

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

October 20, 2016

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)

Commissioner Harvey Budd (At Large)

Mayor-Commissioner Pro Tem Helen Warren (At Large)

Commissioner Charles Goston (District 1)

Commissioner Todd Chase (District 2)

Commissioner Craig Carter (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.

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**[160393](#)**Extend Hippodrome State Theatre, Inc. Contract (B)**

This is a request to extend the Hippodrome State Theatre, Inc. Contract with the City by ten years in order to be eligible for Cultural Facilities Program Funds.

Explanation: The City of Gainesville has had a lease agreement Hippodrome State Theatre, Inc. for the past 36 years. A second 20-year lease was entered into on July 1, 2000, which was to continue until July 1, 2020. On September 9, 2002 the City Commission approved an extension of the lease agreement by 5 years from July 1, 2020 to July 1, 2025. The Hippodrome staff had requested, and the City Commission approved at its June 16, 2016 meeting, that the lease be extended one year in order for them to apply and be eligible for the 2016-17 Florida Division of Cultural Affairs Cultural Facilities Program funds, as application guidelines were recently revised requiring that agencies applying funds have at least a minimum lease of 10 years on the facilities for the category of Building Renovations Improvements. After subsequently reviewing options for a rolling extension of the lease to allow the Hippodrome State Theatre, Inc. to remain eligible for their recurring application for state capital improvement funding, the City Attorney in consultation with City Staff recommends instead of a one year extension, to extend the current lease 10 years to July 1, 2035.

Fiscal Note: The City of Gainesville currently grants the Hippodrome State Theatre,

Inc. \$250,000 annually for rent payments and then receives \$250,000 back from the Hippodrome State Theatre, Inc. for payment of the rent. The rent amount has not changed since the initial Lease Agreement between the City and Hippodrome State Theatre, Inc.

RECOMMENDATION

The City Commission: 1) approve a ten year contract extension to the lease agreement with the Hippodrome State Theatre, Inc.; and 2) authorize the City Manager or his designee to execute the appropriate documents.

[160393_2nd Amndmt Hippodrome State Theatre Lease Agrmt_20161020.pdf](#)

[160415.](#)

Supplemental Joint Participation Agreements (SJPA) for Florida Department of Transportation Service Development Grant Funds for Regional Transit System (RTS) Projects (B)

This item requests that the City Commission authorize the City Manager to execute SJPA's for Department of Transportation Service Development Grant Funds for Regional Transit System (RTS) projects.

Explanation: The Florida Department of Transportation (FDOT) allocates service development funds to transit agencies each year. The allocations are given at FDOT discretion on a competitive basis for agency projects that meet FDOT Service Development Grant (SDG) criteria. These funds require a 50% match from the agency. RTS utilizes service development grants to offset operational costs for provision of fixed route services.

FDOT requires the governing board of each public transit system to adopt a Resolution authorizing the agency to enter into a Joint Participation Agreement for the acceptance of these funds. Many projects are eligible to receive additional funding from FDOT in future years, so the Resolution provides authorization for the City to execute any Supplemental Joint Participation Agreements (SJPA) for the purpose of scope changes and/or funding adjustments in support of the project.

On July 7, 2011, the City adopted Resolution #110097 and approved a Joint Participation Agreement authorizing RTS to receive FDOT SDG project funds for Route 39 in the amount of \$31,970 (Year 1 total of \$63,940). On December 5, 2013, the City adopted Resolution #130428 and approved a Joint Participation Agreement authorizing RTS to receive a second year of FDOT SDG project funds for Route 39 in the amount of \$56,000 (Year 2 total of \$112,000). For Year 3 funding, FDOT is amending its JPA to increase the funding amount by \$57,915 in Year 3, bringing the project total to \$227,830. The Santa Fe College Student Transportation Fee provides the 50% local match funds for this project.

On July 7, 2011, the City adopted Resolution #110096 and approved a Joint Participation Agreement authorizing RTS to receive FDOT SDG project funds for Route 27 in the amount of \$89,313 (Year 1 total of \$178,626). FDOT provided Year 2 funding for Route 27 in the amount of \$60,000 (Year 2 total of \$120,000). For Year 3 funding, FDOT is amending its Year 2 Service Development Agreement to increase the funding amount by \$57,905, bringing the project total to \$235,810. The Santa Fe College Student Transportation Fee provides the 50% local match funds for this project.

On September 17, 2015, the City adopted Resolution #150239 and approved a Joint Participation Agreement authorizing RTS to receive FDOT SDG project funds for Route 37 in the amount of \$142,493 (Year 1 total of \$284,986). For Year 2 funding, FDOT is amending its Service Development Agreement to increase the funding amount by \$127,749, bringing the project total to \$540,484. The University of Florida Transportation Fee also provides the 50% local match funds for this project.

On that same date and with adoption of Resolution #150239, the City also approved a Joint Participation Agreement authorizing RTS to receive FDOT SDG project funds for Route 40 in the amount of \$106,500 (Year 1 total of \$213,000). For Year 2 funding, FDOT is amending its Service Development Agreement to increase the funding amount by \$107,052, bringing the project total to \$427,104. The University of Florida Transportation Fee provides the 50% local match funds for this project.

Fiscal Note: Matching funds for each JPA and SJPA are identified in the RTS operating budget for FY17 as noted above.

RECOMMENDATION

The City Commission authorize the City Manager or his designee to execute SJPAs for the aforementioned projects, subject to review and approval by the City Attorney as to form and legality.

[160415A_Route 39 Yr 3 SJPA_20161020.pdf](#)

[160415B_Route 27 Yr 3 SJPA_20161020.pdf](#)

[160415C_Route 37 Year 2 SJPA_20161020.pdf](#)

[160415D_Route 40 Year 2 SJPA_20161020.pdf](#)

[160443.](#)

RFP Award - Enterprise Resource Planning (ERP) Consulting Services for the Technology Project (B)

This item is a request for the City Commission to authorize the RFP award to Plante & Moran, PLLC to provide consulting services for the Enterprise Resource Planning Project.

Explanation: On August 25, 2016 the City's Purchasing Division solicited a Request for Proposals for ERP Consulting Services for the Technology Project beginning November 1, 2016. Five consulting firms submitted proposals by September 22, 2016. Staff reviewed and scored the proposals on September 27, 2016, and the three highest ranked firms made oral presentations on October 4, 2016. The final ranking of the firms are as follows:

*1st - Plante & Moran, PLLC
2nd - Baker Tilly Virchow Krause, LLP
3rd - Berry Dunn McNeil & Parker, LLC*

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

Fiscal Note: Bidders were asked to provide pricing for six different phases of the project, with the caveat that the City may choose to utilize the selected vendor for any individual phase or combination of phases at the City's discretion. Plante & Moran, PLLC costs for phases one through five (needs assessment, assistance with setup of project management team, development of ERP RFP, assistance with RFP evaluation and assistance with ERP vendor negotiations) will be negotiated to be a fixed fee amount not to exceed \$133,000 and will be funded through the existing budget for the Technology Project.

Because the level of effort for phase six (implementation of ERP) will be highly dependent on the software selected during phases one through five of the contract, approval of the cost of this final phase is not included in this recommendation. If the City chooses to continue to use Plante & Moran, PLLC for the final phase (assistance in implementation of ERP), management will negotiate a fixed price and will return to the City Commission for approval.

RECOMMENDATION

The City Commission: 1) accept the selection in order of ranking; 2) authorize the City Manager to initiate contract negotiations with Plante & Moran, PLLC as the Consulting Services provider for the Enterprise Resource Planning Project; and 3) authorize the City Manager to execute all related documents, including contract amendments and extensions, subject to approval by the City Attorney as to form and legality.

[160443A_RFP_Enterprise_Resource_Planning_\(ERP\)_Consulting_Services-FINAL](#)
[160443B_RFP_ERP_Consulting_Services-ADD#1-FINAL_20161020.pdf](#)
[160443C_RFP_ERP_Consulting_Services-ADD#2-FINAL_20161020.pdf](#)
[160443D_RFP_ERP_Consulting_Services-ADD#3-FINAL_20161020.pdf](#)
[160443E_RFP_ERP_Consulting_Svc-PROPOSAL_bakertilly_20161020.pdf](#)
[160443F_RFP_ERP_Consulting_Svc-PROPOSAL-REDACTED_berrydunn_2016](#)
[160443G_RFP_ERP_Consulting_Svc-PROPOSAL_chrysalis_20161020.pdf](#)
[160443H_RFP_ERP_Consulting_Svc-PROPOSAL_plantemoran_20161020.pdf](#)
[160443I_RFP_ERP_Consulting_Svc-PROPOSAL_PRICE_plantemoran_2016102](#)
[160443J_RFP_ERP_Consulting_Svc-PROPOSAL_SoftResources_20161020.pdf](#)
[160443K_RFP_ERP_Consulting_Svc-EVAL-WRITTEN_evaluator1_20161020.pd](#)
[160443L_RFP_ERP_Consulting_Svc-EVAL-WRITTEN_evaluator2_20161020.pd](#)
[160443M_RFP_ERP_Consulting_Svc-EVAL-WRITTEN_evaluator3_20161020.pc](#)
[160443N_RFP_ERP_Consulting_Svc-EVAL-WRITTEN_evaluator4_20161020.pd](#)
[160443O_RFP_ERP_Consulting_Svc-EVALUATION WRITTEN SUMMARY_2016](#)
[160443P_RFP_ERP_Consulting_Svc-ORAL_presentation_bakertilly_20161020.p](#)
[160443Q_RFP_ERP_Consulting_Svc-ORAL_presentation_berrydunn_20161020.](#)
[160443R_RFP_ERP_Consulting_Svc-ORAL_presentation_plantemoran_2016102](#)
[160443S_RFP_ERP_Consulting_Svc-EVAL-ORAL_evaluator1_20161020.pdf](#)
[160443T_RFP_ERP_Consulting_Svc-EVAL-ORAL_evaluator2_20161020.pdf](#)
[160443U_RFP_ERP_Consulting_Svc-EVAL-ORAL_evaluator3_20161020.pdf](#)
[160443V_RFP_ERP_Consulting_Svc-EVAL-ORAL_evaluator4_20161020.pdf](#)
[160443W_RFP_ERP_Consulting_Svc-EVALUATION_ORAL-SUMMARY_201610](#)
[160443X_RFP_ERP_Consulting_Services-BID_TAB_agenda_item_backup_201610](#)

160402.

Implementation of the “OUTPOST” Program for Students Attending the A. Quinn Jones Center (B)

This is a request for the City Commission to approve a Memorandum of Support and Understanding between the School Board of Alachua County and the City of Gainesville for the implementation of the “OUTPOST” at the A. Quinn Jones Center.

Explanation: The Alachua County School Board and the Gainesville Police Department desire to work in concert in implementing the “OUTPOST” at the A. Quinn Jones Center to assist with behavior support for students grades 6-12 attending the school. The School Board has agreed to fund one Reichert House Youth Program Assistant Director who will oversee and coordinate the implementation of the Reichert House “OUTPOST” program which will be housed at the Manning

Center which is owned by the Alachua County School District..

Fiscal Note: The School Board has agreed to reimburse the City for the salary and all benefits of the Reichert House Youth Program Assistant Director, including benefits for one year (12 month position) with the maximum cost for this position not to exceed \$76,347. Additionally the School Board agrees to pay for training costs associated with this position of up to \$2,000 with total costs to the School Board not to exceed \$78,347. Based on this School Board funding, the proposed Reichert House Youth Program Assistant Director position would be cost neutral to the City.

RECOMMENDATION

The City Commission: 1) accept the School Board offer to continue to fund the "OUTPOST" model at the A. Quinn Jones; and 2) authorize the continuance of a temporary position; and 3) authorize the City Manager or designee to execute the agreement subject to approval of the City Attorney as to form and legality.

[160402_SBAC Outpost Agmt 2016 2017_20161006](#)

[150762.](#)

Extension of Tolling Agreement for City's claims against Jones Edmunds regarding the design and engineering of the Sediment Basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)

Explanation: On September 24, 2013, the City discovered for the first time that the sediment basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project, located at 325 S.W. Williston Road, Gainesville, Florida, was not functioning as intended and as necessary for the Project. On June 17, 2014, the City placed Jones, Edmunds & Associates, Inc. on notice of the City's claims regarding design and engineering of the sediment basin. Jones Edmunds prepared Sediment Basin Design Modifications that were incorporated into Change Order Request 15 for the Project on or about March 31, 2015. City staff (from GRU, Public Works, and Legal) have been working with Jones Edmunds to negotiate a settlement of the claims without resort to litigation, as it is anticipated that such litigation will be lengthy and time and cost-intensive for both parties. The City entered into a tolling agreement with Jones Edmunds, and amendment extending the applicable Statute of Limitations date to October 31, 2016 in order to preserve the City's legal rights. The parties' representatives wish to extend the tolling period to April 28, 2017 on account of the time that was needed for the final work order and construction contract reconciliation, and to allow the parties to mediate and attempt to reach a settlement of the pending dispute.

RECOMMENDATION

Approve the Third Amendment to Tolling.

[150762 First Amendment to Tolling Agreement 20160303](#)
[150762 Second Amendment to Tolling Agreement 20160707.pdf](#)
[150762 Third Amendment to Tolling Agreement 20161020.pdf](#)

[160458.](#)

EEOC CHARGE - ALFRED HOLMES V. CITY OF GAINESVILLE; EEOC CHARGE No. 846-2016-19182 (NB)

Explanation: On October 10, 2016, the City of Gainesville received a Notice of Charge of Discrimination from the U.S. Equal Employment Opportunity Commission. Mr. Holmes, a current City employee, alleges discrimination because of his race in violation of Title VII of the Civil Rights Act.

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Alfred Holmes v. City of Gainesville; EEOC CHARGE No. 846-2016-19182 (NB)*

[160477.](#)

Joint City/County Commission Meeting (NB)

MODIFICATION - ADDED ITEM

RECOMMENDATION *The City Commission approve a joint meeting with the Alachua County Commission on Monday, November 14, 2016 from 3:00 - 5:00pm in the Jack Durrance Auditorium with one of the topics regarding Gas Tax.*

ADOPTION OF REGULAR AGENDA

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

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

[160466.](#)

Appointments to the Historic Preservation Board, Development Review Board and Board of Adjustment (B)

RECOMMENDATION *The City Commission discuss appointments to the Historic Preservation Board, Development Review Board and Board of Adjustment and take appropriate action.*

[160466 AppointmentsHPB_DRB_BOA_20161020.pdf](#)

[130847.](#)**Lot # 10 - Amended and Restated Contract for Sale and Purchase (B)**

This is a request for the City Commission to review a proposed Amendment and Restated Contract for Sale and Purchase for Lot #10.

MODIFICATION - ADDITIONAL BACK-UP

Explanation: On October 1, 2015, the City entered into a Contract for Purchase with Horizon Hospitality Management, Inc. (HHM) for Lot #10. The Contract contained provisions regarding purchase price (\$760,000 the appraised value of the property at the time), certain thresholds regarding performance (with respect to financing approval and site due diligence) and provisions regarding parking in the Downtown parking garage contained in a related License Agreement for Use of Parking Garage.

The Contract for Purchase indicated that the HHM would construct a 180-220 room Embassy Suites hotel or other like full service hotel; approximately 10,000 square feet of retail space; approximately 13-16,000 square feet of office space; and approximately 22-27,000 square feet of meeting space consistent with a specific urban form.

On January 21, 2016, the City Commission provided an extension to performance thresholds contained within the Contract for Purchase (with respect to financing approval, site due diligence, closing and development completion) via a First Amendment to Contract for Purchase.

Importantly, this First Amendment stipulates that all necessary debt/loan and equity funding and Full Service Hotel Franchise Agreement be provided by HHM to the City on or before October 1, 2016. In the event the commitment letters are not provided on or before October 1, 2016, then either party thereafter, by written notice to the other, may cancel the Contract and HHM shall be refunded the Deposit (\$25,000).

On September 15, 2016 a presentation on status was provided to the City Commission, and the Commission directed staff to negotiate with Horizon Hospitality Management Inc. to extend project dates, apply specific project performance benchmarks and provide for consideration associated with the benchmarks.

As indicated to the City Commission on September 15th, should the City Commission approve the proposed Amended and Restated Contract for Sale and Purchase, staff will have to initiate a renegotiation with respect to the McGurn Parking License Cancellation and Termination Agreement as regards effective dates.

Fiscal Note: The Amended and Restated Contract for Sale and Purchase contemplates a purchase price for the land (\$1,078,500) based upon an updated property appraisal conducted earlier this month and adds provisions for obtaining consideration.

RECOMMENDATION

The City Commission: 1) hear a brief presentation from staff on the proposed Amended and Restated Contract for Sale and Purchase; and 2) approve the Amended and Restated Contract for Sale and Purchase.

Alternative Recommendation

The City Commission: 1) hear a brief presentation from staff on the proposed Amended and Restated Contract for Sale and Purchase; and 2) deny the Amended and Restated Contract for Sale and Purchase and direct staff to cancel the Contract for Purchase.

[130847A 3-10-14 Appraisal Lot10 20140417.pdf](#)
[130847B Resolution for Lot 10 20140417.pdf](#)
[130847C Exhibit A to Resolution 20140417.pdf](#)
[130847D Exhibit B to Resolution 20140417.pdf](#)
[130847C-MOD Exhibit A - Legal Description for Lot 10 20140417.pdf](#)
[130847 Resolution 20140417.pdf](#)
[130847A Horizon Hospitality Mgmt Proposal 20150305.pdf](#)
[130847B Horizon Hospitality Mgmt Artist Rendering 20150305.pdf](#)
[130847C Horizon Hospitality Mgmt Sample Hotel Conceptual Planning Efforts](#)
[130847D Horizon Hospitality Mgmt Gainesville Hotel Oral Ppt Presentation 20](#)
[130847E Horizon Hospitality Mgmt Economic Impact Analysis 20150305.pdf](#)
[130847F Horizon Hospitality Mgmt Prototype siteplan drawings 20150305.pdf](#)
[130847G Bedford Lodging Proposal 20150305.pdf](#)
[130847H Bedford Lodging Ppt Presentation 20150305.pdf](#)
[130847i FINAL ADD #1 20150305.pdf](#)
[130847j FINAL RFP 20150305.pdf](#)
[130847K Oral Eval Evaluator #1 #2 and #3 20150305.pdf](#)
[130847L Written Eval Evaluator #1 #2 and #3 20150305.pdf](#)
[130847M Lot #10-BID TAB 20150305.pdf](#)
[130847N Proposal Eval Summary 20150305.pdf](#)
[130847o Memo to City Commission dated 02-12-15 Recordings of Lot 10 RFP](#)
[130847N MOD Proposal Eval Summary 20150305.pdf](#)
[130847A Lot#10 Term Sheet 20150806.pdf](#)
[130847B Letter 20150806.pdf](#)
[130847 MOD Lot#10 Term Sheet 20150806.pdf](#)
[130847B-MOD Email 20150806.pdf](#)
[130847A Lot 10 Sale Contract 20150820.pdf](#)
[130847B Lot 10 License Agreement for Parking \(Horizon Hospitality\) 2015082](#)
[130847C Lot #10 Visuals 20150820.pdf](#)
[130847A Interlocal Agreement 20150903.pdf](#)
[130847B 2nd Amendment to Interlocal 20150903.pdf](#)
[130847A 2nd Amendment to Interlocal 20150903.pdf](#)
[130847B Interlocal Agreement 20150903.pdf](#)
[130847C AC 8-10-15 Commission Mtg Minutes 20150903.pdf](#)
[130847D AC 8-20-15 Special Mtg Agenda 20150903.pdf](#)
[130847 Order 20150903.pdf](#)
[130847 agreement 20150903.pdf](#)
[130847B Parking Garage Financial Trends 383 space revised 20151119.pdf](#)

[130847A Lot 10 License Agreement for Parking 20160121.pdf](#)
[130847B Parking Garage Financial Trends 383 space revised 20160121.pdf](#)
[130847C First Amendment to Contract - Lot 10 20160121.pdf](#)
[130847D Lot10 License for Parking Agreement Ppt 20160121.pdf](#)
[130847E Executed Contract for Purchase HHM 20160121.pdf](#)
[MOD 130847 Dec 31, 2015 Email RE New Contract Amendments 20160121.r](#)
[130847 AppraisalofLot#10 20161020.pdf](#)
[130847 Amended and Restated Contract for Sale and Purchase 20161020.pdf](#)

[160441](#)

Oversight Board Recommendation to the City Commission and the County Commission on the use of the Former Drug Treatment Building at the Empowerment Center (B)

This item is a recommendation from the Gainesville-Alachua County Oversight Board to the Gainesville City Commission requesting approval and use of the Former Drug Treatment Building.

Explanation: On September 7, 2016, the Oversight Board heard a presentation from the Alachua County Coalition for the Hungry and Homeless (ACCHH) to continue the development of the One-Stop Center while implementing the Rapid Rehousing and Housing First model focused on Case Management at a centralized location. As part of the presentation, the ACCHH requested to renovate and use the former Drug Treatment Building (Building 7) located on the Empowerment Center Campus (Attachment A - September 7, 2016 Minutes of the Oversight Board). The building is currently vacant and is not being used by the City (Attachment B - Map of the Empowerment Center with Building 7 highlighted).

The ACCHH requested the Oversight Board's endorsement and recommendation that the ACCHH be granted approval to use Building 7. As proposed by the ACCHH, they will pay all capital costs associated with the renovation of Building 7. The cost of the capital improvements is estimated to be \$250,000. The ACCHH has indicated that they have undertaken a fundraising campaign to raise the funds needed for the capital improvements. At this time, the ACCHH has advised that they have financial pledges totaling at least \$125,000.

Prior to the September 7, 2016 meeting, the City and County staff expressed concerns about the expansion of centralized services because HUD had shifted its funding priorities toward Housing First/Rapid Rehousing and permanent supportive housing. This new paradigm shift emphasized case management for the homeless no matter where they live or congregate, rather than a centralized location.

If the City Commission approves the ACCHH's proposal to use Building 7, the ACCHH would be responsible for all costs associated with the

building, including renovation and construction costs. Additionally, the ACCHH would be responsible for all costs of maintaining the building, including utilities, CAM and large items such as HVAC, plumbing and electrical. The City and the County would not be responsible for any costs associated with the renovation or maintenance of the building. All proposed renovations and construction plans must be approved by the City's Facilities Management Department.

Also, City Staff would propose that the licensure agreement be amended with ACCHH to include the former Drug Treatment Facility (Building 7) and the licensure agreement would run simultaneous with the general contract for service. The agreement shall include provisions that once started, the renovation efforts must be completed as designed before the project is abandoned.

The City Commission has approved extending the service contract with ACCHH for one additional year until the end of the FY2017. As part of the ACCHH's FY2017 budget, the City and County approved an additional \$18,000 for the operation and maintenance of Building 7. The City's contract with ACCHH expires on September 30, 2017. As such, the ACCHH has indicated they understand the risks associated with making the capital investment in Building 7; and that there is no guarantee of the future use of the building or Empowerment Center campus beyond September 30, 2017. It is important to note that there are some differences among Rapid Rehousing and Housing First models. The ACCHH's proposed model emphasizes providing Case Management services at a centralized location; however, other models focus on providing Case Management services in the field. Further evaluation may be needed to determine the best model for the Gainesville-Alachua County community.

The City Commission, the County Commission, and the Oversight Board must determine whether a new service contract should be solicited for Services for the Homeless in FY2018; or whether the City should negotiate another one-year contract with the ACCHH. If the City Commission and the County Commission agree that a new solicitation for Services should take place, the benefit to ACCHH of their investment in Building 7 could be limited to FY2017.

Fiscal Note: There are no costs to the City associated with the renovation and management of the Drug Treatment Building since all expenses incurred by ACCHH will be their obligation. The City's contract with ACCHH expires September 30, 2017.

RECOMMENDATION

The Oversight Board recommends to the City Commission of Gainesville that ACCHH be granted approval to renovate and utilize the building and assume all costs associated with the renovation and operation of the building; and 2) authorize the City Manager to amend the licensure agreement subject to the City Attorney's approval of the licensure agreement as to form and legality.

[160441A_Minutes 9-7-16 Oversight Advisory Board_20161020.docx](#)

[160441B_Map_20161020.pdf](#)

[150406.](#)

PROHIBITING SMOKING IN ALL CITY PARKS (B)

This item provides a draft ordinance prohibiting smoking in all City parks for City Commission guidance. Based on City Commission guidance, the ordinance will be finalized and brought to the City Commission for 1st reading.

Explanation: The City Commission, at its meeting of April 21, 2016, discussed prohibiting smoking outdoors in all City parks. Smoking is defined in Sec. 11.5-40 of the City Code as follows: the intake and exhalation by a person of smoke from tobacco, a tobacco substitute or other weed or plant, and also possessing, carrying, holding or otherwise having control of a lighted pipe, cigar, cigarette or other lighted smoking equipment, and the use of a nicotine dispensing device as defined in section 11.5-17 (“vaping”).

After discussing the matter, the City Commission directed the City Attorney to draft ordinance language prohibiting smoking in all City parks. The City Commission’s discussion left a number of items undecided, including: 1) whether to allow the City Manager to designate smoking areas, 2) whether to use any penalties collected for smoking cessation programs, 3) the enforcement process and 4) having a future effective date of three to four months to allow for educational efforts prior to enforcement. Though a fine of \$25.00 was discussed by the Commission, upon further evaluation it is staff’s recommendation to set the fine at \$75.00, consistent with the adopted fines for smoking at Rosa Parks RTS Downtown Station and in bus shelters.

Fiscal Note: Fiscal impact is expected to be minimal.

RECOMMENDATION

The City Commission: 1) review the draft language and provide final direction, and 2) authorize the City Attorney to draft and the Clerk of the Commission to advertise an Ordinance.

[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](#)
[150406_Draft_Ordinance_20161020.pdf](#)

[160440.](#)

Selection of Agency Chair & Pro Tempore (NB)

MODIFICATION - ADDED ITEM

Explanation: Pursuant to CRA Resolution No. 150226 and Section 163.356, Florida Statutes the City Commission selects the Chair and Chair Pro Tempore for the CRA Board. At its September 19, 2016 meeting the CRA Board approved placing this item on an October 2016 City Commission Agenda for discussion and action.

Fiscal Note: None

RECOMMENDATION

The City Commission select an Agency Chair and Chair Pro Tempore for the Community Redevelopment Agency.

COMMITTEE DISCUSSION ITEMS - Items placed on the agenda by the Audit & Finance Committee or General Policy Committee or moved from Consent

OTHER POLICY DISCUSSION ITEMS - If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs

INFORMATIONAL PRESENTATIONS - Items that do not request or require any Commission action. If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs.

[160267.](#)

Murphree Water Treatment Plant Electrical Upgrade (B)

****This item is informational.****

Explanation: The Murphree Water Treatment Plant (WTP) is the sole source of drinking water for 189,000 people on a daily basis. The treatment equipment used to produce drinking water is primarily powered by electricity. The electrical equipment for the most critical water treatment equipment was installed with the original plant in 1975. The equipment has reached the end of its functional life and spare parts are not readily available for this equipment. Several electrical components have recently failed resulting in time intensive and expensive repairs. GRU must replace and upgrade the power system components to ensure reliable and safe drinking water service to its customers. In March 2015, the City Commission authorized GRU to negotiate an engineering services contract with CH2MHill Engineers, Inc. CH2MHill was selected to complete the engineering services for this project in accordance with the Consultants' Competitive Negotiation Act. The design of the electrical system upgrade is approaching completion; therefore staff is presenting the process for evaluating and selecting a contractor to construct the new electrical facilities and equipment.

The project will address reliability of the Murphree WTP. The scope will include replacement of large electrical equipment and conductors that are original to the Murphree WTP. There are two major factors that provide complication to this project; Operational Sequencing and site soil conditions.

Operational Sequencing is one of the most critical keys to this project's success. The plant is split into two components, the treatment process and the high service/distribution pumping facilities. The treatment processes cannot be shut down for more than 6-8 hours without the risk of shutting down the pumping systems that supply water to all of GRU's customers. Each of the 180 + pieces of process equipment that is powered from the existing motor control centers will be taken off-line one-by-one and moved to the new motor control center equipment. It is critical that each piece of equipment be tested for several days for reliability before another complimentary piece of process equipment is removed from service. This creates an intensive and highly sensitive scheduling consideration in the construction phase. This undertaking is comparable to completely rewiring every light fixture, outlet, and switch in a residential home while occupied.

The site soil conditions are the second complicating factor in the electrical upgrade project. The Murphree WTP was built in a swampy area with high groundwater tables. Although the elevation of the plant is higher than most places in Gainesville, the site soil conditions are not conducive to excavation. This project includes construction of a 3,500 sq ft electrical building and a significant amount of new concrete duct bank (a grouping of electrical conduits or pipes) that must be excavated through poor soil conditions.

In summary, this project is an extensive undertaking which will impact every part of the treatment and pumping processes at the Murphree

WTP. The risk during the project includes interruptions to customers' drinking water supply; impacting daily life for 189,000 people. The concern for public safety is paramount and the cost of a plant failure could be exorbitant. Therefore, this project will require a skilled general contractor and electrical contractor that will work seamlessly as a team with GRU's plant and engineering staff. The contractor must understand the water treatment plant environment and the risks their work poses to all GRU customers. It will also be important for the contractor to be aware of the site conditions and plan accordingly to safely and efficiently accomplish the work. In order to assure we have the best team possible to approach this project, staff will evaluate the bids based on criteria other than price, including experience and safety. In accordance with City policies, a 5% preference will be given to small and service disabled veteran businesses and a 5% preference will be given to local businesses as required by the Local Preference Ordinance.

The anticipated schedule for issuing the Invitation to Bid and completing construction is as follows:

September 2016 - Issue ITB

November 2016 - Receive and Evaluate proposals

January 2017 - UAB and CC Approval to award construction contract

February 2017 - Begin Construction on electrical system upgrade

Spring 2019 - Complete construction of the electrical system upgrade

This item was presented to the Utility Advisory Board at their August 17, 2016 meeting.

Fiscal Note: The engineer's cost estimate at the 90% design deliverable is 10-12 million dollars for this project. The project construction has been planned in the water system capital budget to be spread over 3 years; FY17, FY18, and FY19. The FY17 capital budget includes 4.7 million dollars in anticipation of the project moving forward. The new electrical system upgrade will relieve the upward pressure on the Operation and Maintenance budget for the Murphree Water Treatment Plant by providing new equipment that is more reliable and requires less maintenance.

RECOMMENDATION

Hear a presentation from staff.

[160267 CH2M Elec Eval Facilities Asmt 2016.08.17](#)

[160267 Murphree Water Plant Elec Upgrade Pres 20160817](#)

[160267 CH2M Elec Eval Facilities Asmt 20160901](#)

[160267 Murphree Water Plant Elec Upgrade Pres 20160901](#)

4:30 - 5:30pm Dinner Break

5:30 - Call to order Evening Session

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS[160368.](#)**Gainesville Area Community Tennis Association (GACTA) (NB)**

Explanation: GACTA was awarded the National Junior Tennis & Learning (NJTL) Chapter of the Year Award by the United States Tennis Association (USTA) National Organization.

RECOMMENDATION

The City Commission recognize Addison Staples, Executive Director of GACTA.

[160450.](#)**United Nations Day - October 21, 2016 (B)****RECOMMENDATION**

UN Programmes Coordinator Brian Mitchell, President Anita Spring and Masuma Downie to accept the proclamation.

[160450_UnitedNations_20161020.pdf](#)

[160451.](#)**White Cane Safety Awareness Month - October 2016 (B)****RECOMMENDATION**

Council of the Blind President Spencer Morton to accept the proclamation.

[160451_WhiteCaneSafety_20161020.pdf](#)

[160452.](#)**National Federation of the Blind Meet the Blind Month - October 2016 (B)****RECOMMENDATION**

Gainesville Chapter NFBFL President Judith Hamilton to accept the proclamation.

[160452_MeetTheBlind_20161020.pdf](#)

[160453.](#)**Hunger Awareness Month - November 2016 (B)****RECOMMENDATION**

Martin Luther King, Jr. Commission of Florida, Inc. President Rodney Long to accept the proclamation.

[160453_HungerAwareness_20161020.pdf](#)

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

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

[160409.](#)

Resolution for Joint Participation Agreement (JPA) - Service Development Grant Funds for Regional Transit System (RTS) for Bus Stop Amenities, Holiday Service and Routes 62, 300 Enhanced Operations, and 125 Enhanced Operations (B)

This item is a request for adoption of a resolution authorizing the City Manager to execute Joint Participation Agreements between the City of Gainesville and the Florida Department of Transportation to receive Service Development Grant Funds for Bus Stop Amenities and for operation of Holiday Service and Routes 62, 125 Enhanced Operations and 300 Enhanced Operations.

Explanation: The Florida Department of Transportation (FDOT) allocates service development funds to transit agencies each year. The allocations are given at FDOT discretion on a competitive basis for agency projects that meet FDOT Service Development Grant (SDG) criteria.

The purpose of the SDG for Bus Stop Amenities is to provide funding in support of the design, construction, and installation of pedestrian amenities to improve existing bus stop accessibility on transit corridors. RTS and FDOT will each provide \$60,000 (50/50 match) in funding for a total of \$120,000.

The purpose of the SDG for Holiday Service is to provide funding to support the operation of additional holiday bus service on holidays, which will alleviate challenges to individuals who rely exclusively on transit services. RTS and FDOT will each provide \$58,006 (50/50 match) in funding for a total of \$116,012.

Fixed Route 62 provides service on a north-south corridor between southwest Gainesville and the Oaks Mall, providing connectivity between the major destinations of the Oaks Mall and Santa Fe College (SFC), decreasing traffic congestion throughout southwest Gainesville as well as at SFC. RTS and FDOT will each provide \$57,905 (50/50 match) in operating costs for a total of \$115,810.

Fixed Route 125 Enhanced Operations is enhanced route funding for existing routes operating between the two most popular destinations on campus (Reitz Union and the Hub), and the corridors where new growth is occurring (SW 24th Avenue/SW 38th Terrace). RTS and FDOT will each provide \$70,322 (50/50 match) in operating costs for a total of

\$140,644.

Fixed Route 300 Enhanced Operations is enhanced route funding for an existing route that will provide bi-directional travel between the University of Florida's sorority/fraternity areas and the new multi-family housing complexes east of campus. The existing route will be extended almost 60% to include the midtown area, which is emerging as a dominant hub of activity. RTS and FDOT will each provide \$51,820 (50/50 match) in operating costs for a total of \$103,640.

FDOT requires the governing board of each public transit system to adopt a resolution authorizing the acceptance of these funds.

Fiscal Note: The Joint Participation Agreements require the City of Gainesville to match funding totaling \$596,106. Matching funds for each JPA are allocated in the RTS FY17 operating budget.

RECOMMENDATION *The City Commission adopt the Resolution.*

[160409A_Draft Resolution_20161020.pdf](#)

[160409B_Draft FY16-17 Bus Stop Amenities JPA_20161020.pdf](#)

[160409C_Draft JPA for Holiday Bus Svc_20161020.pdf](#)

[160409D_Draft JPA Route 62_20161020.pdf](#)

[160409E_Draft JPA Route 300_20161020.pdf](#)

[160409F_Draft JPA Route 125_20161020.pdf](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[160216.](#)

VOLUNTARY ANNEXATION - 100 ACRES OF PROPERTY SOUTHWEST OF THE CURRENT CITY BOUNDARY (B)

Ordinance No. 160216

An ordinance of the City of Gainesville, Florida, annexing approximately 100 acres of city-owned and privately-owned property that is generally located south of Tax Parcel No. 07240-049-000 and the existing City of Gainesville boundary, west of SW 41st Boulevard and Interstate 75, north of SW Williston Road, and east of SW 75th 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 will annex into the corporate limits of the City of Gainesville approximately 100 acres of property that includes city and privately-owned property that is generally located south of Tax Parcel No. 07240-049-000 and the existing City of Gainesville boundary, west of SW 41st Boulevard and Interstate 75, north of SW Williston Road, and east of SW 75th Street, as more specifically described in the ordinance. The subject property is unincorporated, compact, and contiguous to the current boundaries of the City. On August 4, 2016, the City Commission received and accepted a petition for voluntary annexation of the property at the request of the property owners.

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.*

[160216_SignedPetition_20160804.pdf](#)

[160216_draft ordinance_20160915.pdf](#)

[160216_Comments from Alachua County_20160915.pdf](#)

[160381.](#)

AN ORDINANCE INCREASING THE MAXIMUM NUMBER OF HOURS FOR AN ALCOHOL EVENT ON PUBLIC RIGHT-OF-WAY WITHIN THE DOWNTOWN DISTRICT (B)

Ordinance No. 160381

An Ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to alcohol event permits; by amending Section 4-4 to increase the maximum number of hours for an alcohol event on public right-of-way within the downtown district; providing directions to the codifier; and providing an effective date.

Explanation: CITY MANAGER REPORT

In 2014, the City Commission approved a major re-write of Chapter 4 of the City Code addressing alcoholic beverages. One of the changes allowed for issuance of alcohol event permits for the sale and

consumption of alcohol as part of special events in public right-of-way in the downtown district. A restriction was included in the ordinance limiting the use of the public right-of-way for an alcohol event to 48 consecutive hours, inclusive of time for set-up and clean-up.

At the September 15, 2016 City Commission meeting, the organizer of a large annual event requested the Commission consider amending the Code to allow an alcohol event for up to 72 consecutive hours inclusive of set-up and clean-up. The City Commission directed the City Attorney to draft this ordinance.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[160381_draft ordinance_20161006.pdf](#)

[160240.](#)

QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 306 NE 7th AVENUE (B)

Ordinance No. 160240

An ordinance of the City of Gainesville, Florida, finding that property located at 306 NE 7th Avenue, 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, 2017, 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: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

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 April 3, 2012, with a finding that the property was eligible for the exemption and that the proposed 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 August 2, 2016, 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 total \$271,281.81. 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 at 306 NE 7th Avenue. The residential home, which is estimated to be built in the 1870's according to the Alachua County Property Appraisers Office, is a contributing structure to the Northeast Residential Historic District. The applicant performed the following exterior and interior renovations:

Interior First Floor

The front original rooms were to remain unchanged except for new finishes. The front West parlor had its front original French doors restored to their original location, and the walled-up fireplace was reopened and rebuilt. The original fireplace and chimney that supported three fireplaces at the West of the house was structurally damaged and in a dangerous state and was replaced with two prefab units at the ground floor, with the fireplace at the bedroom above removed. This original mantle was placed in the downstairs replacement fireplace.

The rear wing of the house consists of many additions, enclosed porches and a second floor added at a later date. Very little of the original fabric existed in this wing. The ground floor dividing walls for a kitchen and multiple bedrooms and bathrooms was removed and the space reconfigured as a kitchen and family room. The second floor framing was replaced as part of this project. An enclosed former porch behind the east parlor was rearranged as a bath and laundry where those uses already exist.

Interior Second Floor

The second floor stair hall received a new door. The East bedroom had the closed-in closets removed and a rear bathroom rebuilt with an

internal closet area. The non-functional fireplace remains. The West bedroom had the 1/2 bath removed and the closet restored. The fireplace in the room along with the damaged chimney was removed. A HVAC unit was installed where the fireplace existed. A closed-in closet was removed, and the sinking floor system was restored. A new door provides a connection to the rear wing. The rear wing was made structurally sound and was divided into a series of bedrooms and bathrooms removing a second floor kitchen.

Exterior First Floor

A recent infill addition to the 1919 front porch was removed. The low-pitched hip roof of the porch was removed and a balcony floor constructed and brick piers extended to the second level with cast concrete caps. A 36" tall wood railing was installed between the piers. Full window shutters were restored to large windows at the original front section. A one-story porch off the kitchen was added at the rear wing facing the back yard. Two original kitchen windows were replicated and two later short windows were removed and siding replaced previously altered areas.

Exterior Second Floor

At the front addition, a new central balcony door was returned to the former location of a door. Shutters were added to the original large double hung windows. At the rear wing, several of the casement windows were removed while others were shifted to accommodate bedroom and bathroom walls. Several plywood filled openings had window sashes returned. The rear West chimney that was replaced approximates the original with a stucco terra cotta toned finish. A small second floor exterior porch was added to the rear elevation above the porch addition below, which is not visible from the street. All roofing was replaced with Architectural grade shingles.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption; however, the ad valorem tax exemption shall be effective as of January 1, 2017 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.

[160240 Staff report and Exhibits1-3 20160802](#)

[160240A draft ordinance 20161006.pdf](#)

[160240B 120403 Staff Report 20161006](#)

[160240C 160802 Staff report 20161006](#)

[160240D 120403 160802 HPB Minutes 20161006](#)

[160420E Staff ppt 20161006](#)

[160228.](#)**QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION -
405 NE 10th AVENUE (B)**

Ordinance No. 160228

An ordinance of the City of Gainesville, Florida, finding that property located at 405 NE 10th Avenue, 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, 2017, 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: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

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 August 4, 2015, with a finding that the property was eligible for the exemption and that the proposed 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 August 2, 2016, 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 total \$22,000. 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 at 405 NE 10th Avenue. The residential home, built in 1938 according to the Alachua County Property Appraisers Office, is a contributing structure to the Northeast Residential Historic District. The applicant converted a small room attached to the master bedroom into a master bathroom. The new bathroom design would match the original designs of the existing 2.5 bathrooms in the house including black and white subway floor and wall tiles. The renovation included: installation of plumbing piping and fixtures; interior paint; and installation of flush, straight-edged 3x6-inch tiles as well as hexagonal floor tiles, consistent with the existing pattern, using natural Carrara marble.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption; however, the ad valorem tax exemption shall be effective as of January 1, 2017 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.

[160228 Staff report Exhibits 1-3 20160802](#)

[160228A draft ordinance 20161006.pdf](#)

[160228B 150804 staff report 20161006](#)

[160228C 160802 Staff report 20161006](#)

[160228D 150804 160802 HPB Minutes 20161006](#)

[160228E Staff ppt 20161006](#)

[160401.](#)

MORATORIUM ON CONSTRUCTION OF WIRELESS COMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY (B)

Ordinance No. 160401

An ordinance of the City of Gainesville, Florida, enacting a temporary moratorium to prohibit the filing, acceptance or processing of any permit, development order, or any other official action of the City having the effect of permitting or allowing the construction of wireless communication facilities in the public right-of-way within the city limits; providing a severability clause; providing repealing clauses; and providing an effective date.

Explanation: The telecommunication industry is in a constant state of emerging technology. As technology improves, there is also a change in the type of infrastructure to support increased demand and capacity to receive and to transmit larger data and voice communications.

The telecommunication industry has begun using systems of a series of small individual antenna ("Small Cells"), or nodes ("Distributed Antenna Systems" or "DAS"), and wireless backhaul networks that are linked to a larger hub site. The City has been contacted by two companies requesting permission to place their wireless communication facilities in the public rights-of-way.

The city has previously adopted several ordinances regulating the location, design, and operation of wireless communication facilities, cell towers, and antennae in the Land Development Code. The Land Development Code does not address or zone the public rights-of-way. The City also requires registration of utilities within the public rights-of-way, after the utilities are permitted, but does not address wireless communication facilities. There is an ordinance dealing with the temporary obstruction of public rights-of-way. And the City's Engineering and Design Manual address the design and location of utilities within the public rights-of-way.

These ordinances were developed prior to this new technology and supporting infrastructure. Because the telecommunication industry is protected by the Federal Communication Commission and by state statute, the City must fairly and equitably regulate the placement of wireless communication facilities in public rights-of-way. The regulation of these new structures involves policy decisions that both support the communication industry while protecting the public rights-of-way. Adoption of the moratorium will allow the Commission time to review its existing ordinances and determine whether to allow these communication facilities within the rights-of-way, and if allowed, what regulations should be imposed.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[160401A_draft ordinance_20161006.pdf](#)

PLANNING PETITIONS

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

COMMISSION COMMENT

[160454.](#)

Commissioner Charles Goston - MedCare One (B)

RECOMMENDATION *The City Commission hear a presentation from Darrell Johnson & Abraham Tenah regarding MedCare One.*

[160454_Urgent Care Presentation_20161020.pdf](#)

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