

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**November 1, 2018**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

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

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

***Commissioner Gail Johnson (At Large)***

***Commissioner Gigi Simmons (District 1)***

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

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

***Mayor-Commissioner Pro Tem 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**[180484.](#)**City Commission Minutes (B)****RECOMMENDATION**

*The City Commission approve the minutes of October 17 and October 18, 2018.*

[180484\\_October 17, 2018 Minutes\\_20181101.pdf](#)

[180484\\_October 18 Minutes\\_20181101.pdf](#)

[180424.](#)**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.*

*For the last several years RTS has been upgrading two-way radios that*

are no longer supported by the manufacturer due to age and obsolescence with new P25 compliant radios. After completing two phases of updates there are thirty three (33) two way radios remaining in the bus fleet to be replaced. 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, 2017 and 2018 Section 5307 Federal Grant applications.

RTS obtained pricing for the final phase of project and desires to replace thirty three (33) two-way radios. For compatibility purposes, RTS seeks approval of the City Commission to approve Motorola Solutions Inc. as the specified source for this purchase. 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 \$150,000 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 thirty three (33) P25 compliant two-way radios for the Regional Transit System, subject to approval by the City Attorney as to form and legality.

[180424A\\_Motorola Proposal\\_20181101.pdf](#)

[180424B\\_MOSS Form\\_20181101.pdf](#)

### 180460.

#### **Acceptance of City Beautification Board Annual Report for FY 18 (B)**

This is a request to have the FY18 Annual Report of the City Beautification Board accepted by the Clerk of the Commission.

*Explanation:* The Municipal Code of the City of Gainesville requires the City Beautification Board to file an Annual Report with the Clerk of the Commission. This report outlines the accomplishments of the Board, expenditures for the year and anticipated expenditures for the coming fiscal year.

*Fiscal Note:* None

**RECOMMENDATION**      The City Commission accepts the FY18 Annual Report of the City Beautification Board.

[180460\\_CBB Annual Report\\_20181101.pdf](#)

## **ADOPTION OF REGULAR AGENDA**

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

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**BUSINESS DISCUSSION ITEMS - GRU and General Government items placed on the agenda by the Charter Officers or moved from Consent.**[180459.](#)**ConnectFree Program Funds for an Affordable Rental Housing Project (B)**

**This item requests the City Commission to consider approving the use of ConnectFree Program funding to assist an Affordable Rental Housing Project.**

*Explanation: On July 21, 2016, the City Commission adopted Resolution #160146 (Resolution) reinstating the ConnectFree Program (Program), which generates revenue from surcharges collected on new water and wastewater connections in the unincorporated part of the GRU service area. The primary purpose of that revenue is to subsidize new extensions and connections throughout the GRU Service Area. Additionally, that resolution identifies several activities that the ConnectFree Program may fund, including, local government contribution to affordable housing development projects leveraged with federal/state Low-Income Housing Tax Credit Programs.*

*The Low-Income Housing Tax Credit Program (LIHTC) provides for-profit and nonprofit organizations with a dollar-for-dollar reduction in federal tax liability in exchange for: 1) the acquisition and substantial rehabilitation; 2) substantial rehabilitation; or 3) new construction of low and very low-income rental housing units. Housing tax credits can be worth millions of dollars; and receiving this funding can assist cities/counties across the State of Florida to develop rental affordable housing in local communities. The use of tax credits subsidizes the cost of developing housing units, thereby producing decent, safe and affordable housing available to low-income households.*

*The Florida Housing Finance Corporation (FHFC) is essentially a department of the State of Florida, and administers the Program. The FHFC awards tax credits to affordable housing projects based on a competitive application system. Part of that system awards points to projects that meet certain criteria as established by the FHFC. Those criteria include affordability, sustainability and serving an identified housing need.*

*On September 6, 2018 the FHFC issued Request For Applications (RFA) 2018-110. In RFA 2018-110, the FHFC identified funding goals for medium sized counties like Alachua County. Those goals include funding a project for elderly residents, funding a project wherein the applicant (developer) is a non-profit organization, funding two projects located in certain mapped areas of the State, and funding two Local Government Area of Opportunity (LGAO) Projects.*

*LGAO Projects are projects where the applicant has demonstrated “a high level of Local Government interest in the project via an increased amount of Local Government contributions . . .” As outlined in RFA 2018-110, those contributions are generally defined as cash loans or grants. Essentially, the LGAO funding goal incentivizes a local government financial commitment. The minimum amount of local funding commitment ranges from \$297,563.00 to \$560,250.00, depending on the project’s rental housing development type.*

*If a local government elects to fund a LGAO Project, RFA 2018-110 requires the local government to choose to fund only one project, regardless of the number of applications the local government may receive from applicants. As such, the City Commission can select and fund only one LGAO Project to apply for housing tax credit funding from the FHFC.*

*The total number of projects funded throughout the State, in medium sized counties, can be impacted by several variables, but is generally six or seven projects each year. For that reason, projects that meet one of the FHFC identified goals, have a much better chance of being funded by the FHFC.*

*On August 26, 2018, the City published a Notice Of Funding Availability announcing that the City would accept applications for financial assistance for the development and/or rehabilitation of affordable rental housing projects. As a result, the City received applications for a total of five rental housing projects. Each of those projects is a LIHTC Project requesting LGAO Funding.*

*On both September 11, 2018 and October 9, 2018, the City’s Affordable Housing Advisory Committee (AHAC) met to discuss, evaluate and rank the projects. Based on those meetings the AHAC ranks the proposed projects in the following order:*

- 1. Deer Creek Senior Housing*
- 2. Madison Pines*
- 3. Arbor Trail 2*
- 4. Andrew Landing*
- 5. Sydney Trace*

*Additionally, the AHAC recommends that the City provide the requested \$463,313.00, LGAO funding to Deer Creek Senior Housing, LLP, in the form of a loan from ConnectFree Funds. AHAC recommends that the terms of the loan be as requested by Deer Creek Senior Housing, LLP. Those terms are a no interest 24-month construction loan, with an automatic conversion to a permanent non-amortizing 15 year loan at 1% interest. The repayment of the funds may be reinvested back to the*

*ConnectFree Program to assist other eligible projects.*

*Applications associated with RFA 2018-110 are due to the FHFC in Tallahassee on December 4, 2018.*

*Fiscal Note: Funds are available in the ConnectFree Program Budget to fund the selected rental housing project.*

**RECOMMENDATION**

*The AHAC recommends that the City Commission: 1) Hear a presentation from the AHAC and staff; 2) Approve funding the Deer Creek Senior Housing Affordable Rental Housing Project in the form of a loan in the amount of \$463,313.00 from the ConnectFree Program; the terms of which shall be a no interest 24-month construction loan, with an automatic conversion to a permanent non-amortizing 15 year loan at 1% interest; and 3) Authorize the City Manager or designee to execute any documents necessary to such funding, subject to City Attorney approval as to form and legality.*

[180459A\\_1Recommendation Memo and Ranking Sheet\\_20181101.pdf](#)

[180459B\\_2ConnectFree Funds for an Affordable Rental Project Intro CC\\_2018](#)

[180459C\\_3Andrew Landing Presentation\\_20181101.pdf](#)

[180459D\\_4Arbor Trail 2 Presentation\\_20181101.pdf](#)

[180459E\\_7Signed ConnectFree Resolution 160146\\_20181101.pdf](#)

[180459F\\_6Madison Pines Presentation\\_20181101.pdf](#)

[180459G\\_5Deer Creek Presentation \(002\)\\_20181101.pdf](#)

[180459H\\_Completed AHAC Ranking Sheets Oct 9 2018\\_2011101](#)

[180389.](#)

**CRA Discussion (B)**

*Explanation: This is a referral from the October 11, General Policy Committee Meeting.*

*Fiscal Note: If the Agreement is approved by the City and the County, the City would prepare an ordinance consistent with the Agreement. After the effective date of the ordinance described in Section 2 of the Agreement, then the City would remit \$3,325,657.89 and the County would remit \$4,291,460.39 to be held in trust for community redevelopment uses and purposes as further described in the ordinance to be drafted. This obligation to remit funding will end on December 31, 2028.*

**RECOMMENDATION**

*1) The City Commission hear a presentation from the GCRA; 2) Authorize City Manager to execute Agreement once approved as to form and legality by the City Attorney; and 3) transmit the Interlocal*

*Agreement to the Alachua County Board of County Commissioners for its consideration.*

Legislative History

10/11/18      General Policy      Approved, as shown above  
                         Committee

[180389A\\_GCRA What's Next II Final OB\\_PPT\\_GPC\\_101118.pdf](#)

[180389B\\_Agreement - CRA consolidation\\_GPC\\_101118.pdf](#)

[180389C\\_Agreement\\_CRA\\_Consolidation\\_CC\\_20181101.pdf](#)

[180471.](#)

**Landlord Permits (ordinance change to 14.5-1) (B)**

**This item is a request for the Commission to consider revisions to the City's Code of Ordinances related to Landlord Permits.**

*Explanation: With the re-write of the Land Development Code the redundancy of ordinances regarding the Landlord permit process were eliminated. Certain aspects of 14.5-1 were unclear as to what zoning designations require a Landlord Permit. In order for the enforcement of the Permit process to be clear and concise these changes to 14.5-1 are recommended.*

*Also included are minor additions to the list of exemptions referring to relatives. The ordinance allows rental without a permit to grandparents but not grandchildren, and nieces and nephews but not aunts and uncles.*

*Fiscal Note: There is no fiscal impact in this change. Only clarification.*

**RECOMMENDATION**

*Code Enforcement recommends the City Commission direct the City Attorney to draft an ordinance revising Chapter 14.5-1 of the City Code of Ordinances as stated in the back-up to this agenda item.*

[180471. ARTICLE I. LANDLORD PERMITS\\_20181101.pdf](#)

[170667.](#)

**Equal Opportunity Director Employment Agreement (B)**

*Explanation: In order to hire an Equal Opportunity Director, the City Commission authorized the Human Resources Department to engage the services of an Executive Search Firm to initiate a search to fill the vacant position. The Mercer Group, Inc. was selected to conduct the search and to present qualified candidates to the Commission for consideration.*

*The Mercer Group presented each Commissioner with the resumes of*

*the top recommended semi-finalist candidates for consideration and during the September 6, 2018 City Commission meeting, the Mercer Group requested the City Commission to select between 3 to 5 finalists to be invited to interview with the Commission, in person, for the full-time Equal Opportunity Director role.*

*Below is an overview of who was recommended by the Mercer Group agency, for the in-person interviews with the Commission:*

*Candidates the agency recommended the Commission interview and consider:*

*Bridget S. Lee*

*Teneeshia Marshall*

*Cheryl Seals Mobley Gonzalez*

*Lisa Matway*

*Gwendolyn Saffo*

*The Commission reviewed those resumes and approved scheduling those candidates for in-person interviews with the Commission. Candidate interviews were conducted by the City Commission on October 16th and 17th.*

*The in-person interviews were held over two days; the schedule included a panel-style interview with the full City Commission, a Community Forum which citizens and Commissioners were invited to, and finally, one-on-one interviews with each Commissioner.*

*Following the interview process, during the October 18th City Commission Meeting, the City Commission selected an Equal Opportunity Director and authorized the Mayor to negotiate a contract with Teneeshia Marshall.*

*Fiscal Note: Salary of \$100,000 to \$150,000 for the Equal Opportunity Director is approved in the FY19 budget.*

**RECOMMENDATION**

*The City Commission approve the employment agreement of Teneeshia Marshall.*

**Legislative History**

1/4/18	City Commission	Approved as Recommended
1/18/18	City Commission	Approved, as shown above
3/1/18	City Commission	Discussed
6/7/18	City Commission	Approved, as shown above
6/21/18	City Commission	Withdrawn
7/9/18	City Commission	Approved, as shown above
7/19/18	City Commission	Approved as Recommended



9/6/18 City Commission Approved, as shown above  
10/17/18 City Commission Discussed  
10/18/18 City Commission Approved, as shown above

[170667-MOD\\_EO Director Executive Search\\_20180104pdf.pdf](#)

[170667\\_MOD\\_Job Description\\_20180118.pdf](#)

[170667C\\_Equal Opportunity Director Job Description\\_20180301.pdf](#)

[170667D\\_EO Director Recruitment Suggested Timeline\\_20180301.pdf](#)

[170667E\\_The Mercer Group Search Firm Contract for HR signature\\_20180301.](#)

[170667A\\_EO Director Recruitment Suggested Timeline Adjusted\\_20180607.pdf](#)

[170667B\\_Semi-finalists for Equal Opportunity Director\\_20180607.pdf](#)

[170667A\\_Group 1 Applicant Resumes\\_20180621.pdf](#)

[170667B\\_Group 2 Applicant Resumes\\_20180621.pdf](#)

[170667A\\_Summary BOOKER\\_20180709.pdf](#)

[170667B\\_Summary JORDAN\\_20180709.pdf](#)

[170667C\\_Summary LEE\\_20180709.pdf](#)

[170667D\\_Summary STEWART\\_20180709.pdf](#)

[170667E\\_Summary NEWSOM\\_20180709.pdf](#)

[NEW\\_170667\\_Equal Opportunity Director City of Gainesville Brochure.pdf](#)

[NEW\\_170667\\_EO Director Selection Timeline & Public Engagement Plan\\_2018](#)

[NEW\\_170667\\_Resumes and Cover Letters\\_Minimally Qualified Applicants\\_Equ](#)

[NEW\\_170667\\_Lisa Matway Resume\\_20181018.pdf](#)

[NEW\\_170667\\_Cheryl Seals Mobley Gonzalez Resume\\_20181018.pdf](#)

[NEW\\_170667\\_Gwendolyn Saffo Resume\\_20181018.pdf](#)

[NEW\\_170667\\_Bridget S Lee Resume\\_20181018.pdf](#)

[NEW\\_170667\\_Teneeshia Marshall Resume\\_20181018.pdf](#)

[NEW\\_170667\\_EO Director Employment Agreement Teneeshia Marshall\\_20181](#)

## **COMMISSION COMMENT**

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

**5:30 - CALL TO ORDER - Evening Session**

## **PLEDGE OF ALLEGIANCE**

**Mr. Bob Gasche**

## **PROCLAMATIONS/SPECIAL RECOGNITIONS**

[180461.](#)**Veterans Day (B)****RECOMMENDATION**      *Mr. Bob Gasche to accept the proclamation.*[180461\\_Veterans Day\\_20181104.pdf](#)[180462.](#)**World Diabetes Day (B)****RECOMMENDATION**      *Mauren Piucco, Assistant Director, UF Diabetes Institute; Lisa Scarton, Assistant Professor, College of Nursing; Clive Wasserfall, Assistant in Pathology and Gina Aulisio, Operation and Engagement Coordinator to accept the proclamation.***GENERAL PUBLIC COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total****RESOLUTIONS - ROLL CALL REQUIRED**[180419.](#)**Resolutions to the Department of Transportation - Newberry Road from NW 44th Street to NW 62nd Terrace (B)****This item involves a request to adopt two (2) Resolutions to grant land rights to the Florida Department of Transportation (FDOT) for an upcoming project located on Newberry Road from NW 44th Street to NW 62nd Terrace .**

*Explanation: The Florida Department of Transportation (FDOT) has an upcoming project that is due for upgrades and renovations to various intersections on Newberry Road from Northwest 44th Street to Northwest 62nd Terrace. The first Resolution is for the conveyance of a fee title interest at Northwest 8th Avenue at a point of the intersection of Northwest 57th Street and running west along the north right-of-way line. The conveyance is for approximately 382 square feet. The conveyance is identified at item 138 on sheet 10 and further portrayed on sheet 18 of the attached maps. The second Resolution is for Temporary Construction Easements at nine (9) intersection locations for the installation of ADA and signal improvements. These improvements are identified in the areas 755 "A" through "I" on the attached maps.*

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

**RECOMMENDATION**      *The City Commission: 1) adopt two Resolutions granting land rights to the Florida Department of Transportation; and 2) authorize the Mayor to*

*execute the Deed and Temporary Easement to the Florida Department of Transportation, subject to the approval of the City Attorney as to form and legality*

[180419A\\_Maps\\_20181101.pdf](#)

[180419B\\_Resolution and Deed\\_20181101.pdf](#)

[180419C\\_Resolution and Construction Easement\\_20181101.pdf](#)

[180458.](#)

**Resolution for Amending the ICMA Retirement Corporation Governmental 457 Plan and Trust for Plan Number 300646 (B)**

**This item requests recommendation and approval the attached Resolution amending the City's 457 Deferred Compensation to allow for a tax preferred withdrawal for insurance premiums for former public safety personnel**

*Explanation: ICMA Retirement Corporation Governmental 457 Plan and Trust for Plan Number 300646 for the benefit of eligible employees and their beneficiaries has an optional provisions election that can be made to allow tax-free distributions up to \$3,000.00 per calendar year for the payment of qualifying insurance premiums for eligible retired public safety officers under the plan. In effect, this will provide a non-taxable source of funds to offset the retirees cost of health insurance. In order to effectuate this amendment the sponsoring employer must approve both the resolution, and execute the Adoption Agreement for the City Plan electing the tax-free distribution.*

*Fiscal Note: There is no fiscal impact to the City of Gainesville.*

**RECOMMENDATION**

1)Approve the Resolution and 2) authorize the City Manager or his designee to execute the necessary plan adoption and restatement amendments necessary to implement this modification subject to the approval of the City Attorney as to form and legality.

[180458A\\_Resoution Adopting 457 Plan Modification\\_110118.pdf](#)

[180458B\\_457 Plan and Trust Optional Election Form\\_110118.pdf](#)

[180464.](#)

**Right-of-Way and Alley Vacate - Plat of FX Miller's Addition (B)**

**This item involves a request for the City Commission to approve a petition to the Planning Department to vacate a portion of Southwest 5th Terrace and a segment of an alley contained in the Plat of FX**

**Miller's Addition.**

*Explanation: FX Miller's Addition of Gainesville was platted in June of 1886 in Plat Book A, page 20 of the Public Records of Alachua County, Florida. Public Works is requesting the vacation of a portion of the alley between Lots 43, 44, 45, 46, 51, 52, 53, and 54, and that portion of Southwest 6th Street (formerly Grove Street), lying south of the alley and north of Southwest 5th Avenue, all contained in FX Miller's Addition. These platted right-of-ways does not serve any particular public service and as with the current policy an overall utility easement will be retained. In exchange for the vacation of the proposed right-of-ways, the adjacent property owner is willing to enter into an Memorandum of Understanding or Maintenance Agreement for the maintenance for landscape in the round-about, the trail, the median located in the center of Southwest 6th Street, and the small park adjacent this property.*

*Public Works will continue to be responsible for the maintenance of the new bridge, utility costs for any irrigation or lighting, and for costs associated with any vandalism or damage (other than damage the City would be liable and responsible due to the normal maintenance activities).*

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

**RECOMMENDATION**

*The City Commission: 1) Authorize the Planning Department to circulate a petition to the Plan Board to process the request right-of-way vacation.*

[180464A A20 Map 20181101.pdf](#)

[180464B Aerial Map 20181101.pdf](#)

[180464C Parcel Map 20181101.pdf](#)

**PUBLIC HEARINGS****ORDINANCES, 2nd READING - ROLL CALL REQUIRED****ORDINANCES, 1ST READING - ROLL CALL REQUIRED****TIME CERTAIN - 6:30PM**

[160769](#)

**Text Change - Amending the Land Development Code Related to Sexual Offender Treatment Facilities (B)**

Ordinance No. 160769

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of

Ordinances) by deleting Social Service Facility and Rehabilitation Center as permitted uses and adding Sexual Offender Treatment Facility and Social Service Treatment Facility as permitted uses in certain zoning districts with associated regulations; by amending Section 30-2.1. Definitions; by amending Section 30-4.12. Permitted Uses within transect zoning districts; by amending Section 30-4.16. Permitted Uses in residential zoning districts; by amending Section 30-4.19. Permitted Uses in mixed-use and nonresidential zoning districts; by amending Section 30-4.23. Permitted Uses in special zoning districts; by amending Article V. Use Standards to provide regulations for Sexual Offender Treatment Facilities and Social Service Treatment Facilities; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation:* **STAFF REPORT**

*On May 19, 2016, the City Commission heard from several citizens from the Oakview Neighborhood regarding concerns about counseling services for sexual offenders locating in their neighborhood near childcare centers. The City Commission referred this issue to the General Policy Committee for discussion and on May 26, 2016, the consensus of the General Policy Committee was to amend the Land Development Code to clarify definitions and to make it clear where sexual offender treatment would be allowed. Subsequent to that, the City Commission held a public hearing on July 6, 2017, and approved the petition associated with this text amendment to the Land Development Code and authorized the drafting of this ordinance.*

*This ordinance will amend the Land Development Code by clarifying definitions, specifically by deleting Social Service Facilities and Rehabilitation Centers as permitted uses and adding Social Service Treatment Facilities and Sexual Offender Treatment Facilities as permitted uses in certain zoning districts with applicable regulations. This ordinance defines Social Service Treatment Facilities as facilities that provide general out-patient professional therapy, counseling, or similar rehabilitative services to individuals or groups related to social disorders, addictions, or similar issues. Sexual Offender Treatment Facilities are defined as facilities that provide any out-patient sexual behavior therapy, counseling, or similar rehabilitative services to individuals or groups that are either registered sexual offenders or registered sexual predators under state law as a result of an offense in which the victim was less than 16 years of age.*

*These uses are both assigned the same zoning districts and both include a spacing requirement to prevent a concentration of these uses in one area - cannot be located closer than 1,320 feet from similar uses. In addition, this ordinance has an additional spacing requirement for Sexual Offender Treatment Facilities, requiring them to be located no closer than 1,000 feet from any school, day care center, or park.*

**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**

6/1/17	City Commission	Continued (Petition)
7/6/17	City Commission	Approved (Petition), as amended
4/5/18	City Commission	Withdrawn
10/4/18	City Commission	Continued

[160769 Staff report and Exhibits 1-4 20170323](#)

[160769 Staff report and Exhibits 1-4 20170427](#)

[160769A Revised Ordinance - Sexual Offender Treatment Centers 20170427](#)

[160769B Kyle Bender PPT 20170427](#)

[160769A Current Petition Proposal 20170706](#)

[160769B Alternative Recommendation 20170706](#)

[160769C Staff report and Exhibits 1-4 20170706](#)

[160769D Revised Ordinance - Sexual Offender Treatment Centers 20170706](#)

[160769E Kyle Bender PPT 20170706](#)

[160769F CPB minutes draft 20170706](#)

[160769G Staff PPT 20170706](#)

[160769H Memo to Mayor and Commission 20170706.pdf](#)

[160769I Exhibit 1 GPD PPT Sex Offense Committed by Sex Offenders 2 20170706.pdf](#)

[160769J Exhibit 2 Staff PPT 20170706.pdf](#)

[160769 legal opinion 20170706.pdf](#)

[160769 Memo - June 29 2017 20170706.pdf](#)

[160769A draft ordinance 20180405.pdf](#)

[160769B Sex Offenses Committed in the City of Gainesville Final.pptx 20181004.pdf](#)

[160769C Staff PPT 20181004.pdf](#)

[160769A draft ordinance 20181004](#)

[160769A draft ordinance 20181101.pdf](#)

[160769C Staff PPT 20181101.pdf](#)

[180111.](#)

**Land Use Change - Finley Woods 118 Acres on SW 62nd Avenue (B)**

Ordinance No. 180111

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 118 acres of property generally

located near the 4500 block of SW 62nd Avenue near SW 43rd Terrace, as more specifically described in this ordinance; providing land development regulations; 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 overlaying the Planned Use District (PUD) land use category on approximately 118 acres of property that is generally located in the 4500 block of SW 62nd Avenue at SW 43rd Terrace. This land use change reflects the existing regulations established while under Alachua County jurisdiction prior to annexations into the city in February 2017 and June 2018.*

*Together, the properties comprise the entire Finley Woods subdivision and include both developed and undeveloped portions of the master planned community. In accordance with Comprehensive Plan Policy 4.4.1 of the Future Land Use Element, the City must facilitate incorporation of annexed property by establishing City land use designations and implementing zoning subsequent to annexation.*

*The City Plan Board held a public hearing on June 28, 2018, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.*

**CITY ATTORNEY MEMORANDUM**

*Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward comments to the City. The City must consider any written comments received during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.*

*Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on*

*this amendment may be issued or commenced before this amendment has become effective.*

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

[180111 Staff Report w Appendices A-B 20180628.pdf](#)

[180111B Staff Report w Appendices A-B 20181101.pdf](#)

[180111C CPB minutes 20181101.pdf](#)

[180111D Staff PPT 20181101.pdf](#)

[180111A draft ordinance 20181101.pdf](#)

[180120.](#)

**Quasi-Judicial - Rezoning Finley Woods 118 Acres on SW 62nd Avenue (B)**

Ordinance No. 180120

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 118 acres of property known as Finley Woods generally located near the 4500 block of SW 62nd Avenue near SW 43rd Terrace, as more specifically described in this ordinance, from Alachua County Planned Development (PD) district to City of Gainesville Planned Development (PD) district; providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: STAFF REPORT*

*This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning approximately 118 acres of property known as Finley Woods, located in the vicinity of the 4500 block of SW 62nd Avenue near SW 43rd Terrace, from Alachua County Planned Development (PD) district to City of Gainesville Planned Development (PD) district. The proposed PD zoning and associated PD layout plan reflects the existing entitlements established while under Alachua County jurisdiction prior to annexations into the city in February 2017 and June 2018. Together, the properties comprise the entire Finley Woods subdivision and include both developed and undeveloped portions of the master planned community. In accordance with Comprehensive Plan Policy 4.4.1 of the Future Land Use Element, the City shall facilitate incorporation of annexed property by establishing city land use designations and implementing zoning subsequent to annexation.*

*The City Plan Board held a public hearing on June 28, 2018, where it voted to recommend approval of this rezoning.*

**CITY ATTORNEY MEMORANDUM**



*This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 180111 becomes effective as provided therein.*

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

[180120\\_Staff Report w Appendices A-B\\_20180628.pdf](#)

[180120B\\_Staff Report w Appendices A-B\\_20181101.pdf](#)

[180120C\\_CPB minutes\\_20181101.pdf](#)

[180120D\\_Staff PPT\\_20181101.pdf](#)

[180120A\\_draft ordinance\\_20181101.pdf](#)

[171056.](#)

### **Ordinance Amending Building Regulations (B)**

Ordinance No. 171056

An ordinance of the City of Gainesville, Florida, amending Chapter 6 - Buildings and Building Regulations in the City of Gainesville Code of Ordinances and amending Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances relating to Buildings and Building Regulations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: STAFF REPORT*

*This ordinance will amend Chapter 6 of the Code of Ordinances regarding building and building regulations. The Florida Building Codes Act, Chapter 553, Part IV, Florida Statutes, establishes a uniform statewide Florida Building Code and gives local governments the power to inspect all buildings, structures, and facilities pursuant to the Florida Building Code. Chapter 6 of the Code of Ordinances includes many outdated provisions that are no longer applicable under uniform state law, and therefore this ordinance will make the city's building regulations consistent with current state law. This ordinance also adopts a section, which is optional for local governments, that provides building standards for tiny houses, consistent with the International Code Conference (ICC) language. Finally, this ordinance revises building permit fees and moves them from Appendix A into Chapter 6 of the Code of Ordinances.*

#### **CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and will become effective immediately upon adoption at second reading.*

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

[171056A\\_draft ordinance\\_20181101.pdf](#)

[171056B\\_Staff PPT Chapter Six V3\\_20181101.pdf](#)

## **GENERAL PUBLIC COMMENT**

## **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**