

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**May 21, 2015**

**1:00 PM**

**MODIFIED AGENDA**

**City Hall Auditorium**

## **City Commission**

***Mayor Ed Braddy (At Large)***  
***Commissioner Harvey Budd (At Large)***  
***Commissioner Helen Warren (At Large)***  
***Commissioner Charles Goston (District 1)***  
***Mayor-Commissioner Pro Tem Todd Chase (District 2)***  
***Commissioner Craig Carter (District 3)***  
***Commissioner Randy Wells (District 4)***

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

**CALL TO ORDER****AGENDA STATEMENT**

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

**ROLL CALL****INVOCATION****ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)****CITY MANAGER, CONSENT AGENDA ITEMS****GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS**

[140944.](#)

**BROOKE RICH VS. SHAWN HARDMAN AND THE CITY OF GAINESVILLE, A MUNICIPAL CORPORTION; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-1557 (B)**

*Explanation: On May 6, 2015 the City was served with a Summons and Complaint filed by Brooke Rich. Brooke Rich alleges that she was involved in an automobile accident with a City vehicle on December 11, 2012 on NW 39th Avenue, in Gainesville. Brooke Rich claims to have suffered bodily injury, including permanent injury to the body as a whole within a reasonable degree of medical probability, as well as aggravation of a preexisting condition, including pain and suffering of both a physical and mental nature, disability, physical impairment, disfigurement, mental anguish, inconvenience, loss of capacity for the enjoyment of life, expense of medical and nursing care and treatment, and loss of ability to lead and enjoy a normal life. Ms. Rich seeks money damages in excess of \$15,000.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney*

to represent the City and the individual officer in the case styled Brooke Rich vs. Shawn Hardman and The City of Gainesville, a municipal corporation; Eighth Judicial Circuit, Case No. 2015-CA-1557.

[140944\\_Brooke Rich Consent\\_20150521.pdf](#)

## CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[140955.](#)

**Resignation of Dakota Woll from the Gainesville Energy Advisory Committee, Debra Krawczykiewicz from the Citizens' Advisory Committee for Community Development Corey Wise from the Student Community Relations Advisory Board and Jarrod Cruz from the Gainesville/Alachua County Cultural Affairs Board (B)**

**RECOMMENDATION**

*The City Commission accepts the resignation of Dakota Woll, Debra Krawczykiewicz, Corey Wise and Jarrod Cruz, effective immediately.*

[140955 Resignations 20150521.pdf](#)

## EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

## COMMITTEE REPORTS, CONSENT AGENDA ITEMS

## LEGISLATIVE & ORGANIZATIONAL POLICY COMMITTEE

[140829.](#)

**Transportation Allowance for Elected Officials (B)**

*MODIFICATION - Changed text file language.*

*Explanation: During the March 5, 2015 City Commission meeting, the Commission referred a discussion of the transportation allowance for elected officials to the Legislative and Organizational Policy Committee.*

*In accordance with current Finance procedures and IRS regulations, City employees may submit local travel mileage reimbursement for using their personal vehicle to conduct City business. This may include attending meetings away from their normal work location, picking up supplies from a vendor, visiting project sites, etc. Each employee requesting reimbursement is required to submit a form to their timekeeper that includes the date, the destination, number of miles driven, and the business purpose. The form should indicate approval from their immediate supervisor. The timekeeper will enter the number of miles x the rate into the time entry system under payroll code DMLG. Reimbursement will be included on the employees' paycheck as a*

taxable miscellaneous benefit at the IRS rate, currently 57.5 cents per mile. The timekeeper is required to keep the form on file for audit purposes. Commuting from home to work and work to home is not eligible for local travel reimbursement.

Charter Officers and employees whose employment contract includes a vehicle allowance are not eligible for local travel reimbursement.

City Commissioner salaries as specified in Sec 2-66 of the City Code does not currently provide for a vehicle allowance. Addition of a vehicle allowance would require an ordinance change. However, City policies and procedures do apply to City Commissioners. Hence, City Commissioners may also submit reimbursement for local travel. Commissioners should submit a form (sample attached) to Clerk of the Commission staff including date, destination, number of miles and purpose of trip to request mileage reimbursement. Reimbursement will be included on their bi-weekly paycheck, taxable under IRS rules. As with other City employees, commuting to and from home is not eligible.

Committee members took no action on this agenda item at the April 14, 2015 Legislative and Organizational Policy Committee meeting since City Commissioners are currently governed by IRS travel policies.

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) Take no action except to communicate the ability for City Commissioners to request mileage reimbursement for local travel per Finance Department procedures and the Internal Revenue Code; and 2) Remove this agenda item from the Legislative and Organizational Policy Committee's referral list.*

**Legislative History**

3/5/15	City Commission	Referred to the Legislative and Organizational Policy Committee
4/14/15	Legislative and Organizational Policy Committee	No Action Taken

[140829\\_Mileage Reimbursement Log\\_20150414.pdf](#)

[140829A\\_Mileage Reimbursement Log\\_20150521.pdf](#)

[140829B\\_April 14 Minutes\\_20150521.pdf](#)

[140449.](#)

**Removals From Airport Authority (B)**

*Explanation: On January 20, 2015, the Committee discussed the membership of the Gainesville-Alachua County Regional Airport Authority (GACRAA) and how members appointed by the City Commission are removed due to*

*absences from meetings.*

*The Gainesville-Alachua County Regional Airport Authority (GACRAA) consists of nine members, three of which are appointed by the Governor of the State of Florida, one by the Alachua County Board of County Commissioners and the remaining five by the Gainesville City Commission. All members serve a three-year term beginning August 1 and expiring on July 31 of the appropriate year.*

*At the April 14, 2015 Legislative and Organizational Policy Committee meeting, members recommended including GACRAA on the list of Advisory Boards that interview applicants for board vacancies.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) Include the GACRAA board with the list of other Advisory Boards that interview applicants for board vacancies; and 2) Remove #140449 from the Legislative and Organizational Policy Committee's referral list.*

**Legislative History**

10/16/14	City Commission	Referred to the Legislative and Organizational Policy Committee
1/20/15	Legislative and Organizational Policy Committee	Continued
4/14/15	Legislative and Organizational Policy Committee	Approved as Recommended

[140449A\\_GACCAR Members\\_20150120.pdf](#)

[140449B\\_Chapter 2006-363\\_20150120.pdf](#)

[140449C\\_GACRAA By-Laws Approved on 11-17-05\\_20150120.pdf](#)

[140449\\_April 14 Minutes\\_20150521.pdf](#)

**END OF CONSENT AGENDA**

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

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

**CLERK OF THE COMMISSION**

**CITY MANAGER**

[140703.](#)**Status of Strategic Goals and Initiatives (B)**

**Hear a staff presentation on the status of the City Commission FY15/16 Biennial Strategic Plan in preparation for the upcoming Strategic Planning Retreat. \*ESTIMATED STAFF PRESENTATION 45 MINUTES\***

*Explanation: Bi-annually the City Commission holds a Strategic Planning Retreat to develop its two-year Strategic Plan; this is the second year of a two-year Plan. An interim retreat will be held on June 10, 2015 to make adjustments to the Plan. In preparation for the retreat, staff will provide an update on the goals and initiatives in the existing Plan.*

*Fiscal Note: There is no fiscal impact.*

**RECOMMENDATION**

*The City Commission hear a presentation from staff.*

**Legislative History**

3/5/15 City Commission Approved as Recommended

[140703 Strategic Update Quarterly Report 1st Qtr of FY2015 20150305.pdf](#)

[140703A Strategic Plan 2nd Qtr Update 20150521.pdf](#)

[140703B FY15 Strategic Plan 20150521.pdf](#)

[140703C Strategic Plan Presentation 20150521.pdf](#)

[130847.](#)**Lot # 10 Status Report (NB)**

**This is a request for the City Commission to hear a status report on negotiations/issues surrounding Lot #10 and provide appropriate direction. \*\*ESTIMATED ORAL PRESENTATION 10 MINUTES\*\***

*Explanation: On March 5, 2015, the City Commission approved staff's recommended ranking of firms regarding an RFP process associated with the development of Lot #10. In addition, staff was authorized to negotiate a Contract for Sale and Purchase, a Disposition and Development Agreement and other related documents with Horizon Hospitality Management.*

*Since this time, staff has met internally on issues regarding the framework for the negotiation and has had several conversations with Horizon Hospitality Management, its authorized representatives and other relevant parties.*

*The focus of negotiations at this point has been on: Business, Use and Urban Form Terms. Under Business Terms, parking considerations have been paramount and are inclusive of: capacity, financial and*

operational issues.

*Fiscal Note:* The business terms associated with Horizon Hospitality Management include: 1) An offer of \$760,000 for the purchase of Lot #10 (the appraised market value); and, 2) A proposed revenue sharing agreement regarding use of available parking spaces in the City's Downtown Parking Garage.

**RECOMMENDATION**

The City Commission hear a presentation from staff and provide appropriate direction.

**Legislative History**

4/17/14	City Commission	Adopted (Resolution)
3/5/15	City Commission	Approved as Amended

[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](#)

[140814.](#)

**Update on Dignity Village Review (B)**

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

**\*\*Estimated Presentation Time is 20 Minutes\*\***

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

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

*Fiscal Note: At this time the City is currently spending funds on 4 port-a-lets at Dignity Village. The cost to date is approximately \$2,630 and is being paid by Facilities Management funds.*

**RECOMMENDATION**

*The City Commission receive the report regarding Dignity Village review and provide policy direction.*

**Legislative History**

3/19/15 City Commission Discussed

[140814 Update on Dignity Village\\_20150319.pdf](#)

[140814A Dignity Village Report\\_20150521.pdf](#)

[140814B Dignity Village Powerpoint\\_20150521.pdf](#)

**CITY ATTORNEY**

[150021.](#)

Appointment of a Chair and Chair Pro Tem of the Gainesville Community Redevelopment Agency Board (NB)

MODIFICATION - Added item.

*Explanation: It was brought to the attention of the City Attorney's Office that at the recent Community Redevelopment Agency Board member training conducted by the Florida Redevelopment Association (FRA), FRA staff stated that the City Commission, not the CRA Board, is required to appoint the Chair and Vice-Chair of a CRA. The City Attorney's Office researched the matter and confirmed that the Attorney General of Florida in a written opinion issued in 1991 stated that "the appointment of the chairman and vice chairman [of the CRA Board] by the governing board of the municipality is statutorily prescribed" and that "the community redevelopment agency has not been granted the authority to appoint its chairman or vice chairman." The Attorney General concluded*



*"[a]ccordingly, it is my opinion that the city commission must designate the chairman and vice chairman of the community redevelopment agency, regardless of whether the commission has designated itself as the community redevelopment agency." In order to be consistent with this legal guidance from the Attorney General and the FRA, the City Attorney's Office recommends that the City Commission appoint the Chair and Chair Pro Tem for the CRA Board for 2015/2016 and each year thereafter.*

**RECOMMENDATION**

*The City Commission: Appoint a Chair and Chair Pro Tem for the Gainesville Community Redevelopment Agency for 2015/2016.*

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)**

**LEGISLATIVE & ORGANIZATIONAL POLICY COMMITTEE**

[140701.](#)

**Recourse for Advisory Board Decisions (B)**

*MODIFICATION - Moved from the Consent Agenda to the Regular Agenda.*

*Explanation: On January 15, 2015 the City Commission referred a discussion of Recourse for Advisory Board Decisions to the Legislative and Organizational Policy Committee.*

*Sec. 2-245 of the Code of Ordinances states that all boards, committees and commissions appointed by the City Commission shall be advisory to and shall report to the City Commission, unless a charter provision or ordinance of the city shall otherwise provide. Sec. 2-247 defines an Advisory Board as "any board, commission, committee, or council whose powers, jurisdiction, and authority are solely advisory and do not include the final determination or adjudication of any personal or property rights, duties, or obligations. A Quasi-judicial or administrative board means any board, commission, committee, or council whose powers, jurisdiction, and authority include the final determination, or adjudication of any personal or property rights, duties, or obligations.*

*During the meeting of January 15, 2015, a citizen expressed concern regarding decisions made by advisory boards and any possible recourse available to citizens for those decisions.*

*Attached is a matrix including all City appointed Advisory Boards and Committees, their powers and duties, number of members, terms, residency requirements, and their quasi-judicial or administrative status.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) Direct the staff liaison and chairs for each Advisory Board to communicate with the applicant and attendees their rights, the appeal process, and section of the Code establishing that board; and 2) Remove this item from the Legislative and Organizational Policy Committee's referral list.*

**Legislative History**

1/15/15	City Commission	Referred to the Legislative and Organizational Policy Committee
4/14/15	Legislative and Organizational Policy Committee	Approved as Recommended

[140701A Boards and Committees - Code of Ordinances 20150414.pdf](#)

[140701B Board Committee Matrix 20150414.pdf](#)

[140701A April 14 Minutes 20150521.pdf](#)

[140701B Board Committee Matrix 20150521.pdf](#)

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

**140622.****Advisory Board Appointments (B)**

*Explanation: On December 18, 2014 the City Commission referred a discussion of Advisory Board Appointments to the Legislative and Organizational Policy Committee.*

*The referral suggested that the City Commission consider a more formal interview process for certain board appointments, particularly quasi-judicial boards or boards with more decision making powers. Currently, members of the City Commission receive copies of applications for advisory board openings and have the option to interview the applicants or check their references individually. Each member of the City Commission then submits its vote to the Clerk of the Commission. The votes are tallied and the applicant with the majority vote is placed on the agenda for a final vote of the full Commission.*

*Attached is a matrix including all City appointed Advisory Boards and Committees, their powers and duties, number of members, terms, residency requirements, and their quasi-judicial status.*

*At the April 14, 2015 Legislative and Organizational Policy meeting, the members discussed the current procedure of selecting applicants to ensure a diverse group of people serve on the Advisory Boards and Committees since these individuals make decisions with long-lasting impacts on the City.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) Establish which Advisory Board vacancies should be interviewed for and which should be filled by completing a ballot; and 2) Remove this agenda item from the Legislative and Organizational Policy Committee's referral list.*

**Legislative History**

12/18/14	City Commission	Referred to the Legislative and Organizational Policy Committee
4/14/15	Legislative and Organizational Policy Committee	Approved as Recommended

[140622 Board Committee Matrix 20150414.pdf](#)

[140622A Board Committee Matrix 20150521.pdf](#)

[140622B April 14 Minutes 20150521.pdf](#)

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

**GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION**

[140960.](#)

Mayor Ed Braddy - Committee Assignments (B)

*MODIFICATION - Added back-up.*

**RECOMMENDATION**

*The City Commission confirm the Mayor's appointments.*

[140960 MOD COMMITTEE ASSIGNMENTS 20150521.pdf](#)

[140963.](#)

**Commissioner Helen Warren - Medical Unit Response in the City of Gainesville (NB)**

**RECOMMENDATION**

*The City Commission refer this item to the Public Safety Committee.*

[150020.](#)

**Update from the Blue Ribbon Advisory Committee on Economic Competitiveness (NB)**

*MODIFICATION - Added item to the Regular Agenda.*

**RECOMMENDATION**

*The City Commission hear an update and take action deemed appropriate.*

[150022.](#)**Mayor Ed Braddy - Sister City Agreement (B)***MODIFICATION - Added item to the Regular Agenda***RECOMMENDATION**      *The City Commission take appropriate action.*[150022\\_MOD\\_sister\\_city\\_20150521.pdf](#)**GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)****GAINESVILLE REGIONAL UTILITIES items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.**[130621.](#)**Approve General Manager-Utilities Employment Agreement (B)***MODIFICATION - Moved from the Consent Agenda to the Regular Agenda and added back-up.*

*Explanation: Kathy Viehe has been serving as Interim General Manager-Utilities since November 15, 2013. In order to hire a new General Manager, the City Commission authorized the Human Resources Department to engage the services of an Executive Search Firm to initiate a search to fill the position.*

*Mycoff, Fry & Prouse conducted a search and presented candidates for consideration. Selected candidates were interviewed on March 24, 25 & 30. The City Commission selected their top three candidates, in no particular order, on April 2. They were Edward Bielarski, Charles Dickerson, and Robert McGarrah.*

*The City Commission selected a GM - Utilities and authorized the Mayor to negotiate a contract with Edward Bielarski on April 30, 2015.*

*Fiscal Note: Salary of \$287,000 is approved in the FY'15 budget.*

**RECOMMENDATION**      *The City Commission approve the employment agreement with Edward Bielarski.***Legislative History**

1/16/14	City Commission	Approved as Recommended
2/20/14	City Commission	Approved, as shown above
6/25/14	City Commission	Discussed
7/17/14	City Commission	Approved as Recommended
2/19/15	City Commission	Approved as Amended
3/5/15	City Commission	Approved as Recommended
3/19/15	City Commission	Approved as Recommended
3/24/15	City Commission	Heard
3/30/15	City Commission	Heard

4/2/15 City Commission Continued  
4/30/15 City Commission Approved, as shown above - See Motion(s)

[130621 GM-Utilities Executive Search Plan 20140220](#)  
[Item No130621 General Manager Utilities Job Description 20140220](#)  
[103621 GM Search Mycoff Contract10-01-11 to 09-30-14-20140220](#)  
[130621 GM-Utilities Draft Executive Search Plan for Discussion 20140625](#)  
[130621 General Manager Utilities Job Description 20140625](#)  
[130621 GM-Utilities Executive Search Plan 20140717](#)  
[130621 General Manager Utilities Job Description 20140717](#)  
[130621 General Manager Candidate List 20150219](#)  
[130621 Bielarski Resume - GM Search 20150219](#)  
[130621 Dickerson Resume - GM Search 20150219](#)  
[130621 McGarrah Resume - GM Search 20150219](#)  
[130621 Miller Resume - GM Search 20150219](#)  
[130621 Stone Resume - GM Search 20150219](#)  
[130621 Williams Resume - GM Search 20150219](#)  
[130621 Wishart - Resume GM Search 20150305](#)  
[130621 GM-Utilities Interview Schedule 20150305](#)  
[130621\\_email\\_20150319.pdf](#)  
[130621 Bielarski - GM-Utilities Employment Agreement 20150521](#)

**5:30 P.M.**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**Mr. Bob Gasche**

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

[140953.](#)

**Memorial Day - May 25, 2015 (B)**

**RECOMMENDATION**

*Gator Detachment of the Marine Corp League Bob Gasche and Purple Heart Group Norm Sassner to accept the proclamation.*

[140953\\_MemorialDay\\_20150521.pdf](#)

[140954.](#)

**National Emergency Medical Services Week - May 17-23, 2015 (B)**

**RECOMMENDATION**      *Gainesville Fire Rescue Fire Chief Jeff Lane to accept the proclamation.*

[140954\\_EMSWeek\\_20150521.pdf](#)

[140961.](#)

**Certificate of Merit Recipients (B)**

**RECOMMENDATION**      *The City Commission hear the Special Recognition of Buchholz High School DECA Chapter, Eastside High School Student Megan Mathew - U.S. Presidential Scholar, Gainesville High School Student - Rachel Abrams - Top in the World, Gainesville High School Students Dylan Ankersen, Blake Burdge and Stephen Carter - Moot Court Competition.*

[140961\\_Recognition\\_20150521.pdf](#)

**6:00 P.M.**

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

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

[140937.](#)

**Resolution for an Urban and Community Forestry Grant Application and Memorandum of Agreement - Florida Department of Agriculture and Consumer Services for an Urban Forest Master Plan (NB)**

**This item is a request for the City Commission to adopt a Resolution authorizing the City Manager to execute an Urban and Community Forestry Grant Application and Memorandum of Agreement between the City of Gainesville, Florida and the Florida Department of Agriculture and Consumer Services for an Urban Forest Master Plan.**

*Explanation: This is the Resolution supporting the application for The Florida Department of Agriculture and Consumer Services funds an Urban and Community Forest Grant Program. The purpose of the grant program is to provide financial assistance to initiate or enhance local urban and community forestry programs and improve the urban environment within*

the State of Florida.

The grant program requires a 50-50 match and provides up to \$30,000 to local governments for a variety of urban forestry projects including urban forest master plans.

If awarded, the funding would be used to contract with a consultant to create an urban forest master plan, including a canopy coverage analysis and recommendations to meet comprehensive goals and objectives.

*Fiscal Note:* There is a 50% match required for the Urban and Community Forestry Grant. The grant request is for \$30,000 and the \$30,000 match will be provided through the Urban Forestry Section's contractual budget for FY 2015 (\$15,000) and FY16 (\$15,000).

**RECOMMENDATION**            The City Commission adopt the Resolution.

[140937A\\_Urban Forestry Grant Resolution\\_05-21-2015.pdf](#)

[140937B\\_Urban Forest Master Plan Grant App\\_05-21-2015.pdf](#)

## ADOPTION READING-ROLL CALL REQUIRED

[140471](#)

### **LAND USE CHANGE - PAYNES PRAIRIE SWEETWATER PRESERVE, WILLISTON ROAD AND SE 16TH AVENUE (B)**

Ordinance No. 140471; Petition No. PB-14-120 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 4.4 acres of property generally located northeast of the intersection of Williston Road and SE 16th Avenue, as more specifically described in this ordinance, from Residential Medium-Density (RM) to Conservation (CON); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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

*This ordinance will amend the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 4.4 acres of property located northeast of the intersection of Williston Road and SE 16th Avenue from Residential Medium-Density (RM) to Conservation (CON). The subject property is owned by Alachua County and is currently undeveloped, with no current plan for development. The property is part of the Paynes Prairie Sweetwater Preserve, which is a 113.5-acre preserve that was purchased in 2006 as part of the Alachua County Forever (ACF) land acquisition program.*

*The subject property is part of the nature preserve, which is intended to conserve, protect, and enhance the natural resources on the land and to provide for public outdoor recreation that is compatible with the conservation, protection and enhancement of the site. The preserve is generally located north of Paynes Prairie Preserve State Park, south of the Evergreen Cemetery, west of Boulware Springs Park, and east of Williston Road. The 4.4 acre portion of the property that is within city limits is the northernmost piece of the preserve property.*

*This ordinance is consistent with the Comprehensive Plan and will apply the most appropriate land use designation on this property and will match as closely as possible the Alachua County land use and zoning designations (i.e., Preservation) that have been applied to the bulk of the adjacent property. The city is proposing Conservation because this land use designation identifies areas environmentally unsuited to urban development, provides permanent buffers between land uses, and assigns areas used for passive recreation and nature parks. Conservation uses on this property will support and expand the natural resource base and recreational assets associated with the extensive parklands and nature preserves existing in this area of Gainesville and Alachua County, and ensure the best option for maintenance and enhancement of the resource values intended for protection under the City's Comprehensive Plan and land development regulations.*

*Planning Division staff has recommended approval of this ordinance. After public notice was published in the Gainesville Sun on October 7, 2014, the City Plan Board held a public hearing on October 23, 2014, and voted 5-0 to recommend adoption of this ordinance.*

#### **CITY ATTORNEY MEMORANDUM**

*This proposed amendment to the Comprehensive Plan involves a use of 10 acres or fewer and qualifies as a small-scale development amendment. The City Commission may adopt small-scale development amendments with a single public hearing.*

*Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining that the adopted amendment is in compliance with Chapter 163, Florida Statutes. If unchallenged, this amendment shall become effective 31 days after adoption.*

#### **RECOMMENDATION**

*The City Commission: (1) approve Petition No. PB-14-120 LUC; and (2) adopt the proposed ordinance.*



[140471A\\_draft ordinance\\_20150521.pdf](#)  
[140471B\\_Staff report\\_20150521.pdf](#)  
[140471C\\_Append A\\_Comprehensive Plan GOPs\\_20150521.pdf](#)  
[140471D\\_Append B\\_Supplemental Docs\\_20150521.pdf](#)  
[140471E\\_Append C\\_Application and Neighborhood Wkshp\\_20150521.pdf](#)  
[140471F\\_CPB minutes\\_20150521.pdf](#)  
[140471G\\_staff ppt\\_20150521.pdf](#)

## ORDINANCES, 1ST READING- ROLL CALL REQUIRED

### [140472.](#)

QUASI-JUDICIAL - REZONING - PAYNES PRAIRIE  
SWEETWATER PRESERVE, WILLISTON ROAD AND SE 16TH  
AVENUE (B)

Ordinance No. 140472, Petition No. PB-14-121 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 4.4 acres of property generally located northeast of the intersection of Williston Road and SE 16th Avenue, as more specifically described in this ordinance, from Multiple-Family Medium-Density Residential District (RMF-6) to Conservation District (CON); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This ordinance will amend the Zoning Map Atlas of the City of Gainesville by rezoning approximately 4.4 acres of property located northeast of the intersection of Williston Road and SE 16th Avenue from Multiple-Family Medium-Density Residential District (RMF-6) to Conservation District (CON). The subject property is owned by Alachua County and is currently undeveloped, with no current plan for development. The property is part of the Paynes Prairie Sweetwater Preserve, which is a 113.5-acre preserve that was purchased in 2006 as part of the Alachua County Forever (ACF) land acquisition program. The subject property is part of the nature preserve, which is intended to conserve, protect, and enhance the natural resources on the land and to provide for public outdoor recreation that is compatible with the conservation, protection and enhancement of the site. The preserve is generally located north of Paynes Prairie Preserve State Park, south of the Evergreen Cemetery, west of Boulware Springs Park, and east of Williston Road. The 4.4 acre portion of the property that is within city limits is the northernmost piece of the preserve property.*

*This ordinance is consistent with the Comprehensive Plan and will apply the most appropriate zoning district on this property and will match as closely as possible the Alachua County land use and zoning designations (i.e., Preservation) that have been applied to the bulk of the adjacent property. The city is proposing Conservation zoning to protect, restore and preserve natural features and open space so that present and future residents of the city may enjoy the benefits of the natural environment. Conservation uses on this property will support and expand the natural resource base and recreational assets associated with the extensive parklands and nature preserves existing in this area of Gainesville and Alachua County, and ensure the best option for maintenance and enhancement of the resource values intended for protection under the City's Comprehensive Plan and land development regulations.*

*Planning Division staff has recommended approval of this ordinance. After public notice was published in the Gainesville Sun on October 7, 2014, the City Plan Board held a public hearing on October 23, 2014, and voted 5-0 to recommend adoption of this ordinance.*

#### **CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 140471 becomes effective as provided therein.*

**RECOMMENDATION**            *The City Commission: (1) approve Petition No. PB-14-121 ZON; and (2) adopt the proposed ordinance.*

[140472A draft ordinance 20150521.pdf](#)

[140472B Staff report 20150521.pdf](#)

[140472C Append A Comprehensive Plan GOPs 20150521.pdf](#)

[140472D Append B Land Development Code 20150521.pdf](#)

[140472E Append C Supplemental Docs 20150521.pdf](#)

[140472F Append D Application and Neighborhood Wkshp 20150521.pdf](#)

[140472G CPB minutes 20150521 .pdf](#)

[140472H staff ppt 21050521.pdf](#)

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

## **PLAN BOARD PETITIONS**

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time permits)**

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