

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

November 15, 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****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**[180534.](#)**City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of October 30, and November 1, 2018.

[180534_October 30 Minutes_20181115.pdf](#)

[180534A_November 1, 2018 Minutes_20181115.pdf](#)

[180499.](#)**Cancellation of November 22, 2018 General Policy Committee Meeting (NB)****RECOMMENDATION**

The City Commission cancel the November 22nd GPC meeting.

[180378.](#)**Release of Easement at 1900 Southwest 13th Street (B)**

This item involves approval and authorization for a Release of Easement located at 1900 Southwest 13th Street, in exchange for the grant of an Ingress/Egress Easement.

Explanation: On October 20, 2015, Mr. and Ms. Patel, owners of America's Best

Value Inn, located at 1900 Southwest 13th Street, granted a new Ingress/Egress Easement for access to the area of a Drainage Easement they previously granted to the City. This request enables staff access to maintain the trash-trap that was installed in Tumblin Creek. Mr. and Ms. Patel notified city staff that they have entered into a contract to sell the property. In order to aid with the proposed redevelopment of the property, it is necessary to release a portion of the Ingress/Egress Easement. This effort will eliminate the potential of error; it is easier to release the original Easement in exchange for the grant of a new Easement. The new Easement allows ample access to and from the Drainage Easement area. Therefore, Public Works Department staff are in agreement with the request.

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

RECOMMENDATION

The City Commission: 1) approve the Release of Easement to Mr. and Ms. Patel in exchange for the grant of a new Ingress/Egress Easement; and 2) authorize the Mayor to execute and the Clerk to attest the Release of Easement, subject to approve by the City Attorney as to form and legality.

[180378A_EasementIngressEgress_20181018.pdf](#)

[180378B_Ingress-EgressEasement_20181018.pdf](#)

[180378C_Release of Easement_20181018.pdf](#)

[180497.](#)

Purchase of Digital Recorders Voice Annunciation System for Buses (B)

This item is a request to approve the purchase and execute a contract with Clever Devices LTD Incorporated for the purchase of Digital Recorders Voice Annunciation System for Buses.

Explanation: The entire fleet of 135 buses is equipped with Digital Recorders voice annunciation system. Clever Devices LTD Incorporated acquired the company, Digital Recorders, in 2012. Clever Devices is currently the sole source provider for original equipment for these voice annunciation systems.

Of the 135 buses, only 23 of these vehicles are equipped with the newest DR700 unit while the other 112 buses have older model units that will no longer be supported after May 2019. In addition to the lack of support for the older model units, the new DR700 units offer more features and capabilities.

Fiscal Note: Funds are available in an amount not to exceed \$1,348,312 for this project through a 5307 grant from the Federal Transit Administration.

RECOMMENDATION

The City Commission authorize the City Manager or his designee to execute a contract with Clever Devices LTD Incorporated, for purchase of Digital Recorders voice annunciation system, subject to approval by the City Attorney as to form and legality.

[180497A_RTS DR700 Upgrade Proposal_20181115.pdf](#)

[180497B_Draft Method of Source Selection_20181115.pdf](#)

[180294.](#)

Human Resources Policy G-7: Use of Information Technology Systems (B)

Explanation: The pace at which technology changes requires policy and procedures be routinely reviewed and modified as the evolution of technology dictates.

As cloud/Software as a Service technology become more common place, it is necessary to revisit the G7- Use of Technology Policy to reflect the introduction of these offerings. The policy as written contains language that would inhibit the City's flexibility to engage such services.

The rewrite of the G7 policy has a direct impact to the project efforts currently underway which introduces a cloud based experience for the Microsoft product suite. The first phase of the implementation is targeted to begin November 2018, with the rollout of Office 365 (O365) and OneDrive capability to the organization.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

Approve revision to Human Resources Policy G-7: Use of Information Technology Systems.

Legislative History

9/20/18 City Commission Approved as Recommended

10/4/18 City Commission Withdrawn

[180294_G-7 Use of Technology Policy revised 10.04.18 \(striketthrough\)_201810](#)

[180294_G-7 Use of Technology Policy revised 10.04.18 \(clean\)_20181004.pdf](#)

[NEW_180294_G-7 Use of Technology Policy revised 11.15.18 \(striketthrough\).d](#)

[NEW_180294_G-7 Use of Technology Policy revised 11.15.18 \(clean\).doc](#)

[180528.](#)

Financial Modeling Services (B)

Explanation: For a number of years GRU has utilized internally developed models to construct financial forecasts and assist in rate development. During the FY19 budget process 70 different model runs were generated to address

various rate structure questions and issues, a process which required significant staff time and effort.

A spin-off of GRU's financial advisor Public Financial Management, Inc. has developed modeling software that provides the ability to consider many scenarios, as well as their associated branches and sequels that are typically requested as part of the budget process. It takes into account variables such as demand, rates across customer classes, operating revenue, capital forecasts, and financing alternatives. The model provides real-time analysis including:

- Rate-setting across multiple customer classes, what-ifs and analysis
- Volume/demand sensitivities
- Capital projects, magnitude and timing
- Operating initiatives, programs and projects
- Financing options and alternatives
- Real-time credit benchmarking against rating agency methodologies

This item was presented to the UAB on November 8, 2018, where it was approved on consent.

Fiscal Note: The contract calls for a one-time implementation fee of \$75,000 and annual fees of \$75,000.

RECOMMENDATION

Staff recommends that the City Commission approve the agreement with PFM Solutions LLC for provision of financial modeling platform services. The UAB recommends the City Commission approve the staff recommendation.

[180528 Whitebirch Financial Modeling contract 20181108](#)

[180532.](#)

Non-Compliance with Attendance Requirements (B)

RECOMMENDATION

The City Commission approve the removal of Lindsey Cazessus, Oliver Telusma, Valerie Thomas, Amanda Williams, Earther Wright, Simeng Zhu and Thomas Pyche from the Citizen's Advisory Committee for Community Development (CACCD), effective immediately.

[180532 CACCD Removals 20181115.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

BUSINESS DISCUSSION ITEMS - GRU and General Government items placed on the agenda by the Charter Officers or moved from Consent.

[180207.](#)**Early Voting Sites (B)****RECOMMENDATION**

The City Commission discuss and select the designated early voting sites for the 2019 City Elections; 2) authorize the City Clerk to arrange for the Supervisor of Elections inspection of polling sites and to negotiate the appropriate contracts for the alternate or additional polling sites, if needed.

Legislative History

7/19/18 City Commission Referred to the General Policy Committee

[180207 election agreement 20181115.pdf](#)

[180531.](#)**Appointments to the Bicycle/Pedestrian Advisory Board, Nature Centers Commission, Pension Review, Tree Advisory Board and Utility Advisory Board (B)****RECOMMENDATION**

The City Commission interview and appointment members to the Bicycle/Pedestrian Advisory Board, Nature Centers Commission, Pension Review, Tree Advisory Board and Utility Advisory Board.

[180531 a Appointments 20181115.pdf](#)

[180531 b Appointments 20181115.pdf](#)

[180531 c Appointments 20181115.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.

Legislative History

11/1/18 City Commission Striken From the Agenda

[180464A_A20 Map_20181101.pdf](#)

[180464B_Aerial Map_20181101.pdf](#)

[180464C_Parcel Map_20181101.pdf](#)

[180504.](#)

City of Gainesville 150th Anniversary Project (B)

Provide an Update on the Gainesville 150th Anniversary project.

Explanation: On April 14, 1869 the City of Gainesville was officially incorporated. For 150 years, people have come together to create the unique city we call home. Beginning this spring and for the year following, the City will mark this moment in time and milestone in our history. The mission of the City of Gainesville's 150th Anniversary Project is to develop an understanding of where it has come from and to articulate a shared vision.

In our initial planning for this commemoration we came up with dozens of ideas for events. Although we have begun engaging with some potential partners, we wanted to take a moment to share our progress, get feedback from the Commission, and then launch our engagement efforts in earnest. The ideas being shared with the Commission during this presentation are a first step, and are by no means meant to be interpreted as final.

If we're going to be the most citizen-centered city in the world, we need to design the 150th in a citizen-centered way. What does that mean? What does a citizen-centered commemoration of our 150th year of being a city look like? How are we creating our city's 150th year together? What can we understand and learn about Gainesville if we invite our citizens to the center of the design process? The only way to answer these questions is to unite the community through ongoing conversations and collaboration.

In a time of national disconnection and division, this is an opportunity for meaningful local connection across the distances that divide us. This upcoming year represents an opportunity to create spaces for collaboration and engagement. Our 150th anniversary is an opportunity to co-create an understanding of Gainesville's history, to share our feelings about the history of our city, and to consider what our way forward might be.

Fiscal Note: \$150,000 was budgeted for this yearlong event.

RECOMMENDATION

The City Commission receive an update on the 150th Anniversary Project and provide feedback to staff.

[180529.](#)

Independent Combined Communications Center Interlocal Agreement Engagement - Agreed Upon Procedures (B)

Explanation: In accordance with our Annual Audit Plan, the City Auditor's Office has completed the Combined Communications Center Interlocal Agreement Engagement - Agreed Upon Procedures. We conducted this in accordance with Generally Accepted Government Auditing Standards (GAGAS). Our report and the Alachua County Sheriff's Office response are attached for your review. Along with the engagement report is a copy of:

- a) *Letter to the Combined Communications Center Executive Board*
- b) *Combined Communications Center Financial Process narrative*
- c) *Combined Communications Center Billing Process flowchart*
- d) *Alachua County Sheriff's Office's Response*
- e) *Alachua County Clerk of the Circuit Court*
- f) *Alachua County Manager's Response*

RECOMMENDATION

The City Auditor recommends that the City Commission accept the City Auditor's report.

[180529_Independent CCC Interlocal Agreement Agreed Upon Procedures_201](#)

[180529A_Letter to Executive Board with Attachments_20181115.pdf](#)

[180529B_Alachua County Clerk Circuit Court Response_20181115.pdf](#)

[180529C_Alachua County Manager Response_20181115.pdf](#)

[180526.](#)

Conceptual Master Plan for the Area Immediately West of the Intersection of NE 8th Avenue and Waldo Road (B)

Explanation: The City Commission directed Staff to develop a conceptual master plan to assess development potential in the area west of the Waldo Rd and NE 8th Ave intersection. This area includes properties owned by the City

of Gainesville, including Citizen's Field Stadium, Dwight H. Hunter Municipal Pool, Martin Luther King Jr. Rec Center, Kiwanis Safety City, and Gainesville Fire, and privately owned properties.

Staff will present analysis of existing conditions and proposed master plan concepts for discussion.

Fiscal Note: None.

RECOMMENDATION

The City Commission: 1) hear presentation and provide direction.

[180526 8th & Waldo Presentation 20181115.pdf](#)

COMMISSION COMMENT

4:30 - 5:30pm DINNER BREAK

5:30 - CALL TO ORDER - Evening Session

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[180527.](#)

Deep Sea Ministries Day (B)

RECOMMENDATION

Prophet George Young to accept the proclamation.

[180527 Deep Sea Ministries 20181115.pdf](#)

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

[180434.](#)

Resolution for Joint Participation Agreement (JPA) - Commuter Assistance Grant Funds for Regional Transit System (RTS) for the Tri-County Express Bus Service project with Florida Department of Transportation (FDOT) (B)

This item is a request for a Resolution authorizing the City Manager or his authorized designee to execute a Joint Participation Agreement between the City of Gainesville and FDOT to receive Commuter Assistance Grant Funds for the Tri-County Express Bus Service project.

Explanation: The City of Gainesville Regional Transit System (RTS) and the Florida Department of Transportation (FDOT) are planning to implement a Tri-County Express Bus Service pilot project with commuter assistance funding to support a region-wide express service that will connect selected outlying cities in the region to Gainesville. These connections will open up employment opportunities and improve the quality of life in the different communities without promoting the use of private vehicles. Service will focus on commuters during the weekday (Monday-Friday) in the AM and PM periods. As a pilot project, the service will be available for a short period of time for the journey-to-work commutes and during home trips in the evening. All trip origins will be located outside of Alachua County for morning commutes. All service routes will have their destinations (AM trips) at the Butler Plaza Transfer Station in Gainesville. In the PM, the origin-destination points will be reversed, with Gainesville serving as the trip origin.

Phase I will provide service from Lake City via Alachua, and from Bronson via Newberry, with each express service route taking riders to the RTS Butler Plaza Transfer Station, and will return riders to the start point for each express route at the end of each weekday. Service is planned to start January 7, 2019.

FDOT commuter assistance fund allocations are given at FDOT discretion for agency projects that meet FDOT Commuter Assistance Grant criteria. FDOT requires the governing board of each public transit system to adopt a Resolution authorizing the acceptance of these funds.

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

RECOMMENDATION *The City Commission adopt the Resolution.*

[180434A_Draft Resolution Tri-County Express Svc_20181115.pdf](#)

[180434B_Draft JPA Tri-County Express Svc_20181115.pdf](#)

[180434C_Informational PPT Tri-County Express Svc_20181115.pdf](#)

PUBLIC HEARINGS

[180517.](#)

Quasi-Judicial - Request to Designate Certain Property on E University Avenue as a Brownfield (B)

Resolution No. 180517

A resolution of the City of Gainesville, Florida, designating certain property located at 1007 and 1021 E University Avenue and 15 SE 10th Street, parcel numbers 12005-000-000, 12007-000-000, 12007-001-000, and 12007-002-000, as more specifically described in this resolution, as a Brownfield Area in accordance with the Florida Brownfields Redevelopment

Act, Sections 376.77-376.85, Florida Statutes; providing directions to the City Manager; and providing an immediate effective date.

Explanation: STAFF REPORT

This item is a private land owner/developer requesting that the City designate certain property located on E University Avenue as a Brownfield Area under the Brownfields Redevelopment Act in the Florida Statutes (Sections 376.77-376.85, F.S.). The Brownfields Act is a Florida program established in 1997 to encourage the redevelopment of "brownfield sites" and the reduction of public health and environmental hazards by providing property owners/developers of brownfield sites with economic incentives such as a sales tax credit on building materials, state loan guarantees, and various other tax credits and incentives. The intent of the Brownfields Act is: "the reduction of public health and environmental hazards on existing commercial and industrial sites is vital to their use and reuse as sources of employment, housing, recreation, and open space areas. The reuse of industrial land is an important component of sound land use policy for productive urban purposes."

The Applicant is redeveloping the subject property as a Wawa gasoline station with 12 fueling positions, an approximately 5,564 square foot convenience store, and associated indoor and outdoor seating areas. Under the Brownfields Act, the process for a local government to designate a brownfield area at the request of a property owner/developer is as follows. Section 376.80(2)(c), F.S., outlines that the local government shall adopt a resolution designating the site as a brownfield area if, to the satisfaction of the local government, the owner/developer has established all of the following five criteria:

- 1. A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site. "Brownfield site" is defined as real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination.*
- 2. The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area.*
- 3. The redevelopment of the proposed brownfield site is consistent with the Gainesville Comprehensive Plan and is a permitted use under the local land development regulations.*
- 4. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed*

area to be designated pursuant to Section 376.80(1)(c), F.S., and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.

5. The Applicant must demonstrate that it provided reasonable assurance that it has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.

These criteria are analyzed in the staff report.

Fiscal Note: The approval of the designation has no direct fiscal impact on the City.

CITY ATTORNEY MEMORANDUM

Per Section 376.80, F.S., this resolution requires two hearings. At least one hearing shall be held after 5:00 p.m. and at least one hearing shall be conducted as closely as is reasonably practicable to the area to be designated to provide an opportunity for public input on the size of the area, the objectives for rehabilitation, job opportunities and economic developments anticipated, neighborhood residents' considerations, and other relevant local concerns. Notice of a public hearing must be made in a newspaper of general circulation in the area (in accordance with Section 166.041(3)(c)2.), must be made in ethnic newspapers or local community bulletins, must be posted in the affected area, and must be announced at a scheduled meeting of the local governing body before the actual public hearing.

If the resolution is adopted, the City shall notify the Florida Department of Environmental Protection and, if applicable, the local pollution control program within 30 days after adoption.

RECOMMENDATION The City Commission should adopt the proposed resolution.

[180517A draft resolution 20181115.pdf](#)

[180517B East University WaWa Brownfield Staff Report WT_11152018.pdf](#)

[180517C Appendices A - E to for BW University and 10, LLC 20181115.pdf](#)

[180517D Appendix F Staff Report PB-17-175 SUP 20181115.pdf](#)

[180517E Appendix G Public Notice Documents 20181115.pdf](#)

[180517F Example Wawa Org Chart 20181115.pdf](#)

[180517G Brownfield PPT 20181115.pdf](#)

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[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.*

Legislative History

11/1/18 City Commission Adopted on First Reading (Ordinance)

[171056A_draft ordinance_20181101.pdf](#)

[171056B_Staff PPT Chapter Six V3_20181101.pdf](#)

[171056A_draft ordinance_20181115.pdf](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[180479.](#)

Ordinance Amending Utility Advisory Board Code Provisions (B)

Ordinance No. 180479

An ordinance of the City of Gainesville, Florida, amending section 2-358 of the

Code of Ordinances relating to non-voting members of the Utility Advisory Board; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: At its meeting on September 20, 2018, the City Commission directed the City Attorney to draft an ordinance to clarify the Commission's intent that elected officials cannot serve as non-voting members of the Utility Advisory Board.

This ordinance requires two hearings and shall become effective immediately upon adoption.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[180479_UAB ordinance_20181115.pdf](#)

GENERAL PUBLIC 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