

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

December 1, 2016

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)

Commissioner Harvey Budd (At Large)

Mayor-Commissioner Pro Tem Helen Warren (At Large)

Commissioner Charles Goston (District 1)

Commissioner Todd Chase (District 2)

Commissioner Craig Carter (District 3)

Commissioner Adrian Hayes-Santos (District 4)

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

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

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

ROLL CALL**INVOCATION**

Prophet George Young

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

[160504.](#)

Assistance to Firefighters Grant FY2016 (NB)

This item requests that the City Commission authorize the City Manager or designee to apply for and, if awarded, accept grant funds from the FY2016 US Department of Homeland Security, Federal Emergency Management Agency Assistance to Firefighters Grant Program.

Explanation: The primary goal of the Assistance to Firefighters Grants (AFG) is to enhance the safety of the public and firefighters with respect to fire-related hazards by providing direct financial assistance to eligible fire departments, nonaffiliated Emergency Medical Services (EMS) organizations, and State Fire Training Academies (SFTA) for critically needed resources to equip and train emergency personnel to recognized standards, enhance operations efficiencies, foster interoperability, and support community resilience. The application period for the FY2016 AFG Program closes November 18, 2016 and the projected period of performance is March 3, 2017 through March 3, 2018.

Gainesville Fire Rescue proposes the submission of an application that would fund the purchase of portable and mobile radios. The current Motorola portable and mobile radios used by Gainesville Fire Rescue

(GFR) are reaching their end-of-life. These radios were originally purchased back in the late 1990s and, with an expected life-span of 20 years, they will reach the end-of-life point in 2018. With Motorola no longer producing our current radio models GFR is starting to experience both technical support and availability issues. Recently GFR has been forced to purchase replacements thru third-party vendors and eBay. Technical Support for these older radios will totally cease in 2018. Replacing our communications equipment will require the purchase of portable radios, mobile radios, and battery chargers.

Project 25 (P25) was produced through the joint efforts of the Association of Public Safety Communications Officials International (APCO), the National Association of State Telecommunications Directors (NASTD), selected Federal Agencies and the Nationals Communications System (NCS). Project 25 compliant equipment has a digital platform that is programmable, scalable, and can communicate in both analog and digital mode with other P-25 equipment. The P-25 compliance enhances interoperability, allowing first responders to communicate with each other to coordinate their response to and mitigate all hazards. To overcome the threat of communication failures, GFR needs to replace the portable and mobile communications system that is currently in use.

To completely replace the current system and meet the current and future missions of GFR the following equipment needs to be purchased: 80 Portable Radios with chargers and spare batteries - \$375,000 (estimate) and 25 Mobile Radios - \$100,000 (estimate).

Fiscal Note: The grant request is for \$475,000. Matching funds of ten percent (10%) or approximately \$47,500 would come from the General Fund fund balance.

RECOMMENDATION

The City Commission retrospectively approve the November 17th, 2016 submission of the grant application.

[160526.](#)

Annual Contract for Office Paper Recycling Services FY 2017-2021 (B)

This item is a request for approval of the Annual Contract for Office Paper Recycling Services pick up at designated recycling stations.

Explanation: On June 1, 2016 Alachua County put out a bid #17-46 for Annual Office Recycling Services. They received two (2) bids and recommended that the contract be awarded to Recycling Services of America, Inc. Alachua County Board of County Commissioners approved the recommendation on August 9, 2016 to enter into an agreement through September 30, 2021.

The City of Gainesville wishes to enter into a contract with Recycling Services of America, Inc., by piggybacking on the Alachua County's

contract to provide collection and processing of office paper and corrugated cardboard from all City facilities. Collection is from inside City buildings using centralized containers with canvas bags. The City of Gainesville will provide a list of pick up locations. This location list can be amended.

Fiscal Note: The agreement runs through September 30, 2021. Annual funding in the amount of \$48,616.00 is available in the Solid Waste Enterprise Fund.

RECOMMENDATION The City Commission: 1) approve the Annual Contract for Paper Recycling Services; and 2) authorize the City Manager to execute any necessary documents, subject to approval by the City Attorney as to form and legality.

[160526A Agreement 20161201.pdf](#)

[160526B Bid Tab 20161201.pdf](#)

[160547.](#)

State Housing Initiatives Partnership Program Affordable Housing Advisory Committee Incentives and Recommendations Report (B)

This item provides an informational update on the City's Affordable Housing Advisory Committee (AHAC) Incentives and Recommendations Report for the Report dated November 7, 2016.

Explanation: The City of Gainesville receives affordable housing funding from the State Housing Initiatives Partnership (SHIP) Program, which the William E. Sadowski Affordable Housing Act established in 1992. The Florida Housing Finance Corporation (FHFC) administers the SHIP Program. In 2007, the Florida Legislature passed House Bill 1375 (F.S. 420.9076). That bill mandates that at least once every three years cities and counties receiving SHIP funds appoint an AHAC to review the impact on affordable housing of their established policies, procedures, ordinances, land development regulations and adopted Comprehensive Plan. Based on that review, the AHAC is to recommend actions, initiatives and incentives to encourage or facilitate affordable housing, while protecting the ability of property values to increase. At a minimum, the City's AHAC must submit an Incentives and Recommendations Report (IRR) to the City Commission. Thereafter, the AHAC is to evaluate the implementation of the affordable housing incentives no less than once every three years.

Between April and November 2016, the City's AHAC held four public meetings to discuss their recommendations for the IRR. During a Public Hearing held on November 7, 2016, the City's AHAC presented the proposed IRR. As outlined in the IRR, AHAC reviewed, evaluated and proposed various affordable housing incentives and initiatives to encourage and/or facilitate affordable housing, while protecting the ability of property values to rise. No public comments were received during the November 7, 2016 Public Hearing. State law requires the City to submit

the IRR to the FHFC by December 31, 2016. Staff recommends approval of the AHAC's IRR. Attached for reference is a copy of the AHAC's IRR.

Additionally, per SHIP Program regulations, F.S. 420.9076, the City's AHAC must incorporate its IRR into the City's Local Housing Assistance Plan (LHAP), which is a detailed plan describing the programs and strategies for which the City will use SHIP funds to develop and preserve affordable housing. The City must update and submit its LHAP to the FHFC by May 2nd every three years. Since the City submitted its current LHAP in 2014, the City must submit its updated LHAP by May 2, 2017. Staff is currently updating the LHAP and plans to present it to the City Commission in March 2017.

Fiscal Note: None.

RECOMMENDATION

The City Commission: 1) accept the AHAC's Incentives and Recommendations Report dated November 7, 2016; 2) approve the submittal of the AHAC's Incentives and Recommendations Report to the Florida Housing Finance Corporation by December 31, 2016; and 3) authorize the City Manager or his designee to execute all necessary documents required for the submittal of the AHAC's Incentives and Recommendations Report, subject to approval by the City Attorney as to form and legality.

[160547 IRR 2016 20161201.pdf](#)

[160455.](#)

TEODOSIA ALARCON V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2016-CA-2531 (B)

Explanation: On November 2, 2016, the City was served with a Summons and Complaint filed by Teodosia Alarcon in the Circuit Court. Teodosia Alarcon alleges that on or about January 27, 2015, she tripped and fell on a sidewalk in front of 611 North Main Street. Teodosia Alarcon claims to have suffered bodily injury, and resulting pain and suffering, disability, disfigurement, mental anguish and pain, and aggravation of a previously existing condition and has incurred substantial medical expenses for treatment and care, past, present and future. Ms. Alarcon seeks money damages in excess of \$15,000.00.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Teodosia Alarcon v. City of Gainesville; Eighth Judicial Circuit, Case No. 2016-CA-2531.

[160455 Teodosia Alarcon Consent 20161201.pdf](#)

[150907.](#)**Draft Rules of the Utility Advisory Board (B)**

Explanation: The Utility Advisory Board has drafted rules to govern the conduct and structure of their meetings.

RECOMMENDATION *Approve proposed rules for the Utility Advisory Board as drafted.*

[150907 Board Logistics Matrix 20160412](#)

[150907 UAB Draft Rules 20160504](#)

[150907 UAB Rules of Order - Draft 20160504](#)

[150907 UAB Draft Rules 20160720](#)

[150907 UAB Draft Rules 20161116](#)

[150907 UAB Draft Rules 20161201](#)

[160561.](#)**Joint Meeting with Utility Advisory Board (NB)**

RECOMMENDATION *The City Commission schedule the meeting for January 12th at 1:00 PM at the GRU Administration Building and direct the City Manager (Public Information Officer) to tape and re-broadcast the meeting at future date(s).*

[160568.](#)**Joint Meeting with Alachua County (NB)**

RECOMMENDATION *The City Commission schedule a meeting with the following topics: 1) RTS Building Update; 2) Strategic Plan UF; 3) Fire Station 19; and 4) Gas Tax.*

[160564.](#)**City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of November 14 and November 17, 2016.*

[160564_Minutes_20161201.pdf](#)

[160564_11-17_Minutes_20161201.pdf](#)

ADOPTION OF REGULAR AGENDA

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

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

[160548.](#)

General Government Budget Calendar (NB)

This is a request for the City Commission to approve dates for discussion of the FY2018/2019 biennial budget.

Explanation: Staff requests that the City Commission approve dates to discuss items related to the FY2018/2019 biennial budget. Topics of discussion will include an updated Five-Year Financial Forecast, Capital Improvement Plan, Fire Assessment, Millage Rate and the General Government Budget.

In response to feedback and suggestions received prior to and during last year's budget process, staff is recommending shifting the budget discussions and deliberations earlier in the calendar year to primarily occur in the spring, with an approval of the proposed tentative budget and millage rate for General Government to occur in July, in accordance with the State Department of Revenue's Truth in Millage requirements.

GRU will set their July budget dates in a separate item.

Staff requests the City Commission approve the following dates:

01/31/2017	1:30pm-5:30pm	Budget planning workshop and five-year financial forecast
05/02/2017	1:30pm-5:30pm	General Government Budget
05/16/2017	1:30pm-5:30pm	General Government Budget
05/23/2017	1:30pm-5:30pm	General Government Budget
05/30/2017	1:30pm-5:30pm	General Government Budget
06/06/2017	1:30pm-5:30pm	General Government Budget
07/18/2017	1:30pm-5:30pm	General Government Budget, GRU Budget, Adopt Preliminary Fire Assessment Rate, by resolution, Set Proposed Tentative Millage Rate, by resolution
09/07/2017	6:00pm	Adopt Final Fire Assessment Rate, Adopt Ordinances on 1st reading related to Fee or Rate
		Changes (if any), Hold 1st Public Hearing to Adopt Budgets and Set Millage Rate for FY2018
09/21/2017	6:00pm	Adopt Ordinances on 2ndst reading related to Fee or Rate
		Changes (if any), 2nd Public Hearing to Adopt Budgets and Set Millage Rate for FY2018.

Staff suggests the City Commission set the Preliminary Fire

Assessment Rate immediately after the budget discussion on July 18, 2017, as well as the set the Proposed Tentative Millage and adopt Proposed Tentative Budgets immediately after budget discussions on July 18, 2017, which will require the City Commission to waive the rules to hear the Resolutions before 6:00pm.

Truth in Millage or TRIM requirements set forth in State Statutes require that various taxing authorities hold their public hearings on different dates and/or times in order to allow taxpayers to attend each hearing and provide feedback if desired. Taxing Authorities that cross multiple jurisdictions are given first priority on setting their public hearing dates. As a result, The City of Gainesville is required to set their public hearing dates in September so as not to conflict with the County, the School Board, the Library District and the Water Management Districts. In the event a conflict arises, staff will submit a revised schedule for September 2017 requesting alternative special meeting dates. These potential conflicts will not be known until July 2017.

RECOMMENDATION

The City Commission: 1) approve the dates requested by staff; 2) waive the City Commission Rules to hear the Resolutions to approve the Preliminary Fire Assessment Rate before 6:00pm on July 18, 2017; and 3) waive the City Commission Rules to hear the Resolutions to Set the Proposed Tentative Millage and Adopt the Proposed Tentative Budgets before 6:00pm on July 18, 2017.

[160531.](#)

Reallocate Project Funds for Door Access Control Improvement Project (NB)

This is a request for the City Commission to reallocate project funds

Explanation: The Capital Improvement Plan for FY2011-2015 allocated \$150,000 for City Hall Waterproofing; \$144,290 of those project funds were unexpended and were reallocated in FY 2015 to the Door Access Control Improvement Project. As of FY 2017, there is \$121,587 remaining in project funds.

This replacement project is critical because it is the main control element at the perimeter and department entrances of City Hall and the Old Library Building. The hardware and software of the existing system is obsolete and experiencing random failures. Repair parts are difficult and expensive to obtain. The ability to maintain accurate records of employee clearances is limited and timely changes to those clearances are cumbersome.

Competitive bids for the Access Control Project were taken on October, 20, 2016 and the lowest bid was \$194,141. With a contingency, the total project is expected to cost \$214,141. To cover the resulting \$92,554

shortfall in funding, staff is proposing to reallocate funding to the Door Access Control Project from the following existing projects that are either complete or are intended for general maintenance and repairs:

\$16,282 - 302-M142	Public Facilities Upgrades/Improvements (FY10)
\$ 3,020 - 302-M143	Unscheduled Maintenance & Repairs (FY14)
\$ 2,054 - 302-M210	ADA Compliance Projects (FY12)
\$ 2,218 - 302-M800	General Facilities Improvements (FY11)
\$39,720 - 340-EC10	City Hall Energy Conservation (FY09 - project complete)
\$14,000 - 328-FFGFC02	City Hall Area Lighting (FY15)
\$14,384 - 351-M907	Facilities Maintenance (FY17)
\$ 76 - 351-M937	Rehab of Downtown Clock Tower (FY15 - project complete)
\$ 800 - 351-M946	Hippodrome HVAC Replacements (FY15 - project complete)

\$92,554 Total Reallocation

RECOMMENDATION *The City Commission approve reallocation of project funding to the Door Access Control Project from the listed projects.*

[160553.](#)

Request for the Release of a Lien - 1025 NE 5th Place, Tax Parcel 12539-018-000 (B)

The potential new property owner is requesting the City Commission release the administrative lien on 1025 NE 5th Place.

Explanation: The potential new owner of a vacant property located at 1025 NE 5th Place, parcel #12539-018-000, is requesting the City Commission release the lien the City attached to the parcel to recover costs associated with several City sponsored abatements of violations that have existed. In each of the situations listed the City's Code Enforcement Division utilized City funds to remove a violation which was then billed to the current property owner. The bills went unpaid and were subsequently attached to the property as a lien. There is now a potential buyer who would like the liens to be removed prior to the purchase of the property. The buyer's intent is to construct a 1,300 - 1,600 square feet single-family residence on the property, and the buyer purports that release of liens will make that feasible for them. Because the liens were a result of City funds used to abate the violations, the City Commission must decide whether or not to grant the request.

From 2007-2014, the City's Code Enforcement Division performed four abatements at a total cost of \$10,479.95. The City first demolished a dangerous structure in 2008 for \$9,712.96. In 2010, 2011, 2014, the City performed a hazardous lands abatement due to the excessive

overgrowth of the vegetation for a total of \$767.00. The current property owner is the child of the original owner who inherited the property.

The \$10,479.95 lien that is the subject of this request differs from a lien resulting from Special Magistrate for Code Enforcement levied fines in that it is an attempt to recover actual costs for the City's abatement of a violation on private property. Although the abatement does provide a benefit to the property owner because it remedies an issue on their property, the purpose of performing the abatement is to remove blight due to a nuisance property for the benefit and wellbeing of surrounding property owners and the community. Generally the release of an administrative lien is not recommended for approval by staff as they are real costs incurred by the City to abate a hazardous condition on private property. However, in some cases the release may be appropriate due to the benefit gained through the release such as the provision of affordable housing, the return of the property to productive use, or the removal of a nuisance property. The City Commission has acted on four similar requests in 2011, 2013 and 2016. In 2011, a lien resulting from the demolition of a dangerous structure was reduced from \$4,136.90 down to \$2,136.90. The property was vacant and the neighboring property owner wanted to acquire it. A second case in 2011 involved a vacant property that was cleared three times through the City's hazardous lands abatement program which resulted in a \$3,571.00 lien. In this case, the City Commission approved the request to remove the \$3,571.00 lien. In 2013 and 2016, the City Commission released two liens at the request of Alachua Habitat for Humanity in the amount of \$242 and \$772 respectively.

Fiscal Note: The lien in place on tax parcel #12539-018-000 is an administrative cost lien to reimburse the City for the abatement of four violations for a total of \$10,479.95. Any reduction or removal of the lien will diminish or eliminate any future opportunity to recover those funds.

RECOMMENDATION

The City Commission: 1) receive a request to remove the lien from tax parcel #12539-018-000; and 2) deny the request.

Alternative Recommendation

The City Commission: 1) receive a request to remove the lien from tax parcel #12539-018-000; and 2) consider reducing the lien or rescinding the lien. If either of these options are considered the City will either partially or fully lose the potential to recover the costs associated with the City maintaining the property.

[160553A_Staff Analysis_20161201.pdf](#)

[160553B_Property Search Result_20161201.pdf](#)

[160553C_Email from Relator Eric M Buigas_20161201.pdf](#)

[160554.](#)**State and Federal Legislative Agenda (B)**

This is a request for the City Commission to approve the State and Federal Legislative Agenda.

MODIFICATION - REVISED BACK-UP

Explanation: Annually, the City Commission adopts the State and Federal Legislative Agenda. The Legislative Agenda is a compilation of the city's main priority needs for the upcoming legislative session and provides delegation members with comprehensive information in order for them to focus their efforts on specific legislative priorities and initiatives related to the city.

This year's State and Federal Agenda will list the top priorities relevant to the City's strategic plan, budget, funding objectives and interests: 1) Strong Economy (small business, diverse job opportunities and accessibility to capital); 2) Greater Equity (accessibility to services, neighborhood preservation, affordable and accessible housing); 3) Future Planning (youth, seniors, families, programming, sustainability and natural resources); 4) New American City (public safety innovations, connecting local talent to issues, urban informatics and fellowship programs).

Congressional members and their staff are working with our State and Federal Lobbyists and Intergovernmental Affairs Coordinator to produce precise language that if adopted will provide special recognition and potential discretionary funding to City projects that reflect a unique level of public-private collaboration.

Fiscal Note: None

RECOMMENDATION

The Commission: 1) hear a presentation on the legislative agenda; 2) select the top four priorities and approve the legislative agenda; and 3) direct staff to post the legislative agenda on the City's website.

[160554_Summary of Legislative Request \(draft\) 20161201.pdf](#)

[160554-MOD_Summary of Legislative Request 20161201.pdf](#)

[160575.](#)**Commissioner Charles Goston - Workforce Demographics (NB)**

MODIFICATION - ADDED ITEM

RECOMMENDATION

The City Commission discuss the Workforce Demographics.

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

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

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

4:30 - 5:30pm Dinner Break

5:30 - Call to order Evening Session

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

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

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

[160519.](#)

Resolution for 5310 Grant Application (B)

This item is a request for the City Commission to pass a Resolution to allow the Regional Transit System (RTS) to apply for a 5310 Grant to purchase paratransit trips and wheelchair securement straps for the fixed route to provide access to transportation for persons with disabilities and ADA service to the disabled citizens of Gainesville.

Explanation: Federal funds are available through the Federal Transit Administration (FTA) and the Florida Department of Transportation (FDOT) to purchase paratransit trips and wheelchair restraints. In the past, a generic resolution passed by the City Commission authorizing the City Manager or his designee to execute and file applications for such grants was sufficient. FDOT has stated the Resolution must have specific verbiage, in the format approved by their attorney, and be adopted within 30 days of the application due date which is December 9, 2016.

RTS is requesting that the City Commission pass the Resolution allowing the application to go forward to apply for much needed paratransit trips and wheelchair restraints to ensure safe transport to City of Gainesville

citizens riding the fixed route.

Fiscal Note: RTS will use capital replacement funds (received from the RTS Paratransit Contract for use of city owned vehicles) as match money. Funds are allocated in the RTS FY17 budget to provide the 50% match for the trips.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute related Joint Participation Agreement(s) with the Department of Transportation, subject to approval by the City Attorney as to form and legality.

[160519 Resolution 5310 FY 17 20161201.pdf](#)

[160520.](#)

Resolution for 5311 Grant Application (B)

This item is a request for the City Commission to adopt a Resolution to allow the Regional Transit System (RTS) to apply for a 5311 Grant to purchase Demand Response trips and to continue to provide Route 23 transportation services to the citizens of Gainesville.

Explanation: Federal funds are available through the Federal Transit Administration (FTA) and the Florida Department of Transportation (FDOT) to purchase demand response trips and to provide Route 23 that operates between the Oaks Mall and Santa Fe College (SF). The funding is set up on a 5-year cycle and is issued either yearly or every 3 years.

The current funding cycle has begun and will run for the next three (3) years through FY19. RTS will use the funds to purchase demand response trips in rural Alachua County and will continue to provide the Route 23 from SF to the Oaks Mall.

In the past, FDOT has accepted generic resolutions adopted by the City Commission authorizing the City Manager or his designee to execute and file applications for such grants, but this is no longer sufficient. FDOT now requires that resolutions submitted with Federal grant packages have specific verbiage in the format approved by their attorney and be adopted within 30 days of the application due date which is December 9, 2016. RTS is requesting that the City Commission pass the Resolution allowing the application to go forward to apply for much needed transportation services.

Fiscal Note: The monies for Demand Response trips and Route 23 are considered operational funds and require a 50/50 match. RTS will use monies received from the FY17 contract with Alachua County for several routes touching the rural area as the local match.

RECOMMENDATION

The City Commission: 1) adopt the Resolution to allow the Regional Transit System (RTS) to apply for a 5311 Grant to purchase Demand Response

trips; 2) allow RTS to continue to provide Route 23 transportation services to the citizens of Gainesville; and 3) authorize the City Manager to execute related Joint Participation Agreement(s) with the Department of Transportation, subject to approval by the City Attorney as to form and legality.

[160520_Resolution 5311 FY 17_20161201.pdf](#)

[160521.](#)

Resolution for 5339 Grant Application (B)

This item is a request for the City Commission to pass a Resolution to allow the Regional Transit System (RTS) to apply for a 5339 Grant to purchase paratransit vans to provide ADA service to the disabled citizens of Gainesville.

Explanation: Federal funds are available through the Federal Transit Administration (FTA) and the Florida Department of Transportation (FDOT) to purchase replacement vans. In the past, a generic resolution passed by the City Commission authorizing the City Manager or his designee to execute and file applications for such grants was sufficient. FDOT has stated the Resolution must have specific verbiage, in the format approved by their attorney, and be adopted within 30 days of the application due date which is December 9, 2016. RTS is requesting that the City Commission pass the Resolution allowing the application to go forward to apply for the much needed paratransit vehicles in order to maintain the paratransit fleet.

Fiscal Note: RTS will use capital replacement funds (received from the RTS Paratransit Contract for use of city owned vehicles) as match money to obtain the federal funds to purchase the needed vehicle. Funds are available in the RTS FY17 budget.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute related Joint Participation Agreement(s) with the Department of Transportation, subject to approval by the City Attorney as to form and legality.

[160521_Resolution 5339 FY 17_20161201.pdf](#)

[160562.](#)

RESOLUTION TO AUTHORIZE ISSUANCE OF COMMERCIAL PAPER NOTES FOR CAPITAL PROJECTS (B)

Explanation: On September 15, 2016 upon second reading, the City Commission approved GRU's 2017 budget. Included in that approved budget is a Commercial Paper issuance to provide approximately \$20,250,000 in capital funding for the Water and Wastewater systems during FY17.

The Clerk of the Commission, the General Manager or other Authorized Officers of the City (as defined in the Utilities Bond Resolution) may be required to take certain other actions and hire certain other professionals to proceed with the issuance of the Commercial Paper Notes. Therefore, we recommend that these officials be authorized to take such other actions that may be necessary or desirable to proceed with the issuance of the tax-exempt Commercial Paper Notes in accordance with this City Commission authorization.

Fiscal Note: This item is included in the approved FY17 budget.

RECOMMENDATION

1) *Hear a brief presentation from staff and approve the resolution to authorize the issuance of tax-exempt Commercial Paper Notes from time to time, including payment of the Utility's costs in connection therewith, through the issuance of up to \$20,250,000 in Commercial Paper Notes.*

2) *Authorize the Clerk of the Commission, the General Manager and any other Authorized Officers to execute such documents as may be necessary to proceed with the transaction authorized above, subject to approval of the City Attorney as to form and legality;*

3) *Authorize the issuance a reoffering memorandum and such other actions as may be necessary or advisable to proceed with the issuance of Commercial Paper Notes in accordance with this City Commission authorization.*

[160562 Commercial Paper Presentation 20161201](#)

[160562 GRU Commercial Paper Notes Series C 2016 Authorizing Resolution 2](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[160389.](#)

TEXT CHANGE - ADD VETERINARY SERVICES AND ANIMAL SPECIALTY SERVICES AS PERMITTED USES BY RIGHT IN THE AUTOMOTIVE-ORIENTED BUSINESS ZONING DISTRICT (B)

Ordinance No. 160389, Petition PB-16-101 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-62 - Automotive-oriented business district (BA) of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to add veterinary

services and animal specialty services (except veterinary) as permitted uses by right within the BA zoning district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

This petition and ordinance propose to amend the list of permitted uses within the Automotive-oriented business district (BA) to add veterinary services as a specially regulated use within enclosed structures and animal specialty services (except veterinary) within enclosed structures. Veterinary services include establishments of licensed practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery, for a variety of animal species. Animal specialty services include establishments providing services to animals that do not include veterinary care, such as grooming, boarding services, animal shelters, and training. Currently, veterinary services are permitted within enclosed buildings as a specially regulated use in a wide range of commercial and mixed-use, and office zoning districts as a specially regulated use. Similarly, animal specialty services are also permitted within the mixed-use, commercial, industrial, and downtown (Central City district) zoning districts within enclosed buildings.

The BA district is established to identify and delineate those commercial land uses involved in automotive sales as well as other large scale commercial uses with similar locational needs. An additional purpose is to provide suitable locations for activities that are compatible with and mutually supportive of those uses by requiring appropriate buffering, screening, or similar compatibility enhancements, to maintain its harmony with adjacent and surrounding land uses. The addition of veterinary services and animal specialty services to the BA zoning district is consistent with the intent of the BA zoning district which currently allows a variety of other non-automotive commercial uses. The proposed uses are generally less intense in terms of noise, traffic, and other compatibility concerns than many of the uses allowed by right within the BA zoning. Any potential compatibility issues will be further mitigated by limiting both uses within enclosed structures. As a result, it is not anticipated that the addition of these uses will result in compatibility concerns with adjacent land uses or within the BA zoned properties within the City. Finally, the addition of these uses to the BA zoning district will provide greater consistency of allowable uses between the various mixed-use and commercial zoning districts within the City.

On September 22, 2016, the City Plan Board held a public hearing on this Petition and by a vote of 5-0 recommended the City Commission approve this Petition.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective

immediately upon adoption at second reading.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[160389_Staff report and Exhibits A-B_20160922](#)

[160389A_draft ordinance_20161117.pdf](#)

[160389B_Staff report and Exhibits A-B_20161117](#)

[160389C_CPB minutes draft_20161117](#)

[160389D_Staff ppt_20161117](#)

PLANNING PETITIONS

[160408.](#)

Appeal of Historic Preservation Board decision for after-the-fact COA for installation of 60” aluminum fence (B)

Petition HP-16-89. Carl Nelson, owner. After-the-fact COA for installation of 60” aluminum fence. Located at 301 NW 2nd Street. This building is contributing to the Pleasant Street Historic District. ***Estimated presentation time 5 minutes***

Explanation: The petition followed a code violation given on August 31, 2016 for installation of a 60” aluminum fence in a historic district without a Certificate of Appropriateness. The petition was heard by 6 members of the Historic Preservation Board present at the October 4, 2016 meeting. The application was approved with the following conditions:

That the existing fence be cut down to meet the height of the adjacent picket fence, 40”.

That the applicant submits for staff review any new gates to be installed at the fence.

The basis for this decision was meeting the Secretary of Interior’s Standards for Rehabilitation and the City of Gainesville’s Historic Preservation Rehabilitation and Design Guidelines.

The owner has submitted a timely appeal of the Historic Preservation Board decision in accordance with the procedures outlined in Section 30-112(7)i of the Land Development Code. The city commission may affirm, amend or reverse the historic preservation board's decision.

The property is located at 301 NW 2nd Street and is zoned CCD (Central City District/ Mixed-use). The parcel (14754-000-000) is located in the Pleasant Street Historic District and is .07 acres. The property is contributing building to the historic district. The property is on the corner of NW 2nd Street and NW 3rd Avenue.

RECOMMENDATION

The City Commission either affirm, amend or reverse the Historic Preservation Board's decision.

[160408 Staff report and Exh 1-4 20161004](#)

[160408A Staff report and Exh 1-4 20161201](#)

[160408B Approved COA and Appeal Letter 20161201](#)

[160408C Staff ppt 20161201](#)

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

COMMISSION COMMENT

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