

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

June 18, 2020

5:30 PM

Virtual Teleconference Meeting

City Commission

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

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

Welcome to the City Commission meeting!

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

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

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

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

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

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

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

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

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

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

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

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

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

CALL TO ORDER - 5:30 PM**AGENDA STATEMENT**

"Individuals are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 minutes for general public comment once during the meeting. Speakers who wish to participate in early public comment will be limited to 3 minutes to speak on one agenda item or 5 minutes if they wish to speak on several agenda items. If speakers do not participate in early public comment, speakers will be limited to 3 minutes per agenda item. The City of Gainesville encourages civility in public discourse and requests that speakers direct their comments to the Chair. Signs, props and posters are not permitted in the meeting room."

ROLL CALL**CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**

CA-1 [191240.](#) Approval of Minutes from the May 11, May 14, May 19, May 21 (2), May 28, May 29, June 2, June 3 and June 4 (2), 2020 City Commission Meetings (B)

RECOMMENDATION *The City Commission approve the May 11, May 14, May 19, May 21 (2) May 28, May 29, June 2, June 3, and June 4 (2) minutes.*

[191240_May 11 Minutes_20200618.pdf](#)

[191240_May 14, 2020 Minutes_20200604.pdf](#)

[191240_May 19, 2020 Minutes_20200604.pdf](#)

[191240_May 21 Swearing In Minutes_20200618.pdf](#)

[191240_May 21, 2020 Minutes 5 PM_20200618.pdf](#)

[191240_May 28 2020 Minutes_20200604.pdf](#)

[191240_May 29 Minutes_20200618.pdf](#)

[191240_June 2, 2020 Minutes_20200618.pdf](#)

[191240_June 3, 2020 Minutes_20200618.pdf](#)

[191240_June 4, 2020 Minutes_20200618.pdf](#)

[191240_June 4, 2020 Minutes Night Meeting_20200618.pdf](#)

CA-2 [200041.](#) City Commission Special Meeting - Discuss Health Care Policy (NB)

RECOMMENDATION *The City Commission approve a special meeting to discuss Health Care Policy scheduled for July 21, 2020 at 4:00 PM.*

CA-3 [190942.](#) **2020 City of Gainesville Investment Policy Statement (B)**

This item involves the City of Gainesville Investment Policy Statement (IPS)

Explanation: Section 2-438 of the Code of Ordinances authorizes the Director of Finance and/or subordinates designated by the Director of Finance to invest and reinvest funds, execute trades and otherwise conduct business involving the investment of the funds of the City, in accordance with the City's approved investment policy. Pursuant to the Code of Ordinances, this Investment Policy Statement is being submitted for approval by the City Commission.

This Investment Policy Statement applies to the City's operating funds, outlines the investment process, identifies allowable and restricted investments, and specifies permissible investment asset allocation ranges, and identifies investment performance benchmarks. The IPS was developed in accordance with GFOA best practices guidelines and the prudent person rule, with the objective of seeking reasonable long term investment returns while preserving capital and maintaining liquidity. The IPS has been updated to include quarterly investment reporting, and annual IPS review and approval. The IPS was reviewed and approved by the City Audit & Finance Committee on February 5, 2020, and was recommended for submission to, and approval by, the City Commission.

Since its approval by the Audit & Finance Committee on February 5th, 2020, language that allows for investment in fuel futures and options contracts necessary to execute the City's Fuel Hedging Program has been added to this Investment Policy Statement under Section XII.

Fiscal Note: This Investment Policy Statement itself has no direct financial impact on the City, however the IPS does determine how City operating funds can be invested. Expected investment returns for the City's Operating Funds are included in the City's annual budgets.

RECOMMENDATION

Recommended Motion: The City Commission approve the 2020 Investment Policy Statement for the City of Gainesville Operating Funds.

[190942_2020 City Investment Policy_20200618.pdf](#)

CA-4 [191032.](#) **Contract - City of Gainesville Comprehensive Plan Update - HR&A Advisors, Inc. (B)**

This item involves a request for the City Commission to approve a professional services contract with HR&A Advisors, Inc. for the City of Gainesville - Comprehensive Plan Update.

Explanation: On October 17, 2019, the City Commission approved a staff prepared scope of work for the proposed City of Gainesville Comprehensive Plan Update. The approved scope was incorporated into a Request for Proposal (RFP) that was released by the City's Purchasing Division on December 11, 2019.

On March 5, 2020, the City Commission approved staff's ranking of HR&A Advisors, Inc. as the recommended firm to assist the community and its neighbors with preparation of the City of Gainesville Comprehensive Plan Update and authorized the City Manager and/or designee to negotiate a contract with City Attorney input on form and legality with HR&A Advisors, Inc. and return to the City Commission for final review and approval.

Staff has interacted with HR&A Advisors, Inc. over the past 60 days on the Scope and made some adjustments relative to the timeframes in which tasks are to be completed and deliverables produced particularly in light of existing conditions relative to the public health emergency.

Staff does feel it is important to move forward on this effort as it is important to the community and can provide a long term vehicle for the incorporation of efforts at inclusion, affordability and resiliency into the City's recovery.

Fiscal Note: The contract amount by HR&A Advisors, Inc. is \$212,600 as proposed in their bid submittal. Staff foresees utilizing additional allocated funds (approximately \$30,000) that were budgeted for this project to supplement the local neighbor engagement process.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff; 2) direct the City Manager or designee to execute the contract and any related documents with HR&A Advisors, Inc. subject to the City Attorney's approval as to form and legality.

[191032A HRA Advisors Inc. Agreement for Services w Exhibit A 20200618](#)

[191032B Exhibit B HR&A Advisors Proposal 20200618](#)

[191032C Exhibit C 200012-RFP-DODX-Comprehensive Plan FINAL 20200618](#)

CA-5 [200015.](#)

Gainesville Pilot Composting Program (B)

This item is a request for the City Commission to authorize staff to submit a grant application to the United States Department of Agriculture (USDA) -Natural Resources Conservation Service Community Compost and Food Waste Reduction (CCFWR) Project Grant. The CCFWR Grant award is estimated in the amount of \$90,000 and this award would be used toward the implementation of a two-year pilot composting program.

Explanation: The City of Gainesville has adopted a goal of Zero Waste by 2040. It is recognized that processing organics, which make up about twenty (20) percent of the waste stream, is an important component of the Zero Waste Goal. Landfilled organic material contributes significantly to the production of methane gas, which is about 30 times more potent than carbon dioxide as a greenhouse gas.

This USDA Grant provides the City with the opportunity to fund a pilot composting program. The grant funds will be used to implement a program utilizing one of the composters already operating in the community. Either a curbside collection or restaurant program will be submitted depending on an analysis of the best use of funding and USDA goals. Data collected from the pilot will help the City evaluate opportunities and challenges in expanding organics collection and processing throughout the City.

Fiscal Note: The CCFWR Grant requires the City of Gainesville to provide a 25% match. The City's match source has been identified in the Solid Waste Fund and costs approximately \$22,500 over a two-year period.

RECOMMENDATION

The City Commission authorize the City Manager or designee to execute the grant applications, grant awards and any other necessary documents, subject to approval by the City Attorney as to form and legality.

[200015A Full Announcement USDA-NRCS-NHQ-CCFWR-20-NOFO0001018](#)

[200015B General Terms and Conditions 20200618](#)

CA-6 [200019.](#)

Public Health Crisis Response CONUS - Community Clean Up (B)

This a request for the City Commission to approve the submission and acceptance of a grant, if awarded, from the Florida Department of Health (FDOH).

Explanation: This Crises CoAg Grant (Hurricane Relief Funding- Community Clean Up Project) was designed to conduct community cleanup efforts related to mosquito control issues. Expenses related to community cleanups include but are not limited to the following: rental of dumpsters, hauling of debris, personnel costs, rental of large equipment for movement of debris (dump trucks, clam trucks, skid steers, crew trucks, etc.), advertisement costs for community cleanup events, and PPE (plastic garbage bags, safety glasses, plastic gloves, aprons, insect repellent, etc.). The grant was extended to December 31, 2020 due to the COVID-19 pandemic.

Aedes aegypti, the yellow fever mosquito, is a vector mosquito species that transmit dengue fever, chikungunya, Zika fever and yellow fever

viruses, and other disease agents. The yellow fever mosquito was collected by the City Mosquito Control nearby downtown area weeks ago for the first time since early 1990s. Used tires are notorious for breeding mosquitoes such as yellow fever mosquito *Ae. aegypti*. City Mosquito control is planning to utilize this funding to conduct City-wide tire round up to reduce the number of wasted tires as well as to conduct a community outreach campaign. Community cleanup will have a tremendous impact in reducing populations of this vector species and other species of biting mosquitoes around the City.

Fiscal Note: The amount of the grant is \$15,000 with no local match required.

RECOMMENDATION

The City Commission authorize the City Manager or designee to execute the grant applications, grant awards and any other necessary documents, subject to approval by the City Attorney as to form and legality.

[200019A_City of Gainesville.cleanup_2020_06_18](#)

[200019B_Deliverable for Community CleanUp Efforts_2020_06_18](#)

[200019C_Crisis CoAg and Clean up Project_2020_06_18](#)

CA-7 [200023.](#)

Housing and Urban Development - Community Development Block Grant - Disaster Recovery Drainage Infrastructure Improvements (B)

This item is a request for the City Commission to approve the submission and acceptance of a grant, if awarded, from HUD through the Community Development Block Grant - Disaster Recovery.

Explanation: In March 2020, the Florida Department of Economic Opportunity (DEO) allocated an additional \$100,229,945 in Infrastructure repair funding through the Community Development Block Grant-Disaster Recovery (CDBG-DR) Program by the U.S. Department of Housing and Urban Development (HUD) to address unmet disaster recovery needs related to damage from Hurricane Irma. Eighty percent of the allocation will be awarded to the most impacted and distressed counties with the remaining twenty percent of the allocation available to eligible counties that experienced storm damage. The City is eligible to compete for the twenty percent allocation.

The grant applications will address damage and infrastructure deficits in low and moderate income neighborhoods impacted by Hurricane Irma. The Public Works Department will submit two applications under this program. The first project is for the repair and stabilization of drainage infrastructure in Tumblin Creek near Depot Avenue and SW 6th Street. The second project is will replace open ditch segments in the Duval neighborhood with storm sewer pipe.

Fiscal Note: The amount requested for the Community Development Block Grant Disaster Recovery projects is \$1,230,127. No local match is required.

RECOMMENDATION

The City Commission authorizes the City Manager or designee to execute grant applications, grant awards and any other necessary documents, subject to approval by the City Attorney as to form and legality.

[200023A_CDBG-DR-Fact-Sheet_2020_06_18](#)

[200023B_Duval_LMI_and_Location_2020_06_18](#)

[200023C_Tumblin_LIM_and_Location_2020_06_18](#)

CA-8 [200031.](#) **Approval of Additional Budget Special Meeting for GRU (NB)**

Explanation: On February 6, 2020, the City Commission approved a schedule of budget workshops and special meetings for GRU. The final meeting date was to be June 16, 2020, but staff has since learned that date conflicts with a County Commission meeting and therefore can't be broadcast in accordance with the rules for virtual meetings. Staff asked the Clerk to cancel the June 16th meeting and provide additional dates for a new meeting and are requesting today to schedule a special meeting on July 13, 2020 for GRU to present budget information and request approval of proposed rates.

Fiscal Note: None at this time.

RECOMMENDATION

The City Commission approve the scheduling of a special meeting with GRU on July 13, 2020.

**CA-9 [200035.](#) **2020 Investment Policy Statement for the City of Gainesville
Evergreen Cemetery Trust Fund (B)****

This item involves the City of Gainesville Evergreen Cemetery Trust Fund Investment Policy Statement (IPS)

Explanation: Section 7-11 of the Code of Ordinances establishes the City's Evergreen Cemetery Trust Fund, determines the Trust Fund's finances, and authorizes the City Commission to invest the Trust as they deem advisable. The IPS was developed in accordance with the prudent person rule, with the objective of seeking reasonable long term investment returns while preserving capital. This IPS is similar in structure to the investment policies for the City's pension plans, and specifies the Fund's allowable investments, permissible asset allocation ranges, and investment performance benchmarks. This IPS was submitted for review by the City Audit & Finance Committee on February 5, 2020 (See File #190942). The IPS was approved and recommended for submission to,

and approval by, the City Commission.

Fiscal Note: This Investment Policy Statement itself has no direct financial impact on the City, however the IPS does determine how the Evergreen Cemetery Trust Fund can be invested. Expected investment returns for the City's Evergreen Cemetery Trust Fund are included in the City's annual budgets.

RECOMMENDATION

Recommended Motion: The City Commission approve the 2020 Investment Policy Statement for the City of Gainesville Evergreen Cemetery Trust Fund.

[200035 Evergreen Cemetery Trust Investment Policy 20200618.pdf](#)

CA-10 [191090.](#)

Fiscal Year 2019 Follow-up on Status of Previous Audit Recommendations (B)

Explanation: In accordance with our Annual Audit Plan, the City Auditor's Office has completed the annual follow-up on all open recommendations from previous audits, attestations, and non-audit services to determine whether appropriate actions have been taken by management.

RECOMMENDATION

The Audit and Finance Committee recommend the City Commission accept the City Auditor's report.

[191090_Fiscal Year 2019 Follow-up on Status of Previous Audit Recommendation](#)

CA-11 [191100.](#)

Investment Performance Reports for the City of Gainesville Operating Fund, General Employees' Pension Fund, Police Officers' and Firefighters' Pension Fund, Retiree Health Insurance Trust Fund, and Evergreen Cemetery Trust (B)

Explanation: The Pensions & Investments staff submit the following City Fund and Trust investment performance reports to the Audit and Finance Committee for review.

- 1) City Operating Fund Investment Performance Report through 1/31/2020
- 2) Gainesville General Employees' Pension Plan Investment Performance Report for 12/31/2019
- 3) Gainesville Police Officers' & Firefighters' Pension Plan Investment Performance Report for 12/31/2019
- 4) Gainesville Retiree Health Insurance Trust Fund Investment Performance Report for 12/31/2019
- 5) Evergreen Cemetery Trust Annual Investment Performance Report for 09/30/2019 (Annual Fiscal Year Reports are prepared for this Trust)

Fiscal Note: Expected fiscal year 2020 investment returns for these City Funds and Trusts are included in the City's FY2020 Budget.

RECOMMENDATION *The City Commission accept the City Auditor's reports.*

[191100A_20191231_Gainesville_General_Pension_Investment_Summary_Report](#)
[191100B_20191231_Gainesville_Police_&_Fire_Pension_Investment_Summary_Re](#)
[191100C_20191231_Retiree_Health_Fund_Investment_Summary_Report_202003](#)
[191100D_20200131_Gainesville_SBA_Prime_Fund_Account_Yield_Report_20200](#)
[191100E_FY19_Evergreen_Cemetery_Trust_Investment_Report_20200311.pdf](#)

CA-12 [191065.](#) **Gainesville Regional Utilities Unaudited Internally Prepared Financial Statements for the Period Ended December 31, 2019 (B)**

Explanation: Unaudited Internally Prepared Financial Statements for the period ended December 31, 2019, including management's discussion and analysis.

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission accept Gainesville Regional Utilities Unaudited Internally Prepared Financial Statements for the period ended December 31, 2019.*

[191065_GRU_Unaudited_Finan_Statements_PE201931Dec_20200311](#)

CA-13 [191066.](#) **Gainesville Regional Utilities Internally Prepared Budget to Actuals for the Period Ended December 31, 2019 (B)**

Explanation: Internally Prepared Budget to Actuals for the period ended December 31, 2019.

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission accept Gainesville Regional Utilities Internally Prepared Budget to Actuals for the period ended December 31, 2019.*

[191066_GRU_BudgetActual_Comparison_PE201931Dec_20200311](#)

CA-14 [191067.](#) **Gainesville Regional Utilities Internally Prepared Supplementary Data for the Period Ended December 31, 2019 (B)**

Explanation: Internally Prepared Supplementary Data for the period ended December 31, 2019.

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission accept Gainesville Regional Utilities Internally Prepared Supplementary Data for the period ended December 31, 2019.*

[191067 GRU Supplementary Data PE201931Dec 20200311](#)

CA-15 [200049.](#) **Voting Delegate (B)**

RECOMMENDATION

The City Commission appoint Mayor Lauren Poe as the City's voting delegate for the Florida League of Cities' conference.

[200049 2020 Voting Delegate Memo 20200604.pdf](#)

ADOPTION OF REGULAR AGENDA

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

BD-1 [200032.](#) **Alachua County Jail (B)**

RECOMMENDATION

The Gainesville City Commission discuss conditions at the Alachua County Jail including the process and procedures employed at the jail used to investigate allegations of excessive use of force and allegations of inmate abuse.

[200032_Sheriff Powerpoint_20200618.pdf](#)

[200032A #1 Lakeland Ledger Article June 8 2020_20200618.pdf](#)

[200032B #2 Florida State Statute 112.533_20200618.pdf](#)

[200032C #3 Florida State Statute 92.525_20200618.pdf](#)

[200032D #4 Dept of Jail Handbook re Grievances_20200618.pdf](#)

[200032E #5 Dept of Jail Classification Unit Overview_20200618.pdf](#)

[200032F #6 Florida Statute 112-2-a_20200618.pdf](#)

[200032G #7 Garrity Warning_20200618.pdf](#)

[200032H #8 ACSO Administrative Investigation Cover Sheet_20200618.pdf](#)

[200032I #9 ACSO Standards of Conduct_20200618.pdf](#)

[200032J #10 ACSO Discipline Matrix_20200618.pdf](#)

[200032K #11 Sustained Criminal Conduct Jail-Certified Employees_20200618.](#)

[200032L #12 Sustained Criminal Conduct - Battery to Inmate_20200618.pdf](#)

[200032M #13 ACSO Early Identification System Template IOC_20200618.pdf](#)

[200032N #14 ACSO #8CantWait Compliant_20200618.pdf](#)

BD-2 [200016.](#) **Broadband Discussion (NB)**

RECOMMENDATION

The City Commission discuss and take action deemed appropriate.

BD-3 [200029.](#)

Approval of Deerhaven Unit 2 Dual Fuel Project (B)

****This item was presented to the UAB on June 11, 2020.****

Explanation: Deerhaven Unit 2 (DH2) is GRU's largest power generator and is fueled primarily by coal, with limited supplemental natural gas firing capacity. Currently, natural gas usage is limited to approximately 30MW of the total 235MW rating of DH2. Based on staff's observations of potential cost savings due to the current and anticipated future cost forecasts for coal and natural gas, GRU management initiated studies to determine the feasibility of adding dual fuel capability to DH2 to permit fueling the unit with up to 100% natural gas. In addition to cost savings, staff has identified significant potential to reduce carbon emissions and other air emissions from converting from coal to natural gas.

It has been determined that this capital project, which is named the DH2 Dual Fuel Project, required feasibility studies in the following areas: technical and operational, financial, and environmental.

The technical and operational feasibility studies indicated conversion of the DH2 facility to fire on natural gas would have no adverse impact on unit longevity, performance or operational flexibility.

The potential of favorable financial results are largely dependent on maintaining the current cost differential between coal and natural gas. As a reference, currently the cost of Coal is approximately 50% more expensive than natural gas, a situation which is not anticipated to reverse in the near term. The reason: GRU no longer has a low-priced transportation contract, which is a significant portion of its all-in coal costs; natural gas supplies are plentiful and the futures pricing is significantly below that of coal.

Environmental studies indicated that emissions of SO2, Mercury, Particulate Matter, CO2, and Nitrogen Oxides would all decrease, and that the project would be permissible by regulatory agencies. It is estimated that the annual decrease in Carbon Dioxide emissions of over 200,000 tons/year would be achieved based on current operating projections for DH2. This would further progress towards reducing GRU's carbon emissions.

The estimated capital cost of adding dual fuel capability is less than \$12.5M. To take maximum advantage of the financial and emission benefits of this project, staff has developed an accelerated implementation plan in which certain hardware will be installed during a short duration outage in early December 2020, with project completion in March 2021. The next available outage slot for a DH2 outage is in

October 2022. Due to the manufacturing lead times (approximately 20 weeks) for equipment manufacture and delivery, as well as for detailed design, timely approval to proceed is required.

The item was presented to the UAB on June 11, 2020.

Fiscal Note: Due to lead times, nearly all of the funding must be committed during FY20, though the cash flow indicates expenditures of approximately \$2.2 million in FY20 and approximately 10.3 million in FY21. The project reflects an average return on investment (ROI) of 39%, and a net present value of \$14.4M based on maintaining the current differential between natural gas and coal pricing. The beneficial financial results support accelerated execution of the project during a DH2 short duration outage window in December 2020.

RECOMMENDATION

Staff Recommendation: Authorize the General Manager or his designee to execute agreements as required to complete the project in accordance with GRU procurement policies and procedures, subject to approval by the City Attorney as to form and legality.

In their June 11, 2020 meeting, the UAB voted 6-0, with Member Rockwell absent, to advise the City Commission to:

- 1) *Approve the staff recommendation*
- 2) *Direct staff to prepare and present a plan for retirement of Deerhaven 2 by 2032.*

[200029 DH2Gas Project CCom Presentation 20200618](#)

BD-4 [191203.](#) COVID-19 Verbal Update (NB)

Explanation: COVID-19 Virtual update by City Manager Lee Feldman.

RECOMMENDATION

The City Commission hear an update regarding COVID-19 and discuss as necessary.

BD-5 [200043.](#) Public Recognition of Black Lives Matter (NB)

RECOMMENDATION

The City Commission discusses how the City might publicly recognize Black Lives Matter and take action, as necessary.

BD-6

[190222.](#)**Ordinance Regulating Businesses that Provide Shopping Carts (B)**

ORDINANCE NO. 190222

An ordinance of the City of Gainesville, Florida, amending Chapter 14.5 of the City Code of Ordinances to create Article VIII titled Shopping Carts, to regulate businesses within the City of Gainesville, Florida that provide shopping carts to customers; establishing shopping cart retention system requirements; establishing enforcement procedures; amending Section 2-339 to establish a civil citation penalty; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: On August 1, 2019, the City Commission referred this item to the General Policy Committee for further discussion. On December 12, 2019, the General Policy Committee directed that the City Manager's office work with the City Attorney to draft an ordinance including immobilization, deposits, and that stores could require customers to leave their shopping carts inside the store. The Department of Sustainable Development, in conjunction with the City Attorney, drafted an ordinance for the City Commission's consideration.

The draft ordinance regulates businesses which offer more than 10 shopping carts to customers. The ordinance requires businesses to implement and maintain a city approved shopping cart retention system. The ordinance lists 5 types of shopping cart retention systems that businesses may implement. The 5 enumerated shopping cart retention systems include: 1) vehicle dispatch to retrieve shopping carts with an associated telephone number on the shopping cart, 2) shopping cart with a protruding arm to prevent removal from the building, 3) a refundable deposit to use the shopping cart, 4) wheel locking mechanism on the shopping cart which activates when the shopping cart crosses an electronic barrier, and 5) GPS technology on the shopping cart that is used in conjunction with a locking mechanism and/or a retrieval operation protocol. The ordinance also requires businesses to affix business identification information and a warning on the carts. Failure to implement and maintain a city approved shopping cart retention system will subject a business to a civil citation and fine in the amount of \$250. If approved, the Department of Sustainable Development will identify and notify affected businesses; coordinate the review and approval of shopping cart retention system plans; and enforce the ordinance.

Fiscal Note: There will be additional administrative costs associated with reviewing, approving, and enforcing shopping cart retention plans.

RECOMMENDATION

The City Commission discuss the proposed ordinance and take any appropriate action.

[190222A_CM Memo 19002 Abandoned Shopping Carts 20191212](#)
[190222B_FS 506 - Shopping Carts 20191212](#)
[190222C_Preliminary Research & Analysis 20191212](#)
[190222D_Abandoned Shopping Cart Memo 10.16.19 20191212](#)
[190222E_Hallandale Beach 20191212](#)
[190222F_Hillsborough County 20191212](#)
[190222G_Wilton Manors 20191212](#)
[190222H_Orange County 20191212](#)
[190222I_Pictures of Shopping Carts 20191212](#)
[190222_Abandoned Shopping Carts Memo 20191212.pdf](#)
[190222_draft ordinance 20200618.pdf](#)

BD-7 [200048.](#) **Mayor Lauren Poe - Resolution Urging Florida Legislators to Approve Medicaid Expansion (B)**

RECOMMENDATION *The City Commission discuss and take action deemed necessary.*

[200048_Gainesville_Expand_Medicaid_Resolution draft 20200618.pdf](#)

BD-8 [200051.](#) **Commissioner Adrian Hayes-Santos - Use of Mugshots in Our Community (B)**

RECOMMENDATION *The City Commission discuss and take action deemed necessary.*

[200051_Request from City Commissioner Hayes-Santos - Mugshots 20200618](#)
[200051_Privacy of Arrested Persons 20200618.pdf](#)

BD-9 [200053.](#) **City of Gainesville Policy Process (B)**

Explanation: At the last meeting of the City Commission, there was a request that the Clerk's Office bring back a proposal for prioritizing City Commission(ers) research requests moving forward to ensure that all requests are being completed with equitably for all members.

RECOMMENDATION *The City Commission discuss and provide feedback on the proposal.*

[200053_Policy Research Alignment and Order - DRAFT June 2020 20200618.](#)

BD-10 [200054.](#) **Responding to Racial Tension in the City (B)**

Explanation: The Department of Equity and Inclusion, headed by Mrs. Teneeshia Marshall, will conduct a presentation to address racial tension within the city and the historical impact of systemic racism within our communities.

Fiscal Note: None: This is an informative presentation only

RECOMMENDATION *The City Commission receive update on the department's suggestions and progress to reduce racial tension within the city.*

[200054 Responding to Racial Tension 20200618.pdf](#)

BD-11 [200056.](#) Commissioner Harvey Ward - Request to Convene a Citizen Police Review and Reform Recommendations Panel (B)

RECOMMENDATION *The City Commission discuss and take action deemed appropriate.*

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

RE RESOLUTIONS - ROLL CALL REQUIRED (RE)

RE-1 [200014.](#) Public Transit Grant Award Agreement for Florida Department of Transportation Section 5311 CARES Act Grant Funds for Regional Transit System (RTS) Project (B)

This item is a request for the City Commission to adopt a resolution authorizing the City of Gainesville dba Regional Transit System to enter into a Public Transportation Grant Agreement for the acceptance of Section 5311 CARES Act grant funds.

Explanation: Federal funds are available from the Federal Transit Administration (FTA) through the Florida Department of Transportation (FDOT) to provide rural service that operates in east Gainesville and adjacent rural areas. The funding for this grant is emergency relief funding designated through the CARES Act, and requires no matching local funds.

RTS will use the funds to provide rural service in east Gainesville, in conjunction with its micro-transit Section 5311 funding enables RTS to provide an additional level of service, improving access to and from rural areas surrounding Gainesville for health care activities such as dialysis and medical appointments, shopping and other critically-needed services.

FDOT requires the governing board of each public transit system to

adopt a Resolution authorizing the agency to enter into a PTGA for the acceptance of grant funds.

Fiscal Note: The Public Transportation Grant Agreement for this project provides \$100,000 in funding and does not require any matching City funds.

RECOMMENDATION

The City Commission 1) adopt the resolution authorizing the City of Gainesville dba Regional Transit System to enter into a Public Transportation Grant Agreement for the acceptance of Section 5311 CARES Act grant funds, and 2) authorize the City Manager or designee to execute the PTGA for the aforementioned project, subject to review and approval by the City Attorney as to form and legality.

[200014A Draft Resolution 20200618](#)

[200014B Draft PTGA 20200618](#)

RE-2

[200018.](#)

Acceptance of US Department of Transportation FAA AIP Cares Act Grant No. 3-12-0028-044-2020 in an Amount up to \$3,113,693 (B)

Explanation: This FAA CARES grant in the amount up to \$3,113,693 in emergency COVID-19 aid is to supplement lost Gainesville Regional Airport revenue due to the declared public health crisis and to pay expenses associated with the maintenance of safe and efficient Airport operations. Air traffic at Gainesville Regional Airport has been down to less than 5% of pre-COVID levels. Although the Airport is now seeing an increase in passenger travel, it may be a year or more before air traffic is back to pre-COVID-19 levels. Recently, Hertz declared bankruptcy and there is an indication that one of the Airport's current airlines may follow suit. Because the City of Gainesville retains title to the land upon which Gainesville Regional Airport operates, the City of Gainesville, in addition to GACRAA, must formally accept all federal grant offers. Accordingly, the Gainesville Alachua County Regional Airport Authority (GACRAA) on April 23, 2020, adopted Resolution No. 20-005, which accepted and authorized execution of the anticipated grant offer.

Fiscal Note: This Federal grant in an amount up to \$3,113,693 is directly to Gainesville Regional Airport with no direct fiscal implication for the City of Gainesville.

RECOMMENDATION

The City Commission adopt the Resolution accepting FAA Coronavirus Aid, Relief and Security Act (CARES) Grant No. 3-12-0028-044-2020 from the US Department of Transportation, FAA in the amount of up to \$3,113,693 and authorize the Mayor to execute and the Clerk of the Commission to certify the

grant agreement.

[200018A_Resolution_200018-Draft_20200618](#)

[200018B_20-005_GACRAA_CARES_Grant_Application_and_Acceptance_20200618](#)

[200018C_GNV_CARES_Grant_Application_signed_5-12-2020_20200618](#)

[200018D_GNV-SOG-3-12-0028-044-2020-Grant_Agreement-unsigned_20200618](#)

[200018E_GNV_Grant_Assurance_Certification_Letter_5-29-2020_20200618](#)

RE-3 [200052.](#)

Resolution Regarding Fuel Hedging (B)

A resolution of the City Commission of the City of Gainesville, Florida, providing corporate resolutions regarding fuel hedging in accordance with the City's adopted Investment Policy and the adopted Fuel Hedging Policy; providing directions to the Clerk of the Commission; and providing an immediate effective date.

Explanation: On April 27, 2020, the City Commission approved a Fuel Hedging Policy (Legistar File No. 191152) to allow the City Manager, or designee, to engage in unleaded and diesel fuel hedging within the City's approved investment policy. On June 18, 2020, the City Commission approved an updated 2020 City of Gainesville Investment Policy Statement for operating and capital funds that includes fuel futures and options as allowable investments within a Fuel Hedging Program. The City Manager selected Linwood Capital, LLC to serve as the Futures Commission Merchant (also referred to as the advisor) in the adopted Fuel Hedging Policy. Linwood Capital, LLC utilizes R.J. O'Brien to serve as the clearing broker to make trades on the exchange. The City has received and will need to enter into an Account Agreement with R.J. O'Brien Associates, LLC, in order to effectuate fuel hedging trades and that Agreement requires the corporate resolutions from the City that are set forth in this Resolution.

Fiscal Note: There is no fiscal impact associated with this Resolution.

RECOMMENDATION *The City Commission adopt the resolution.*

[200052_Resolution-Authorizing_Fuel_Hedging_20200618.pdf](#)

RE-4 [191143.](#)

Fire Assessment - Preliminary Rate Resolution (B)

A resolution of the City of Gainesville, Florida, relating to the provision and funding of fire services, facilities and programs in the City of Gainesville; providing for the imposition and computation of fire services special assessments; providing for legislative determinations of special benefit and fair

apportionment; describing the method of assessing fire services assessed costs against assessed property located within the City of Gainesville; establishing the estimated assessment rate for fire assessments for the fiscal year beginning October 1, 2020; directing the preparation of an assessment roll; providing for hardship assistance; providing for method of collection; authorizing a public hearing and directing the provision of notice thereof; providing for application of assessment proceeds; providing for severability; and providing an immediate effective date.

Explanation: On June 9, 2008, the City Commission adopted Ordinance 070623 which establishes the authority to implement a Fire Services Special Assessment each year if the Commission chooses to do so.

The Preliminary Rate Resolution, if adopted, would establish a maximum assessment rate for the Fire Services Special Assessment and provide for notice to affected property owners of the proposed rates. The Preliminary Rate Resolution also provides for notice of a public hearing on the Annual Rate Resolution to be held on the date as set forth in the Resolution.

In adopting the Preliminary Rate Resolution the Commission will have to determine the Preliminary Rate to be sent in the notice to affected property owners. The City Manager has recommended the rate stay the same for FY 2020-21, that being \$133.00 per Net Factored Fire Protection Unit, which is approximately 50% of the assessable costs to provide fire services. If the Commission decides to change that rate, the change will be made in the Preliminary Rate Resolution. (See page 4 of the Resolution). The Preliminary Rate can be anywhere from 100% of the assessable costs to provide fire services, or less. It must be noted, however, that while the Preliminary Rate can change at the final hearing, it cannot be increased, but can only be decreased. In other words, if the Commission establishes the Preliminary Rate at \$133.00 per Fire Protection Unit and notices that as the Preliminary Rate, at the Final Hearing the \$133.00 Assessment can decrease, but it cannot go above \$133.00.

In adopting the Preliminary Rate Resolution, the Commission will have to set the date for a public hearing. The City Manager has recommended that date be September 10, 2020 at 6:00 pm (see page 6 of the Resolution). If the Commission decides to change that date, changes will be made to the Resolution.

RECOMMENDATION

The City Commission: 1) establish a Preliminary Rate of \$133.00 per Net Factored Fire Protection Unit for the Fire Services Special Assessment; 2) set the public hearing on the Annual Rate Resolution at 6:00 pm (or as soon thereafter as may be heard) on September 10, 2020; and 3) adopt the proposed Preliminary Rate Resolution.

[191143_draft_resolution_20200604.pdf](#)

[191143_draft_resolution_20200618.pdf](#)

PUBLIC HEARINGS (PH)

SR ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)

SR-1 [191051.](#) **Proposed Charter Amendment to Retitle the Clerk of the Commission to City Clerk (B)**

ORDINANCE NO. 191051

An ordinance of the City of Gainesville, Florida; proposing an amendment to 3.04 titled "Clerk of the commission" of the Charter Laws of the City of Gainesville to change the name of the position to "city clerk"; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This Charter amendment proposed by the City Charter Review Commission (the CCRC) would place the following ballot question on the November 3, 2020 general election ballot: "SHALL THE CITY CHARTER BE AMENDED TO CHANGE THE NAME OF THE CHARTER OFFICER "CLERK OF THE COMMISSION" TO "CITY CLERK", AS PROPOSED BY ORDINANCE NO. 191051?"

The first decennial CCRC established in 5.01(2) of the City Charter commenced meetings in May 2019 to review the City Charter and propose any amendments which may be advisable for placement on the November 2020 general election ballot. The CCRC finalized its work and, per direction of the City Commission, the City Attorney's Office drafted Charter Amendment ordinances for the CCRC. As required by the Charter, the CCRC held three public hearings (on Wednesday, April 15th; Thursday, April 23rd and Thursday, April 30th) on its proposed charter amendments. Four proposed amendments were favorably voted upon by 6 or more members of the CCRC and delivered to the City Commission by May 3, 2020.

At its meeting on May 11, 2020, the City Commission considered this proposed charter amendment and directed the City Attorney to advertise the ordinance for first reading on June 4, 2020. If approved on first reading, second reading will occur on June 18, 2020. After which, the

Clerk of the Commission will deliver the adopted ordinance to the Alachua County Supervisor of Elections by July 3, 2020, requesting that the proposed Charter Amendment be placed on the November 2020 general election ballot.

Fiscal Note: None.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[191051 Charter Amendment Ordinance - City Clerk-0001 20200511.pdf](#)

[191051 Updated Charter Officer Analysis Memo 20200511.pdf](#)

[191051 CRC Letter to Commission 20200511.pdf](#)

[191051 draft ordinance 20200604.pdf](#)

SR-2 [191115.](#)

Proposed Charter Amendment to Eliminate the Restrictions on Use of Public and Private Funds for Construction of Paved Surfaces on City-Owned Land (B)

ORDINANCE NO. 191115

An ordinance of the City of Gainesville, Florida; proposing an amendment to eliminate 5.06 titled "Funds for construction of paved surfaces in designated areas" of the Charter Laws of the City of Gainesville; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This Charter amendment proposed by the City Charter Review Commission (the CCRC) would place the following ballot question on the November 3, 2020 general election ballot: "SHALL THE CITY CHARTER BE AMENDED TO ELIMINATE THE RESTRICTIONS IN 5.06 ON THE USE OF PUBLIC OR PRIVATE FUNDS FOR THE CONSTRUCTION OF PAVED SURFACES ON CITY-OWNED LAND, AS PROPOSED BY ORDINANCE NO. 191115"

The first decennial CCRC established in 5.01(2) of the City Charter commenced meetings in May 2019 to review the City Charter and propose any amendments which may be advisable for placement on the November 2020 general election ballot. The CCRC finalized its work and, per direction of the City Commission, the City Attorney's Office drafted Charter Amendment ordinances for the CCRC. As required by the Charter, the CCRC held three public hearings (on Wednesday, April 15th; Thursday, April 23rd and Thursday, April 30th) on its proposed

charter amendments. Four proposed amendments were favorably voted upon by 6 or more members of the CCRC and delivered to the City Commission by May 3, 2020.

At its meeting on May 11, 2020, the City Commission considered this proposed charter amendment and directed the City Attorney to advertise the ordinance for first reading on June 4, 2020. If approved on first reading, second reading will occur on June 18, 2020. After which, the Clerk of the Commission will deliver the adopted ordinance to the Alachua County Supervisor of Elections by July 3, 2020, requesting that the proposed Charter Amendment be placed on the November 2020 general election ballot.

Fiscal Note: None.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[191115 Charter Amendment Ordinance - Eliminate restrictions on paved surfac](#)

[191115 Updated Charter Officer Analysis Memo_20200511.pdf](#)

[191115_CRC Letter to Commission_20200511.pdf](#)

[191115_draft ordinance_20200604.pdf](#)

SR-3 [191120.](#)

Proposed Charter Amendment to Further Limit the Authority of the City Commission to Dispose of Certain Utility Systems (B)

ORDINANCE NO. 191120

An ordinance of the City of Gainesville, Florida; proposing an amendment to 5.04 titled "Disposal of utilities" of the Charter Laws of the City of Gainesville, to further limit the authority of the City Commission to dispose of certain of the city's utility systems without prior approval of the qualified electors of the city; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This Charter amendment proposed by the City Charter Review Commission (the CCRC) would place the following ballot question on the November 3, 2020 general election ballot: "SHALL THE CITY CHARTER BE AMENDED TO LIMIT THE AUTHORITY OF THE CITY COMMISSION TO DISPOSE OF THE CITY'S NATURAL GAS, WASTEWATER, OR TELECOMMUNICATIONS UTILITY SYSTEM, IN A MANNER THAT MATERIALLY REDUCES THE CAPACITY OF THAT SYSTEM TO PRODUCE, DISTRIBUTE OR TREAT, WITHOUT

PRIOR APPROVAL OF THE QUALIFIED ELECTORS OF THE CITY, AS PROPOSED BY ORDINANCE NO. 191120?"

The first decennial CCRC established in 5.01(2) of the City Charter commenced meetings in May 2019 to review the City Charter and propose any amendments which may be advisable for placement on the November 2020 general election ballot. The CCRC finalized its work and, per direction of the City Commission, the City Attorney's Office drafted Charter Amendment ordinances for the CCRC. As required by the Charter, the CCRC held three public hearings (on Wednesday, April 15th; Thursday, April 23rd and Thursday, April 30th) on its proposed charter amendments. Four proposed amendments were favorably voted upon by 6 or more members of the CCRC and delivered to the City Commission by May 3, 2020.

At its meeting on May 11, 2020, the City Commission directed the City Attorney to advertise this ordinance for first reading on June 4, 2020. If approved on first reading, second reading will occur on June 18, 2020. After which, the Clerk of the Commission will deliver the adopted ordinance to the Alachua County Supervisor of Elections by July 3, 2020, requesting that the proposed Charter Amendment be placed on the November 2020 general election ballot.

Fiscal Note: None.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[191120 Charter Amendment Ordinance - Disposal of Utility Facilities 20200511](#)

[191120 Updated Charter Officer Analysis Memo 20200511.pdf](#)

[191120 CRC Letter to Commission 20200511.pdf](#)

[191120 draft ordinance 20200604.pdf](#)

SR-4 [191121.](#)

Proposed Charter Amendment to Create a Charter Preamble (B)

ORDINANCE NO. 191121

An ordinance of the City of Gainesville, Florida; proposing an amendment to the Charter Laws of the City of Gainesville, to insert a Preamble prior to Article I of the Charter; providing for submission of this charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the title and question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This Charter amendment proposed by the City Charter Review

Commission (the CCRC) would place the following ballot question on the November 3, 2020 general election ballot: "SHALL THE CITY CHARTER BE AMENDED TO INSERT A PREAMBLE STATEMENT THAT AFFIRMS THE CHARTER AND EXRESSES THE VALUES OF THE PEOPLE, AS PROPOSED BY ORDINANCE NO. 191121?"

The first decennial CCRC established in 5.01(2) of the City Charter commenced meetings in May 2019 to review the City Charter and propose any amendments which may be advisable for placement on the November 2020 general election ballot. The CCRC finalized its work and, per direction of the City Commission, the City Attorney's Office drafted Charter Amendment ordinances for the CCRC. As required by the Charter, the CCRC held three public hearings (on Wednesday, April 15th; Thursday, April 23rd and Thursday, April 30th) on its proposed charter amendments. Four proposed amendments were favorably voted upon by 6 or more members of the CCRC and delivered to the City Commission by May 3, 2020.

At its meeting on May 11, 2020, the City Commission directed the City Attorney to advertise this ordinance for first reading on June 4, 2020. If approved on first reading, second reading will occur on June 18, 2020. After which, the Clerk of the Commission will deliver the adopted ordinance to the Alachua County Supervisor of Elections by July 3, 2020, requesting that the proposed Charter Amendment be placed on the November 2020 general election ballot.

Fiscal Note: None.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[191121 Charter Amendment Ordinance - Preamble 20200511x.pdf](#)

[191121 Updated Charter Officer Analysis Memo 20200511.pdf](#)

[191121 CRC Letter to Commission 20200511.pdf](#)

[191121 draft ordinance 20200604.pdf](#)

SR-5 [191186.](#)

Ordinance Setting 2021 Election Dates, Early Voting Dates and Qualifying Dates (B)

Ordinance No. 191186

An ordinance of the City of Gainesville, Florida, setting the date for the 2021 regular City election and the date for the 2021 run-off election, if necessary; setting the early voting dates for the 2021 regular city election and 2021 run-off election, if necessary; setting the dates for qualifying for the 2021 regular election; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: Section 9-2 of the City Code of Ordinances requires that the dates be set by ordinance adopted no later than July 1 of each year. The City Commission, at its meeting of May 7, 2020, selected the dates for the 2021 regular city election, run-off election and early voting dates, as follows:

Regular election - Tuesday, March 2, 2021

Run-off election (if necessary) - Tuesday, April 13, 2021

Early voting dates for regular election - Friday, February 19, 2021 to and including Saturday, February 27, 2021

Early voting dates for run-off election (if necessary) - Friday, April 2, 2021 to and including Saturday, April 10, 2021

Qualifying Period - From noon on Monday, January 11, 2021 to noon on Friday, January 15, 2021.

After the May 7, 2020 City Commission meeting, the Clerk conferred with the Supervisor of Elections and learned the selected dates are in conflict with other elections.

Upon the Clerk's recommendation, based on the input from the Supervisor of Elections, the City Commission, at its meeting of June 4, 2020, amended and approved the dates for the 2021 regular city election, run-off election and early voting dates. This ordinance sets forth the actual calendar dates for 2021 as follows:

Regular election - Tuesday, March 16, 2021

Run-off election (if necessary) - Tuesday, April 27, 2021

Early voting dates for regular election - Friday, March 5, 2021 to and including Saturday, March 13, 2021

Early voting dates for run-off election (if necessary) - Friday, April 16, 2021 to and including Saturday, April 24, 2021

Qualifying Period - From noon on Monday, January 25, 2021 to noon on Friday, January 29, 2021.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[191186_draft ordinance_20200604.pdf](#)

[191186_draftordinance_20200618.pdf](#)

SR-6 [191242.](#)

Ordinance Providing for Civil Citation Enforcement for Violations of Declarations of Emergency (B)

ORDINANCE NO. 191242

An ordinance of the City of Gainesville, Florida, relating to penalties for violations of declarations of emergency; by amending Sec. 2-67 titled "Mayor may declare state of emergency, water emergency" within Article II of Chapter 2 of the City Code of Ordinances; by amending Sec. 2-339 titled "Applicable codes and ordinances" within Division 6 of Article V of Chapter 2 of the City

Code of Ordinances; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: This ordinance amends the City Code of Ordinances to recognize that Alachua County, the State Government and/or the Federal Government may declare a state of emergency pursuant to their authority granted by County, State and/or Federal law, respectively. This ordinance also amends the City Code to allow the City to enforce City, County, State or Federal declarations of emergency by civil citation, in addition to criminal penalties, if the declaration specifies a civil penalty.

Fiscal Note: None.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[191242 draft ordinance 20200604.pdf](#)

FR ORDINANCES, 1ST READING - ROLL CALL REQUIRED (FR)

FR-1 [190982.](#) Land Use Change - 86.64 Acres of Property Located Near SW Williston Road & SW 34th Street (B)

Ordinance No. 190982

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use categories of approximately 86.64 acres of property generally located south of SW Williston Road, west of SW 29th Drive, north of SW 56th Avenue, and east of SW 34th Street, as more specifically described in this ordinance, from Alachua County Commercial, Alachua County Office/Residential, and Alachua County Residential to City of Gainesville Commercial (C), City of Gainesville Office (O), and City of Gainesville Single-Family (SF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Future Land Use Map of the City of Gainesville by changing the land use categories of approximately 86.64 acres of property generally located at south of SW Williston Road, west of SW 29th Drive, north of SW 56th Avenue, and east of SW 34th Street from Alachua County Commercial, Alachua County Office/Residential, and Alachua County Residential to City of Gainesville Commercial (C), City of Gainesville Office (O), and City of Gainesville Single-Family (SF). This property was voluntarily annexed into the city on February 6, 2020 (Ordinance No. 190419). As a result of annexation, the city must now

assign appropriate land use and zoning designations. The City Plan Board held a public hearing on February 27, 2020, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward written comments to the City, which the City must then consider during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of the amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[190982_PB_19_175_Rocky_Point_20200227](#)

[190982A_draft ordinance_20200618.pdf](#)

[190982B_StaffPPT_CPB20200227](#)

[190982C_CPB200227_MinutesDraft](#)

[190082D_PB-19-175LUC_StaffPPT_20200618](#)

[190982_Dear Commissioners-2_20200618.pdf](#)

[190982_I_project_sur_19010301GS_TREES-LOTS-WETLAND_20200618.pdf](#)

[190982_Mental Health_Primary Care Clinicx \(2\) \(002\)_20200618.pdf](#)

[190982_PVT Set Aside_JC_20200618.pdf](#)

[190982_19010500GS-ZONING_R7 1 \(1\)_20200618.pdf](#)

FR-2 [190983.](#)

Quasi-Judicial - Rezoning 86.64 Acres of Property Located Near SW Williston Road & SW 34th Street (B)

Ordinance No. 190983

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 86.64 acres of property generally located south of SW Williston Road, west of SW 29th Drive, north of SW 56th Avenue, and east of SW 34th Street, as more specifically described in this ordinance, from Alachua County Business Highway (BH) district, Alachua County Residential Professional (RP) district, and Alachua County Single Family Estate Residential (RE) district to City of Gainesville General Office (OF) district, City of Gainesville General Business (BUS) district, and City of Gainesville Residential Single-Family (RSF-1) district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning approximately 86.64 acres of property generally located south of SW Williston Road, west of SW 29th Drive, north of SW 56th Avenue, and east of SW 34th Street from Alachua County Business Highway (BH) district, Alachua County Residential Professional (RP) district, and Alachua County Single Family Estate Residential (RE) district TO City of Gainesville General Office (OF) district, City of Gainesville General Business (BUS) district, and City of Gainesville Residential Single-Family (RSF-1) district . This property was voluntarily annexed into the city on February 6, 2020. As a result of annexation, the city must now assign appropriate land use and zoning designations. The requested rezoning is consistent with the Comprehensive Plan and meets all applicable review criteria. The City Plan Board held a public hearing on February 27, 2020, where it voted to recommend approval of this rezoning.

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 190982 becomes effective as provided therein.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

[190983 BP-19-176 Rocky Point 20200227](#)
[190983A draft ordinance 20200618.pdf](#)
[190983B PB-19-176 ZON StaffPPT CPB20200227](#)
[190983C CPB20200227 MinutesDraft](#)
[190983D PB-19-176ZON StaffPPT 20200618](#)
[190983 Dear Commissioners-2 20200618.pdf](#)
[190983 I project sur 19010301GS TREES-LOTS-WETLAND 20200618.pdf](#)
[190983 Mental Health Primary Care Clinicx \(2\) \(002\) 20200618.pdf](#)
[190983 PVT Set Aside JC 20200618.pdf](#)
[190983 19010500GS-ZONING R7 1 \(1\) 20200618.pdf](#)

FR-3 [190989.](#) **Vacation of Public Right-of-Way - NW 4th Lane between NW 13th and NW 14th Street (B)**

Ordinance No. 190989

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close a public right-of-way on NW 4th Lane lying between NW 13th Street and NW 14th Street, as more specifically described in this ordinance; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an effective date

Explanation: **STAFF REPORT**

This ordinance vacates a portion of NW 4th Lane that is a 20-foot wide right-of-way that lays between NW 13th Street to the east and NW 14th Street to the west. The right-of-way distance between the streets is approximately 340 feet. The right-of-way to be vacated is approximately 0.15 acres in total and is paved but does not meet current City of Gainesville design standards for roadways. Vacation of this public right-of-way will facilitate the redevelopment of the adjoining properties on either side of the right-of-way as part of a high-density, multiple-family development. All of the adjacent property owners, including the applicant, agree to this vacation of public right-of-way.

Per Section 30-3.41 of the Land Development Code, the City Commission may vacate a public right-of-way only upon its finding that the criteria in both 1 and 2 as provided below have been met:

- 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:*
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;*
 - b. Whether the proposed action is consistent with the Comprehensive*

Plan;

- c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;*
- d. Whether the proposed action would deny access to private property;*
- e. The effect of the proposed action upon public safety;*
- f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;*
- g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;*
- h. The necessity to relocate utilities both public and private; and*
- i. The effect of the proposed action on the design and character of the area.*

2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:

- a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;*
- b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;*
- c. The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses;*
and
- d. There is no reasonably foreseeable need for any type of transportation corridor for the area.*

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[190989_PB-19-161_SVA_TheMark_StaffReport_20200227](#)

[190989_draft ordinance_20200618.pdf](#)

[190989B_PB-19-161SVA_StaffPPT_20200227](#)

[190989C_CPB200227_MinutesDraft](#)

[190989D_PB-19-161SVA_StaffPPT_20200618](#)

NECESSARY DIRECTION TO CHARTER OFFICERS

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