

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**May 3, 2018**

**1:00 PM**

**MODIFIED AGENDA**

**City Hall Auditorium**

## **City Commission**

***Mayor Lauren Poe (At Large)***

***Mayor-Commissioner Pro Tem Harvey Budd (At Large)***

***Commissioner Helen Warren (At Large)***

***Commissioner Charles Goston (District 1)***

***Commissioner Harvey Ward (District 2)***

***Commissioner David Arreola (District 3)***

***Commissioner Adrian Hayes-Santos (District 4)***

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

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

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

**ROLL CALL****INVOCATION**

Prophet George Young

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

[171044.](#)

**City Commission Minutes (B)****RECOMMENDATION**

*The City Commission approve the minutes of April 19, 2018.*

[171044 2018April19Minutes 0503.pdf](#)

[171045.](#)

**Resignation of Jasmine Haddaway from the Gainesville Human Rights Board and Christopher Cleary from the Pension Review Committee (B)****RECOMMENDATION**

*The City Commission accepts the resignation of Jasmine Haddaway and Christopher Cleary, effective immediately.*

[171045 Resignation Jasmine Haddaway 20180503.pdf](#)

[170195.](#)

**General Leave Policies/Paid Parental Leave (B)**

**This is a request to amend the following policies in regards to the City of Gainesville's Leave System: L-2 General Leave Policies, including**

**Paid Parental Leave; L-3 Paid Time Off Leave System; and L-5 Leave of Absence with or Without Pay. (B)**

*Explanation: In its November 2, 2017 regular meeting, the City Commission adopted a Paid Parental Leave policy and changes to related leave policies, to provide certain amounts of paid leave for the birth and care of the newborn child of an employee, as well as for the placement of a child for adoption or foster care with the employee, within twelve (12) months following the birth or placement. In administering the Paid Parental Leave benefit, staff identified several points warranting clarification.*

*Human Resources Policy L-2: General Leave Policies is amended to clarify that it must be the employee's own child, own adopted child, or own placed foster child. This policy is further amended to require that the leave be taken immediately after the event that creates the opportunity for leave, to limit the leave to not more than twelve weeks per calendar year, to limit such leave to no more than thirty-six weeks during the entire time a eligible employee is employed by the City, and to provide that employees may be required to furnish documentation sufficient to verify the covered event.*

*Human Resources Policy L-3: Paid Time Off Leave System is amended to eliminate extraneous language.*

*Human Resources Policy L-5: Leave of Absence With or Without Pay is amended to eliminate language that is inconsistent with the general practice of permitting utilization of paid leave until exhausted, or until other action is taken by management in connection with long term absences. In addition, this policy is amended to ensure consistency in verbiage used in both the Paid Time Off Leave System and Designated Leave System sections of that portion of the policy that specifies how available paid leave is applied to an FMLA qualifying absence.*

*Fiscal Note: Fiscal impact is dependent upon factors such as number of births per fiscal year, employee salary, and combined leave for a child's parents if both are employed by the City.*

**RECOMMENDATION**

*The City Commission to approve revisions to Human Resources Policies L-2: General Leave Policies, including Paid Parental Leave; L-3: Paid Time Off Leave System; and L-5: Leave of Absence With or Without Pay.*

**Legislative History**

7/6/17	City Commission	Referred to the General Policy Committee
7/27/17	General Policy Committee	Heard
11/2/17	City Commission	Approved as Recommended

[Paid Parental Leave2.pdf](#)

[170195A\\_L-2 General Leave Policies \(Paid Parental Leave\)\\_20171102.pdf](#)

[170195B\\_L-3 Paid Time Off Leave System\\_20171102.pdf](#)

[170195C\\_L5 Leave of absence with or without pay\\_20171102.pdf](#)

[170195D\\_Policy Update Matrix\\_20171102.pdf](#)

[170195A\\_L-2 General Leave Policies - Paid Parental Leave\\_20180503.pdf](#)

[170195B\\_L-3 Paid Time Off Leave System\\_20180503.pdf](#)

[170195C\\_L5 Leave of absence with or without pay\\_20180503.pdf](#)

[170956.](#)

**Bid Award - Norton Trail Construction (NW 39th Ave to NW 45th Ave)  
(B)**

**This item is a request for the City Commission to authorize the bid award to O'Steen Brothers, Inc. for the Norton Trail Construction (NW 39th Ave to NW 45th Ave) Project.**

*Explanation: On March 7, 2018 the Purchasing Division solicited bids for the Norton Trail Construction (NW 39th Ave to NW 45th Ave) Project. A non-mandatory pre-bid conference was held on February 19, 2018 at 3:30 PM at City Hall. All bids were due at 3:00 p.m. on March 7, 2018. A total of seven (7) bids were received.*

*The Public Works Department recommends awarding this contract to O'Steen Brothers, Inc. in the amount of \$354,728.25.*

*Fiscal Note: The construction of this project is funded by the Florida Department of Transportation through the Local Agency Program.*

**RECOMMENDATION**

*The City Commission: 1) award the bid to O'Steen Brothers, Inc. for the construction of the Norton Trail Construction (NW 39th Ave to NW 45th Ave) Project; and 2) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.*

[170956A\\_O'Steen Bid\\_20180419.pdf](#)

[170956B\\_Required Form Checklist\\_20180419.pdf](#)

[170956C\\_Bid Tab\\_20180419.pdf](#)

[170956D\\_Norton Trail Construction-Dept Award Recommendation form\\_20180419.pdf](#)

[170956E\\_Bid Tab and Received Bids\\_20180419.pdf](#)

[170956F\\_C9J69 TWO 19 Executed\\_20180419.pdf](#)

[170956G\\_Norton\\_Trail\\_Construction\\_ITB\\_PWDA-180056-DH\\_20180419.pdf](#)

[170958.](#)**Disproportionate Minority Contact (DMC) Cost Reimbursement Grant from the Department of Juvenile Justice (B)**

*Explanation:* The City of Gainesville, Gainesville Police Department shall operate a prevention program known as Heroes Program (Provider). The Provider shall ensure the services address the issue of overrepresentation of minority youth in Florida's juvenile justice system by focusing on the issue of DMC. The Provider shall focus on the issue of DMC by delivering Mentoring Services, DMC Youth Focus Groups, and DMC Educational Field Trips. The Heroes Program meets the targeted needs of fifty youth by providing effective prevention programming to prevent juvenile delinquency. The Provider shall provide services to youth who are identified as at-risk of becoming involved in the juvenile justice system and are between the ages of five to seventeen.

**Major Goal of the Program/Service**

The goal of these prevention services is to divert youth who pose no real threat to public safety away from the juvenile justice system through programming which will support a safe environment and provide youth and their families' positive alternatives for delinquent behavior.

**Services to be Provided**

*Service Tasks:* The Provider shall perform the following service tasks as specified when providing service under this Contract. The Provider shall document the service tasks that have been completed or are being accomplished:

1. *Screening and Evaluation:* The Provider shall provide a pre-test and post-test survey to each youth admitted to the program.
2. *Transportation Services:* The Provider shall provide or arrange for the provision of transportation for program-related purposes, when necessary and appropriate. Program-related purposes shall include, but are not limited to: a) Community volunteer and service learning project; and b) Youth development or educational activities.
3. *Mentoring Sessions:* The Provider shall provide a program, designed for youth, with specific themes addressing topics such as positive image of law enforcement, decision making, identifying positive role models, and self-esteem.
4. *DMC Youth Focus Groups:* The Provider shall conduct focus groups with minority youth in the communities that they serve. The goal of these focus groups is to improve the relationship between law enforcement officers and the minority youth they may come in contact with, and build a mutual respect between the two groups.
5. *DMC Educational Field Trips:* The Provider shall provide a safe environment, encouraging law enforcement and youth to build bridges through positive bonding activities, demonstrations, instruction and training, and educational field trips.

*Fiscal Note:* This is a \$42,250 reimbursement grant from the Department of Juvenile Justice to the Gainesville Police Department. The Gainesville Police Department will be reimbursed the full \$42,250.

**RECOMMENDATION**

*The City Commission: 1) approve the Gainesville Police Department's participation in the Disproportionate Minority Contact Cost Re-imbursement Grant from the Department of Juvenile Justice; and 2) authorize the City Manager to execute the contract documents, subject to approval by the City Attorney as to form and legality.*

[170958A\\_DJJ and GPD Grant Contract\\_20180419.pdf](#)

[170958B\\_Application for Assistance\\_20180419](#)

**170985.****Purchase from Motorola Solutions, Inc. for Two-Way Radios for Regional Transit System (B)**

*Explanation: The City of Gainesville's public safety and public services agencies have utilized a trunked radio system operated by the Communications Division of Gainesville Regional Utilities for day-to-day operability and event based interoperability since 1999. The backbone of this system is comprised of Motorola equipment. All departments requiring two-way radios, both portable and mobile, must utilize Motorola radio equipment to ensure local inter-agency interoperability during emergencies.*

*RTS currently has one hundred and seventy-eight (178) of these radios deployed of which fifty-five (55) are no longer supported by the manufacturer due to age and obsolescence. RTS started buying P25 compliant two-way radios starting in 2015 with all new bus orders. In addition, the radio upgrades were included in the Plan of Projects for 2016 and 2017 Section 5307 Federal Grant applications.*

*RTS obtained pricing for the second phase of a two-phase project and desires to replace fifty-five (55) two-way radios. For compatibility purposes, RTS seeks approval to purchase fifty-five radios from Motorola Solutions Inc. (the specified source for this equipment). This will ensure that the new radios will be compatible and function with the existing equipment and software utilized to manage the trunked radio system.*

*Fiscal Note: Funds in the amount of \$267,000 have been provided by federal grants and are available in the RTS budget.*

**RECOMMENDATION**

*The City Commission authorize the purchase with Motorola Solutions, Inc. for fifty-five (55) P25 compliant two-way radios for the Regional Transit System, subject to approval by the City Attorney as to form and legality.*

[170985A\\_Motorola Proposal\\_20180503.pdf](#)

[170985B\\_MOSS\\_20180503.pdf](#)

[170987.](#)**Regional Transit System (RTS) Summer 2018 Transit Service Changes (B)**

**This is a request for the City Commission to approve the proposed RTS Summer 2018 Service Changes.**

*Explanation:* RTS makes transit service changes three times a year. These changes coincide with the semester schedules for the University of Florida (UF) and Santa Fe College (SF). The following proposed service changes reflect the routine decrease in service levels that accompany the summer period and have been approved by both UF and SF respective to the routes they fund. RTS presented these changes for feedback at an advertised public meeting on April 25, 2018 that was jointly held at the same time as the RTS Citizens Advisory Board (CAB). See back-up for the presentation that was presented.

*Fiscal Note:* In fiscal year 17-18, the City of Gainesville will receive approximately \$13 million from UF and \$1 million from SF for RTS services.

**RECOMMENDATION**

The City Commission approve the proposed summer 2018 service changes effective May 7, 2018.

[170987A RTS Proposed Summer Changes 20180503.pdf](#)

[170987B RTS Proposed Summer Changes 20180503.pdf](#)

[171006.](#)**Voluntary Annexation Petition for Property Owned by Richard G. Moore (B)**

**This is the submission of a petition for voluntary annexation of tax parcel 07240-026-000 which is owned by Richard G. Moore. The property is located at 5200 SW 41st Boulevard Gainesville, FL 32608.**

*Explanation:* Richard G. Moore has submitted a petition to the City of Gainesville for voluntary annexation. The property is tax parcel 07240-026-000, located at 5200 SW 41st Boulevard. The property is located west of Interstate 75 and generally north of and adjacent to the City limits near tax parcel 07240-054-000, and generally south of 5006 and 5008 SW 41st Boulevard, which lie generally south of the WCA Waste Corporation garbage collection facility. Staff has determined that the petition bears the signature of the property owner. This annexation will require the adoption of an urban services report by ordinance, and the adoption of an annexation ordinance.

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

requirements of the Act and is appropriate for annexation.

*Fiscal Note:* The fiscal impacts of this annexation will be addressed in the urban services report.

**RECOMMENDATION**

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owner; 2) direct the City Manager to analyze the area, and produce an Urban Services Report; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the adoption of an urban services report and annexation of the area.

[171006 Moore Annexation Application 20180503](#)

[171051.](#)

**Application to the Florida Department of Economic Opportunity (DEO) Community Planning Technical Assistance Grant Program (B)**

**This is a request to apply for the Community Planning Technical Assistance Grant through the Florida DEO.**

**MODIFICATION - MOVED TO REGULAR AGENDA AND CHANGED TEXT FILE LANGUAGE**

*Explanation:* With direction from both the City and County Commissions, an interdisciplinary team of City and County staff members have been working on a draft Joint Planning Agreement (JPA) framework to present to both Commissions at a joint meeting in May. The JPA is intended in part to provide a more coordinated approach to planning and funding transportation projects that provide a benefit to both governments. Currently, the City and the County administer separate transportation mobility programs in order to meet the mobility needs within each respective jurisdiction.

As part of the JPA discussions, the team has identified the need for a more seamless approach to addressing mobility needs within the areas that straddle the current city/county boundary. To achieve this, the team will be recommending conducting a jointly commissioned study to update and integrate both jurisdictions' mobility plans within the JPA area. Outside of the JPA boundaries, each jurisdiction would continue to independently administer their separate programs. The timing of the study to support the JPA also coincides with the required update of each jurisdictions' mobility plans.

Preliminary estimates of hiring a consultant to conduct a joint Mobility Plan study range from \$75,000 - \$100,000. In order to help offset the study cost, both the City and the County plan to jointly apply for a Community Planning Technical Assistance Grant through the Florida Department of Economic Opportunity (DEO).



DEO's Bureau of Community Planning and Growth is currently soliciting technical assistance grant requests for state fiscal year (FY) 2018-2019. The grants provide communities the opportunity to develop innovative planning and development strategies to promote a diverse economy, vibrant rural and suburban areas and meet the requirements of the Community Planning Act, while protecting environmentally sensitive areas.

Community Planning Technical Assistance Grants are for one fiscal year and are awarded on a reimbursement basis. Deliverables identified in a grant agreement must be approved by the Bureau before money is disbursed to the grantee. Typical awards range from \$25,000 - \$40,000. Additional funding for the study costs would need to be identified if both the City and County Commissions approve the JPA proposal.

*Fiscal Note:* The grant is provided on a reimbursement basis. If awarded, the grant would not cover the full cost of a Mobility Plan study.

**RECOMMENDATION**

The City Commission to authorize staff 1) not move forward with the application of the grant; 2) place on the General Policy Committee Referral List; and 3) update the JPA

[171051A Community Planning Technical Assistance Grant 20180503.pdf](#)

[170984.](#)

**GRU Operational Update for March 2018 (B)**

**RECOMMENDATION**

Accept a report of GRU's operational statistics for the month of March 2018.

[170984 Ops Update March 2018 - All Depts 20180503](#)

[171059.](#)

**Charter Officer Performance Reviews (NB)**

*Explanation:* On April 4th, the City Attorney on behalf of the Charter Officers sent an email informing the City Commission that by April 30, 2018, each of the Charter Officers who served during the FY2017 period (the General Manager for Utilities, the City Manager, the City Auditor and the City Attorney) would submit their performance report for the FY2017 period to each Commissioner for his/her review. If they desired, each Commissioner met with individual Charter Officers to provide feedback on their performance. As MAP (Management, Administrative and Professional) employees in the organization received a \$1590 cost of living adjustment for FY 2017 in lieu of any merit-based pay increases, the General Manager for Utilities, the City Manager, the City Auditor and the City Attorney propose that the Commission authorize that same cost of living adjustment in lieu of any merit-based pay increase. In addition, the Charter Officers will include the topic of annual Charter Officer performance reviews in our upcoming policy/legislative process

*discussions with the Commission, as we believe it would be beneficial to establish a timeline and process to guide future Charter Officer performance reviews, just as we have for other employees in the organization.*

*Fiscal Note: Providing the cost of living adjustment to the 4 Charter Officers who served during FY2017 has a fiscal impact of \$6,360; funds for this adjustment are available in the current year budget.*

**RECOMMENDATION**

*Direct the Human Resources Department to process a \$1590 cost of living adjustment, in lieu of any merit-based pay increase for FY2017 performance, for the General Manager for Utilities, the City Manager, the City Auditor and the City Attorney.*

[171067.](#)

**Appointment to the Gainesville Housing Authority (NB)**

**RECOMMENDATION**

*The City Commission appoint Cynthia Moore Chestnut to the Gainesville Housing Authority for a term to expire 8/1/2019.*

**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.**

[171046.](#)

**Appointment to the Utility Advisory Board (B)**

*MODIFICATION - REMOVE ITEM*

**RECOMMENDATION**

*The City Commission interview and appoint members to the Utility Advisory Board.*

[171046\\_Appointment to UAB\\_20180503.pdf](#)

[171052.](#)

**July 5, 2018 City Commission Meeting (NB)**

**RECOMMENDATION**

*The City Commission cancel the regular City Commission meeting on July 5, 2018.*

**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.

[171008.](#)

**Commencement of the 2017-2018 University of Florida-City of Gainesville Fellowship Program (B)**

**This item requests the City Commission receive an update on the organizational impact of the inaugural UF-City Fellowship Program and to recognize its commencement. \*\*STAFF PRESENTATION 15 MINUTES\*\***

*Explanation: On December 15, 2016, the City Commission adopted the strategic plan framework, a lasting blueprint to guide us towards our best Gainesville, a New American City.*

*Since February 2017, we have been building systems and creating capacity to help support how we answer the framework's four guiding questions. We strive to envision and plan creative new ways to solve problems, link volunteers to local issues, and embed local talent into city operations as part of the framework's Civic Innovation system.*

*A vital partner in the development of the city's inaugural Fellowship Program has been the Bob Graham Center at the University of Florida. Together, we created a model for selecting a team of talent in the areas of Engagement, Digital Services, Research and Prototyping, and Visual Design and utilizing the cohort as a resource across the organization.*

*The inaugural team began in August 2017 and consisted of Logan Leonard representing the College of Liberal Arts and Sciences, Heather Ryan of Agricultural and Life Sciences, Mateo Van Thienen of Design, Construction and Planning, and Kassidy Wallace of the College of the Arts.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission to hear a presentation.*

[171008\\_Fellows Commencement Presentation\\_20180503.pdf](#)

**4:30 - 5:30pm Dinner Break**

**5:30 - Call to order Evening Session**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[171047.](#)

**Economic Development Week (B)**

**RECOMMENDATION**

*Recommendation - Economic Development and Innovation Director Erik Bredfeldt to accept the proclamation.*

[171047 Economic Development Week 20180503.pdf](#)

[171048.](#)

**International Internal Audit Awareness Month (B)**

**RECOMMENDATION**

*Joe Cannella, President of the North Central Florida Chapter of the IIA to accept the proclamation.*

[171048 International Internal Audit Awareness Month .pdf](#)

[171049.](#)

**Taiwanese American Heritage Week (B)**

**RECOMMENDATION**

*Ms. Ching-Jung Ginger Lin representing Formosa Association for Student Cultural Ambassadors and Mr. Jackson Liao representing Formosan Association for Public Affairs to accept the proclamation.*

[171049 Taiwanese American Heritage Week 2018 20180503.pdf](#)

[171068.](#)

**Municipal Clerks Week (B)**

**RECOMMENDATION**

*Clerk of the Commission Omi Gainey to accept the proclamation.*

[171068 Municipal Clerks Week 20180503.pdf](#)

[171080.](#)

**National Drinking Water Week (B)**

*MODIFICATION - ADDED ITEM***RECOMMENDATION**

*UF Marketing Specialist, Melissa Hamilton to accept the proclamation.*

[171080\\_MOD\\_Drinking Water Week\\_20180503.pdf](#)

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

**PUBLIC HEARINGS****RESOLUTIONS - ROLL CALL REQUIRED**

[171015.](#)

**Resolution - Temporary Construction Easement to the State of Florida Department of Transportation (B)**

**This item is a request to adopt a Resolution approving and authorizing the execution of a Temporary Construction Easement to the State of Florida Department of Transportation (FDOT)**

*Explanation: The State of Florida Department of Transportation (FDOT) currently has a resurfacing project on-going for Southwest Archer Road. In the vicinity of Southwest 40th Boulevard and its crossing of Archer Road, FDOT is requiring a Temporary Construction Easement to renew the connection of Southwest 40th Boulevard at the north and south sides of Archer Road. The FDOT also requires a Resolution authorizing the grant of the easement.*

*Fiscal Note: There is no fiscal impact with this request.*

**RECOMMENDATION**

*The City Commission: 1) adopt a Resolution approving the grant of a Temporary Construction Easement onto the State of Florida Department of Transportation and; 2) authorize the Mayor to execute the easement, subject to the approval of the City Attorney as to form and legality.*

[171015A\\_Owners Map\\_20180503.pdf](#)

[171015B\\_Parcel Info Sheet\\_20180503.PDF](#)

[171015C\\_Resolution\\_20180503.PDF](#)

[171015D\\_Temp Easement\\_20180503.pdf](#)

[170986.](#)

**Public Hearing and Resolution for the Regional Transit System (RTS) Program of Projects (POP) FY 2018 (B)**

**This item is a request to accept comments at a Public Hearing on the Regional Transit System Program of Projects (POP) FY 2018, and adopt a Resolution authorizing the filing of grant applications with the Federal Transit Administration and Florida Department of Transportation.**

*Explanation:* In order to remain eligible for federal and state funding, the Regional Transit System (RTS) is required annually to submit a Program of Projects (POP) to the Federal Transit Administration and a budget application for capital and operating projects to the Florida Department of Transportation. The application processes require notice to the public to provide opportunity for comment and input. The POP was presented to the RTS Advisory Board on April 25, 2018, and was published in the Gainesville Guardian on April 26, 2018 and in the Gainesville Sun on May 2, 2018. Citizens will also be able to comment at a public hearing during the City Commission meeting. RTS ensures that the final POP incorporates modifications based on input during the public comment opportunities.

*Fiscal Note:* The revenue for the Program of Projects of \$40,293,521 is included in the Transportation Improvement Program approved by the Metropolitan Transportation Planning Organization.

**RECOMMENDATION**

The City Commission: 1) accept comments at a Public Hearing on the Regional Transit System Program of Projects for FY 2018; and 2) adopt the Resolution authorizing the Regional Transit System to file grant applications with the Federal Transit Administration and Florida Department of Transportation as outlined in the Program of Projects for FY 2018.

[170986A Draft Resolution 20180503.pdf](#)

[170986B FY18 DRAFT POP 20180503.pdf](#)

[170998.](#)

**Rescind the Development of Regional Impact (DRI) order for the Oaks Mall (B)**

*Explanation:* The proposed resolution will rescind the existing Development of Regional Impact (DRI) order for the Oaks Mall originally issued by Alachua County in 1975. Rescinding the DRI order will mean that future redevelopment of the Oaks Mall will be subject to the City of Gainesville's Land Development Code. The current DRI order limits the total development area to the approximate size of the existing mall building.

Last year, the owner of the Oaks Mall met with the Department of Doing and requested the City consider rescinding the DRI in order to facilitate

future redevelopment opportunities. Subsequent to this meeting, the Department has been approached by several groups interested in developing new infill residential and office buildings on the mall property. New residential and office space would create a greater diversity of uses on the mall property and facilitate redevelopment, increase job opportunities, and contribute to more efficient land-use pattern.

Subsequent to the issuance of the DRI order, the Florida Legislature amended Section 380.06, Florida Statutes, to designate certain areas, including the entire City of Gainesville, as Dense Urban Land Areas (DULAs) that are exempt from the DRI requirements in Section 380.06, Florida Statutes. State law was further amended in 2018 to effectively end state involvement in DRI review thereby allowing local governments the ability to amend or rescind DRIs through local action.

*Fiscal Note:* None.

**RECOMMENDATION**

Staff to City Commission - Approve the proposed resolution.

[170998A Oaks Mall Resolution 20180503.pdf](#)

[171065.](#)

**A Resolution Initiating the Conflict Resolution Act (B)**

Resolution No. 171065

A Resolution of the City Commission of the City of Gainesville, Florida, initiating conflict resolution procedures per Section 164.101, Florida Statutes, the "Florida Governmental Conflict Resolution Act", pertaining to a conflict between the City of Gainesville; Alachua County, Florida; and the Sheriff of Alachua County, Florida; and providing an immediate effective date.

*Explanation:* In October 2006, the City and the County entered into a Fire Services Assistance Agreement (the "FSAA") effective October 1, 2006 and remaining in effect until terminated as provided therein. Under the FSAA, the City and the County agreed to provide automatic fire services aid to each other through the response of the closest available unit irrespective of jurisdictional boundary. The FSAA provided for reimbursement to the local government providing assistance within the jurisdiction of the other local government.

Historically, dispatch of the closest unit has resulted in the City responding to more calls in the County than the County does in the City. Consequently, the County has paid more reimbursement to the City each year, than the City has paid to the County. In December 2015, the County and City agreed to temporarily suspend reimbursement payments under the FSAA through September 30, 2017. The reimbursement payments were to recommence on October 1, 2017. In May 2017, the County notified the City that it intended to terminate the

*FSAA effective June 1, 2018.*

*Because fire service calls are dispatched by the Combined Communication Center (the "CCC") (which is operated by the Sheriff) pursuant to an Interlocal Agreement between the Sheriff, the City, and the County, the City put the CCC on notice that as a result of the County's termination of the FSAA, commencing on June 1, 2018, the CCC should dispatch fire service calls by jurisdiction meaning County Fire Rescue will be dispatched for calls in the County and Gainesville Fire Rescue will be dispatched for calls in the City.*

*The Sheriff (and her staff) made a presentation to the City Commission at its meeting on April 5th, at which the Sheriff informed the City Commission that she would continue to direct the CCC to dispatch the quickest response unit (as if the FSAA still existed) after June 1. This will result in City fire units being dispatched to fire calls in the County without the County compensating the City for the costs of such service.*

*A portion of the City's fire service costs are funded through the imposition of a Fire Services Special Assessment. The Fire Services Special Assessment requires that the cost of providing such service be fairly and reasonably apportioned among the properties that receive the benefit of the fire service. The City cannot expend funds received through the fire special assessment to provide services on properties in the County that do not pay the City assessment.*

*As June 1, 2018 is quickly approaching with no resolution to this issue, the City, by passage of this Resolution is stating its intent to initiate the Florida Governmental Conflict Resolution process as set forth in Chapter 164, Florida Statutes, to attempt to resolve the conflict. Within 5 days of passage of this Resolution, a letter and certified copy of this Resolution will be sent by certified mail to the County Manager and the Chief Administrator of the Sheriffs' Office proposing a date and location for a public meeting between the City Manager, the County Manager and the Chief Administrator of the Sheriffs' Office. If no resolution is reached, a joint public meeting will be held between the City Commission, the County Commission and the Sheriff within 50 days of the receipt of the letter initiating the conflict resolution process. If no resolution is reached at this meeting, the governmental entities participate in a mediation prior to engaging in litigation.*

**RECOMMENDATION**

*The City Commission adopt the proposed resolution.*

[171065\\_draft resolution\\_20180503.pdf](#)

[171069.](#)

**Amendatory Resolution to Amend the FY 18 Annual Audit Plan (B)**

**MODIFICATION - ADDED ITEM**

*Explanation: The purpose of this amendment is to reflect and incorporate into Exhibit*



*A of the City Auditor's 2018 Annual Audit Plan adjustments that were not anticipated under Resolution 170457. The adjustments are based on a referral from the City Commission on April 19, 2018 for the City Auditor to include an audit of the Combined Communications Center on the Annual Audit Plan.*

**RECOMMENDATION**

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

[Resolution 171069 MOD Amended FY 18 AAP 5.03.18.pdf](#)

[171084.](#)

**Resolution Accepting Report of Board of Canvassers - Run-Off Election 2018 (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, run-off election held May 1, 2018; and providing an immediate effective date.

*MODIFICATION - ADDED ITEM*

*Explanation: On May 1, 2018, a city run-off election for the election of Commissioner for the District 1 Seat was held.*

*The Report of the Board of Canvassers for the City of Gainesville showing that Gigi Simmons was elected to the District 1 Seat is adopted by this resolution of the City Commission*

**RECOMMENDATION**

*The City Commission adopt the proposed resolution.*

[171084\\_Resolution Accepting Report of BOC Report - Run-Off Election\\_201805](#)

**ORDINANCES, 1ST READING - ROLL CALL REQUIRED**

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

[170625.](#)

**LAND USE CHANGE - 8.33 ACRES OF PROPERTY LOCATED AT 6224 SW 20TH AVENUE (B)**

Ordinance No. 170625; Petition No. PB-17-112 LUC

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 8.33 acres of property generally located at 6224 SW 20th Avenue, as more specifically described in this ordinance, from Alachua County High-Density Residential to City of Gainesville Residential Low-Density (RL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: STAFF REPORT*

*This ordinance will amend the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 8.33 acres of undeveloped property located at 6224 SW 20th Avenue, which is north of SW 20th Avenue, south of Sugarfoot Oaks subdivision, and east of Sugarlane Subdivision. This property, which is undeveloped and has no paved roads or structures, was voluntarily annexed into the city on November 2, 2017. As a result of annexation, the city must now assign appropriate land use and zoning designations.*

*The property's current land use category is Alachua County High-Density Residential, and this ordinance will change the land use category to City of Gainesville Residential Low-Density (RL). Adoption of the requested RL land use category will encourage development of this property in a diverse urbanized area, will allow low-density development of up to 15 dwelling units per acre, and will allow uses such as single-family developments, single-family attached houses, and small-scale multi-family development.*

*The City Plan Board held a public hearing on January 25, 2018, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.*

**CITY ATTORNEY MEMORANDUM**

*This proposed amendment to the Comprehensive Plan involves a use of 10 acres or fewer and qualifies as a small-scale development amendment. The City Commission may adopt small-scale development amendments with a single public hearing.*

*Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining that the adopted amendment is in compliance with Chapter 163, Florida Statutes. If unchallenged, this amendment shall become effective 31 days after adoption.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

[170625\\_Staff report continue\\_20171205.pdf](#)

[170625\\_Staff Report w Appendices A-D\\_20180125.pdf](#)

[170625A\\_draft ordinance\\_20180503.pdf](#)

[170626.](#)**QUASI-JUDICIAL - REZONING 8.33 ACRES OF PROPERTY  
LOCATED AT 6224 SW 20TH AVENUE (B)**

Ordinance No. 170626; Petition No. PB-17-113 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 8.33 acres of property generally located at 6224 SW 20th Avenue, as more specifically described in this ordinance, from Alachua County Multi-Family Medium-High Density (R-2A) district to City of Gainesville Residential Single/Multi-Family (RMF-5) district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

***Explanation: STAFF REPORT***

*This ordinance rezones approximately 8.33 acres of undeveloped property located at 6224 SW 20th Avenue from Alachua County Multi-Family Medium-High Density (R-2A) district to City of Gainesville Residential Single/Multi-Family (RMF-5) district. The subject property, which is undeveloped with no paved roads or structures, was voluntarily annexed into the city on November 2, 2017. As a result of annexation, the city must now assign appropriate land use and zoning designations.*

*The property is generally located north of SW 20th Avenue, south of Sugarfoot Oaks subdivision, east of Sugarlane subdivision, and is approximately 2,015 feet (.38 miles) west of I-75 and 300 feet north of the Split Rock Conservation Area. The current county zoning of R-2A is a multi-family zoning district that allows 8-14 dwelling units per acre. The proposed City of Gainesville RMF-5 zoning will allow up to 12 dwelling units per acre. Adoption of the RMF-5 zoning will enable future development at a development type and density that is consistent and compatible with the existing and future residential development pattern in the area. With RMF-5 zoning, this parcel's development will be able to provide medium-density multi-family housing in southwest Gainesville in close proximity to I-75, large commercial areas (e.g., Butler Plaza, Celebration Pointe, Oaks Mall), and major employment centers.*

*The City Plan Board held a public hearing on February 22, 2018, where it voted to recommend approval of this rezoning.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires one hearing and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 170625 becomes effective as provided therein.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

[170626 Staff report continue 20171205.pdf](#)  
[170626 Jan-Continuation PB-17-113 ZON 20180125.pdf](#)  
[170626 Staff Report w Appendices A-D 20180222.pdf](#)  
[170626A draft ordinance 20180503.pdf](#)  
[170626B Staff Report w Appendices A-D 20180503.pdf](#)  
[170626C CPB minutes 20180503.pdf](#)  
[170626D Staff PPT 20180503.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

[171038.](#)

**City Commissioner Ceremony - Mayor-Commissioner Pro Tem Harvey Budd (NB)**

**RECOMMENDATION**

*The City Commission hear comments from the Mayor, City Commissioners, the public and Mayor-Commissioner Pro Tem Harvey Budd.*

[171085.](#)

**City Commissioner Ceremony - Commissioner Charles Goston (NB)**

**MODIFICATION - ADDED ITEM**

**RECOMMENDATION**

*The City Commission hear comments from the Mayor, City Commissioners, the public and Commissioner Charles Goston.*

**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**