

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

August 17, 2017

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)

Mayor-Commissioner Pro Tem Harvey Budd (At Large)

Commissioner Helen Warren (At Large)

Commissioner Charles Goston (District 1)

Commissioner Harvey Ward (District 2)

Commissioner David Arreola (District 3)

Commissioner Adrian Hayes-Santos (District 4)

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

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

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

ROLL CALL**INVOCATION****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**[170291.](#)**City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of July 18 (2 sets) and July 20, and August 3, 2017.

[170291_Minutes_20170817.pdf](#)

[170291_Minutes_A_20170817.pdf](#)

[170286.](#)**Resignation of Mary Held from the Nature Centers Commission (B)****RECOMMENDATION**

The City Commission accepts the resignation of Mary Held, effective immediately.

[170286_ResignationMaryHeldNCC_20170717.pdf](#)

[170290.](#)**Ruthie Arad v. City of Gainesville; Circuit Court of the Eighth Judicial Circuit in and for Alachua County, FL; Case No.: 01-2015-CA-3231(NB)**

Explanation: On January 3, 2014, Plaintiff Ruthie Arad fell while walking on a City sidewalk located on SW 31st Drive in Gainesville. She claimed to have tripped over a raised section of sidewalk. Ms. Arad was transported for

emergency medical treatment, and, ultimately, surgery for significant knee injuries sustained in the accident. She was hospitalized for four days, and underwent extensive physical therapy and rehabilitation. Her physicians opined that she suffered permanent injuries resulting from this accident, and she incurred medical bills exceeding \$96,000.00. Her physicians also testified that she would need an additional surgery in the near future, and she should expect a more significant surgical procedure at a later date. Ms. Arad was unable to bear weight on her injured knee for four months, and was limited in her ability to stand for an additional three months. She is a professional hair stylist, and was unable to work while she could not stand, and her ability to earn income was curtailed for almost a year. At trial, Ms. Arad also anticipated presenting claims for past and future mental anguish and pain and suffering.

Ms. Arad filed suit in September 2015 and served the City in October 2015. Both parties engaged in discovery in preparation for trial, and participated in Court-ordered mediation on February 15, 2017. The mediation initially reached an impasse, but both parties continued to negotiate as discovery and trial preparation continued. The City aggressively denied liability for the accident, but recognized that the plaintiff's injuries and damages were unusual in severity, and therefore presented greater risk for an adverse jury verdict. Per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes, the City's liability and authority to settle claims such as this is limited to \$200,000 per person, and \$300,000 per incident.

After mediation and protracted negotiations, on August 3, 2017, representatives for the City reached a settlement of all claims with Ms. Arad and her attorneys in the amount of \$90,000.00, subject to the approval of the City Commission of the City of Gainesville. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.

Fiscal Impact: Funds are available in the City's General Insurance Fund.

RECOMMENDATION

The City Commission 1) approve the terms of the negotiated settlement; and 2) authorize the City Attorney to settle the claim of Ruthie Arad v. City of Gainesville; Circuit Court of the Eighth Judicial Circuit in and for Alachua County, FL; Case No.: 01-2015-CA-3231, on behalf of the City.

[170011](#)

Recommendation for Bid Award and Contract Negotiations with FLEET REPSONSE (B)

Explanation: In FY03-04, Fleet Management personnel reviewed the process for repairing damaged fleet vehicles. The review confirmed that the process

created extensive vehicle downtime to our customers (operating departments) and that it required several personnel hours from Fleet and Purchasing Staff. Staff concluded that the outsourcing of this function would provide cost savings opportunities to our customers by drastically reducing vehicle downtime. Additionally, staff time spent on the process would be reduced thereby allowing more time for other projects.

In September 2004, the City Commission approved a one (1) year contract with the CEI Group, Inc. to perform this service using local vendors who qualified for partnerships. The recommendation from staff included the piggy backing on a contract that was competitively bid by the State of Washington.

Fleet Management has utilized two competitively bid contracts with Kern County, California and City of Tacoma, Washington since 2007. The last contract was with City of Tacoma, Washington which expired December 31, 2013. Annual average budget in Fleet Fund 502 has been \$ 107,000.

Fleet Management issued a Request for Proposal (FMDX-140025-PJ) for Vehicle Accident Management Services on February 11, 2014. CEI was the only bidder and contact was made with the vendors on the bid list to determine the reason for lack of response. The bid holders who did not bid were not able to deliver the service requested due to lack of technology. The current contract will expire on 9/30/2017.

Fleet Management issued a Request for Proposal (FMDX-180007-DS) for Vehicle Accident Management Services on May 8, 2017. There were two bidders; however, FLEET RESPONSE was the only responsive and qualified bidder.

Fleet Management Staff would request that the commission approve Bid Award and Contract Negotiations with FLEET RESPONSE.

Fiscal Note: Fleet Management Fund 502 has the funds available in Fiscal Year 18 and 19 Budget

RECOMMENDATION

The City Commission award bid and Contract Negotiations with FLEET RESPONSE and authorize the City Manager or his designee to execute the contract pending approval by the City Attorney as to form and legality.

[170011A Intent to Award.pdf](#)

[170011B Bid Record.pdf](#)

[170247.](#)

Appropriation of Unobligated Fund Balance of the Gainesville Police Department's State Law Enforcement Contraband Forfeiture Trust Fund (NB)

This item requests that the City Commission approve the appropriation of \$30,000.00 of unobligated fund balance in the Gainesville Police Department's Florida Law Enforcement Contraband Forfeiture Trust Fund for use of authorized crime prevention programs, or for other law enforcement purposes providing additional equipment.

Explanation: The City of Gainesville/Alachua County Drug Task Force receives Federal and State forfeiture funds through seizures while conducting undercover narcotic details or while working overtime detail on the Problem Oriented Policing (POP) grant. Seizures received while funded under the POP grant are considered Project Generated Income (PGI) and once cleared through the Courts must also meet the U.S. Department of Justice, Office of Justice Programs (OJP) Financial Guide requirements. Both Federal and State Law Enforcement Contraband Forfeiture Trust requirements and the Problem Oriented Policing grant (POP) set specific guidelines as to the spending of the Federal and State Forfeiture funds.

To further increase homeland security and officer safety, certain projects/programs, equipment and training funded through federal or state forfeiture funds should have more conservative disclosure requirements. Therefore, the process for how forfeiture funds are appropriated should continue as in the past to request a lump sum without a specific detailed budget.

Once the proceeds are deposited in a State or Federal Law Enforcement Trust fund established by the City Commission they are appropriated over to the Police Department. At the discretion of the Chief of Police, proceeds and interest earned may be used for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators for use in law enforcement vehicles, and providing matching funds to obtain federal grants. The proceeds and interest may not be used to meet normal operating expenses of the law enforcement agency.

Fiscal Note: The Gainesville Police Department requests the City Commission appropriate \$30,000.00 from State Law Enforcement Contraband Forfeiture Trust Fund for funding for the categories of Law Enforcement Equipment, Training, Travel and Transportation, Investigations and Special Programs. The funds for this project are available in the State Law Enforcement Contraband Forfeiture Trust Fund and are allowable for purchases under the categories listed above and found in the U.S. Department of Justice "A Guide to Equitable Sharing for State and Local Law Enforcement Agencies and under Florida Statutes 932.7055 (5)(a) Disposition of liens and forfeited property. Based on the Comparative Balance Sheet dated July 18, 2017, the available balance of this account

is \$108,036.00.

RECOMMENDATION

The City Commission approve the appropriation of \$30,000 from the State Law Enforcement Contraband Forfeiture Trust Fund for future expenditures of crime prevention programs, or for other law enforcement purposes providing additional equipment.

[170252.](#)

Amend the Interlocal Agreement for Public School Facility Planning (B)

Amended Interlocal Agreement for Public School Facility Planning between the School Board of Alachua County and the local governments in Alachua County.

Explanation: The City, School Board, County and other local governments within Alachua County have an Interlocal Agreement for Public School Facility Planning as required by Florida Statutes and the City's Comprehensive Plan. Amendments to the Interlocal Agreement (ILA) are needed to delete reference to the Boundary Adjustment Act (stricken by the Florida Legislature on February 29, 2016 by Chapter Law 2015-199), and to amend the Elementary School Concurrency Service Areas Map in order to reduce the number of elementary school concurrency service areas from nine to three.

School Concurrency Service Areas were adopted in 2008 for the purpose of managing school concurrency and they remain in effect. Five of the nine Elementary School Concurrency Service Areas (CSAs) have become deficient and are projected to remain so during the School District's 10-year planning period. These Elementary School CSAs are located in the western parts of our county where substantial residential growth is occurring. Based on School Board analysis, revisions to the Elementary School CSAs are needed to provide for a more efficient framework for the management of elementary school concurrency.

The School Board gave initial approval to reduce the number of Elementary School CSAs on January 17, 2017. The proposal was presented as required by the Interlocal Agreement to the Elected Officials on January 19, 2017. On April 18, 2017, the School Board voted to approve these amendments to the Interlocal Agreement (ILA). In a letter dated May 26, 2017 that was sent to the various local governments in our countywide school district, the Interim Superintendent requested that each local government take action on the proposed amendment to the amended ILA by August 31, 2017, and offered that school board staff will be available to assist in each local government's deliberations.

Fiscal Note: None.

RECOMMENDATION

Staff to City Commission - The City Commission approve: 1) the amended Interlocal Agreement for Public School Facility Planning; and 2) authorize the Mayor to execute and the Clerk of the Commission to attest same on behalf of the City, subject to approval by the City Attorney as to form and legality.

[170252A Amend Interlocal Agreement Public School Facility Planning 201708](#);
[170252B ACPS ELEM CSA PPT 20170817.pdf](#)

[170256](#).

Approval to Begin Process of Voluntary Annexation Petition for Property Owned By David L Duncan (B)

This is the submission of petition for voluntary annexation of parcel 06675-006-000, owned by David L. Duncan. The property is 8.33 acres and located along SW 20th Avenue.

Explanation: David L. Duncan, has submitted a petition to the City of Gainesville for voluntary annexation. The property is generally located south of Sugarfoot Oaks Subdivision Lots 10-14, west of SW 61st Terrace (Lots 4-8 Sugarlane Subdivision), north of SW 20th Avenue and east of Parcel 06675-004-000.

Staff has reviewed the requirements of the the Municipal Annexation or Contraction Act (Chapter 171, Florida Statutes). This area meets the requirements of the Act and is appropriate for annexation.

In order to annex these parcels into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation. Petition must enter a multi-step process to be annexed into the City including the acceptance of the voluntary annexation petition to be added to future City Commission agendas, which allows staff to work on annexation reports to be presented at future City Commission hearings.

Fiscal Note: The current taxable value of the property is \$624,800 and currently there is no anticipated fire assesement fee.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

[170256A_Voluntary Annexation Application_20170817.pdf](#)

[170256B_parcelmap_20170817.pdf](#)

[170137.](#)

Federal Lobbying and Advocacy Services (B)

This is a request for the City Commission to approve the contract federal lobbying and advocacy services.

Explanation: The City of Gainesville is requesting to retain the services of Van Scoyoc Associates, Inc., as a federal lobbyist in Washington, D.C. in connection with matters concerning the City on behalf of its General Government and municipal utility. A Request for Proposals (RFP) was released on April 5, 2017 with an agreement to be in place by October 1, 2017.

The firm will provide lobbying and advocacy services and monitor important legislative matters that could affect the city in areas such as housing, utilities, water projects, economic redevelopment, transportation, and other areas of critical interest. The firm will also attend Congressional sessions, committee hearings and meetings; attend agency hearings and meetings; provide high-level consultation for and assist with the identification of federal grant opportunities; and provide appropriate written status reports on all issues and activities.

Fiscal Note: The City agrees to compensate the firm for services not to exceed \$75,600.00 for the City's General Government, and a maximum amount not to exceed \$32,400.00 for Gainesville Regional Utilities, for a combined maximum amount not-to-exceed \$180,000.00 per year. At the end of the contract period, upon satisfactory performance, the parties may agree to extend the contact for three additional one-year periods.

RECOMMENDATION

The City Commission: 1) approve the contract with Van Scoyoc Associates, Inc., subject to approval of the City Attorney as to form and legality.

[170137A_Federal Contract.pdf](#)

[170138.](#)

State Lobbying and Advocacy Services (B)

This is a request for the City Commission to approve the contract for state lobbying and advocacy services.

Explanation: The City of Gainesville is proposing to retain the services of Peebles & Smith, Inc., as a state lobbyist in Tallahassee, FL. in connection with matters concerning the City on behalf of its General Government and its municipal utility. A Request for Proposals was released on April 5, 2017

with an agreement to be in place by October 1, 2017.

Peebles & Smith, Inc. will provide lobbying and advocacy services and monitor important legislative matters that could affect the City in areas of housing, utilities, water projects, economic redevelopment, transportation, and other areas of critical interest. The firm will attend Legislative sessions, committee hearings and meetings; attend agency hearings and meetings; provide high-level consultation for and assist with the identification of grant opportunities; and provide appropriate written status reports on issues and activities.

Fiscal Note: The City agrees to compensate Peebles & Smith, Inc. for services not to exceed \$36,000.00 for the City's General Government, and a maximum amount not to exceed \$36,000.00 for Gainesville Regional Utilities, for a combined maximum amount not-to-exceed \$72,000.00 per year. At the end of the contract period, upon satisfactory performance, the parties may agree to extend the contact for three additional one-year periods.

RECOMMENDATION

The City Commission: 1) approve the contract with Peebles & Smith, Inc., subject to approval of the City Attorney as to form and legality.

[170138A_State_Contract.pdf](#)

[160958.](#)

Institute for Workforce Innovation Donation for Banks-Cosby Building Renovation (B)

Acceptance of a donation valued in an amount up to \$120,000 from the Institute for Workforce Innovation (IWI) to be used toward the cost of renovations of the Banks-Cosby Building located at 635 NW 6th Street, Gainesville, FL.

Explanation: This item requests that the City Commission accept a donation valued in an amount up to \$120,000 from the Institute for Workforce Innovation (IWI) to be used toward the cost of renovations of the City-owned Banks-Cosby Building located at 635 NW 6th Street, Gainesville, FL.

The City purchased and owns the Banks-Cosby Building located at 635 NW 6th Street, Gainesville, FL, which was purchased with funds from the United States Department of Justice, Asset Forfeiture and Money Laundering, Equitable Share Program (Federal Forfeiture) funds in July 2007.

Pursuant to the Federal Forfeiture Program and the United States Department of Justice policies, the Gainesville Police Department (GPD) must utilize the Banks-Cosby building for law enforcement purposes and community based programs, including, drug crime prevention, gang education and awareness, housing and job skills programs; and may not lease the building.

As outlined in the July 19, 2016 agreement between the IWI and the City of Gainesville, IWI has pledged to make contributions valued up to \$120,000 for the cost of construction/renovation work of the Banks-Cosby Youth Empowerment Center. The \$120,000 pledge will be comprised of labor provided by Project Youth Build students, donated materials, and in-kind services provided by trade professionals, along with cash payments.

IWI's Project Youth Build is an intensive 7-month academic, occupational, and leadership skills program that serves young people ages 16 -24 with low incomes who have dropped out of school. While in Project Youth Build, students participate in an innovative alternative education program that provides individualized instruction as they work towards earning their high school diploma, earn multiple nationally recognized construction credentials, participate in a rigorous leadership development program, volunteer in their community, and rehabilitate affordable housing. Project Youth Build is an AmeriCorps program. Students that complete 450 impact hours through volunteerism earn a Seagle Education Award valued at \$1,500 to be used towards post-secondary education.

IWI desires to collaborate with the City to strengthen its impact with local youth by having eligible students in the Project Youth Build program participate in the GPD's B.O.L.D. programs and other GPD initiatives, and to renovate the Banks-Cosby Building as a Project Youth Build project.

Banks-Cosby Building Obligations per the July 19, 2016 agreement:

1. City of Gainesville: The City agrees to enter into a construction contract with a licensed Florida General Contractor to perform the renovation work of the Banks-Cosby Building. The City has committed the use of unobligated fund balance from the GPD Federal Law Enforcement Contraband Forfeiture Trust Fund in the amount of \$120,000 toward the renovation costs. These funds have already been transferred to the appropriate project construction account.
2. IWI: IWI agrees to contribute up to \$120,000 of value and cash payments toward the renovation costs of the Banks-Cosby Building. IWI will coordinate with the General Contractor to provide student labor, construction materials, and contracted construction work.
3. IWI will be allowed to utilize the Banks Building for the dual enrolled students from Project Youth Build and other youth programs in partnership with the GPD.

Fiscal Note: On December 17, 2015 in agenda item #150602, the City Commission approved appropriating \$120,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund to bring the Banks Building back into compliance working with the Institute for Workforce Innovation and Project YouthBuild.

The Institute for Workforce Innovation is proposing contributing half of the total project costs, up to \$120,000 in cash and in kind services

towards this project. The estimated cost for renovation of this building, including an appropriate contingency, is \$237,780 which is less than the maximum funding of \$240,000 between the City's share and IWI's share.

Construction is scheduled to begin in August, 2017 and be completed in 12-16 weeks.

RECOMMENDATION *The City Commission approve and accept a mix of cash and in kind donations valued in an amount up to \$120,000 from the Institute for Workforce Innovation to be used toward the cost of renovations of the Banks-Cosby Building located at 635 NW 6th Street, Gainesville, FL.*

[160958A_IWI Letter_20170817.pdf](#)

[160958B_Construction Docs_20170817.pdf](#)

[160958C_First Amendment_20170817.pdf](#)

[170226.](#)

Approval of the Regional Transit System (RTS) Ten-Year Transit Development Plan (TDP) Annual Update for FY 17/18 (B)

This item involves a request for the City Commission to approve the RTS Ten-Year TDP Annual Update for FY 17/18.

Explanation: To maintain eligibility for Florida Department of Transportation (FDOT) transit block grant funding, RTS must develop and maintain a TDP. FDOT requires agencies to update their TDP annually with major updates every five years. The City Commission approved the last major update to the RTS TDP on August 21, 2014. The TDP outlines the development of transit in a community over a ten-year period.

Fiscal Note: During FY16/17, RTS received \$1,843,539 in FDOT transit block grant funds.

RECOMMENDATION *The City Commission approve the RTS Ten-Year Transit Development Plan Annual Update for FY 17/18.*

[170226A_2017 TDP Report_20170817.pdf](#)

[170310.](#)

Removal of William Brian Smith from the Gainesville/Alachua County Cultural Affairs Board **(B)**

MODIFICATION - ADDED ITEM

RECOMMENDATION *The City Commission approve the removal of William Brian Smith from the Gainesville/Alachua*

County Cultural Affairs Board, effective immediately.

[170310 RemovalWilliamBrianSmith 20170817.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.

[170302.](#)

UPDATE REGARDING REGULATION OF COMMUNICATIONS FACILITIES (NB)

Explanation: At its meeting on August 3, 2017, the City Commission requested staff provide an update on the status of the existing temporary moratorium prohibiting the construction of wireless communications facilities in the public right-of-way (which currently will be repealed at 12:00am on Sunday, October 8, 2017 unless the City Commission takes further action) and an update on staff efforts to develop requirements (in code, policy, procedures and technical manuals) to address the installation of above-ground and underground communications facilities in the public right-of-way, on private property and co-located on other utility infrastructure.

RECOMMENDATION

Hear a presentation from City staff and outside legal counsel.

[160876.](#)

PROPOSED CHARTER AMENDMENTS TO MOVE CITY ELECTIONS TO THE FALL OF EVEN-NUMBERED YEARS AND TO TRANSITION TO FOUR (4) YEAR CITY COMMISSION TERMS (B)

Explanation: At the regular City Commission meeting of July 20, 2017 the Commission asked the City Attorney to prepare for further discussion a proposed charter amendment that would include 1) moving City elections to the fall of even-numbered years with the City's regular election being held at the time of the Primary election and a run-off to be held, if necessary, at the time of the General election in November; 2) changing the terms from 3 years to 4 years and maintaining a two consecutive term limit; and 3) developing a transition plan for the terms if the charter amendment were to pass.

RECOMMENDATION

The City Commission review the proposed charter amendment for further discussion.

Legislative History

3/16/17 City Commission Referred to the General Policy Committee
 6/8/17 General Policy Committee Approved, as shown above
 7/20/17 City Commission Approved, as shown above

[160876 Memo to CCOM re Elector Qualifications 20170608.pdf](#)

[160876 Election Date Changes Proposal 20170720.pdf](#)

[160876 - Proposed Charter Amendments.pdf](#)

[170254.](#)

Appointment of City Commissioner for Annual Meetings of Elected Officials regarding Coordination of Land Use and School Facilities Planning (B)

Explanation: The City of Gainesville needs to appoint a City Commissioner to represent the City of Gainesville at the annual meetings of elected officials regarding the coordination of land use and school facilities planning. This is required by the Interlocal Agreement for Public School Facility Planning among the School Board of Alachua County (SBAC), Alachua County Board of Commissioners, and the Commission or Council of Alachua, Archer, Gainesville, Hawthorne, High Springs, LaCrosse, Micanopy, Newberry and Waldo. As described in the interlocal agreement, the meetings are an opportunity to discuss issues of mutual concern regarding coordination of land use and public school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities. The meetings are to be attended by one or more official representatives from the School Board, the County Commission, each municipality that is a party to the agreement, and a representative from the North Central Florida Regional Planning Council.

Staff recommends that the City Commission appoint one of the City Commissioners as the representative to attend the Annual Meetings of Elected Officials regarding the coordination of land use and school facilities planning.

Fiscal Note: None

RECOMMENDATION

The City Commission appoint a member of the City Commission to represent the City of Gainesville at the Annual Meetings of Elected Officials.

[170254A Section 1.2 ILA Appoint Member 20170817.pdf](#)

[170258.](#)

City Auditor's Report of the GPD Use of Force (B)

Explanation: An Audit of the Gainesville Police Department's Use of Force was included on the 2016 Audit Plan. It was included due to the heightened sense of awareness regarding national incidents of other police departments' use of force and the public reaction after some of these events. The audit focused on criteria used, training obtained, and annual reporting of use of force incidents.

RECOMMENDATION *The City Auditor recommends that the City Commission accept the City Auditor's report and the City Manager's response.*

[170258 GPD Use of Force 20170817.pdf](#)

[170303.](#)

Mayor Lauren Poe - Bloomberg's Mayors Challenge (NB)

RECOMMENDATION *The City Commission hear remarks and take action deemed appropriate.*

IT IS ANTICIPATED THE CITY COMMISSION WILL WAIVE THE RULES TO HEAR THIS ITEM IN THE EVENING.

[170311.](#)

Mayor Lauren Poe - Richard Spencer Event (NB)

MODIFICATION - ADDED ITEM

RECOMMENDATION *The City Commission discuss and receive an update on security issues surrounding the Richard Spencer event.*

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[170309.](#)**Labor Daze Weekend - September 1-3, 2017 (B)**

MODIFICATION - ADDED ITEM

RECOMMENDATION *Trish Ingle to accept the proclamation.*[170309 LaborDaze 20170817.pdf](#)[170312.](#)**Special Recognition - City of Gainesville (NB)**

MODIFICATION - ADDED ITEM

RECOMMENDATION *The City Commission recognize the City of Gainesville as Most Valuable Partner by the Greater Duval Neighborhood Association.***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**[170224.](#)**Resolution for a Joint Participation Agreement - State Block Grant Funds for RTS Operating Assistance for FY 2018 (B)**

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to accept the allocation for Gainesville of \$1,871,517 from the State Block Grant Funds for FY 2018.

Explanation: FDOT allocates state block grant funds for public transit systems each year. The allocations are based on a three-part formula that includes population, ridership, and vehicle miles operated. For FY 2018, the allocation for Gainesville is \$1,871,517.

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

Fiscal Note: The Joint Participation Agreement requires the City of Gainesville to match the funding. Funds in the amount of \$1,871,517 for this match are available in the FY 2017-2018 RTS operating budget.

RECOMMENDATION *The City Commission adopt the Resolution.*

[170224A Draft Resolution 20170817.pdf](#)

[170224B Draft FY18 Block Grant JPA 20170817.pdf](#)

[170260.](#)

Resolution for Joint Participation Agreement (JPA) - Service Development Grant Funds for Regional Transit System (RTS) for the Gainesville Autonomous Transit Shuttle (GAToRS) Project with Florida Department of Transportation (FDOT) (B)

This item is a request for a Resolution authorizing the City Manager or his authorized designee to execute a Joint Participation Agreement between the City of Gainesville and FDOT to receive Service Development Grant Funds for the GAToRS Project.

Explanation: The City of Gainesville Regional Transit System (RTS) and the Florida Department of Transportation (FDOT) are planning to implement an autonomous transit system near the University of Florida campus within downtown Gainesville. The proposed route for the autonomous transit route circumnavigates the City's Innovation Square on SE 2nd Avenue, SE 13th Street, SE 4th Avenue and South Main Street.

This project, known as Gainesville Autonomous Transit Shuttle (GAToRS), consists of moving people from the downtown area to the University of Florida (UF) along SE 3rd Street, 5th Avenue, Newell Drive, and University Avenue, in order to learn about public attitudes towards automation in transportation. Additionally, FDOT and RTS seek to document the safety benefits of such a service, and would like to bring Highly Automated Vehicles (HAV) to Gainesville within a Connected Vehicle (CV) environment.

An extensive feasibility study was conducted during spring 2017 by FDOT, including field reviews of potential corridors for the routes, meetings with RTS staff (including drivers), safety and traffic data analyses, review of RTS bus routes, ridership, and hours of operation analysis, pedestrian and other potential hazards, and numerous other factors.

Staff has been working with FDOT to develop a Request for Proposals (RFP) for the project, and intends for external (non-RTS) companies to compete for the opportunity to provide HAV service on the selected route. The service needs to be fulfilled by a multi-passenger, shared use, electric HAV with climate control and a variety of other features. The proposer selected for the HAV service will coordinate with UF for testing, developing or analyzing new applications and will use the potential pedestrian, bicyclist, traffic, and traffic control features of the corridor to assist with design and operational strategies to ensure

optimal performance and safety of the system.

RTS anticipates that initial GAToRS service will be provided Monday through Friday, and is considering an option for weekend service. Weekday service will consist of 10 consecutive hours of span of service, at 10 minute frequency during peak hours with no less than 20 minute frequency during off peak hours. Fares will not be collected during the demonstration period. The goal is to have a productivity of 10 passengers per hour.

FDOT service development fund allocations are given at FDOT discretion for agency projects that meet FDOT Service Development Grant (SDG) criteria. FDOT requires the governing board of each public transit system to adopt a Resolution authorizing the acceptance of these funds. The estimated three-year project budget is \$2,250,000; the first year's funding in the JPA is budgeted at \$733,333; the remaining two years of the project budget will be funded in Supplemental Joint Participation Agreements for each of the project's two subsequent years.

Fiscal Note: The Joint Participation Agreement (JPA) for this project does not require any matching City funds.

RECOMMENDATION *The City Commission adopt the Resolution.*

[170260A_Draft Resolution_20170817.pdf](#)

[170260B_FDOT JPA_20170817.pdf](#)

[170260C_FDOT SDG Project Overview_20170817.pdf](#)

[170260D_Draft GAToRS Scope_20170817.pdf](#)

[170260E_GAToRS Project Presentation_20170817.pdf](#)

[170288.](#)

Reimbursement Resolution related to the Heartwood Infrastructure Borrowing (B)

This is request for the City Commission to adopt a resolution related to the Heartwood Project infrastructure financing.

Explanation: As part of the FY17 budget process, the City Commission approved a \$9.25 million bond issue to fund Fire Station 1 and implementation of an ERP project. At the City Commission meeting of August 3, 2017 the Commission voted to add approximately \$1.1 million to the financing to fund the Heartwood Project infrastructure costs. The attached Reimbursement Resolution provides a mechanism for the City to be reimbursed from bond proceeds for project costs that are incurred on or after the date of this Resolution and before the issuance of the Bonds while remaining in compliance with Treasury regulations.

Fiscal Note: Adoption of this resolution will allow the City to be reimbursed from debt proceeds for certain costs incurred prior to issuance of debt to fund the acquisition.

RECOMMENDATION

The City Commission adopt the Reimbursement Resolution related to the Heartwood Project infrastructure financing.

[170288 Resolution 20170817.pdf](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[170179.](#)

AMEND REGISTRATION REQUIREMENTS FOR USE OF PUBLIC RIGHTS-OF-WAY COMMUNICATIONS SERVICES PROVIDERS AND WIRELINE USERS (B)

Ordinance No. 170179

An ordinance of the City of Gainesville, Florida repealing and replacing Article VI, Chapter 23, of the City Code and setting forth requirements for the registration, permitting, insurance coverage, indemnification, construction bonds, security funds, force majeure, abandonment, liability, warranties and compensation for placing or maintaining communications service facilities and wireless support structures in the public rights-of-way; providing for severability, repealing clauses; and an effective date.

Explanation: This is the first of several ordinances the City staff will bring forward to address the changing technology and in particular the placement or collocation of wireless telecommunication facilities within the City's rights-of-way. This proposed ordinance, if adopted, would amend Chapter 23, Article VI, Registration Requirements for Use of Public Rights-of-Way by Communications Services Providers and Wireline Users of Rights-of-Way (Registration Ordinance). The current Registration Ordinance was last amended in 2001. While the current Registration Ordinance does require registration and insurance by a telecommunication provider, it does not include registration for wireless telecommunication providers. The current Registration Ordinance should be amended to sufficiently address the placement and maintenance of wireline and wireless communications facilities or wireless support structures in the City's rights-of-way. Additional property management requirements will provide protection of both public assets and private assets within the rights-of-way. The proposed Registration Ordinance will increase the ability of the City to protect publicly owned rights-of-way and the utilities within it by requiring registrants to provide a map identifying the location of their infrastructure, by requiring the registrant to indemnify the City if the registrant damages property while installing or repairing the facilities. The proposed Registration Ordinance still requires the registrant to maintain insurance but it also requires registrant to provide a construction bond while working in the rights-of-way, and security funds

to protect damage to the rights-of-way and to utilities within the rights-of-way. It also provides remedies to the City if a facility is abandoned.

This ordinance will repeal the moratorium on the undergrounding of wireless telecommunication facilities within the public rights-of-way, but not on the above-ground placement of wireless telecommunication facilities within the public rights-of-way. Future ordinances will address that issue.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective September 7, 2017. The ordinance will repeal the moratorium (adopted by Ordinances No. 160401 and 160798) for placement of underground facilities within the public rights-of-way, but not for placement of above-ground facilities in the public rights-of-way.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

7/20/17 City Commission Adopted on First Reading (Ordinance)

[170179A draft ordinance 20170720.pdf](#)

[170179A draft ordinance 20170817.pdf](#)

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

PLANNING PETITIONS

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

COMMISSION COMMENT

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