf](#)

[150806i_O'Rourke, Tony - Resume_20160407.pdf](#)

[150806j_Salerno Pat - Resume_20160407.pdf](#)

[150806A Interview and Events Schedule_20160419.pdf](#)

[150806B_Cowper Kevin - Candidate Report_20160419.pdf](#)

[150806C_Lyons Anthony - Candidate Report_20160419.pdf](#)

[150806D_Murphy J. J. - Candidate Report_20160419.pdf](#)

[150806E_Oglesby Rosylen - Candidate Report_20160419.pdf](#)

[150806F_O'Rourke Anthony - Candidate Report_20160419.pdf](#)

[150806G_Salerno Patrick - Candidate Report_20160419.pdf](#)

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 by 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

[150874.](#)

City of Gainesville's Citizens' Academy 2016 Graduates (NB)

Explanation: The City of Gainesville Communications Office offers the Citizens' Academy, dubbed "Gainesville 101," to educate Gainesville citizens on the diverse services their city government provides and inform them on how they can become more involved in their local government.

Participants in this session's Citizens' Academy went behind the scenes of city government operations, met with government officials, toured facilities and asked questions at seven weekly sessions. This is the 19th graduating class of the City of Gainesville's Citizens' Academy.

RECOMMENDATION *The City Commission: 1) recognize accomplishments of the 2016 City of Gainesville Citizens' Academy graduates; and 2) hear brief comments from the class speaker on what they have learned.*

[150923.](#)

Special Recognition for Dr. Clark Hodge, Patricia Trippe, Guy Williams and the Lincoln Middle School 2016 Florida State MathCounts Champions (B)

RECOMMENDATION *The City Commission hear the Special Recognitions.*

[150923_Recognition_20160421.pdf](#)

[150920.](#)

Perinatal Mental Health Awareness Week - May 1-7, 2016 (B)

RECOMMENDATION *Alachua County Perinatal Mental Health Coalition Founder and Chair Lauren DePaola to accept the proclamation.*

[150920_PerinatalMentalHealth_20160421.pdf](#)

[150921.](#)

Doris Edwards Day - April 21, 2016 (B)

RECOMMENDATION *Mrs. Doris Edwards to accept the proclamation.*

[150921_DorisEdwards_20160421.pdf](#)

[150922.](#)

Collins Walter Duncan Day - April 21, 2016 (B)

RECOMMENDATION *Mr. Collins Walter Duncan to accept the proclamation.*

[150922_CollinsDuncan_20160421.pdf](#)

[150936.](#)**Reverend Dr. Marie Herring - April 21, 2016 (B)****RECOMMENDATION**

Reverend Dr. Marie Herring to accept the proclamation.

[150936 MarieHerring 20160421.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[150823.](#)**Public Hearing and Resolution for the Regional Transit System (RTS) Program of Projects (POP) FY 2016 (B)**

This item is a request to accept comments at a Public Hearing on the Regional Transit System Program of Projects (POP) FY 2016, and adopt a Resolution authorizing the filing of grant applications with the Federal Transit Administration and Florida Department of Transportation.

Explanation: In order to remain eligible for federal and state funding, the Regional Transit System (RTS) is required annually to submit a Program of Projects (POP) to the Federal Transit Administration and a budget application for capital and operating projects to the Florida Department of Transportation. The budget application requires notice to the public for their comments. The POP was presented to the RTS Advisory Board on March 23, 2016, and was published in the Gainesville Guardian on April 7, 2016, and the Sun on April 6, 2016. Citizens will also be able to comment at a public hearing during the City Commission meeting on April 21, 2016.

RECOMMENDATION

The City Commission: 1) accept comments at a Public Hearing on the Regional Transit System Program of Projects for FY 2016; and 2) adopt the Resolution authorizing the Regional Transit System to file grant applications with the Federal Transit Administration and Florida Department of Transportation as outlined in the Program of Projects for FY 2016.

[150823A FY2016 POP 20160421.pdf](#)

[150823B Resolution FY16 POP 20160421.pdf](#)

RESOLUTIONS- ROLL CALL REQUIRED

[150848.](#)**Resolution Concerning the City of Gainesville's Local Mitigation Strategy Plan (B)**

This item involves a Resolution to adopt the 2015 Alachua County Local Mitigation Strategy Plan and recommends authorizing the City Manager to execute Local Hazard Mitigation Grant Program Agreements.

Explanation: The City of Gainesville is an active participant in the Alachua County Local Mitigation Strategy (LMS) Plan Work Group. The LMS Work Group mission is to implement "effective mitigation strategies to significantly reduce or eliminate the damage or loss of life, property, and economic vitality in the event of a natural, societal or technological disaster." The LMS Work Group identifies and prioritizes projects in the LMS Plan to help "participating jurisdictions qualify for pre-disaster mitigation funding and federal disaster relief." The LMS Work Group also completes five-year updates to the LMS Plan; the most recent plan update for 2015 was completed January 29, 2016. Section 3.9.1 Adoption Procedures of the Alachua County LMS Plan requires participating municipalities to present the final copy for adoption.

The City of Gainesville has two Priority Ranked Projects listed in Appendix G of the plan: Hydraulic Hydrologic Model and Wildfire Mitigation. If approved, City staff will pursue available funding opportunities, including grant funding for implementation of these projects.

This item requests that the City Commission adopt, by Resolution, the 2015 updated Alachua County LMS Plan and authorize the City Manager to execute project-related agreements.

Fiscal Note: None

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute the Hazard Mitigation Grant Program Agreements and any other documents associated with completing these projects, subject to review by the City Attorney as to form and legality.

[150848A_LMS Resolution 2015_20160421.pdf](#)

[150848B_Exhibit A Project List_20160421.pdf](#)

[150848C_Alachua County Local Mitigation Strategy 2015_20160421.pdf](#)

[150875.](#)**Exchange of Real Property with South Park Investment Group, LLC (B)**

This item is a request to approve a mutually beneficial exchange of land

with South Park Investment Group, LLC, which will benefit the City by improving stormwater facilities in the Innovation Square District and providing public parking in the 600 block of SW 5th Avenue.

Explanation: The Public Works Department has been contacted by the South Park Investment Group, LLC, ("Developer") regarding an exchange of real property. The Developer wishes to expand the parking area for the Savion Apartments by acquiring approximately 19,282 square feet (a little less than half an acre) of City owned Parcel No. 13409-000-000 ("City Parcel"), which is located to the west of SW6th Street and south of SW 5th Avenue. In lieu of payment the developer is offering to convey 11,911 square feet (a little more than ¼ acre) of Parcel No. 13337-000-000 ("Developer Parcel"), which is located south of SW 5th Avenue. In addition to the conveyance of the Developer Parcel, the Developer agrees to construct an improved surface parking area for public use over approximately 25 feet of the northerly portion of the City Parcel. This parking lot will consist of 12 parking spaces and 5 bike racks which will accommodate 10 bicycles. (An aerial depicting the parcels involved is included in the backup.)

The South Park parcel is desirable to the City to improve the stormwater infrastructure for the area, which includes the Innovation Square district. Improvements will include the re-construction of an outfall pipe to enhance the function of the creek and serve as a safety upgrade to SW 5th Avenue. This transaction will also give the City ownership of that portion of the creek.

Because this proposed land exchange serves a greater public purpose than retention of the property, staff recommends declaring the portion of the City owned parcel described above as surplus, waiving the requirement in the City's Real Estate Policies to dispose of the property competitively, and entering into contracts to secure the transfer of the City Parcel in exchange for the Developer Parcel and the Developer's construction of the above-described surface parking area.

Using the tax assessed value of \$2.50 per square foot, the value of the proposed exchange consists of:

The City Parcel is valued at \$48,205

The Developer Parcel is valued at \$29,778. The estimated construction cost of the surface parking area is \$124,094, totaling \$153,872.

This gives the City a net benefit from the exchange valued at \$105,667.

Fiscal Note: No money is being exchanged for the conveyances of the subject parcels.

RECOMMENDATION

The City Commission: 1) adopt the Resolution to declare the approximately 0.443 acre portion of City-owned property as surplus, 2) authorize the City Manager to execute two contracts for the sale and purchase (exchange) of real property and an

agreement for the developer to construct surface parking improvements on City-owned property along SW 5th Avenue as partial consideration for the City parcel, and 3) authorize the Mayor to execute the deed for the City conveyance to South Park and accept the deed from South Park to the City.

[150875A_Contract-City to Southpark_20160421.pdf](#)

[150875B_Contract-Southpark to City_20160421.pdf](#)

[150875C_Resolution_20160421.pdf](#)

[150875D_AGREEMENT_20160421.pdf](#)

[150875E_Map_20160421.pdf](#)

[150919.](#)

Resolution Amending, Restating and terminating the 401(a) Money Purchase Plan administered by the ICMA Retirement Corporation Plan Number 107451 for Public Safety DROP Participants from 1999-2005 (B)

This is a request for the City Commission to approve a resolution amending, restating and terminating the 401(a) to remain compliant with the six-year IRS updates of the Plan and Trust Documents.

Explanation: This particular 401(a) was established to provide Public Safety DROP participants an account for their DROP annuity payments and was part of the 1999 bargaining process that created the Public Safety DROP. In 2005, after the completion of pension bargaining, the members ratified a DROP program that required the DROP participants to keep their DROP assets in the Defined Benefit plan subject to a fixed rate of return. The 401(a) has not had a new participant since September 2005 and the final distribution of the plan's assets occurred in March 2016 leaving the Plan with a zero balance. There is no future need to maintain the plan and it is necessary, after restatement, to terminate the plan.

The Internal Revenue Service (IRS) has a six-year review schedule for the type of 401 plan documents that the ICMA Retirement Corporation makes available for public employers. These documents have been submitted and approved by the IRS and now the City needs to restate and amend its adoption agreements before April 30, 2016. ICMA-RC has requested that the City both adopt the restatement and terminate the plan to ensure IRS compliance. The adoption agreement needs to be executed by the City Manager after the governing body approves the attached resolution.

RECOMMENDATION

The City Commission approve the Resolution.

[150919A_Resolution_20160421.pdf](#)

[150919B_Restatement_20160421.pdf](#)

[150748.](#)

**DISPOSING OF OUTSTANDING COMMITTEE REFERRALS
AND A RESOLUTION AMENDING AND RESTATING IN ITS
ENTIRETY THE RULES OF THE CITY COMMISSION (B)**

MODIFICATION - REVISED BACK-UP

Explanation: At its Special Meeting on April 11, 2016, the City Commission approved certain of the initial recommendations of the Charter Officers with respect to effective and efficient government, including the following:

Directing the Charter Officers to provide a recommended action to dispose of all outstanding Committee referrals at the April 21, 2016 City Commission Meeting;

Directing the City Attorney to draft a Resolution for April 21st City Commission Meeting amending the CCOM Rules to repeal all Commission Committees (except the General Policy Committee and the Audit and Finance Committee); to sunset all referrals pending in the General Policy

Committee and Audit and Finance Committee on April 30th of each year, unless the Committee votes to retain the referral for further work, and providing for a report of the sunset and retained referrals to the City Commission each year; to define an Agenda Management Meeting for the limited purpose of managing/finalizing agenda; and reformatting the Order of Business for Regular City Commission Meetings; and

Directing the Clerk to schedule standing 1- 1 1/2 hour meetings of all Charter Officers and each Commissioner individually, for purposes of discussing policy items, substantive review of upcoming agenda items and Charter Officer updates.

The back-up to this agenda item includes a table that provides recommendations for disposing of all outstanding Committee referrals and a Resolution that makes the amendments outlined above. In addition, the Resolution makes certain revisions requested by the Legislative and Organizational Policy Committee at its meeting on February 9, 2016 with regard to reconsideration of motions (Legistar No. 150064) and includes a clean-up of redundant and unnecessary provisions in the Rules.

RECOMMENDATION

The City Commission: 1) Review the table and dispose of all outstanding Committee referrals; and 2) adopt the Resolution.

Legislative History

2/23/16	City Commission	Heard
4/7/16	City Commission	Approved as Recommended
4/11/16	City Commission	Approved, as shown above

[150748 Effective and Efficient Government 20160407](#)

[150748A - Table.pdf](#)

[150748B - Resolution.pdf](#)

[150748A -MOD-Revised Table 20160421](#)

[150748B MOD revised Resolution 20160421](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[150749.](#)

Ordinance No. 150749; Petition No. PB-15-155 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.627 acres of property generally located at 1947 N Main Street, as more specifically described in this ordinance, from General Business (BUS) to Automotive-Oriented Business District (BA); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will rezone a developed, 0.63-acre property located at 1947 N Main Street (east side of Main) from General Business (BUS) to Automotive-Oriented Business District (BA). This corridor is increasingly used for automotive business purposes, as envisioned by the Gainesville Comprehensive Plan. This rezoning will eliminate one of the few properties fronting North Main Street between North 16th and NE 23rd Avenues that do not have BA zoning. This property contains a single-story, 4,331 square-foot, concrete block building that was built in 1975. It was the site of a retail futon and bedding store until several years ago, and the building is currently vacant.

The applicant has received several inquiries about use of the property for automotive uses that are not allowed by the property's current BUS zoning. Unlike the BUS district, the BA zoning district allows: Automotive dealers (MG 55); the wholesale distribution of Motor vehicles, parts and supplies (IN 501); and Automotive repair, services and parking (MG-75). The surrounding properties have BA zoning as does most of the North Main Street corridor between NE 16th Avenue and NE 39th Avenue.

The proposed rezoning to BA is consistent with the City's Comprehensive Plan and its policy of continuing to restrict auto sales and relatively intense auto service to North Main Street north of North 16th Avenue.

The City Plan Board held a public hearing on February 25, 2016, and

voted 5-0 to approve the petition.

Fiscal Note: None.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-15-155 ZON; and 2) adopt the proposed ordinance.*

[150749A Staff report and Appendices A-B 20160225.pdf](#)

[150749B Appencdix C Application Package 20160225.pdf](#)

[150749A draft ordinance 20160421](#)

[150749B Staff report and Appendices A-B 20160421 \(1\).pdf](#)

[150749C Appencdix C Application Package 201600421.pdf](#)

[150749D CPB minutes 20160421 .pdf](#)

[150749E Staff PPT 20160421.pdf](#)

[150818.](#)

VOLUNTARY ANNEXATION - PROPERTY OWNED BY THE EMORY GROUP, LLC, AND PRAIRIE GROUP TRUST - SOUTH OF SW WILLISTON ROAD AND WEST OF THE GAINESVILLE CITY LIMITS (B)

Ordinance No. 150818

An ordinance of the City of Gainesville, Florida, annexing certain property that comprises Tax Parcel No. 07176-002-000 and a portion of Tax Parcel No. 07176-000-000, which are generally located south of SW Williston Road, west of Tax Parcel No. 07176-006-000 and the existing city limits, north of SW 56th Avenue, and east of Interstate 75, 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 will annex certain property into the City of Gainesville corporate limits that is unincorporated, compact, and contiguous to the current boundaries of the City. On March 17, 2016, the City Commission received and accepted a petition for voluntary annexation of the property at the request of the property owners. The property is generally located

south of SW Williston Road, west of Tax Parcel No. 07176-006-000 and the existing city limits, north of SW 56th Avenue, and east of Interstate 75.

The adoption of an annexation ordinance is the final stage in the annexation process set forth in the Municipal Annexation or Contraction Act in Chapter 171, Florida Statutes. Because this is a voluntary annexation, no referendum is required.

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

3/17/16 City Commission Approved as Recommended

[150818_Petition_20160317.pdf](#)

[150818A_draft ordinance_20160421](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[150213.](#)

General Employees Pension Plan Amendments (B)

Ordinance No. 150213

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 5 (Employees Pension Plan) of the Code of Ordinances of the City of Gainesville; amending Section 2-523, Membership and service, related to the computation of final average earnings for participants in the Gainesville Gas Group Pension Plan; amending Section 2-526, Benefits, related to the date of payment; amending Section 2-534, Deferred Retirement Option Program, related to interest rate; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of Thursday, August 20, 2015, authorized the preparation and advertisement of this Ordinance. The Ordinance amends the General Employees Pension Plan ("Plan") to allow participants in the Gainesville Gas Group Pension Plan to include vacation termination pay accrued and unused prior to October 1, 2012 in the computation of final average earning. The Ordinance also amends the Plan to require members to retire on the first day of the month. Finally, the Ordinance amends the Plan to allow a member entering the DROP to choose an option to receive a return of 0-4.5% depending on the Plan's actual return.

These amendments were ratified by the members of the CWA on September 17, 2015 and will be presented to the City Commission for ratification at the same meeting as the Second Reading of this Ordinance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

8/20/15 City Commission Approved, as shown above
4/7/16 City Commission Adopted on First Reading (Ordinance)

[150213_Draft Ordinance_20160407](#)

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

[150932.](#)

City Commissioner Ceremony - Commissioner Randy Wells (NB)

RECOMMENDATION *The City Commission hear comments from the Mayor and City Commissioners, the public and Commissioner Randy Wells.*

[150933.](#)

City Commissioner Ceremony - Mayor Ed Braddy (NB)

RECOMMENDATION *The City Commission hear comments from the City Commissioners, the public and Mayor Ed Braddy.*

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time permits)

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