

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

April 6, 2017

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)

Commissioner Harvey Budd (At Large)

Mayor-Commissioner Pro Tem Helen Warren (At Large)

Commissioner Charles Goston (District 1)

Commissioner Todd Chase (District 2)

Commissioner Craig Carter (District 3)

Commissioner Adrian Hayes-Santos (District 4)

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

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

ROLL CALL**INVOCATION****Prophet George Young****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**[160894.](#)**City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of March 16, 2017.

[160894_Minutes_20170406.pdf](#)

[160860.](#)**Professional Services Agreement for Implementation of Remedial Action Plan Modification at Former Gainesville Manufactured Gas Plant Site (Depot Park) (B)**

****This item was presented to the UAB on 3/15/17.****

Explanation: From the 1880's to about 1950, Gainesville Gas Company operated a manufactured gas plant (MGP) on a site at the intersection of SE 1st Street and Depot Avenue. The plant processed coal into coal gas for residential and commercial purposes. Improper disposal of waste generated by the MGP operations (coal tar) and leaky petroleum tanks created soil contamination on the MGP site (Poole Roofing) and adjacent properties (Depot Park). When the City of Gainesville (GRU)

purchased the gas company in 1990, they inherited its associated environmental liabilities. In preparation for remediation of the environmental impacts, GRU contracted with Environmental Consulting & Technology, Inc. (ECT) for assessment and characterization of the contamination and to develop a remediation plan for the site.

The remediation plan that was approved by the Florida Department of Environmental Protection (FDEP) called for the installation of wells to monitor the site following active remediation. The first four quarters of monitoring recognized that the data are insufficient to demonstrate any statistically significant trend; therefore, a revised remediation plan has been prepared that will allow for the collection of additional data. FDEP has conceptually agreed to the proposed remediation plan with the condition of the installation of an additional monitoring well that would help during assessment.

A professional services contract is being extended to Environmental Consulting & Technology (ECT) as a source-justified vendor based on their extensive knowledge of the MGP site and the remediation project's phases of planning, environmental permitting, engineering, contaminated material excavation and disposal, as well as post active remediation compliance monitoring. This scope of work includes, but is not necessarily limited to, the planning, design, and construction of the additional monitoring well, and two (2) years of groundwater sampling and laboratory analyses. A copy of the proposed contract and ECT's scope of work and proposal are attached for reference.

The UAB asked a number of questions when this item was presented to them and felt that staff's answers were adequate.

Fiscal Note: The Professional Services Agreement is proposed to be awarded to ECT in the amount of \$160,250.40 over the next three (3) fiscal years. Funds for this work have been included in the monies borrowed for the Manufactured Gas Plant (MGP) Remediation Project. In 2003, the Gas System implemented a cost recovery factor to fund the remediation project. Since that time, the recovery factor has been applied to retail customers' bills, based on their gas usage. The recovery factor is subject to change depending on the on-going costs associated with the site remediation.

RECOMMENDATION

Staff recommends that the City Commission: 1) authorize the General Manager or his designee to execute a contract with Environmental Consulting & Technology (ECT), subject to approval of the City Attorney, for the installation of a groundwater monitoring well and groundwater sampling and laboratory analysis; 2) approve the issuance of a purchase order to ECT for the work in the amount of \$160,250.40.

The UAB voted 6-0 with Member Walpole absent to recommend the City Commission approve this item.

[160860 Draft ECT Prof Svcs Agreement 20170315](#)

[160860 ECT Proposal Attachment C 20173015](#)

[160834.](#)

Request to Amend Ordinances in Chapter 26, Section 26-50 (NB)

This is a request to amend ordinances in Chapter 26, Section 26-50, Backing Up to Curb, to allow back-in parking in designated areas; Section 26-71 definitions to include defining a remote pay system; Section 26-73 amend to allow remote pay in all City owned parking spaces; and Section 26-117 amend to change the authority of neighborhood decal changes.

Explanation: The Public Works Department is implementing a smartphone mobile pay (or remote pay) system at metered parking spaces in the City. The Community Redevelopment Agency is also implementing smartphone mobile pay at the on-street parking spaces in the NW 1st Avenue reconstruction project. The current ordinance needs to be amended to allow for implementation of new technology. Specifically, Ordinance Section 26-71 and Section 26-73 need to be modified to allow for this technology. The parking meters will still take coins at the meter but customers will also be able to pay via credit or debit card on the app. Replacing the individual parking meters with the ability to accept credit cards is currently not cost feasible. The app will make it possible to accept payment other than coins.

The City will soon be implementing back-in angled parking on the CRA South Main Street project and the Public Works Department's SW 6th Street project. Backing in to the curb parking is specifically prohibited by City ordinance and Section 26-50 needs to be modified to allow for back-in parking.

City Ordinance Section 26-117, "Criteria and Procedures for Establishing Controlled Vehicular Parking Areas" is a cumbersome process that requires approval of the City Commission for every change, regardless of the magnitude of the change. The proposed changes would delegate approval of certain program modifications to the City Manager or designee. Substantial changes, such as expansion and rate changes, would still require approval of the City Commission.

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

RECOMMENDATION

The City Commission authorize: 1) the City Attorney to draft changes amending the parking provisions; and 2) the Clerk of the Commission to advertise the ordinance.

[160893.](#)

LISA CUE VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL

CIRCUIT, CASE NO. 2017-CA-582 (B)

Explanation: On March 21, 2017, the City was served with a Summons and Complaint filed by Lisa Cue in the Circuit Court. Lisa Cue alleges that on or about April 18, 2016, she tripped and fell on a City sidewalk on NE 15th Street. Lisa Cue claims to have suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of ability to earn money, and aggravation of a previously existing condition. Ms. Cue seeks money damages in excess of \$15,000.00.

RECOMMENDATION The City Commission authorize the City Attorney to represent the City in the case styled Lisa Cue vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2017-CA-582.

[160893 Lisa Cue Consent 20170406.pdf](#)

[160849.](#)

BJA Justice and Mental Health Collaboration (B)

This is a request for City Commission authorization to execute an agreement if the Mental Health Collaboration Grant is awarded.

Explanation: Gainesville Police Department (GPD) has partnered with Meridian Behavioral Health Care to request a BJA Justice and Mental Health Collaboration grant to fund a 2-year, full time city-wide co-responder program, in which a police officer will partner with a masters level mental health counselor. The team will respond to calls for service involving persons with mental illness, mental health care crisis and calls involving emotionally charged situations. The team will also facilitate case staffings where numerous community providers will be asked to collaborate on solutions for high volume users of justice and mental health care services that are currently provided to these individuals in less than optimal ways.

The grant will fund two positions (police officer and mental health counselor) for 24 months. BJA requires a 20% match. The commission is requested to approve funding for approximately 25% of these positions in in-kind match. Meridian is a sub-recipient of the award and the counselor position will be staffed and supported by Meridian.

The GPD and Meridian have a well-established working relationship with both formalized and informal processes in place to better serve our community with mental health care concerns. Currently we operate under a long standing MOU to facilitate Baker Acts. In the 12 years since we established our local Crisis Intervention Team (CIT) we have informally expanded our working relationship.

We have provided training to each other to ensure line level personnel understand what happens in partner disciplines. We meet regularly to

work through intermittent issues with Baker Act transfers. Of late, members of GPD have sought help and guidance from Meridian providers on how to better facilitate specific individuals in the community with substantial mental health concerns when traditional answers have not been productive.

Most recently, GPD officers and counselors from Meridian have partnered for four hours about once per week to walk together through the Grace MarketPlace homeless shelter and Dignity Village campground to speak with residents informally and while not in crisis. As the team spoke with residents, they asked them a series of questions to build rapport with members of the community and to survey them on how we can best serve them when they are in crisis. This pilot program has shown the need for a full time co-responder team.

We are seeking funding through Category 3: Implementation and Expansion of the BJA grant for Justice and Mental Health Collaboration.

Fiscal Note: Total implementation of the 2-year program will require \$295,616.17 in funds. We are requesting \$219,037.59 in grant award. The City of Gainesville will be asked to provide office space (\$6,000 value), materials and supplies (\$10,428), training (\$1,600) and an additional fleet vehicle (\$32,074). The total city contribution will be \$50,102.58 in these itemized in-kind items. The Meridian in-kind match is \$26,476.

RECOMMENDATION

The City Commission authorize the City Manager to execute an agreement with BJA and Meridian Behavioral Health Care and any other necessary documents pending review by the City Attorney as to form and legality, should the City be awarded the grant.

[160849 BJA Budget Worksheet 20170406.pdf](#)

[160916.](#)

Resignation of Jason Straw from the Historic Preservation Board, Daniel Christophy from the City Beautification Board and Lois Harrison from the Citizens' Advisory Board for Community Development (B)

MODIFICATION - ADDED ITEM

RECOMMENDATION

The City Commission accepts the resignation of Jason Straw, Daniel Christophy and Lois Harrison, effective immediately.

[160916 ResignationJasonDaniellLois 20170406.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.

[160895.](#)

Completed Audit of the Small and Service-Disabled Veteran Business Enterprise Program Reporting (AU2016-008) (B)

Explanation: In accordance with our Annual Audit Plan, the City Auditor's Office has completed the audit of the Small and Service-Disabled Veteran Business Enterprise Program Reporting. We conducted this audit in accordance with Government Auditing Standards issued by the Comptroller General of the United States. Our report and the responses are attached for your review.

RECOMMENDATION

The City Auditor recommends that the City Commission accept the City Auditor's report and the City Manager, the GRU General Manager, and the OEO Charter Officer's response.

[160895_AU2016_008 - SBE EO 6Apr2017_20170406.pdf](#)

[160899.](#)

Completed Audit of GRU SAP Upgrade - Interim Report II (B)

Explanation: In accordance with our Annual Audit Plan, the City Auditor's Office has completed the audit of the GRU SAP Upgrade - Interim Report II - a GRU function. We conducted this audit in accordance with Government Auditing Standards issued by the Comptroller General of the United States. Our report and the General Manager's response is attached for your review.

RECOMMENDATION

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

[160899 GRU SAP-2 Upgrade Final Report21 Mar2017_20170406.pdf](#)

[150908.](#)

License Agreement for Parking for City Parking Lot #2 (B)

This item involves a request for the City Commission to consider terms for a License Agreement for Parking for City Parking Lot #2.

Explanation: On February 16, 2017, the City Commission directed staff to finalize the City Parking Lot #2 License Agreement for Parking and to include more permissive language regarding reservation of air rights.

The initial draft of the License Agreement, presented and discussed as a February 16th agenda item, led to modifications in this current agreement to permit the City to construct future improvements on the lot

including, but not limited to, structured parking. In addition, the agreement was further modified to include the addition of six (6) months to the staging allowance, for a total of thirty (30) months, due to the communicated project implementation and permitting schedule, calculated at 2 years or 24 months. Finally, previously agreed to lending requirements language was added as well.

Generally, terms of the proposed License Agreement for Parking for City Parking Lot #2 consist of the following:

- 30 years at \$15,768/year with three 10 year extensions upon negotiation and mutual agreement of the parties, inclusive of increases in the applicable Consumer Price Index (CPI). Currently, Parking Lot #2 generates \$0 income to the City.

- Parking Lot #2 shall be restricted to vehicle parking for the term of the License Agreement (except for staging during project development (lengthened to 30 months and other related uses)

- Collier Companies shall be responsible for all improvements (estimated preliminary cost at \$100,000), maintenance and operations, insurance and taxes (if applicable)

-Reservation of air rights to the City for construction of improvements including, but not limited to, structured parking

- Language regarding customary lending requirements as to license agreements for off-site parking for development projects

Fiscal Note: As indicated, License will generate approximately \$16,000 annually in income to the City and this is based upon a market appraisal for parking that was conducted for parking in the general area.

RECOMMENDATION

The City Commission: 1) hear a brief presentation from staff, and 2) approve the Public Parking Space License Agreement between Collier Enterprises of Gainesville, Inc. and the City and 3) authorize the City Manager to execute the agreement subject to review by the City Attorney as to form and legality.

Legislative History

4/21/16	City Commission	Approved as Recommended
2/16/17	City Commission	Approved, as shown above
3/16/17	City Commission	Continued

[150908A Lot 2 Addendas Docs 20160421.pdf](#)
[150908B Lot 2 Award Docs 20160421.pdf](#)
[150908C Lot 2 Bid Docs 20160421.pdf](#)
[150908D Lot 2 Presentation Materials 20160421.pdf](#)
[150908E Lot 2 Memo re Recorded Oral Presentations 20160421.pdf](#)
[150908F Lot 2 Oral Evaluation 20160421.pdf](#)
[150908G Lot 2 Vendor Submittals & Bid Record 20160421.pdf](#)
[150908H Lot 2 Written-Technical Evaluation 20160421.pdf](#)
[150908 238 University Parking Memo, dated 9-30-16 20161215.pdf](#)
[150908A Appraisal of Lot 2 Addendum 20161215.pdf](#)
[150908B Appraisal of Lot 2 20161215.PDF](#)
[150908C DRB 20160927 Agenda 20161215.pdf](#)
[150908D DRB Attachment A-3 20161215.pdf](#)
[150908E DRB Staff Report 20161215.pdf](#)
[150908A Lot 2 Addendas Docs 20170302.pdf](#)
[150908B Lot 2 Award Docs 20170302.pdf](#)
[150908C Lot 2 Bid Docs 20170302.pdf](#)
[150908D Lot 2 Presentation Materials 20170302.pdf](#)
[150908E Lot 2 Memo re Recorded Oral Presentations 20170302.pdf](#)
[150908F Oral Evaluation 20170302.pdf](#)
[150908G Lot 2 Vendor Submittals & Bid Record 20170302.pdf](#)
[150908H Lot 2 Written-Technical Evaluation 20170302.pdf](#)
[150908I 238 University Parking Memo 20170302.pdf](#)
[150908J Appraisal of Lot 2 Addendum 20170302.pdf](#)
[150908K Appraisal of Lot 2 20170302.pdf](#)
[150908L DRB 20160927 Agenda 20170302.pdf](#)
[150908M DRB Attachment A-3 20170302.pdf](#)
[150908N DRB Staff Report 20170302.pdf](#)
[150908O Parking Lot 2 Timeline 20170302.pdf](#)
[150908P Lot 2 Proposed License Agreement 20170216.pdf](#)
[150908A Lot 2 Revised License Agreement 20170406.pdf](#)
[150908B License Agreement for Parking Lot #2 - Partially executed 20170406](#)

[160711.](#)

RETENTION OF WINSTON & STRAWN LLP, TO ADVISE THE CITY IN THE REVIEW OF LEGAL ISSUES ASSOCIATED WITH THE PURCHASE OF THE GAINESVILLE RENEWABLE ENERGY CENTER FACILITY (NB)

MODIFICATION - CHANGED TEXT FILE LANGUAGE

Explanation: On February 2, 2017, the City Commission authorized the retention of Norton Rose Fulbright to advise the City in the review of specialized legal issues associated with the purchase of the Gainesville Renewable Energy Center Facility. However, upon further discussion between the City Attorney and General Manager for Utilities, both believe that the legal counsel required for this transaction can be most effectively and efficiently served by Winston & Strawn and the City's Bond and Disclosure counsel firms, all of whom are currently retained by the City and have considerable knowledge of the City's utility operations. For example, Winston & Strawn assisted the General Manager for Utilities by preparing the initial drafts of the Memorandum of Understanding that is currently being considered by the City Commission.

The Office of the City Attorney will continue to be actively involved in the review of legal issues associated with the purchase and will utilize the retained outside counsel for specialized issues as well as providing a second opinion on key issues.

Fiscal Note: The rates quoted by Winston & Strawn LLP are hourly attorney rates of \$450 - 1000. It is unknown at this time how many hours of work will be requested of outside counsel. Funding for outside counsel will be paid either from the City's utility budgeted funds for legal expenses or from unanticipated cost savings that the utility realizes.

RECOMMENDATION *Continue this item to April 20, 2017 until the Utility Advisory Board has heard the item at their April 19, 2017 meeting.*

Legislative History

2/2/17	City Commission	Approved as Recommended
2/16/17	City Commission	Approved as Recommended

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[160887.](#)**Water Conservation Month - April 2017 (B)****RECOMMENDATION**

Intergovernmental Coordinator Government Affairs Program St. Johns River Water Management District Susan Davis to accept the proclamation.

[160887_WaterConservation_20170406.pdf](#)

[160888.](#)**National Public Safety Telecommunications Week - April 9-15, 2017 (B)****RECOMMENDATION**

Combined Communications Center to accept the proclamation.

[160888_Telecommunications_20170406.pdf](#)

[160889.](#)**Mind the Gap Month - March 2017 (B)****RECOMMENDATION**

University of Florida Bateman Team to accept the proclamation.

[160889_MindtheGap_20170406.pdf](#)

[160890.](#)**Child Abuse Prevention Month - April 2017 (B)****RECOMMENDATION**

Alachua County Child Abuse Prevention Task Force Chair Cathy Winfrey and Member Patty Carroll to accept the proclamation.

[160890_ChildAbuseMonth_20170406.pdf](#)

[160892.](#)**Altrusa International of Gainesville, Inc. Appreciation Day - April 11, 2017 (B)****RECOMMENDATION**

Altrusa International of Gainesville President Sara Freeborn, First Vice President Joan Suchorski, Director Leah Gibbs and Bennye Alligood to accept the proclamation.

[160892_AltrusaAppreciationDay-20170406.pdf](#)

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

TIME CERTAIN - 6:00 PM

[160907.](#)

Approval of Memorandum of Understanding between GRU and GREC (B)

****This item was presented to the UAB on April 5, 2017.****

MODIFICATION - NEW BACK-UP ADDED AND CHANGED TEXT FILE LANGUAGE TO INCLUDE UAB'S RECOMMENDATION

Explanation: In June 2015, under the direction of a new General Manager, GRU staff undertook an exhaustive review of the GREC Power Purchase Agreement (PPA). In the course of this deep study, staff determined that the impact of the PPA is both financial and operational in addition to legal. The core of the PPA's financial impact is GRU's obligation to pay GREC \$212,000 a day for what is termed "Available Energy." This cost represents GREC's cost of ownership and fixed cost of operations. Put simply, the cost of ownership is GREC's debt payment and the return to its investors. The fixed costs of GREC's operations are effectively GREC's costs of being available to generate (staff, rolling stock and other monthly bills, excluding fuel and consumables). Staff determined that a buyout of GREC's PPA will generate savings in the hundreds of millions of dollars if GRU can negotiate a reasonable buyout price.

In November 2016, after determining the purchase would be in the best interest of both the City and GRU's customers, GRU began discussions with GREC owner Jim Gordon. GRU drafted a non-binding Memorandum of Understanding (MOU) that would serve as a framework for a contract to be negotiated later. The initial negotiations occurred under a non-disclosure agreement (NDA), but GRU shortly withdrew from the NDA so that the public, the UAB and the City Commission could be informed at each step in the negotiation. After several drafts went back and forth between the two parties, a final non-binding agreement was reached in March 2017.

Staff gave presentations regarding the MOU to the Utility Advisory Board (UAB) on March 1, the City Commission on March 2, and the Chamber of Commerce on March 13. Staff gave further updates to the UAB on March 15, the City Commission on March 16, and to the joint UAB/City Commission on March 23, 2017.

Fiscal Note: The purchase price and terms of payment outlined in the MOU will be seven hundred fifty million dollars (\$750,000,000). GRU is considering three options for ownership and have estimated reduction in future costs of continuing under the current PPA to range from \$524 - \$808 million:

Buy and Dismantle, \$698 million
Keep in Standby, \$524 million
Convert and Run, \$808 million

RECOMMENDATION

Staff recommends that the City Commission:
1) Approve the Memorandum of Understanding;
and
2) Authorize the General Manager, or his designee, to negotiate a contract with Gainesville Renewable Energy Center, Inc., subject to approval by the City Attorney as to form and legality and subject to final approval by the City Commission.

The UAB voted 5-1, with Annie Orlando in dissent and Sandy Campbell absent, to recommend that the City Commission:

1) Approve the Memorandum of Understanding with the following changes: Reduce the purchase price to \$675 million; have GRU create the initial draft of the contract; and any reduction in future costs shall be used by the City chiefly for rate relief.
2) Authorize the General Manager, or his designee, to negotiate a contract with Gainesville Renewable Energy Center, Inc., subject to approval by the City Attorney as to form and legality and subject to review and recommendation by the UAB and final approval by the City Commission.

[160907 Approval of MOU Presentation 20170406](#)

[160907 Tax of GREC Tax Bill FY17 20170406](#)

[160907 gru_grec_publicforum_piechart 20170406](#)

PUBLIC HEARINGS

[160833.](#)

Exclusion of Controlled Vehicular Parking: The Standard at Gainesville and One College Park and the addition of new parking along SW 6th Street (B)

This item is a request to: 1) exclude the parcels of The Standard of Gainesville from the existing Zone 2 Controlled Vehicular Parking Area to cover the area to the west side of SW 13th Street, east of NW 14th St, north of W. University Avenue and south of NW 3rd Av.; 2) exclude the parcels of One College Park from the existing Zone 10 Controlled Vehicular Parking Area to cover the area west of NW 17th St, east of NW 18th St, north of NW 1st Av and south of NW

2nd Av.; and 3) add parking spaces to the Controlled Vehicular Parking Area on SW 6th St from SW 5th Av to SW Depot Av. to add to Restricted Decal Parking Area Zones 1 and 9.

MODIFICATION - NEW BACK-UP AND POWERPOINT PRESENTATION

Explanation: The Standard of Gainesville, bounded in the area west of SW 13th Street, east of NW 14th Street, north of W. University Avenue and south of NW 3rd Avenue, is currently under development and scheduled to open fall 2017. From the development notes, the project consists of mixed-use buildings containing approximately 62,609 S.F. of retail/commercial space, 430 residential units, 1200 bedrooms, a 144 room hotel and associated infrastructure including a 1,147 space parking garage. The project is located in Controlled Vehicular Parking Area Zone 2, which currently has only 105 decal parking spaces for the remaining developments in the zone. During the Development Review process, it was determined that The Standard's occupants would not be eligible for decals in the surrounding zone. They have constructed an on-site parking structure to accommodate their parking needs.

One College Park, currently under development, located in the University Heights/College Park Community Redevelopment District and is bounded in the area west of NW 17th Street, east of NW 18th Street, north of NW 1st Avenue and south of NW 2nd Avenue. From the project notes, this is a mixed-use development containing a six (6) story structure and including 56 apartment units with 324 bedrooms, 270 dormitories and 14,000 S.F. of retail/commercial spaces and a parking garage with 610 spaces. The project is located in Controlled Vehicular Parking Area Zone 10, which currently has 305 decal spaces for the remaining developments in the zone. During the Development Review process, it was determined that One College Park's occupants would not be eligible for decals in the surrounding zones. They have constructed an on-site parking structure to accommodate their parking needs.

In accordance with the Gainesville Code of Ordinances, Chapter 26, Section 26-117, Criteria and Procedures for Removing a Controlled Vehicular Parking Areas the City must hold a public hearing. It is in the City's best interest to remove these two parcels from the Controlled Vehicular Parking Area due to the density in the surrounding area and each parcel reflects the development of a user residential parking garage.

The City is also proposing to add parking on SW 6th Street from SW 4th Avenue to Depot Avenue. This segment of SW 6th Street is currently a five-lane road that becomes a two-lane road north of the segment and a two-lane road through the Depot Avenue roundabout. There are not any parcels addressed to this segment of SW 6th Street. The project will implement approximately 106 spaces with 5 ADA spaces and add to the current adjacent Controlled Vehicular Parking Area Zone 1 and Zone 9.

The expansion can be implemented if, after the public hearing, the City Commission finds that the area meets the requirements of Chapter 26,

Section 26-117 (a) of the Code of Ordinances and approves the expansion to include the studied area.

Fiscal Note: Funding in the amount of \$3000 from the Public Works Planning and Traffic Operations budget is available budget for materials and supplies for SW 6th St implementation.

RECOMMENDATION

The City Commission: 1) hold a public hearing; 2) consider the findings in the best interest of the City as it pertains to the use and availability of decal parking areas and the parcel parking available; 3) approve the exclusion of The Standard from Zone 2; 4) approve the exclusion of One College Park from Zone 10; and 5) add SW 6th St from SW 4th Avenue to S. Depot Avenue for Zone 1 and Zone 9.

[160833A_COG_Sec_26-117_20170406.pdf](#)

[160833B_Map_20170406.pdf](#)

[160833-MOD_Powerpoint_20170406.pdf](#)

RESOLUTIONS - ROLL CALL REQUIRED

[160865.](#)

RESOLUTION ACCEPTING REPORT OF BOARD OF CANVASSERS - ELECTIONS 2017 (B)

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 14, 2017; and providing an immediate effective date.

Explanation: On March 14, 2017, a city election for the election of Commissioners for the At Large 2, District 2, and District 3 Seats was held.

The Report of the Board of Canvassers for the City of Gainesville showing that Helen K. Warren was elected to the At Large 2 Seat, that Harvey Ward Jr. was elected to the District 2 Seat, and that David Arreola was elected to the District 3 Seat, is adopted by this resolution of the City Commission.

RECOMMENDATION

The City Commission adopt the proposed resolution.

[160865_draft_resolution_20170406.pdf](#)

[160864.](#)

Resolution for Rebuilding Together North Central Florida, Inc., as required by Florida Statutes in order for the Corporation to become an Eligible Sponsor of a Project under the Florida Community

Contribution Tax Credit Program (B)

Explanation: The Florida Community Contribution Tax Credit program (as set forth in Section 220.183, Florida Statutes) provides financial incentives (up to 50% Tax Credit or Sales Tax refund) to encourage businesses to make donations to certain projects undertaken by Eligible Sponsors. In order to apply to become an Eligible Sponsor, the Statute requires the applicant to obtain a resolution from the local government certifying that the project is consistent with local plans and regulations. Rebuilding Together North Central Florida, Inc. has requested this Resolution from the City and has represented to the City that its project, the "Critical Repair Program," provides repairs and improvements to substandard housing of low-income families with preference given to seniors, veterans, and residents with disabilities in the City of Gainesville, Florida at no cost to the homeowner, to address home safety, security and accessibility issues and allow homeowners to remain in their homes.

Fiscal Note: There is no direct fiscal impact to the City of Gainesville for approving this Resolution.

RECOMMENDATION The City Commission approve the Resolution.

[160864A Application RTNCF 20170406.pdf](#)

[160864B 501\(c\)3 20170406.pdf](#)

[160864C Resolution for Community Contribution Tax Credit Program 2017040](#)

[160874.](#)

State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan-State Fiscal Years 2017-2020 (B)

This item requests the City Commission approval of the proposed SHIP Local Housing Assistance Plan covering State Fiscal Years 2017/2018, 2018/2019 and 2019/2020, resolution and required certifications.

Explanation: Since 1992, the City of Gainesville has participated in the SHIP Program, which provides Florida Cities and Counties with funds to implement programs to promote and preserve affordable housing and homeownership. State law requires Cities to adopt a Local Housing Assistance Plan (LHAP) to receive SHIP funds. The LHAP describes program activities and management plans for the utilization of funds through public/private partnerships which expand the production and preservation of affordable housing within the city limits of the City of Gainesville. The LHAP addresses several affordable housing needs in the community, including homeownership, housing rehabilitation, new construction, downpayment assistance, mortgage foreclosure intervention, and rental housing. The goal of the plan is to provide affordable housing opportunities for income eligible residents within the incorporated areas of the City.

During the development of the LHAP, staff solicited public input and

citizen participation through a series of meetings held in November 2016, December 2016 and January 2017. Participants included housing providers, local lenders, citizens and other groups involved in the provision of affordable housing.

Through public input, the community affirmed that the City's existing housing programs address many of their affordable housing needs. Additionally, the State Legislature amended SHIP rules to allow Cities and Counties to use a portion of their SHIP funds for rent subsidies for households with special needs, including homelessness. In response to the amended SHIP rules, the LHAP proposes a City and County Partnership to implement a Rental Assistance Program. Those funds will help complement Continuum of Care and other service provider funding in the community. Rental Assistance Programs generally provide financial assistance and service to help quickly rehouse and stabilize homeless individuals and families. The LHAP also proposes other relatively minor changes to some of the City's housing programs.

Fiscal Note: An estimated annual SHIP Program allocation of \$815,270 is anticipated for FY2017-2018, FY2018-2019 and FY 2019-2020 , as appropriated by the State of Florida.

RECOMMENDATION

The City Commission: 1) Adopt the resolution approving the State Housing Initiatives Partnership Program Local Housing Assistance Plan for State Fiscal Years 2017/2018, 2018/2019 and 2019/2020; 2) authorize the submission of the 2017-2020 Local Housing Assistance Plan to the Florida Housing Finance Corporation; 3) authorize the Mayor to execute the Interlocal Agreement Between the City of Gainesville and Alachua County for the Rental Assistance Program, subject to review by the City Attorney as to form and legality; and 4) authorize the Mayor and/or City Manager or designee to execute all necessary documents related to the 2017-2020 Local Housing Assistance Plan, subject to review by the City Attorney as to form and legality.

[160874A LHAP 2017-2020 Presentation 20170406.pdf](#)

[160874B LHAP 2017-2020 RESOLUTION 20170406.pdf](#)

[160874C LHAP Final-1 with Exhibits 20170406.pdf](#)

[160874D DRAFT Interlocal Agreement- Rental Assistance Program 20170406](#)

[160891.](#)

**Amendment to State Housing Initiatives Partnership (SHIP)
Program Local Housing Assistance Plan-State Fiscal Year 2016/2017
(B)**

This item requests City Commission approval to fund a Rental

Assistance Program for City residents who are homeless or have special needs; and to amend the City's SHIP Local Housing Assistance Plan covering State Fiscal Year 2016/2017.

Explanation: Since 1992, the City of Gainesville has participated in the SHIP Program, which provides Florida Cities and Counties with funds to implement programs to promote and preserve affordable housing and homeownership. State law requires Cities to adopt a Local Housing Assistance Plan (LHAP) to receive SHIP funds. The LHAP describes program activities and management plans for the utilization of funds through public/private partnerships which expand the production and preservation of affordable housing within the city limits of the City of Gainesville. The LHAP addresses several affordable housing needs in the community, including homeownership, housing rehabilitation, new construction, downpayment assistance, mortgage foreclosure intervention, and rental housing. The goal of the plan is to provide affordable housing opportunities for income eligible residents within the incorporated areas of the City.

Recently, the State Legislature amended SHIP rules to allow Cities and Counties to use a portion of their SHIP funds for rent subsidies for households with special needs, including homelessness. In response to the amended SHIP rules, City and County Housing staffs propose amending their LHAPs to implement a joint Rental Assistance Program. Those funds will help complement Continuum of Care and other service provider funding in the community. The Rental Assistance Program provides funding to pay rental security and utility deposits, as well as ongoing monthly rent subsidies on behalf of eligible very low-income persons and/or households within the city limits of the City of Gainesville.

Fiscal Note: The proposed LHAP Amendment allows the City to reallocate up to \$100,000 for rental assistance and \$20,000 for a Case Manager, for a total of \$120,000, of the City's SHIP funds to a new Rental Assistance Program. The program would be jointly funded and operated by the Alachua County Community Support Services Department.

RECOMMENDATION

The City Commission: 1) Adopt the resolution approving the Amendment to the City's State Housing Initiatives Partnership Program Local Housing Assistance Plan for State Fiscal Year 2016/2017; 2) authorize the submission of the amendment to the 2014-2017 Local Housing Assistance Plan to the Florida Housing Finance Corporation; 3) authorize the Mayor to execute the Interlocal Agreement Between the City of Gainesville and Alachua County for the Rental Assistance Program; and 4) authorize the Mayor and/or City Manager or designee to execute all necessary documents related to the amendment to the 2014-2017 Local Housing Assistance Plan, subject to review by the City Attorney as to form

and legality.

[160891A_DRAFT Interlocal Agreement- Rental Assistance Program 20170406](#)

[160891B_City of Gainesville Amendment LHAP 2014-2016 20170406.pdf](#)

[160891C_Resolution Gainesville LHAP 2014-2016 Amendment 20170406.pdf](#)

[160908.](#)

Resolution Adopting the ICMA Retirement Corporation Governmental Profit Sharing Plan and Trust for the benefit of the eligible employees and their beneficiaries (B)

This item involves approving the Resolution necessary to establish the Share Plan 401 option.

Explanation: The City of Gainesville and the Police members of the Consolidated Police Officers and Firefighters Retirement Plan (Consolidated Plan) agreed to establish a Share Plan as allowed by Chapter 185 of the Florida Statutes. The Share Plan allows members, upon vesting in the Consolidated Plan, a one-time irrevocable election to have their accumulated balance and all future annual contributions (if any) deposited into a self-directed investment account. After researching the various options, it was determined that a 401 Profit Sharing Plan was the best vehicle to achieve that option. The Governmental Profit Sharing Plan has to be adopted by the Plan Sponsor, the City of Gainesville. This resolution will both establish and adopt the plan necessary to allow eligible members to make their irrevocable election.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager or his designee to execute the Adoption Agreement and Administrative Services Agreement subject to approval of the City Attorney as to form and legality.

[160908A_Resolution 20170406.pdf](#)

[160908B_ICMARC Adoption agreement Police Share Plan 20170406.pdf](#)

[160908C_2016 Gov Money Purchase Plan Trust 20170406.pdf](#)

[160914.](#)

Amendatory Resolution to Amend the FY 17 Annual Audit Plan (B)

Explanation: The purpose of this amendment is to reflect and incorporate into Exhibit A of the City Auditor's 2017 Annual Audit Plan adjustments that were not anticipated under Resolution 160294. These adjustments are based on the following considerations: 1) An evaluation of the proposed Asset Purchase Agreement with GREC recently discussed by the City Commission and citizens revealed the proposed purchase amount is so significant, and the transaction of such a strategic nature, that more attention is required to evaluate this proposal. 2) The recently began audit of the Human Resources Hiring Cycle coincided with the arrival of

a new HR Director who is changing many processes related to the hiring cycle, thus making an audit of the in-place processes useless. 3) Additional hours are needed for hotline services.

RECOMMENDATION

The City Auditor recommends that the City Commission adopt the proposed resolution.

[160914A Resolution with Amended Exhibit A 20170406.pdf](#)

[160914B Exhibit A - Amendment Details 20170406.pdf](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[160798.](#)

EXTENSION OF MORATORIUM ON CONSTRUCTION OF WIRELESS COMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY (B)

Ordinance No. 160798

An ordinance of the City of Gainesville, Florida, readopting and ratifying Ordinance No. 160401, and extending time period of the temporary moratorium to prohibit the filing, acceptance or processing of any permit, development order, or any other official action of the City having the effect of permitting or allowing the construction of wireless communication facilities in the public right-of-way within the city limits; providing a severability clause; providing repealing clauses; and providing an effective date.

Explanation: Ordinance No. 160401 was adopted by the City Commission on October 20, 2016, imposing a temporary moratorium on construction of wireless communication facilities in the public right-of-way. The current time period ends on April 6, 2017. Subsequent to the adoption of the moratorium, both the Federal Communication Commission and the Florida State Legislature are considering proposed regulations which could affect the City's ability to regulate wireless telecommunication facilities in the rights-of-way. The City is engaged in both the FCC Public Notice proceeding and the proposed bills filed in the Florida Legislature. In addition, the City staff is considering appropriate regulations of such facilities in the public rights-of-way, which would take into consideration the concerns of the City's residents and businesses, GRU and GRUCom, as well as the wireless industry. The extended time period will end on October 7, 2017, or sooner if the City adopts the necessary implementing ordinances.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective April 6,

2017.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

3/16/17 City Commission Adopted on First Reading (Ordinance)

[160798A draft ordinance 20170316.pdf](#)

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