

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

January 21, 2016

1:00 PM

**MODIFIED AGENDA**

**City Hall Auditorium**

## **City Commission**

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

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

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

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

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

[150598.](#)

**Ratification of Agreement between the International Association of Firefighters (IAFF), Local 2157, Professional Firefighters Bargaining Unit and the City of Gainesville for October 1, 2015 through September 30, 2018 (B)**

**This item is to ratify a three-year successor agreement between the City and the IAFF Professional Firefighters Bargaining Unit.**

*MODIFICATION - Changed Text File Language*

*Explanation: This Agreement has been reached through negotiations between the International Association of Firefighters (IAFF), Local 2157, Professional Firefighters Bargaining Unit and the City of Gainesville, and was ratified by the International Association of Firefighters (IAFF), Local 2157, Professional Firefighters Bargaining Unit. This Agreement extends the current Collective Bargaining Agreement through September 30, 2018.*

*A copy of the Agreement is on file in the Office of the Clerk of the Commission. After January 21, 2016, the Agreement will be on file in the Human Resources Department.*

*Fiscal Note: The cost impact of the FY 16 raises is included in the FY 16 budget. Monies for the second and third year are consistent with the City's long*

term financial forecast.

**RECOMMENDATION**

The City Commission ratify the Agreement between the International Association of Firefighters (IAFF), Local 2157, Professional Firefighters Bargaining Unit and the City of Gainesville, extending the Agreement through September 30, 2018.

[150598A\\_Changes to IAFF Agreement \(2015-2018\)\\_20160121.pdf](#)

[150598B\\_IAFF 2015 - 2018 \(strikethrough\)\\_20160121.pdf](#)

[150598C\\_IAFF 2015 - 2018 \(clean\)20160121.pdf](#)

[150656.](#)

**State Homeland Security Grant Program Subrecipient Agreement 2015 (NB)**

**This item requests that the City Commission authorize the City Manager to enter into a contract with the State of Florida Division of Emergency Management to support equipment maintenance for Gainesville Fire Rescue's Hazardous Materials Team.**

*Explanation: Gainesville Fire Rescue's (GFR) Hazardous Materials Team has regional responsibilities for eleven counties and is classified as a State Type I Team providing a response capability with personnel and testing equipment for hazardous materials incidents within one hour. Through prior agreement, GFR was designated as one of 21 teams providing a statewide response network to hazardous materials emergencies. Funding for purchase and maintenance of specialized detection equipment and other supplies to support these capabilities is supplemented through a variety of homeland security and emergency services grants; one of these is the State Homeland Security Grant Program (SHSGP) offered through the State of Florida Department of Financial Services. Reimbursement funding offered for the 2015 program includes up to \$34,651 for purchases of qualifying equipment, supplies, technology, and reference materials.*

*Fiscal Note: The City will receive up to \$34,651. There is no match required.*

**RECOMMENDATION**

The City Commission authorize the City Manager or designee to enter into a contract with the State of Florida Division of Emergency Management, subject to approval of the City Attorney as to form and legality.

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

[150673.](#)**EEOC CHARGE - CAROLYN STEWART; EEOC CHARGE No. 510-2016-00649 (NB)**

*Explanation: On December 30, 2015, the City Attorney's Office received a Notice of Charge of Discrimination from the U.S. Equal Employment Opportunity Commission. Ms. Stewart, a former City employee, alleges she was discriminated against because of her race and retaliated against, in violation of Title VII of the Civil Rights Act.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled Carolyn Stewart v. City of Gainesville; EEOC CHARGE No. 510-2016-00649.*

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**[150683.](#)**City Commission Minutes (B)****RECOMMENDATION**

*The City Commission approve the minutes of July 16, November 19, December 3, December 17, 2015 and January 7, 2016.*

[150683 minutes 20160121.pdf](#)

[150677.](#)**Appointments to City Commission Advisory Boards and Committees (NB)****RECOMMENDATION**

*The City Commission appoint:*  
*Carl L. Osberg for reappointment and Maggie C. Conley to the Fire Safety Board of Adjustment for a term to expire 11/1/19*  
*Lois Harrison for reappointment to the Citizens Advisory Committee for Community Development for a term to expire 11/1/18*  
*Michael Aquilia and Mary Held to the City Beautification Board for a term to expire 11/1/19*  
*Diana Dombrowski to the Bicycle/Pedestrian Advisory Board for a term to expire 12/31/17*  
*Stephen L. Packard to the Regional Transit System Advisory Board for a term to expire 9/30/19*  
*John M. Gilreath to the Public Recreation and Parks Board for a term to expire 6/1/19*  
*Andrew Kratter and Mary Held to the Nature Centers Commission for a term to expire 11/1/19*  
*Keith R. Saint to the Board of Adjustment as a Student Member for a term to expire 9/30/17.*

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE,  
CONSENT****PUBLIC SAFETY COMMITTEE, CONSENT****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT****EQUAL OPPORTUNITY COMMITTEE, CONSENT****LEGISLATIVE AND ORGANIZATIONAL POLICY COMMITTEE, CONSENT**[140929.](#)**Hiring and Recruiting Efforts (B)**

*Explanation:* The City Commission referred a discussion of the City's Hiring and Recruiting Efforts on April 16, 2015 to the Legislative and Organizational Policy Committee. This item was discussed at the September 9, 2015 and the November 4, 2015 committee meetings. Staff presented information, including: 1) Suggested timelines for the steps in the Hiring Process; 2) Policy recommendations to improve the efficiency of the Hiring Process; 3) A method for reporting hiring metrics; and 4) A recommendation for allowing internal advertising rather than requiring external advertising for positions that do not have Affirmative Action goals.

*Fiscal Note:* There is no fiscal impact.

**RECOMMENDATION**

*The City Commission take no action; and remove this item from the Legislative and Organizational Policy Committee referral list.*

**Legislative History**

4/16/15	City Commission	Referred to the Legislative and Organizational Policy Committee
11/4/15	Legislative and Organizational Policy Committee	Discussed

[140929\\_Employment Data\\_20150909.pdf](#)

[140929\\_Nov 4 2015 Meeting Minutes\\_20160121.pdf](#)

[150044.](#)**Recruiting and Hiring Process (B)**

*Explanation: The City Commission referred a discussion of the City's Recruiting and Hiring Process to the Legislative and Organizational Policy Committee on May 21, 2015. This item was discussed at the committee's September 9, 2015 and November 4, 2015 committee meeting. Staff presented additional information, including: 1) Suggested timelines for the steps in the Hiring Process; 2) Policy recommendations to improve the efficiency of the Hiring Process; 3) A method for reporting hiring metrics; and 4) A recommendation for allowing internal advertising rather than requiring external advertising for positions that do not have Affirmative Action goals.*

*Fiscal Note: There is no fiscal impact.*

**RECOMMENDATION**

*The City Commission take no action; and remove this item from the Legislative and Organizational Policy Committee referral list.*

**Legislative History**

5/21/15	City Commission	Referred to the Legislative and Organizational Policy Committee
5/28/15	City Commission	Referred to the Legislative and Organizational Policy Committee
11/4/15	Legislative and Organizational Policy Committee	Discussed

[150044\\_Employment Data\\_20150909.pdf](#)

[150044\\_Nov 4 2015 Meeting Minutes\\_20160121.pdf](#)

## COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

### END OF CONSENT AGENDA

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

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

[150031.](#)

**Extension to the City of Gainesville's Funding Agreement with ElderCare of Alachua County, Inc. for an On-Demand Transportation Pilot Program for Seniors (B)**

**This item is a request to extend the agreement between the City of Gainesville and ElderCare of Alachua County, Inc. for the period of February 1 through June 30, 2016 for the On-Demand Senior Transportation Pilot Program.**

*MODIFICATION - Added Item and Moved to the Regular Agenda*

*Explanation: The original contract for the On-Demand Senior Transportation Pilot Program was for the period October 1, 2015 through January 31, 2016. Without the City Commission's approval of the extension, the pilot program will cease on January 31st. ElderCare of Alachua County, Inc., is requesting that the City extend the length of the agreement because of the lateness in the start-up and the training time necessary to implement the program. The program was slow in getting started; however, seniors have familiarized themselves with the Uber application and have begun to use the program more frequently; ridership more than doubled in December. The City of Gainesville has an agreement with ElderCare of Alachua County, Inc., for the transportation pilot program, and ElderCare of Alachua County, Inc., has a separate contract with Uber to provide the transportation services to seniors living in the 400 Building and Turkey Creek Forest Community.*

*Commissioner Wells has requested an update on the status of the Senior On-Demand Transportation Pilot Program at an upcoming Recreation, Cultural Affairs and Public Works Committee meeting. The item is being scheduled to be discussed by this committee.*

*Fiscal Note: There is currently \$13,000 remaining out of the \$15,000 in the contract for the pilot program. No additional dollars are anticipated to implement this contract extension.*

**RECOMMENDATION**

*The City Commission approve the extension of the On-Demand Senior Transportation Pilot Program agreement between the City of Gainesville and ElderCare of Alachua County, Inc. to June 30, 2016 and authorize the Interim City Manager to execute a contract amendment, subject to review by the City Attorney as to form and legality.*

**Legislative History**

6/4/15 City Commission Approved as Recommended

[150031A\\_FINAL Funding Agreement wElder Care\\_20160121.pdf](#)

[150031B\\_Pilot Program Payments\\_20160121.pdf](#)

[150031C\\_DRAFT Agreement Extension\\_20160121.pdf](#)

**CLERK OF THE COMMISSION**

[150684.](#)

**Appointments to the Student Community Relations Advisory Board (B)****RECOMMENDATION**

*The City Commission appoint one student voting member with a term to end 9/30/2017, one voting member with a term to end 9/30/2018 and one student seat with a term to end 9/30/2017.*

[150684\\_SCRAB\\_20160121.pdf](#)

## CITY MANAGER

[150179.](#)

### **Proposed Early Termination of McGurn License Agreement for Use of Parking Garage (B)**

**This is a request for the City Commission to hear a presentation on the proposed early termination of the existing McGurn License Agreement for Use of Parking Garage. \*\*ESTIMATED STAFF PRESENTATION 10 MINUTES\*\***

*Explanation: The McGurn License Agreement for Use of Parking Garage was executed in December, 2003 by the City of Gainesville and Kenneth and Linda McGurn. The Agreement is applicable to operations regarding the City's SW Downtown Parking Garage.*

*Terms of the agreement include: 1) licensing two classes of parking spaces, up to 133 Replacement Spaces given in exchange for McGurn's loss of parking spaces that existed on the Property (current parking garage property) and, not to exceed 225 Development Spaces for development projects undertaken by McGurn on property lying within 350 feet of any part of the garage within 25 years from the acquisition of the Property; 2) consideration, the license agreement represented partial consideration in exchange for McGurn conveying the City title to the Property; 3) license period of 99 years following CO issuance on the parking garage; 4) commitment and payment for spaces, terms are \$17.45 per space not to exceed 80% of the prevailing monthly rate; 5) assignment and use of McGurn and City spaces; 6) operation of spaces; 7) Limitations of License; and 8) proposed early termination conditions inclusive of a \$1.5 million dollar plus CPI buyout provision.*

*Early termination of the existing License Agreement for Use of Parking Garage is being proposed for the public purposes of: 1) canceling out an existing long-term growing financial liability; 2) reasserting City control of the parking garage as an asset to potentially spur urban redevelopment; and 3) eliminating existing parking operations challenges relative to administration of the Agreement.*

*Furthermore, early termination of the McGurn License Agreement is a contingency of the Contract for Purchase on Lot #10 entered into between the City of Gainesville and Horizon Hospitality Management, Inc. on October 1, 2015.*

*McGurn has accepted early termination of the Agreement without any future encumbrances upon parking spaces contemplated in the Agreement.*



*Fiscal Note: Based upon the CPI level as of September 30, 2015, the proposed early termination of the McGurn License Agreement for Use of Parking Garage would total \$1,953,579 however a precise amount will be calculated at closing.*

*In the short-term, initiating the termination of the Agreement will require the City to utilize \$1,953,579 or final closing amount of General Fund reserves to make the termination payment. Assuming the sale of Lot #10 to Horizon Hospitality closes; the \$760,000 payment for Lot 10 will flow back into reserves, leaving a net reserve reduction of approximately \$1,193,579.*

*Taking into consideration total General Fund reserve levels and incorporating the operating results from FY15, staff will assess reserve levels after the transaction to determine how to proceed. These levels may be deemed sufficient so that no further action is required. If in fact reserves need to be augmented, several alternatives are available:*

- Utilizing available monies from other funds*
- Deferring certain capital projects scheduled to be funded from the General Fund*
- Financing, on a tax-exempt basis, certain capital projects currently scheduled to be cash funded*

**RECOMMENDATION**

*The City Commission: 1) hear a presentation on the proposed early termination of the McGurn License Agreement for Use of Parking Garage; 2) approve the License Cancellation and Termination Agreement contingent upon closing on the sale of Lot #10 property to Horizon Hospitality Management, Inc.; and 3) authorize the City Manager to execute this agreement subject to review by the City Attorney as to form and legality and deliver it with payment upon the closing on the sale of Lot #10.*

*Alternative Recommendation*

*The City Commission do not approve the early termination of the McGurn License Agreement for Use of Parking Garage.*

**Legislative History**

8/6/15 City Commission Approved as Recommended

[150179 License Agreement and Amendments 20150806.pdf](#)

[150179A License Agreement and Amendments 20160107.pdf](#)

[150179B License Cancellation and Termination Agreement 20151119.pdf](#)

[150179A License Agreement and Amendments 20160121.pdf](#)

[150179B McGurn Termination Agreement 20160121.pdf](#)

[150179C Executed Contract for Purchase HHM 20160121.pdf](#)

[150179D McGurn Proposed Termination Ppt 20160121.pdf](#)

[130847.](#)

**Lot # 10 License Agreement for Parking Spaces and First Amendment to Contract for Purchase (B)**

**This is a request for the City Commission to approve the Lot #10 License Agreement for Use of Parking Spaces and First Amendment to Contract for Purchase. \*\*ESTIMATED STAFF PRESENTATION 15 MINUTES\*\***

*MODIFICATION - Additional Back-up*

*Explanation: On October 1, 2015 the City of Gainesville, FL and Horizon Hospitality Management, Inc. (HHM) entered into a Contract for Purchase for Lot #10 consistent with terms reviewed with the City Commission in August, 2015.*

*One of the contingencies of the Contract for Purchase is that a proposed License Agreement for Parking Spaces to be entered into between the City of Gainesville and HHM be reviewed and approved by the City Commission.*

*The elements of the proposed License Agreement for Use of Parking Garage are: 1) provision of 383 exclusive, floating parking spaces; 2) provision regarding alternative spaces to meet obligation of Agreement; 3) provision regarding maintenance of garage and a mechanism should Horizon Hospitality, Inc. seek additional maintenance; 4) term at 30 years subject to extensions upon negotiation and mutual agreement of the parties; 5) payment for 383 spaces each month regardless of actual use either at a daily rate of \$7 minimum or 47% for hotel guests or a monthly rate of \$20 for hotel and tenant employees (the monthly rate will be increased each year for five years to \$30 in year five. Following that the monthly rate will remain at the greater of \$30 or the rate as set by the City Commission; and 6) provision indicating that if the Garage is destroyed in any way that impacts the Developer that the City will cooperate in seeking parking alternatives within reasonable proximity of the Garage.*

*A First Amendment to the Contract for Purchase is included as well and is designed to accommodate final City Commission deliberations on this matter. The First Amendment pushes the due diligence period and closing dates back to June 1st and July 1st respectively, in both cases 90 days. In addition, the First Amendment stipulates that commitments for financing (equity and debt) and hotel agreement will be provided prior to June 1st, the due diligence period.*

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

*A parking garage financial trend analysis has been provided as part of the back-up that reports business operation of the garage through FY 2014 and then utilizing assumptions based upon terms of the proposed License Agreement for Parking Spaces.*

**RECOMMENDATION**

*The City Commission: 1) hear a brief presentation from staff; 2) approve the Lot #10 License Agreement for Parking Spaces for execution at the time of closing on the sale of Lot #10; and 3) approve the First Amendment to Contract for Purchase with Horizon Hospitality Management, Inc.*

*Alternate Recommendation*

*The City Commission: 1) hear a brief presentation from staff; and 2) decline the Lot #10 License Agreement for Parking Spaces and the First Amendment to Contract for Purchase with Horizon Hospitality Management, Inc.*

**Legislative History**

4/17/14	City Commission	Adopted (Resolution)
3/5/15	City Commission	Approved as Amended
5/21/15	City Commission	Heard
8/6/15	City Commission	Approved as Amended
8/20/15	City Commission	Approved, as shown above
9/3/15	City Commission	Approved as Recommended

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

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

[150632.](#)

### **Empowerment Center Management for FY2017 (B)**

**This is a request for the City Commission to discuss the Empowerment Center Oversight Advisory Board's recommendation that the City and County should conduct an analysis of a publicly-managed vs private/non-profit organization-managed homeless center and camping area at the Empowerment Center. \*\*ESTIMATED STAFF PRESENTATION 10 MINUTES\*\***

*Explanation: On October 7, 2015, the Empowerment Center Oversight Advisory Board discussed and recommended that City and County staff conduct a comparison study of the cost of the City and County jointly managing the Empowerment Center and Dignity Village centers for the homeless. This cost comparison will provide information to determine policy direction regarding whether it should be operated as a governmental agency or continue to contract out management of the agencies. This cost analysis would include the operation of Dignity Village. This item is being discussed by the Oversight Advisory Board because FY 2016 is the final year of three-year contract with ACCHH for the management of services at the Empowerment Center.*

*Members also asked to see some type of City/County plan to operate the Empowerment Center and Dignity Village. Assistant City Manager Murry indicated staff would bring back the following next month: 1) Integration of Dignity Village and Grace; 2) extension of a one year contract with the current provider; 3) Information on what other governmental organizations are doing; 4) City and County staff develop an integrated model operated by local government. (Attached Minutes from the October 7, 2015 meeting).*

*This study would require County and City staff to develop a cost assessment of managing the entire operation (Social and Facilities services at or near the same level in FY 2017), and should include cost benefits, opportunities, and challenges of the City and County jointly managing and delivering services to the homeless. The public cost of managing services at the Empowerment Center should then be compared to the ACCHH's proposed budget for FY 2017.*

*At the November 18th meeting, the Oversight Advisory Board asked staff to review and address other homeless services that are being*

*provided by the City and County (respite care, Cold Night Shelter, and Rapid Rehousing Services).*

*It is expected that the cost analysis could be completed by February 2016, which would give the Oversight Advisory Board the opportunity to review the information and make a recommendation to the City Commission and the Board of County Commissioners on the future management of homeless services at the Empowerment Center. If the Oversight Advisory Board, City Commission, and the Board of County Commissioners wish additional time to review the cost comparison, the proposed budget for FY 2017 could be impacted and the Commissions could have limited financial options for providing services.*

*If more time is needed for decision-making, the City Commission and Board of County Commissioners could negotiate a one-year contract extension with ACCHH to continue the services they are currently providing, while the cost analysis is reviewed. (The City could continue to manage Dignity Village for the year as well.) The commissioners could also direct staff to develop a new RFP for homeless services at the Empowerment Center, which could be issued quickly if the City and County are not in agreement with the proposed process.*

*Fiscal Note: The City Commission and the Board of County Commissioners have agreed to fund ACCHH at \$780,793.50 for FY 2016. Any cost associated with a new contract for services would be discussed as a part of the FY 2017 Budget process.*

**RECOMMENDATION**

*The Empowerment Center Oversight Advisory Board recommends the City Commission request an analysis comparing the cost of managing homeless services at the Empowerment Center by a joint agreement between the City and the County vs. a non-profit entity. The Oversight Board further requests that the Commission discuss the potential impact of the cost analysis plan and provide policy direction.*

*Alternative Recommendation: Direct staff to negotiate a one-year contract extension to ACCHH to provide homeless services at the Empowerment Center, have City Management continue the operating Dignity Village, and incorporate these costs in the FY 2017 budget.*

[150632\\_OAB Minutes of 10-7-15 DRAFT\\_20160121.pdf](#)

[150662.](#)

**2017 Federal Legislative Agenda (B)**

**This is a request for the City Commission to approve the Federal Legislative Agenda. \*\*ESTIMATED STAFF PRESENTATION 5 MINUTES\*\***

*Explanation: The City Commission annually adopts the 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. The Omnibus Act signed by President Obama set the final details for funding.*

*This year's Federal Agenda will list the top priorities relevant to the City's federal funding objectives and interests -- from Housing and Urban Development (HUD) and Community Development to Transportation, Commerce and the Economic Development Administration, the Environmental Protection Agency, Energy, Labor and Education and Job Training, and Mental Health and Welfare.*

*Unlike earlier bills, which have brought almost \$30 million to Gainesville-area projects, the bill includes no site-specific earmarks/project authorizations, as they no longer exist. Congressional members and their staff are working with our Federal Lobbyist 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: There is no fiscal repercussion for discussing this item.*

**RECOMMENDATION**

*The City Commission: 1) discuss and prioritize the projects listed in the draft 2017 Legislative agenda; and 2) and approve the 2017 Federal Legislative Agenda for presentation in Washington, D.C.*

[150662\\_2017 DRAFT Legislative Agenda\\_20160121.pdf](#)

[130546.](#)

**Interlocal Agreement to Maintain and Amend Urban Reserve Areas (B)**

**This is a request for the City Commission to hear a presentation from staff on an Interlocal Agreement that would maintain Gainesville's Urban Reserve Area and introduce a new process to amend the Urban Reserve Areas. \*\*ESTIMATED STAFF PRESENTATION 15 MINUTES\*\***

*Explanation: During the 2015 Legislative Session, the Alachua County Boundary Adjustment Act (BAA) was repealed. The BAA is an Interlocal Service Boundary Agreement passed in 1990 by the State of Florida Legislature to set forth procedures for establishing municipal reserve areas and for adjusting the boundaries of municipalities in Alachua County. The effective date of the repeal is February 29, 2016.*

Since 2013, Gainesville has been in negotiations with the other municipalities in Alachua County as the Alachua County League of Cities (ACLC) to develop an agreement to retain the urban reserve areas in anticipation of a repeal of the BAA.

The Interlocal Agreement creates an Urban Reserve Board composed of elected representatives from each municipality who oversee amendments to urban reserve areas. All provisions for annexation or contraction will now follow general law.

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) receive a presentation from staff; 2) discuss the City's position on the proposed Interlocal Agreement; and 3) authorize the Mayor to execute the agreement and distribute it to the other municipalities.*

**Legislative History**

12/5/13	City Commission	Approved, as shown above
2/6/14	City Commission	Heard
8/7/14	City Commission	Approved as Recommended
3/19/15	City Commission	Approved, as shown above

[130546A Chapter 90-946 20131205.pdf](#)

[130546B Florida Statute 171 20131205.pdf](#)

[130546C Reserve Areas 20131205.pdf](#)

[130546D BAA PowerPt 20131205.pdf](#)

[130546 MOD BAA Proposed Revisions 1-28-14 20140206.pdf](#)

[130546A Urban Reserve Act FINAL 20140807.pdf](#)

[130546B URA PPT Presentation 20140807.pdf](#)

[130546 Letter from County 20150319.pdf](#)

[130546A Urban Reserve Interlocal Agreement \(Updated 10-22\) 20160121.pdf](#)

[130546B Existing Reserve Area Map 2015 20160121.pdf](#)

[130546C Ppt Interlocal Agreement to Maintain and Amend Urban Reserve 20](#)

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

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

**GENERAL POLICY COMMITTEE**



[150465.](#)**The State of Homelessness in Gainesville -- Continuum of Care and Vulnerability Assessment (B)**

**This item is a request for the City Commission to direct the City Manager to work with staff to participate in the regional Continuum of Care, designated as FL-508, and conduct a vulnerability assessment to update the plan to end homelessness. \*\*ESTIMATED STAFF PRESENTATION 5 MINUTES\*\***

*Explanation: The Continuum of Care is a community plan to organize and deliver housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximum self-sufficiency. It includes action steps to end homelessness and prevent a return to homelessness. The U.S. Housing and Urban Development (HUD) Continuum of Care (CoC) Program is designed to promote communitywide commitment to the goal of ending homelessness; provide funding for efforts by nonprofit providers, and State and local governments to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effect utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness.*

*An effective Continuum of Care system is coordinated. It not only includes the fundamental components identified by HUD, but also the necessary linkages and referral mechanisms among these components to facilitate the movement of individuals and families toward permanent housing and self-sufficiency. It balances available capacity in each of its key components and provides a framework that is both dynamic and responsive to changing needs over time.*

*In addition, a COC system should include a focus on homelessness prevention strategies and services. A comprehensive CoC plan considers the needs of all people who are homeless. The North Central Florida Continuum of Care serves a five county area (Alachua, Bradford, Gilchrist, Levy, and Putnam) and will conduct its annual point-in-time survey of the homeless population at the end of January. A vulnerability assessment could be made in Gainesville/Alachua County to research the most critical needs of the local homeless population; the results assessed to update the City's plan to end homelessness.*

*Fiscal Note: There is no fiscal impact from hearing and discussing this issue.*

**RECOMMENDATION**

*The City Commission: 1) appoint a person at policy-making level (a Commissioner or Mayor) to sit on the Continuum of Care Governance Board; 2) direct the City Manager to appoint appropriate staff to participate in various sub-committees to be*

*established in order to implement the policies set forth by the Continuum of Care Governance Board; and 3) convene a work group to conduct a vulnerability assessment to develop a five-year plan to address the immediate homeless needs and work with the Continuum of Care to develop a 10-year a plan to end homelessness.*

**Legislative History**

10/15/15	City Commission	Referred to the General Policy Committee
11/30/15	General Policy Committee	Approved, as shown above

[150465A Point in Time survey 20151130.pdf](#)

[150465B Citizens Committee Rpt 20151130 1.pdf](#)

[150465C No Safe Place 20151130.pdf](#)

[150465D HUD report 20151130.pdf](#)

[150465E Council on Homelessness Rpt 20151130.pdf](#)

[150465A Components of a Continuum of Care Homeless System 20160121.p](#)

[150465B HUD CoC info 20160121.pdf](#)

[150465C NCFCoC Membership 20160121.pdf](#)

[150465D Vulnerability Assessment 20160121.pdf](#)

## RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

## LEGISLATIVE AND ORGANIZATIONAL POLICY COMMITTEE

[140186.](#)

### **Residency Requirement for Candidates (B)**

*Explanation: On July 17, 2014 the City Commission referred a discussion of Residency Requirement for Candidates to the Audit, Finance and Legislative Committee. The referral was subsequently transferred to the Legislative and Organizational Policy Committee.*

*Article II, Section 2.03 of the City Charter outlines the eligibility requirements for each district and at-large candidate. Sec. 9-10(b). of the Code of Ordinances- Qualifications of candidates for city commission further states eligibility requirements in a case where redistricting has occurred.*

*Committee members asked legal staff to conduct additional research to include legal precedent or case law, what entity or agency would receive complaints, hear the case, and who has ultimate authority. At the May 4, 2015 committee meeting, City Attorney staff presented case law where a judge ruled that subjective intent to be in a place supported by the facts, such as car registration, where one sleeps, school children are zoned to, among others could constitute residence. In the particular*

case cited, the residency in question was a place of business. The Judge ruled that there was no evidence that the person lived anywhere else, hence their intent to be in a place constituted residence.

Florida law puts the responsibility on the candidate (not the Supervisor of Elections or the City) to ensure that he/she complies with all state and local elections laws. It appears from staff research that challenges to candidacy can come from another candidate or a voter. Staff has not found legal precedent for the City itself to bring suit against a candidate. There are several resources available to candidates and others who are concerned about a potential violation of election laws, including but not limited to:

*The Florida Division of Elections: Provides information about state election laws and issues advisory opinions. <<http://www.fec.state.fl.us>>*

*The Florida Elections Commission: Investigates sworn complaints alleging violations of state election laws. <<http://election.dos.state.fl.us/index.shtml>>*

*The Court system: Hears legal challenges brought by persons who have standing to challenge a violation of either local or state election laws.*

*On August 12, 2015, the Committee further discussed this item with Commissioner Warren in attendance. In an effort to more define residency and avoid/prevent issues in future elections, Committee members, and Commissioner Warren discussed a list of criteria to prove residency including drivers' license, utility bills, homestead exemption, credit card bills, school records. Commissioner Warren volunteered to contact other communities to determine their residency qualifications for candidates and bring back to the Committee for future discussion.*

*At the November 4, 2015 Legislative and Organizational Policy meeting, Commissioner Warren submitted House Bill 571 Residency of Candidates and Public Officers which was introduced to the legislature in 2014. While the bill was not passed, it did set forth a list of factors that could be used for determining if a candidate meets the residency requirement. The bill explains that there are two alternative interpretations of the term "resident" (page four of the attached bill).*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) Discuss the residency requirement for candidates; 2) Take any action deemed appropriate; and 3) Remove this item from the Legislative and Organization Policy committee referral list.*

**Legislative History**

7/17/14	City Commission	Referred to the Audit, Finance and Legislative Committee
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11/18/14	Audit and Finance Committee	Retained in Committee
4/14/15	Legislative and Organizational Policy Committee	Continued
8/12/15	Legislative and Organizational Policy Committee	No Action Taken
9/9/15	Legislative and Organizational Policy Committee	No Action Taken
11/4/15	Legislative and Organizational Policy Committee	Referred to the City Commission

[140186A\\_ARTICLE II CITY COMMISSION\\_20150414.pdf](#)

[140186B\\_Qualifications of Candidates for City Commission\\_20150414.pdf](#)

[140186A\\_ARTICLE II CITY COMMISSION\\_20150504.pdf](#)

[140186B\\_Qualifications of Candidates for City Commission\\_20150504.pdf](#)

[140186\\_Charter Laws Article II\\_20150812.pdf](#)

[140186\\_FL Bills Residency Requirements\\_20151104.pdf](#)

[140186\\_FL Bills Residency Requirements\\_20160121.pdf](#)

## COMMUNITY DEVELOPMENT COMMITTEE

[140292.](#)

### Landlord Permits (B)

**This is a request for the City Commission to discuss landlord permit program exemptions and adopt the Community Development Committee's recommendations. \*\*ESTIMATED STAFF PRESENTATION 15 MINUTES\*\***

*Explanation: On August 21, 2014, the City Commission referred the issue of landlord permits to the Community Development Committee (CDC). On March 4, 2015, staff made a presentation to the CDC that provided an overview of the landlord permit program, a history of the program including legislative action taken by the City Commission, and recommendations for items to consider implementing. The CDC continued the item, without taking action, to the September 2, 2015 CDC meeting. In the interim, a fee study was conducted by an outside consultant and staff engaged stakeholders from the real estate and property management industry and private citizens. On September 2, 2015, the item was heard by the CDC and the committee was provided staff recommendations, stakeholder input gained by staff, and stakeholder input from real estate professionals, the Gainesville/Alachua County Association of Realtors, and private citizens. The CDC received input and has made the*

following recommendations to the City Commission:

1. Reduce the Landlord Permit fee from \$204.75 to \$118. The new fee will take effect at the start of the next permit cycle beginning on August 1, 2016. The CDC recommends that the resulting annual revenue loss of approximately \$391,635 from the General Fund not affect the Code Enforcement Division budget or level of service. This will require an amendment to Appendix A - Schedule of rates, fees and charges. The City Commission took action on this recommendation on November 19, 2015 and recommended implementing the reduced fee as part of the FY2017 budget process.
2. Remove the tiered landlord permit fee increase for delinquent permits and include a single fee increase of 25% for late payment. This will require an amendment to Appendix A - Schedule of rates, fees and charges.
3. Amend the landlord permit ordinance, Chapter 14-5 Article 1, to allow the Special Magistrate for Code Enforcement to hear permit revocation cases. This process is currently handled administratively by staff.
4. Amend Chapter 14-5 Article 1, to allow for landlord permits to be transferred to a new owner when a property is sold and remains a rental property.
5. Amend Chapter 14-5 Article 1, to clarify and define the existing provision that a Landlord Permit is required when a dwelling is occupied by any person "unrelated" to the owner.
6. Direct staff to improve communications with property managers who are registered on landlord permits when issues arise with properties they manage.
7. Direct staff to provide more detailed report status updates to issues reported via 311GNV.

On September 17, 2015 the City Commission approved CDC recommendations 2-7 and the referral remained in the Community Development Committee. On October 14, 2015, staff made a presentation to the CDC with a recommendation to continue the discussion of the permit fee, consider adjusting the fee structure for multiple dwelling units on a single parcel, options related to the limit of unrelated persons per dwelling unit in single-family zoning districts and an alternative to the current permit revocation process. The following recommendations were accepted by the City Commission on November 19, 2015:

1. Provide a 50% permit fee discount for multiple dwelling units on a single parcel with one owner owning all dwelling units. The owner will be responsible for the full permit fee on one dwelling unit and receive a 50% discounted fee for each additional unit on the parcel.
2. The CDC recommends that staff provide the City Commission with a proposal to reduce the landlord permit fee to \$118 to be considered during the FY2017 budget process. The proposed fee amount may be adjusted depending on items considered by the CDC and approved by the City Commission that may affect the number of permits issued or overall cost of the program. Staff will make recommendations during the

*budget process.*

*On December 2, 2015 the CDC continued to discuss: a) exemptions from the landlord permit program, including owner-occupied and relative-occupied property exemptions, as well as a potential exemption for landlords providing affordable housing, b) alternatives to the current permit revocation process, and c) the single-family home occupancy limit (this item is a related issue but applies separately and is not a part of the landlord permit program). The CDC recommends that the City Commission discuss the exemptions, including owner-occupied and relative-occupied properties, and rentals with tenants receiving a subsidy such as a HUD Housing Choice Voucher or HUD VASH Voucher. The CDC will continue to consider alternatives to the current permit revocation process, but recommends that a separate referral be created for the CDC to further discuss the single-family occupancy limit.*

*Fiscal Note: Expanding the exemption for owner occupied properties may have a minimal fiscal impact of about \$15,000. The fiscal impact of an affordable housing exemption would depend on whether HUD vouchers are used for single-family or multi-family rentals; amount would not be able to be estimated the first year.*

**RECOMMENDATION**

*The City Commission: 1) discuss landlord permit exemptions for owner-occupied and relative-occupied properties, as well as an exemption for rentals receiving rent subsidies; 2) approve exemption language for owner-occupied and relative-occupied properties and direct the City Attorney's Office to draft and the Clerk of the Commission to advertise an ordinance to implement the permit exemption language; and 3) create a separate referral for the Community Development Committee to consider the single-family occupancy limit.*

**Legislative History**

8/21/14	City Commission	Referred to the Community Development Committee
3/4/15	Community Development Committee	Discussed
9/2/15	Community Development Committee	Discussed
9/17/15	City Commission	Approved, as shown above
10/14/15	Community Development Committee	Discussed
11/19/15	City Commission	Approved as Recommended
12/2/15	Community Development Committee	Discussed

[140292\\_Landlord Permit Review\\_20150304.pdf](#)  
[140292\\_FY14 GAINESVILLE \(FL\) - LL CAP FINAL\\_20150902.pdf](#)  
[140292A\\_Landlord Permit Program\\_20150917.pdf](#)  
[140292B\\_fee study\\_20150917.pdf](#)  
[140292C\\_3-4-15 CDC Minutes\\_20150917.pdf](#)  
[140292\\_Landlord Permit PPT\\_20151014.pdf](#)  
[140292\\_Landlord Permit presentation\\_20151119.pdf](#)  
[140292\\_LL presentation\\_20151202.pdf](#)  
[140292\\_Landlord Permit presentation\\_20160121.pdf](#)

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

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

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

[150689.](#)

**Mayor Ed Braddy - Gainesville Dev Academy and Reichert House Sponsorship (NB)**

RECOMMENDATION

*The City Commission hear item and take action deemed appropriate.*

**GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)**

**GAINESVILLE REGIONAL UTILITIES** items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled by the Mayor, a City Commissioner or a Charter Officer.

**RECESS**

**PLEDGE OF ALLEGIANCE**

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

[150675.](#)

**Gainesville SIATech and MYcroSchool National School Choice Week - January 25-29, 2016 (B)**

RECOMMENDATION

*Executive Board President Gerald F. Zagaiski to accept the proclamation.*

[150675\\_SchoolChoice\\_20160121.pdf](#)

## RECONVENE

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

[140730.](#)

**Proposed Amendments Keith Perry's House Bill 1335 (B)**

**This is a request for the City Commission to discuss proposed amendments to House Bill 1355 and take appropriate action.**

*MODIFICATION - Added Additional Back-up and Waive Rules to Move Item to the Evening.*

*Explanation: Representative Keith Perry introduced local legislation on Thursday, January 29, 2015 relating to the City of Gainesville, Alachua County; amending chapter 12760, Laws of Florida (1927), as amended by chapter 90-394, Laws of Florida, relating to the city's charter; repealing section 3.06 of the charter, relating to the General Manager for Utilities of Gainesville Regional Utilities; creating the Gainesville Regional Utilities Authority and prescribing its authority over Gainesville Regional Utilities; providing definitions; repealing applicable existing and conflicting charter provisions and ordinances; providing a ballot statement; requiring a referendum; providing an effective date.*

*This Act shall take effect only upon its approval by a majority vote of those qualified electors of the City of Gainesville voting in a referendum to be held in March 2017, in conjunction with the citywide election to be held in the City of Gainesville, except that this section 4 and 5 of the Bill shall take effect upon becoming a law.*

*Fiscal Note: None*

RECOMMENDATION

*The City Commission: 1) discuss the changes to House Bill 1335; and 2) vote on the City's position regarding the Bill.*

Legislative History

2/19/15 City Commission Approved, as shown above



[140730\\_proposed GRU Governance bill\\_20150219.pdf](#)

[140730\\_HB 1355 GRU Perry local bill 2016\\_20160121.pdf](#)

[140730\\_Comparison of House Bill 1355-00\\_20160121.pdf](#)

[140730\\_House Bill 1355\\_20160121.pdf](#)

[140730\\_draft ordinance\\_20160121.pdf](#)

## PUBLIC HEARINGS

## RESOLUTIONS- ROLL CALL REQUIRED

[150655.](#)

### **Resolution for a Joint Participation Agreement - State Block Grant Funds for RTS Operating Assistance for FY 2016 (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 \$1,830,185 from the State Block Grant Funds for FY 2016.**

*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 2016, the allocation for Gainesville is \$1,830,185.*

*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 \$1,830,185 for this match are available in the FY 2015-2016 RTS operating budget.*

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

[150655A\\_Resolution FDOT Block Grant\\_20160121.pdf](#)

[150655B\\_FDOT Block Grant JPA\\_20160121.pdf](#)

[150616.](#)

### **Part-1 Recommendations to Increase Access, Equity & Diversity in Procurement (B)**

Resolution No. 150616

A Resolution of the City Commission of the City of Gainesville, Florida, amending the Purchasing Policies of the City of Gainesville; establishing a policy for service-disabled veterans' business enterprise programs; providing a transition schedule and providing an effective date.

*Explanation: City of Gainesville's Strategic Initiative #2.4 is aimed at increasing the dollar amount of contracts between the city and small, minority and women-owned local businesses by 10%. A committee of city staff has been working for three months to develop a purchasing policy for the City to encourage small business and service-disabled veterans' business enterprises which will implement this initiative.*

*The staff committee considered multiple policy alternatives, as well as practical solutions to implementing the policy changes. Ultimately it was determined by a majority of the staff committee that a service-disabled veterans' business enterprise program should be implemented in addition to the existing small business enterprise program. Moreover, the majority of the staff committee believed that incentives should be included to encourage small business and service-disabled veterans' business enterprises to use the program and become vendors to the city. Therefore staff recommends that the City's purchasing policy be amended to include incentives for both the informal bid process and the formal bid process.*

*Currently, using the informal bid process for purchases \$50,000 or less but greater than \$2000.00, procurement employees may obtain written quotes from at least two vendors. The staff committee recommends that the policy be changed to require written quotes from at least three vendors, one of whom is either a small business or service-disabled veteran business enterprise.*

*Currently, the formal bid process for purchases greater than \$50,000.00 must be formally bid using one of the following: Invitation to Bid (ITB), Best Evaluated Bid (BEB), Request for Proposal (RFP), Request for Qualifications (RFQ), or Invitation to Negotiate (ITN). City procurement employees use a points formula for all qualifications based procurements (BEB, RFP, RFQ, and ITN). The staff committee recommends that for qualifications based procurements; those certified small business or service-disabled business enterprises who submit bids would be given additional points, up to a maximum of 5% of the total points.*

*During the staff committee discussions, several concerns were raised. The first concern was whether the additional 5% of total points would apply if there was also a local vendor preference. The majority of the staff committee agreed that it would be appropriate to award both, if the vendor qualified for both programs.*

*The staff committee discussed the implementation of the program and the difficulties that may be encountered. It was agreed that the General Manager for Utilities, the City Manager, and the Equal Opportunity Director would issue a joint memo announcing the program to city staff and describing its use.*

*The listing of certified small and service-disabled veteran business enterprises would be maintained on the city's website for ease of use by*

city procurement employees and GRU purchasing would maintain its list at GRU. In the event a purchase does not have a corresponding vendor on the list, the city procurement employee would contact the Equal Opportunity Office which would document that there was no corresponding small business or service-disabled veteran business enterprise.

At its December 9, 2015 meeting, the Equal Opportunity Committee heard a presentation from Equal Opportunity Director Torey Alston, summarizing the staff committee's recommendation and proposing a series of procurement policy and procedure recommendations aimed at increasing access, equity and diversity in the procurement process for General Government and Gainesville Regional Utilities. Mr. Alston's presentation included a series of recommendations as follows:

1. Creation of a Service-Disabled Veteran Business Enterprise Program
2. Amend both Procurement Policy and Procedures for purchases of \$50,000 or less but greater than \$2,000 to have 3 written quotes, and require one of the quotes to come from a certified small and/or service-disabled veteran business, if they exist.
3. Realign the Procurement Policy and Procedures for scoring process during bid selection; re-align point breakdown to include points if you are certified small and/or service disabled veteran business (5% of total points)
4. Policy Language Revision:
  - a. Policy language allowing the City to provide affirmative procurement initiatives in our race and gender neutral program; language should include sheltered market opportunities for small and service-disabled veteran businesses.
  - b. Policy language to create an internal staff committee to review upcoming solicitations for affirmative procurement initiatives.

Following discussion, the Equal Opportunity Committee approved the four recommendations and authorized Office of Equal Opportunity Staff, in conjunction with the City Attorney's Office, to draft formal procurement policy changes for submission to the full City Commission.

If adopted, the attached Resolution would set the Commission's policy to create a disabled-service veteran program, in addition to its existing small business enterprise program. It would provide additional incentives for qualified business enterprises. It also authorizes the use of sheltered markets where appropriate.

*Fiscal Note: None*

**RECOMMENDATION**

The City Commission: 1) adopt the proposed Resolution; and 2) direct Equal Opportunity and Purchasing staff to update the corresponding procedures associated with these policy changes.

**Legislative History**

12/9/15 Equal Opportunity Committee Approved as Recommended

[150616a\\_PPT\\_Increase\\_Access\\_Equity&Diversity\\_in\\_Procurement.20151209.pd](#)

[150616\\_draft\\_resolution\\_20160121.pdf](#)

## ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[150580.](#)

### TEXT CHANGE - NON-MOTORIZED VEHICLES FOR HIRE - SECTION 28-37 (B)

Ordinance No. 150580

An ordinance of the City of Gainesville, Florida, amending Section 28-37 of the Code of Ordinances to eliminate the four-passenger limit for non-motorized vehicles for hire; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: Non-motorized vehicles (NMVs) for hire are vehicles propelled by human power for transporting passengers for compensation. The City's Code of Ordinances (Section 28-37(a)) currently limits NMVs for hire to no more than four (4) passengers. This ordinance will eliminate that maximum passenger limit. The remainder of the current regulations that apply to NMVs for hire will still apply.*

*This amendment will allow NMVs for hire with more than four passengers (e.g., a "pedibus", which is essentially a higher-occupancy pedicab where the passengers aid in the pedaling of the bike) to operate within the City of Gainesville, subject to all applicable regulations in the City's NMVs for hire ordinance. The small businesses interested in operating a "pedibus" want to provide tours, including brewery tours, guided history tours and visits to local eateries and pubs, to showcase the uniqueness of this city.*

*A future goal of the businesses is to allow the consumption of alcoholic beverages during "pedibus" tours. However, that concept would require additional ordinance amendments and is currently being discussed in the Community Development Committee with various stakeholders.*

#### 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.*

#### Legislative History

12/3/15 Community Development Committee Discussed

12/17/15 City Commission Approved as Recommended

[150580\\_Cycle Pub Presentation\\_20151202.pdf](#)

[150580\\_The Spins\\_20151208.pdf](#)

[150580\\_draft ordinance\\_20160121.pdf](#)

[150580B\\_staff ppt\\_20160121.pdf](#)

[150559.](#)

**VACATION OF PUBLIC RIGHT-OF-WAY - UNIMPROVED PUBLIC RIGHT-OF-WAY IN THE 500-700 BLOCK OF SW 6TH STREET (B)**

Ordinance No. 150559; Petition PB-15-121 SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close an unimproved public right-of-way on property currently used as the SW 5th Avenue Stormwater Park that is generally located in the 500-700 block of SW 6th Street, as more specifically described in this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date.

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

*This ordinance vacates an unimproved public right-of-way within a 5.5-acre, City-owned property that is used as a passive recreation park (SW 5th Avenue Stormwater Park) and is located southwest of the intersection of SW 5th Avenue and SW 6th Street. This park contains a master stormwater basin that provides water quality treatment. The property is undeveloped except for the master stormwater basin that is surrounded by a paved pedestrian path. It is adjacent to the City's Tumblin Creek Park to the south, which has active and passive recreation components. It is adjacent to multi-family development to the northwest, and to multi-family development to the southwest across Tumblin Creek.*

*The public right-of-way to be vacated consists of segments of platted streets with a combined area of approximately 1.27 acres. These street segments are "paper streets" that were never improved or maintained as public right-of-way, and there are no prospects for them to become local streets. Staff recommends approval of this vacation of public right-of-way based on criteria for the vacation of public streets or public places found in Section 30-192 of the Land Development Code and Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan. The City Plan Board held a public hearing on December 1, 2015, and recommended approval of this request to vacate the subject public right-of-way. On January 7, 2016, the City*

*Commission approved the petition to vacate the subject public right-of-way.*

**CITY ATTORNEY MEMORANDUM**

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

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

**Legislative History**

1/7/16            City Commission            Approved (Petition)

[PB-15-121 SVA staff report 20121202.pdf](#)

[PB-15-122 SVA AppA Comp Plan GOPs 20151202.pdf](#)

[PB-15-122 SVA AppB Supplemental Docs 20151202.pdf](#)

[PB-15-122 SVA AppC Application 20151202.pdf](#)

[150559A staff report 20160107.pdf](#)

[150559B AppA Comp Plan GOPs 20160107.pdf](#)

[150559C AppB Supplemental Docs 20160107.pdf](#)

[150559D AppC Application 20160107.pdf](#)

[150559E CPB minutes 20160107 .pdf](#)

[150559F staff ppt 20160107.pdf](#)

[150559A draft ordinance 20160121.pdf](#)

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

[150302.](#)

**QUASI-JUDICIAL - CORRECTING THE UNIVERSITY HEIGHTS HISTORIC DISTRICT-NORTH MAP BY DELETING AN INCORRECT DEPICTION OF A CONTRIBUTING STRUCTURE LOCATED AT 1015 NW 3RD AVENUE (B)**

Ordinance No. 150302, Petition PB-15-66 MSC

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, to correct the University Heights Historic District-North map by deleting an incorrect depiction of a contributing structure located at 1015 NW 3rd Avenue; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This ordinance will correct the University Heights Historic District-North map by deleting an incorrect depiction of a contributing structure located*

at 1015 NW 3rd Avenue. In 2001 when this historic district was created, the map that was adopted incorrectly showed two structures on the property, one contributing and one noncontributing. Staff has determined that the property in fact contains only one noncontributing structure, and as a result initiated the process to propose this ordinance.

The City Plan Board held a public hearing on July 23, 2015, where it voted 5-0 to recommend adoption of this ordinance to correct the University Heights Historic District-North map.

#### CITY ATTORNEY MEMORANDUM

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

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

#### Legislative History

1/7/16            City Commission            Approved (Petition) and Adopted on First Reading (Ordinance)

[150302A\\_draft ordinance\\_20160107.pdf](#)

[150302B\\_Staff report\\_20160107.pdf](#)

[150302C\\_ ExA-1\\_Adopted Map Ord 1001026\\_20160107.pdf](#)

[150302D\\_ ExA-2\\_Corrected Map to be adopted\\_20160107.pdf](#)

[150302E\\_ ExA-3\\_Application\\_20160107.pdf](#)

[150302F\\_ ExA-4\\_HP B COA for map change\\_20160107.pdf](#)

[150302G\\_CP B minutes\\_20160107 .pdf](#)

[150302H\\_staff ppt\\_20160107.pdf](#)

#### [150606.](#)

#### **QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 1039 NE 3rd STREET (B)**

Ordinance No. 150606

An ordinance of the City of Gainesville, Florida, finding that property located at 1039 NE 3rd Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2016, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT*

*Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. In order to approve a property for such exemption, the Historic Preservation Board (HPB) and the City Commission must determine that a particular property is eligible for the property tax exemption (i.e., historical designation or contributing property) and that it has been improved consistent with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.*

*The process for a property owner to receive a historic preservation property tax exemption entails two steps. First, the property owner submitted Part 1 (Preconstruction Application) of the Historic Preservation Property Tax Exemption Application for the restoration/rehabilitation of a contributing residential building in the Northeast Residential Historic District. Part 1 was approved by the HPB on May 1, 2012, with a finding that the property was eligible for the exemption and that the proposed improvements met the required standards.*

*Second, the applicant completed the restoration/rehabilitation work and submitted Part 2 of the property tax exemption application (Final Application for Review of Completed Work). Staff inspected the completed work and found the work meets the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as well as the City's Guidelines for Rehabilitating Historic Buildings. On November 3, 2015, the HPB approved Part 2 with a finding that the eligible property has been improved consistent with the required standards; the HPB recommended the City Commission approve same. The renovations eligible for the tax exemption total \$254,300.00. However, pursuant to City Code and State Statute, the actual amount of the exemption will be determined by the County Property Appraiser.*

*The property is located at 1039 NE 3rd Street and was built in 1951 according to the Alachua County Property Appraiser's Office. The building is a contributing structure to the Northeast Residential Historic District. The renovation involved the demolition of additions from the 1980s and 1990s and the construction of additions to the north, south, and east facade of the house. On the east elevation, the applicant built a covered porch, playroom, kitchen, screen room, carport, and a workshop with storage. The additions match the existing block siding. An existing concrete sidewalk leading to the front door on the west elevation was removed and replaced by a brick walk. A low masonry wall was placed along the perimeter of the yard next to the sidewalks along NE 3rd Street and NE 11th Avenue. The applicants installed a 5-V crimp metal roof in a silver finish over the entire roof. There was extensive interior work including the kitchen and bathrooms.*

*The applicants replaced the historic windows with Marvin double hung*



*windows that are wooden on the inside and clad in fiberglass on the exterior. Corner windows, which are appropriate for a mid-century modern building and original to the bedroom, are replicated in the entertainment room and master bathroom additions.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and shall become effective immediately upon adoption; however, the ad valorem tax exemption shall be effective as of January 1, 2016 in accordance with Section 196.1997(10), Florida Statutes.*

**RECOMMENDATION**

*The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

**Legislative History**

1/7/16 City Commission Adopted on First Reading (Ordinance) and Approved the Recommendation

[150606A draft ordinance 20160107.pdf](#)

[150606-MOD staff ppt 20160107.pdf](#)

[150607.](#)

**QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 825 NE 3rd AVENUE (B)**

Ordinance No. 150607

An ordinance of the City of Gainesville, Florida, finding that property located at 825 NE 3rd Avenue, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2016, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

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

*Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. In order to approve a property for such exemption, the Historic Preservation Board (HPB) and the City Commission must determine that a particular property is eligible for the property tax exemption (i.e., historical designation or contributing property) and that it has been improved consistent with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.*

*The process for a property owner to receive a historic preservation property tax exemption entails two steps. First, the property owner submitted Part 1 (Preconstruction Application) of the Historic Preservation Property Tax Exemption Application for the restoration, renovation or rehabilitation of a contributing residential building in the Northeast Residential Historic District. Part 1 was approved by the HPB on October 7, 2014, with a finding that the property was eligible for the exemption and that the proposed improvements met the required standards.*

*Second, the applicant completed the improvements and submitted Part 2 of the property tax exemption application (Final Application for Review of Completed Work). Staff inspected the completed work and found the work meets the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as well as the City's Guidelines for Rehabilitating Historic Buildings. On November 3, 2015, the HPB approved Part 2 with a finding that the eligible property has been improved consistent with the required standards; the HPB recommended the City Commission approve same. The renovations eligible for the tax exemption total \$45,844.00. However, pursuant to City Code and State Statute, the actual amount of the exemption will be determined by the County Property Appraiser.*

*The property is located at 825 NE 3rd Avenue. The principal building was built in 1925 according to the Alachua County Property Appraisers Office and is a contributing structure to the Northeast Historic District, while the new accessory structure will be considered a non-contributing structure to the district.*

*The applicant has constructed a 16 foot x 20 foot accessory structure in the southeast corner of the property. It has an exposed rafter tail roof with a 12/12 pitch with shingles that emulate the principal residential building. Novelty siding, double-hung wood windows and a fixed gable window detail are consistent with compatibility standards for an accessory building on the property. These elements are taken directly from the principal building. An overhang shed roof with exposed rafter tails and brackets is over the front door.*

*The accessory structure is built on a concrete block pier foundation, in compliance with the condition approved by the Historic Preservation Board. The new accessory structure is compatible with the materials, design, and architectural features of the principal building and is on the rear of the property behind the principal residence.*

#### **CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and shall become effective immediately upon adoption; however, the ad valorem tax exemption shall be effective as of January 1, 2016 in accordance with Section 196.1997(10), Florida Statutes.*

**RECOMMENDATION**

*The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

**Legislative History**

1/7/16      City Commission      Adopted on First Reading (Ordinance) and Approved the Recommendation

[150607A\\_draft ordinance\\_20160107.pdf](#)

[150607-MOD\\_staff ppt\\_20160107.pdf](#)

**PLAN BOARD PETITIONS****DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT****CITIZEN COMMENT (If time permits)****ADJOURNMENT**