

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

February 20, 2020

1:00 PM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Commissioner Helen Warren (At Large)
Commissioner Gail Johnson (At Large)
Commissioner Gigi Simmons (District 1)
Mayor-Commissioner Pro Tem Harvey Ward (District 2)
Commissioner David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

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

Welcome to the City Commission meeting!

We're glad you're here. Please review the meeting process and how you can participate.

What is the Meeting Agenda? The City Commission makes policies and conducts the city's business in an open and transparent forum. The agenda is an outline of what will happen during the meeting. It includes the following sections:

Adoption of Consent Agenda (CA): The Consent Agenda is a group of business items that are voted on together in one motion. These items are not discussed separately. The Commission may remove an item to discuss it during the meeting or at a later meeting.. This process saves time for the Commission to discuss items on the Regular Agenda.

Adoption of Regular Agenda: The Commission must approve the order of items on the Regular Agenda, which is the list of items set for discussion. The Commission can also re-order or remove items.

The **(B)** after an item's title means that there are materials, called Backup, in support of the item. Click the links on the agenda to view the documents. An **(NB)** after an item's title means there are no Backup materials for the item.

How to Share Your Opinion. Your opinion is important to the City Commission. There are multiple ways to add a comment to the official record.

Submit Written Public Comment: You may write a public comment on any City Commission Meeting agenda item. Visit our website, www.cityofgainesville.org, and go to the "Agendas & Minutes" tab. Click on the "eComment" link in the right-hand column. Written comment opens when the agenda is published the Friday before the meeting and closes one (1) hour before the start of the meeting. Your comments will be sent to the City Commissioners and added to the official record.

Speak at a Public Meeting: Any member of the public may sign up to speak at a City Commission meeting. Visit our website, www.cityofgainesville.org, and go to the "Agendas & Minutes" tab on our website. Click on the "eComment" link in the right-hand column and register to speak on a specific agenda item. Online registration closes one (1) hour before the meeting is called to order. You may also register on the sign-up sheet in the Auditorium before the meeting begins. Speakers will be called to the podium by name and should address their comments to the Chair of the meeting, usually the Mayor. There are two types of public comment during Commission Meetings:

General Public Comment: The public is invited to speak to the Commission for three (3) minutes about any topic, as long as it is not on the Agenda. This is an opportunity to bring up new ideas or issues to the Commission. Each person may speak during one comment period: at the start of the 1pm session, at the start of the 5:30pm session, or at the end of the meeting. The Commission will not discuss or make decisions on ideas presented during this time. Comments may be referred to City staff for follow up.

Public Comment on Agenda Items: The Commission may request public comment on specific agenda items during discussion. Speakers may have three (3) minutes and comments must stay focused on the agenda topic at hand.

Early Public Comment: The Commission has created Early Public Comment to allow community members to speak on agenda items without waiting for the item to be called during the meeting. Speaking at Early Public Comment waives the right to speak later during the meeting. Members of the public may speak for three (3) minutes on one agenda item or five (5) minutes on two or more items. Speakers should begin their comments by announcing which items they are addressing so the timeclock can be set properly.

The City of Gainesville encourages civil public speech. Disruptive behavior is not permitted during City Commission meetings. Please do not bring food, drinks, props, signs, posters, or similar materials into the Auditorium. Cheering and applause are only permitted during the Proclamations/Special Recognitions portion of the meeting.

We look forward to a productive meeting and are glad you have joined us.

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

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

ROLL CALL**INVOCATION****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**

[190962.](#) **Approval of Minutes from the January 30, February 3, and February 6, 2020 City Commission Meetings (B)**

RECOMMENDATION *The City Commission approve the minutes of January 30, February 3, and February 6, 2020.*

[190962 January 30, 2020 Minutes 20200220.pdf](#)

[190962 February 3, 2020 Minutes 20200220.pdf](#)

[190962 February 6, 2020 Minutes 20200220.pdf](#)

[190924.](#) **Non-Compliance with Attendance Requirements (B)**

RECOMMENDATION *The City Commission approve the removal of Kendall Kelly from the City Beautification Board, effective immediately.*

[190924 CBB ATTENDANCE-SHEET-2019 20200220.pdf](#)

[190924 CBB ATTENDANCE-SHEET-2020 20200220.pdf](#)

[190957.](#) **Appointments to City Commission Advisory Boards and Committees**

(B)**RECOMMENDATION***The City Commission appoint:**James Hutchison & Andrew Gray to the Fire Safety Board of Adjustment for terms to expire 11/1/2022.**Claire Manley to the Tree Advisory Board for a term to expire 1/1/2023.*[190957_FSBA Ballot & Applications_20200220.pdf](#)[190957_TAB Ballot & Applications_20200220.pdf](#)[190997.](#)**Resignation of Thomas Black from the Regional Transit System Advisory Board (B)****RECOMMENDATION***The City Commission accepts the resignation Thomas Black from the Regional Transit System Advisory Board, effective March 26, 2020.*[190997_RTS Resignation Letter_20200220.pdf](#)[190934.](#)**Gainesville Regional Utilities Unaudited Internally Prepared Financial Statements for the Year Ended September 30, 2019 (B)***Explanation: The following item is presented for review:**Unaudited Internally Prepared Financial Statements for the year ended September 30, 2019, including management's discussion and analysis**Fiscal Note: Unaudited Internally Prepared Financial Statements***RECOMMENDATION***At their February 5, 2020 meeting, the Audit and Finance Committee reviewed the data and recommends that the City Commission accept the GRU Unaudited Internally Prepared Financial Statements for the year ended September 30, 2019.***Legislative History**

2/5/20	Audit and Finance Committee	Approved as Recommended
--------	-----------------------------	-------------------------

[190934_Interim_Financial_Statements_Unaudited_PE093020_20200205](#)[190935.](#)**Gainesville Regional Utilities Internally Prepared Budget to Actuals for the Year Ended September 30, 2019 (B)**

*Explanation: The following item is presented for review:
Budget to Actuals for the year ended September 30, 2019, internally prepared*

Fiscal Note: Internally prepared Budget to Actuals

RECOMMENDATION

At their February 5, 2020 meeting, the Audit and Finance Committee reviewed the data and recommends that the City Commission accept the GRU Internally Prepared Budget to Actuals for the year ended September 30, 2019.

Legislative History

2/5/20 Audit and Finance Approved as Recommended
 Committee

[190935 GRU Budget to Actuals PE9.30.20 20200205](#)

[190936.](#)

Gainesville Regional Utilities Internally Prepared Supplementary Data for the Period Ended September 30, 2019 (B)

*Explanation: The following item is presented for review:
Supplementary Data for the period ended September 30, 2019, internally prepared*

Fiscal Note: Internally prepared Supplementary Data

RECOMMENDATION

At their February 5, 2020 meeting, the Audit and Finance Committee reviewed the data and recommends that the City Commission accept the GRU Internally Prepared Supplementary Data for the period ended September 30, 2019.

Legislative History

2/5/20 Audit and Finance Approved as Recommended
 Committee

[190936 GRU Supplementary Data PE9.30.19 20200205](#)

[190964.](#)

Annual Contract for Horizontal Directional Drilling (B)

****This item was presented to the UAB on 2-13-20****

Explanation: GRU's water, wastewater, natural gas, and telecommunication systems install underground pipe, conduit, and cable through trenchless technology known as horizontal directional drilling. This type of drilling is used when trenching or excavation is not practical at a work site, such as a roadway or sidewalk. Work can be performed at the site to repair or install water, wastewater, natural gas, and telecommunication

infrastructure equipment with fewer open cuts, reducing repair costs, expediting service restoration, improving public safety, and minimizing interruptions to customers or citizens vehicular, bike, or pedestrian routes. Establishing an annual contract for these services allows GRU departments to have a contractor available to perform horizontal directional drilling services as needed to facilitate repairs or new services. The combined annual cost for these services for all four GRU divisions is approximately \$1,000,000.

An Invitation to Bid for this work was issued by Utilities Procurement to the known companies that perform this type of work and the bid was posted on DemandStar. Two bids were received and evaluated based on pricing, experience, resources, and safety. D&D Inc., a small business with a local office, submitted the best evaluated bid and is being recommended for award of a contract. A tabulation is attached for reference.

This item was presented to the UAB on 2-13-20.

Fiscal Note: Funding for this work is included in GRU's Capital Improvements budget for FY20 and will be requested in future fiscal year budgets.

RECOMMENDATION

The City Commission: 1) Authorize the General Manager, or his designee, to execute an annual contract for a three-year period with D&D, Inc. for horizontal directional drilling services, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to D&D, Inc. in amounts not exceeding budgeted amounts for each year of the contract, subject to the appropriation of funds for these services for each fiscal year of the contract. The UAB advises the City Commission to approve staff's recommendation.

[190964 Notice of Intent to Award 20200205](#)

[190965.](#)

Water Reclamation Facility Daily Monitoring Report Software and Implementation (Hach WIMS) (NB)

****This item was presented to the UAB on 2-13-20****

Explanation: The water reclamation facilities are required to submit Daily Monitoring Reports (DMRs) to the Florida Department of Environmental Protection (FDEP) on a monthly basis. The DMR submittal process has transitioned from a paper process to an electronic submittal format. GRU continues to use a paper process for developing the information that is submitted to FDEP electronically. The paper process is outdated and does not meet current standards for quality control and quality assurance for submitting regulatory reports. This software will be implemented at two water reclamation facilities for consistency, efficiency and quality control. Over the past year, operational staff have been evaluating

several software solutions that are being used by wastewater utilities to help prepare and submit electronic DMRs. The solutions include off-the-shelf software, customizing existing Supervisory Control and Data Acquisition (SCADA) software, and building an internal database solution. The operational staff have determined that Hach WIMS is the only viable solution for the following reasons:

- The software is easy to use and will not require extensive customization to create DMRs that can be uploaded directly to FDEP.
- The software easily links and communicate with our existing SCADA, on-line monitoring equipment and laboratory information systems.
- The software is compatible with GRU's servers and does not require extensive support or customization to host and maintain.
- The product is tailored to water and wastewater utilities and is currently being used by over 30 water/wastewater utilities in Florida and over 2,400 water/wastewater utilities across the nation.

This item was presented to the UAB on 2-13-20.

Fiscal Note: The total implementation cost is \$115,000 which includes the following:

- Software and Implementation capital costs of \$100,000; and,
- Staff training operations and first year maintenance costs of \$15,000.

Funds are available in the FY 2020 Water/Wastewater Capital Improvement budget and the FY2020 Water/Wastewater Operations and Maintenance budget. Ongoing maintenance costs are estimated at \$4,000 per year and will be requested in future fiscal years.

RECOMMENDATION

The City Commission:

- 1) Authorize the General Manager, or his designee, to negotiate and execute agreements with Hach Company for software and implementation services, a software license to install and configure WIMS™ subject to approval of the City Attorney as to form and legality.
- 2) Approve the issuance of a purchase order to Hach Company in the amount not to exceed \$115,000 for software and implementation services, a software license to install and configure WIMS™, and software support and maintenance services for the first year.

The UAB advises the City Commission to approve staff's recommendation.

[190978.](#)

GRU Operational Update for the Month of January 2020 (B)

Explanation: Staff has prepared a report of statistical data from GRU's operations in the month of January 2020.

Fiscal Note: None.

RECOMMENDATION *Receive report.*

[190978 GRU Ops Update 2020 Jan 20200213](#)

[190876.](#)

RFP Bid and Contract for Towing and Storage Services to Elite Auto Center of Gainesville DBA Elite Towing (B)

Explanation: Elite Towing has the bid for towing and storage services for the Gainesville Police Department, Codes Enforcement and Fleet to utilize towing services. The Gainesville Police Department will also utilize Elite Towing for storage services. This is a three year contract with two one year extensions.

Fiscal Note: The total amount of this three year contract is \$135,000. For each year of service, the contract price is \$45,000. This is included in GPD's approved FY2020 operating budget.

RECOMMENDATION *City Commission to 1) authorize the City Manager to accept, execute bid award subject to approval by City Attorney as to form and legality 2) approve the expenditures as outlined in the RFP.*

[190876_towing award letter_20200206](#)

[190876b_Complete Elite Bid paperwork_20200206](#)

[190876c_cog and elite towing contract_20200206](#)

[190938.](#)

Approval of the Regional Transit System Equal Employment Opportunity Program (B)

This item is a request to approve the Regional Transit System (RTS) Equal Employment Opportunity (EEO) Program and its subsequent submission to the Federal Transit Administration (FTA) for final review and approval.

Explanation: Triennially, recipients of Federal Transit Administration (FTA) financial assistance must demonstrate that the appropriate governing entity has reviewed and approved their EEO program; the RTS EEO Program must be submitted to the FTA by March 1, 2020. EEO is a federal statute that provides that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The requirements for each recipient are dependent on whether they are a state entity, Metropolitan Planning Organization, or transit provider. RTS must meet the requirements of transit providers that are located in an Urbanized Area of less than 200,000 people.

The costs for the EEO program are largely dependent on the extent to

which RTS must advertise for employment opportunities, address internal job-related complaints, provide staff training related to EEO, ensure that contractors comply with federal wage mandates, monitor and pay for staff promotions within the organization, and disseminate public information to comply with existing laws. The City of Gainesville's existing policies and procedures meet or exceed the FTA EEO program requirements.

Fiscal Note: All aforementioned costs associated with implementing the EEO Program are budgeted and available in the RTS annual operating budget.

RECOMMENDATION The City Commission approve the Regional Transit System (RTS) Equal Employment Opportunity Program.

[190938A RTS EEO Program 2019 20200220](#)

[190973.](#)

Tower Road Lift Station Voluntary Annexation Petition for City-Owned Property on Tower Road (B)

This is the submission of a petition for the voluntary annexation of City-owned tax parcel 06678-010-137. This parcel is located south of Gainesville city limits, west of SW 17 Place, north of SW 19 Court, and east of SW 75 Street (also known as Tower Road).

Explanation: The City of Gainesville owns parcel 06678-010-137, which currently contains a lift station, but is otherwise vacant. The total annexation area is approximately .06 +/- acres and is located on SW 75 Street (also known as Tower Road).

In order to annex the parcel into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation. As the owner, the Mayor, on behalf of the City, must execute a petition for voluntary annexation. 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.

Fiscal Note: The fiscal impacts of this annexation will be addressed in the urban services report.

RECOMMENDATION The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

[190973_VoluntaryAnnexationPetition Tower Road Lift Station_20200220](#)

[190974.](#)

Kanapaha Lake Voluntary Annexation Petition of Two City-Owned Parcels South of GRU - Water Reclamation Facility (B)

This is the submission of a petition for the voluntary annexation of tax parcels 06837-002-000 and 06837-003-000. The annexation area is generally located south of the GRU - Water Reclamation Facility, west of Lake Kanapaha, north of Kanapaha Botanical Gardens, and east of SW 63 Boulevard.

Explanation: There is one vacant institutional residential building on northern parcel 06837-002-000, while parcel 06837-003-000 is vacant land. The total annexation area is approximately 4.28+/- acres and is located on the east side of SW 63 Boulevard.

In order to annex these parcels into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation. As the owner, the Mayor, on behalf of the City, must execute a petition for voluntary annexation. Staff has reviewed the requirements of the Municipal Annexation or Contraction Act (Chapter 171, Florida Statutes). This area meets the requirements of the Act and is appropriate for annexation.

Fiscal Note: The fiscal impacts of this annexation will be addressed in the urban services report.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

[190974_KanapahaLakeProperty - Petition for Voluntary Annexation_20200220](#)

[190975.](#)

Sweetwater Creek Right-of-Way Voluntary Annexation Petition for City-Owned Property on SE Williston Rd (B)

This is the submission of a petition for the voluntary annexation of City-owned tax parcel 16246-003-002. This parcel is located south of SE Williston Rd

and SE 16 Ave, west Paynes Prairie, north of Sweetwater Wetlands Park and east of the Gainesville city limits.

Explanation: The City of Gainesville owns parcel 16246-003-002, which has a large powerline facility on the property, but is otherwise vacant. The total annexation area is approximately 7.15 +/- acres and is located on SE Williston Rd.

In order to annex the parcel into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation. As the owner, the Mayor, on behalf of the City, must execute a petition for voluntary annexation. Staff has reviewed the requirements of the Municipal Annexation or Contraction Act (Chapter 171, Florida Statutes). This area meets the requirements of the Act and is appropriate for annexation.

Fiscal Note: The fiscal impacts of this annexation will be addressed in the urban services report.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

[190975_VoluntaryAnnexationPetition_Sweetwater_Creek_Right_of_Way_2020022](#)

[190976.](#)

Fred Bear Utility Voluntary Annexation Petition for City-Owned Property on SW 41st Blvd (B)

This is the submission of a petition for the voluntary annexation of City-owned tax parcel 07240-034-000. This parcel is located south of Interstate 75, west of Interstate 75, north of Gainesville city limits and east of SW 41 Blvd.

Explanation: The City of Gainesville owns parcel 07240-034-000, which has a heavy industrial land use but currently lies vacant. The total annexation area is approximately .07 +/- acres and is located on the east side of SW 41 Blvd..

In order to annex the parcel into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation. As the owner, the Mayor, on behalf of the City, must execute a petition for voluntary annexation. Staff has reviewed the requirements of the Municipal Annexation or Contraction Act (Chapter 171, Florida Statutes). This area meets the requirements of the Act and is appropriate for annexation.

Fiscal Note: The fiscal impacts of this annexation will be addressed in the urban services report.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

[190976 VoluntaryAnnexationPetition Fred Bear Utility 20200220](#)

[190999.](#)

**The City of Gainesville D/B/A Gainesville Regional Utilities (GRU)
Claim for Recovery in Regard to Parker Substation Transformer
Contract (NB)**

Explanation: On January 31, 2018, the City entered into a contract with Carvels LLC d/b/a Georgia Transformer LLC to build a power transformer for the City's Parker Substation. The specified delivery date for the transformer was the end of November 2018. The total contract price for the transformer, including delivery and assembly was \$1,241,532.00. Production of the transformer was fraught with problems and delays. The transformer failed multiple factory tests raising concerns about its reliability in the field. Test reports confirmed multiple instances of electrical discharge due, at least in part, to workmanship errors resulting in damage to components.

The City retained a transformer expert to conduct a review of the various reports generated by Georgia Transformer including repeated workmanship errors, quality issues, and design flaws. The City also solicited specific information from Georgia Transformer regarding its manufacturing and design processes. The expert identified deficiencies and concerns regarding Georgia Transformer's manufacturing processes, substandard workmanship quality, design flaws and substandard wiring within the transformer. Following the expert's assessment, and based upon Georgia Transformer's inability to cure defects, the City took appropriate steps to terminate the contract. The City seeks to recover its down payment in the amount of \$124,153.20, and avoid further charge.

Fiscal Note: The City Attorney's Office will handle this litigation in-house. Litigation expenses will be paid from budgeted GRU funds.

RECOMMENDATION

Authorize the Office of the City Attorney, in coordination with the General Manager for Utilities, to pursue litigation or other resolution of the City's claim, including settlement if appropriate.

ADOPTION OF REGULAR AGENDA

EARLY PUBLIC COMMENT - Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Individuals may choose to speak during any one of the General Public Comment periods during the meeting.

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

[190956.](#)

Appointments to the Gainesville Cultural Affairs Board, the Historic Preservation Board and the Utility Advisory Board (B)

AGENDA UPDATE - CHANGED TEXT FILE

RECOMMENDATION

The City Commission discuss appointments to the Gainesville Cultural Affairs Board, the Historic Preservation Board and the Utility Advisory Board and take appropriate action.

[190956_GCAB Ballot & Applications_20200220.pdf](#)

[190956_HPBBallot & Applications_20200220.pdf](#)

[190956_UAB Ballot & Applications_20200220.pdf](#)

[190996.](#)

Nominations - Library District Board of Trustees (B)

Explanation: The Library District's Board of Trustees consists of seven (7) members appointed by the Library District Governing Board. Three (3) of the seven members are City of Gainesville representatives, three (3) are Alachua County representatives, and one (1) is a representative of the Alachua County League of Cities. The term of City representative Linda Y. Jackson expires on March 31, 2020 and she is eligible to serve a second three year term.

The Library District advertised one City of Gainesville vacancy, one Alachua County vacancy and one Alachua County League of Cities vacancy from January 6, 2020 - February 7, 2020. Three applications for the City of Gainesville position were received.

The application and a list of the current members of the Board of Trustees are attached.

RECOMMENDATION

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

[190996_Library District BOT Agenda Item_20200220.pdf](#)

[190791.](#)

General Government Budget Calendar (NB)

The City Commission approves dates for discussion of the FY2021 annual budget.

Explanation: Staff requests the City Commission approve dates to discuss items related to the FY2021 annual budget. Topics of discussion will include an updated Capital Improvement Plan, Fire Assessment, Millage Rate and the General Government Budget.

Staff recommends an approval of the proposed tentative budget and millage rate for General Government to occur in July, in accordance with the State Department of Revenue's Truth in Millage requirements.

Staff requests the City Commission approve the following dates:

5/7/2020	1:30pm	Fire Assessment discussion regular agenda
06/04/2020	6:00pm	Set preliminary Fire Assessment Rate by resolution.
06/09/2020	9:00am-1:00pm	General Government Budget @ Ironwood
07/16/2020	6:00pm	1. Set proposed tentative Millage Rate by resolution. 2. Set proposed tentative General Government Budget by resolution.
09/10/2020	6:00pm	1. Adopt ordinances on 1st reading related to Fee or Rate changes (if any). 2. Adopt Final Fire Assessment Rate by resolution. 3. Hold 1st Public Hearing to adopt tentative Budgets and set tentative Millage Rate for FY2021 by resolution.
09/24/2020	6:00pm	1. Adopt Ordinances on 2nd reading related to Fee or Rate changes (if any). 2. 2nd public Hearing to Adopt final Budgets and Set final Millage Rate for FY2021 by resolution.

Truth in Millage or TRIM requirements set forth in State Statutes require

that various taxing authorities hold their public hearings on different dates and/or times in order to allow taxpayers to attend each hearing and provide feedback if desired. Taxing Authorities that cross multiple jurisdictions are given first priority on setting their public hearing dates. As a result, The City of Gainesville is required to set their public hearing dates in September so as not to conflict with the County, the School Board, the Library District and the Water Management Districts. In the event a conflict arises, staff will submit a revised schedule for September 2020 requesting alternative special meeting dates. These potential conflicts will not be known until July 2020.

RECOMMENDATION *The City Commission: 1) Approve the dates requested by staff*

Legislative History

1/16/20	City Commission	Continued
2/6/20	City Commission	Withdrawn

[190905.](#)

Affirmative Action Plan Audit 2019 (B)

Explanation: In accordance with our Annual Audit Plan, the City Auditor's Office completed an audit of the City's Affirmative Action Plan. The audit was performed by an external consulting firm, CRI Solutions Group, using generally accepted government auditing standards. The report and the Equal Opportunity Director's response is attached for your review.

RECOMMENDATION *The Interim City Auditor recommends that the City Commission accept the Interim City Auditor's report and the Equal Opportunity Director's response.*

Legislative History

2/5/20	Audit and Finance Committee	Approved as Recommended
--------	-----------------------------	-------------------------

[190905 Affirmative Action Plan Audit 2019 20200220](#)

[190894.](#)

2020 Census Update (B)

AGENDA UPDATE - ADDED ITEM and REQUEST FOR A TIME CERTAIN AT 2:00PM

Explanation: During the February 6, 2020 Census presentation the City Commission requested that staff gather additional information regarding the count of students in the census.

Fiscal Note: The approved budget for the Census is \$125,000.

RECOMMENDATION *The City Commission hear additional updates regarding the 2020 Census including presentations*

by the various stakeholders.

Legislative History

2/6/20 City Commission Approved, as shown above

[190894C_Census Update Memo 19004_20200206_20200220.pdf](#)

[190894B_Census Presentation FINAL_20200206_20200220.pdf](#)

[190894C MEMO US Census 2020 at the University of Florida-20200220.pdf](#)

[190894D_Census Presentation_20200220.pdf](#)

[190904.](#)

Dollar Store Restrictions (B)

AGENDA UPDATE - REMOVE ITEM

Explanation: Efforts to expand healthy food options within communities have led to cities around the country exploring regulatory options to reduce the proliferation of “dollar stores” which tend to lack fresh food choices and can negatively impact rural and low-income communities that may struggle to support full service grocery stores. Regulations such as minimum distance separation standards between dollar store retailers are an example of relatively simple regulations that may help mitigate the negative impacts from an overconcentration of stores in low-income communities. A more detailed analysis of policy options is included in the backup along with a map of existing dollar store retailers. Additionally, the USDA has identified geographical areas with a substantial number or share of residents with low levels of access to retail outlets selling healthy and affordable foods (see backup 2015 USDA map for identified areas within the City of Gainesville).

Fiscal Note: None

RECOMMENDATION

The City Commission provide direction to the City Manager to begin drafting regulations establishing a minimum separation distance between small-box discount retailers for Plan Board and City Commission consideration as described in this memo. The City will temporarily suspend issuing permits for new small-box discount retailers until the Commission has taken final action on potential changes.

[190904A_200004_Dollar Stores Restrictions Memo_20200220](#)

[190904B_dollar_stores_comm_dist_map_20200220](#)

[190904C_USDA Gainesville Map_20200220](#)

[190904D_Dollar Stores Food Insecurity White Paper_20200220.pdf](#)

COMMISSION COMMENT

4:30 - 5:30pm DINNER BREAK

5:30 - CALL TO ORDER - Evening Session**PLEDGE OF ALLEGIANCE****PROCLAMATIONS/SPECIAL RECOGNITIONS**[190911.](#)**Gainesville's Future City Student Team Placing 2nd at Tampa Regional Competition (NB)***AGENDA UPDATE - ADDED BACK-UP***RECOMMENDATION***For the City Commission to hear the recognition.*[190911_Future City-Mr. Bailey presentation_20200220.pdf](#)[190911_Gainesville's Future City Student Team Placing 2nd at Tampa_202002](#)[191006.](#)**Turner Syndrome Awareness Month February, 2020 (B)****RECOMMENDATION***Girls with Turner Syndrome, Resli Ward to accept Proclamamtion. University of Florida, MD
Elizabeth Fudge to accept Proclamamtion. University of Florida, MD
Jennifer Co-Vu to accept Proclamation.*[191006_Proclamation Turner Syndrome Awareness Month_20200220](#)

EARLY PUBLIC COMMENT - Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Individuals may choose to speak during any one of the General Public Comment periods during the meeting.

RESOLUTIONS - ROLL CALL REQUIRED**PUBLIC HEARINGS****ORDINANCES, 2ND READING - ROLL CALL REQUIRED**[190292.](#)**Text Change - Amending the Land Development Code Related to**

Recreational Vehicle Parks (B)

Ordinance No. 190292

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by adding recreational vehicle park as a permitted use by right in certain zoning districts with associated regulations; by amending Section 30-2.1 Definitions; by amending Section 30-4.19 Permitted Uses in Mixed-Use and Nonresidential Districts; by amending Article V. Use Standards to add regulations for recreational vehicle park; by amending Section 30-4.12, Section 30-4.16, Section 30-4.19, Section 30-4.23, Section 30-5.5, Section 30-5.13, Section 30-5.19, Section 30-5.21, Section 30-5.28 and Appendix A Schedule of Fees, Rates and Charges to update code references because of numbering changes; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

Update since first reading: On February 6, 2020, the City Commission approved this ordinance with a modification that gated or controlled access is not allowed. The ordinance has been amended to reflect this change.

This ordinance will add "recreational vehicle parks" as a permitted use by right in the Limited Industrial (I-1), Automotive-Oriented Business (BA), Tourist-Oriented Business (BT), and Business Industrial (BI) zoning districts. The definition of Recreational Vehicle is amended and the definition of Recreational Vehicle Park is added. The permitted use table for in Section 30-4.19 is amended and a new section is added in Article V, Division 1, concerning use standards to regulate the proposed new use.

The City Plan Board held a public hearing on October 9 2019, where it voted to recommend approval of this amendment to the Land Development Code. This ordinance requires two hearings and will become effective immediately upon adoption at second reading.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

2/6/20 City Commission Adopted on First Reading, as modified (Ordinance)

[190292 Staff Report with Exhibits 1-5 20191009](#)

[190292A draft ordinance 20200206.pdf](#)

[190292 2020-02-06 RV Park Text Amendment PPT Applicant 20200206.pdf](#)

[190292B Staff PPT 20200206](#)

[190292A revised draft ordinance 20200220.pdf](#)

[190420.](#)

Voluntary Annexation - Oak Hall Private School, 42.97 Acres of Property Located Near SW Tower Road & SW 13th Road (B)

Ordinance No. 190420

An ordinance of the City of Gainesville, Florida, annexing approximately 42.97 acres of privately-owned property generally located west of Tower Road, south of SW 13th Road, north of SW 18th Boulevard, and east of SW 83rd Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance, at the request of property owner(s) of the subject property, will annex into the corporate limits of the City of Gainesville approximately 42.97 acres of privately-owned property west of Tower Road, south of SW 13th Road, north of SW 18th Boulevard, and east of SW 83rd Street. On October 3, 2019, the City Commission received and accepted a petition for voluntary annexation and directed the City Attorney to prepare this annexation ordinance.

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

It is the opinion of city staff that the procedural and substantive requirements for voluntary annexation described in Section 171.044,

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

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

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

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

10/3/19	City Commission	Approved as Recommended
2/6/20	City Commission	Adopted on First Reading (Ordinance)

[190420A_oakhall_Application_20191003](#)

[190420B_oakhall_annex_overview_map_20191003](#)

[190420A_draft_ordinance_20200206.pdf](#)

[190420B_Oak_Hall_School_Voluntary_Annexation_USR_20200206](#)

[190420C_OakHallAnnexation_Staff_PPT_20200206](#)

[190607.](#)

**Quasi-Judicial - Historic Property Tax Exemption - 305 NE 6th Street
(B)**

Ordinance No. 190607

An ordinance of the City of Gainesville, Florida, finding that property located at 305 NE 6th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2020, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. In order to approve a property for such exemption, the Historic Preservation Board (HPB) and the City Commission must determine that a particular property is eligible for the property tax exemption (i.e., historical designation or contributing property) and that it has been improved consistent with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

The process for a property owner to receive a historic preservation property tax exemption entails two steps. First, the property owner submitted Part 1 (Preconstruction Application) of the Historic Preservation Property Tax Exemption Application for the restoration, renovation, or rehabilitation of a contributing residential building in the Northeast Residential Historic District. Part 1 was approved by the HPB on March 1, 2016, with a finding that the property was eligible for the exemption and that the improvements met the required standards.

Second, the applicant completed the improvements and submitted Part 2 of the property tax exemption application (Final Application for Review of Completed Work). Staff inspected the completed work and found the work meets the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as well as the City's Guidelines for Rehabilitating Historic Buildings. On November 5, 2019, the HPB approved Part 2 with a finding that the eligible property has been improved consistent with the required standards; the HPB recommended the City Commission approve same. The renovations eligible for the tax exemption are estimated at \$300,000.00. However, pursuant to City Code and State Statute, the actual amount of the exemption will be determined by the County Property Appraiser.

The property is located 305 NE 6th Street and includes a residential home constructed in 1922 that is a contributing structure to the Northeast Residential Historic District.

This ordinance requires two hearings and will become effective immediately upon adoption; however, the ad valorem tax exemption will

be effective as of January 1, 2020, in accordance with Section 196.1997(10), Florida Statutes.

RECOMMENDATION

The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.

Legislative History

2/6/20 City Commission Adopted on First Reading (Ordinance) and Approved the Recommendation

[190607 HP-16-6 StaffReport 20191105](#)

[190607A draft ordinance 20200206.pdf](#)

[190607B HP-16-6 StaffReport 20200206](#)

[190607C HPB 11.05.20 Minutes 20200206](#)

[190607D StaffPPT Part2AdvaloremTaxExmpt 20200206](#)

190885.**Ordinance Adding 2020 Election Early Voting Date (B)**

Ordinance No. 190885

An ordinance of the City of Gainesville, Florida, amending Section 1 of Ordinance No. 180901 to add an additional day to the early voting period for the 2020 regular city election; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: Upon second reading on June 20, 2019, the City Commission passed Ordinance No. 180901, setting the date of the 2020 regular election and run-off election, if necessary; setting the dates of the candidate qualifying period; and setting the early voting dates for the 2020 regular election and run-off election, if necessary. The 2020 regular election is to be held in conjunction with the statewide Presidential Preference Primary election on Tuesday, March 17, 2020. Per Ordinance No. 180901, early voting for the regular election was to occur from Saturday, March 7, 2020 to and including Saturday, March 14, 2020. The Alachua County Supervisor of Elections has provided notice that the dates for early voting for the 2020 statewide Presidential Preference Primary election shall be from Friday, March 6, 2020 to and including Saturday, March 14, 2020. This Ordinance amends Section 1 of Ordinance No. 180901 to add Friday, March 6, 2020 to the early voting period for the regular election that is to be held in conjunction with the statewide election. Upon adoption of this ordinance, the early voting period for the City's regular election shall be from Friday, March 6, 2020 to and including Saturday, March 14, 2020.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

2/6/20 City Commission Adopted on First Reading (Ordinance)

[190885_draft ordinance_20200206.pdf](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[190814.](#)

Proposed Revisions to Chapter 8 titled "Discrimination" of the City Code of Ordinances (B)

Ordinance No. 190814

An ordinance of the City of Gainesville, Florida, amending Chapter 8 of the Code of Ordinances, relating to discrimination by revising definitions; by renaming the Equal Opportunity Office; by eliminating redundant code language; and by adding gender identity, citizenship status, and lawful source of income as classes protected against discrimination for purposes of Fair Housing; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: One of the recommendations of the Rental Housing Subcommittee was updates to the Fair Housing Code to include new protected classes of gender identity, citizenship status, and lawful source of income. On July 25, 2019, the General Policy Committee voted to direct staff to draft revisions to the Code and present the same to the Commission for discussion. In addition, the Office of Equal Opportunity requested a revision to rename the office the Office of Equity and Inclusion. This ordinance addresses the new protected classes, the office name change, adds definitions to Chapter 8, and eliminates redundant code language. A draft of the revised ordinance was presented to the Commission on November 7, 2019, and approved the draft with changes. The Commission requested to add language tracking the Alachua County Ordinance in regards to prohibited citizenship status discrimination. Accordingly, this ordinance adds subsections 8-88(a)(11),(12), and new 8-88(b).

RECOMMENDATION

The City Commission adopt the proposed ordinance.

[190814_draft ordinance_20200220.pdf](#)

GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Individuals may choose to speak during any one of the General Public Comment periods during the meeting.

COMMISSION COMMENT

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

