

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

December 6, 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**[180577.](#)**City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of November 13, and November 15, 2018.

[180577 November 13 Minutes 20181206.pdf](#)

[180577\(A\) November 15, 2018 Minutes 20181206.pdf](#)

[180473.](#)**GRU Operational Update for the Month of October 2018 (B)**

Explanation: Staff has provided operational statistics and project updates for the month of October 2018.

Fiscal Note: None

RECOMMENDATION

Receive report.

[180473 Ops Update for October 2018 - All Depts 20181206](#)

[180503.](#)**RJP Enterprises Emergency Restoration Work Amendment (B)**

This item is a request for City Commission approval to amend an agreement with RJP Enterprises to perform emergency restoration work to stormwater management facilities.

Explanation: Hurricane Irma damaged several stormwater facilities within the City's limits. City Commission item 170954 authorized emergency restoration work to remove sediment from the Sweetwater Wetlands and the Tumblin Creek Sediment trap facilities. The goal of the work effort was to clean the sediment traps prior to the commencement of the 2018 hurricane season. The work was not started prior to June 1, 2018. The delay resulted in additional sediment accumulation in the sediment trap facilities and removal cost overruns of approximately 20%.

Fiscal Note: The total cost carried out under the RJP Enterprises agreement with the necessary adjustment will not exceed \$610,000. The increase of \$110,000 will be allocated from the undesignated Stormwater Utility Fund balance.

RECOMMENDATION

The City Commission: 1) authorize the City Manager, or designee to execute an amendment to the agreement with RJP Enterprises for sediment removal at Sweetwater Wetlands and Tumblin Creek, subject to approval by the City Attorney as to form and legality.

[180503A_FDEM Grant_201811206.pdf](#)

[180503B_FDOT Agreement_201812006.pdf](#)

[180538.](#)**Stinson Voluntary Annexation Petition for Property Located Near SW Archer Road and SW 50th Street (B)**

This is the submission of a petition for voluntary annexation of tax parcel 06931-001-000, which is owned by James Stinson. There is one mobile home dwelling unit on the parcel. The total annexation area is approximately 0.98+/- acres and is located at 4301 SW 50th Street, adjacent to the Gainesville Health Care Center nursing home.

Explanation: James Stinson has submitted a petition to the City of Gainesville for the voluntary annexation of tax parcel 06931-001-000, located at 4301 SW 50th Street. The property is located generally south of the Oak Park Village and tax parcel 06916-000-000, west of SW 47th Street, north of SW Archer Road, and east of SW 50th Street.

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 cost of providing municipal services has not been determined at this time, but will continue to be assessed as the development moves forward.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

[180538A_Voluntary Annexation Petition_20181206.pdf](#)

[160461.](#)

State Legislative Agenda (NB)

RECOMMENDATION

The City Commission refer to the General Policy Committee discussion of the State Legislative Agenda.

Legislative History

10/6/16	City Commission	Referred to the General Policy Committee
8/10/17	General Policy Committee	Approved, as shown above

[160461A_Federal Priorities_20170810.pdf](#)

[160461B_State Priorities_20170810.pdf](#)

[160461C_Legislative Priorities Presentation_20170810.pdf](#)

[160461C_Revised Legislative Priorities Presentation_20170810.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.

[170908.](#)

Trunked Radio System Update (B)

This item requests the Commission hear an update on the City's Trunked Radio System Project and a presentation regarding the Alachua County Needs and Alternatives Report by Federal Engineering, Inc. on the countywide trunked radio system.

Explanation: The City of Gainesville approved a study in January 2017 regarding the needs of the existing trunked radio system and actions to replace the existing system.

Subsequently, to address larger coverage issues, at the joint City/County Commission meeting on December 7, 2015 the City Commission agreed to share in the cost of a radio systems consultant to study the countywide radio system.

Federal Engineering, Inc. was selected through an RFP process to assess the system and review alternatives to upgrading or replacing the system. The Alachua County, Florida Needs and Alternatives Report was completed August 13, 2018 and the Board of Alachua County Commissioners (BOCC) heard presentations from Federal Engineering and Alachua County Fire Rescue on October 23, 2018.

Two alternatives were offered: 1) Enhance the existing GRUCom system; or 2) Create a standalone County system. County staff recommended the BOCC select Alternative 1 and authorize staff to begin negotiations with GRU. The BOCC voted to accept the consultant's recommendation to use the GRUcom system and to begin negotiations to expand its capabilities in the County.

Fiscal Note: None at this time

RECOMMENDATION *The Commission hear the presentation.*

Legislative History

3/12/18 City Commission Approved, as shown above

[170908 TRS Update Joint City-County 20180312](#)

[170908A Radio System Presentation to BOCC 20181206](#)

[170908B Radio System Background 20181206](#)

[180325.](#)

Parks, Recreation and Cultural Affairs Department Receives National Re-Accreditation (B)

This item is a brief presentation regarding PRCA's recently obtained reaccreditation and to view the 25th Anniversary CAPRA video.

****estimated staff presentation 10 minutes****

Explanation: On September 27, 2018, the City of Gainesville Parks, Recreation and Cultural Affairs (PRCA) joined the ranks of elite parks, recreation and cultural affairs agencies across the country by earning reaccreditation through the Commission for Accreditation of Park and Recreation Agencies (CAPRA) and the National Recreation and Park Association (NRPA). This accomplishment was awarded during the 2018 NRPA

Annual Conference in Indianapolis, Indiana.

In 2013, the department received its first accreditation, then one of only 119 agencies that had achieved this accomplishment. Now, five years later, there are 178 accredited departments in the country. Fewer than 2% of all parks and recreation agencies in the U.S. achieve this distinction.

The accreditation process compares the City's PRCA operations against 151 Industry Best Practices and Standards. Meeting or exceeding these Best Practices makes a department better and more effective in serving its citizens. The Industry Best Practices and Standards of CAPRA are in line with the City's efforts to provide exemplary services for the people who call Gainesville home and to further Gainesville's drive to become a New American City. From innovative new parks, to uplifting cultural experiences and recreational programming that appeals to diverse audiences, PRCA is a leader on the national scene by being reaccredited.

The accreditation process is a voluntary evaluation of the department that is conducted by an external, unbiased source, CAPRA, which is the only national accreditation for parks, recreation and cultural affairs agencies, and measures an agency's overall quality of operation, management and service to the community. The department's business practices are evaluated against national best practice standards created by the NRPA. Aside from the initial review, the accreditation process has an ongoing internal review of the department's policies and procedures, which help document all aspects of the department's operations. The department is required to develop a new self-assessment report every five years, as well as submit annual reports to maintain its accreditation.

PRCA's reaccreditation is the result of the dedication by the department's staff, citizens and support from other City departments. Since the adoption of the department's Vision 2020 Master Plan in 2012, staff has focused on maintaining standards and metrics to gauge the level of service provided to the citizens of Gainesville. Going forward, this reaccreditation process will further establish the department's mission to provide and maintain the natural, recreational and cultural facilities and programs that make Gainesville a great place to live, work and visit; and that help sustain the City economically, socially and environmentally.

Fiscal Note: No funds are being requested.

RECOMMENDATION

The City Commission hear a brief presentation by Assistant City Manager Dan Hoffman and Steve Phillips, Director of Parks, Recreation and Cultural Affairs Department and view the 25th anniversary CAPRA video.

[180325 Reaccreditation Certificate 20181206](#)

[170423.](#)**Presentation by Van Scoyoc Associates (B)**

This is a request for the City Commission to hear a presentation by Van Scoyoc Associates on Federal Legislative Agenda priorities.

Explanation: Mr. Harry Glenn of Van Scoyoc Associates will present an update on current federal issues and discuss upcoming issues that may impact the City over the next year to inform the development of the City's Federal Agenda.

Fiscal Note: None

RECOMMENDATION

The Commission: 1) hear the presentation from Van Scoyoc Associates regarding the priorities for the Federal Agenda; 2) discuss and approve priorities to be included in the Federal Agenda; and 3) direct staff to write and design the final Federal Agenda.

[170423A Federal Agenda Development 20171003.pdf](#)

[170423B Presentation 20171003.pdf](#)

[170423C Proposed G'ville 2018 Federal Agenda 20181206.pdf](#)

[170423 Proposed Gainesville 2019 Federal Agenda FINAL 20181206.pdf](#)

COMMISSION COMMENT**4:30 - 5:30pm DINNER BREAK****5:30 - CALL TO ORDER - Evening Session****PLEDGE OF ALLEGIANCE****PROCLAMATIONS/SPECIAL RECOGNITIONS**[180576.](#)**Arbor Day Proclamation (B)****RECOMMENDATION**

Ms. Autumn Doughton to accept the proclamation.

[180576 Arbor Day proclamation 20181206.pdf](#)

[180586.](#)**National Hospice and Palliative Care Month Proclamation (B)****RECOMMENDATION**

Ms. Kelly Banks to accept the proclamation.

[180586 National Hospice and Palliative Care Month 20181206 -- Final.pdf](#)

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.

Legislative History

11/15/18 City Commission Adopted (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](#)

NW 44th Street to NW 62nd Terrace (B)

This item involves a request to adopt a Resolution and authorize the Mayor to execute the Deed to the Florida Department of Transportation 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. This 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.

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

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the Mayor to execute the Deed to the Florida Department of Transportation, subject to the approval of the City Attorney as to form and legality

Legislative History

11/1/18 City Commission Striken From the Agenda

[180419A_Maps_20181101.pdf](#)

[180419B_FDOT_Resolution_Deed_20181206.pdf](#)

[180419C_Deed_20181206.pdf](#)

180491.

Request to Declare as Surplus and Dispose of City Owned Property (B)

This item is a request to the City Commission for a Resolution declaring 6,000 square feet of city-owned property as surplus, waiving the City's requirement to competitively dispose of the subject property, and authorizing disposition.

Explanation: In August 2002, the City acquired from CSX Transportation, Inc., by Special Warranty Deed (OR Book 2526, Page 560) the vacant property known as Tax Parcel 08198-000-000 for the purpose of conservation. CSX granted the parcel to the City at a cost of \$201,000 for a multi-parcel acquisition of 77.05 acres. No grant money was used for the acquisition. The City maintains the property as a nature park. The City

has received a request from an abutting property owner to declare as surplus and to purchase an approximately 6,000 square foot portion of Tax Parcel 08198-000-000. Negotiations have settled on a total sum of \$5,000 for the portion of the property requested.

The property alone is not conducive to development due to its size, shape, and location. Disposition would resolve a long-standing encroachment. Staff believes that it would be in the City's best interest to declare the approximately 6,000 square foot portion of this property as surplus and return this property to the tax roll by selling the property to the abutting property owner.

Fiscal Note: Sale proceeds of \$5,000 and funding in the amount of \$100 for administrative costs are available in the Greenspace Acquisition and Community Improvement Fund.

RECOMMENDATION

The City Commission: 1) adopt the Resolution declaring the subject property as surplus and waiving the City's requirement to competitively dispose of the subject property; 2) authorize the City Manager to execute a Purchase and Sale Agreement to sell the subject property to the abutting property owner subject to approval by the City Attorney as to form and legality; 3) authorize the City Manager to prepare a Special Warranty Deed subject to approval by the City Attorney as to form and legality; and 4) authorize the Mayor to execute, and the Clerk to attest, the Special Warranty Deed conveying the subject property, subject to approval by the City Attorney as to form and legality.

[180491A Deed with Sketch 20181206](#)

[180491B FlatwoodsFencingProject 20181206](#)

[180491C Resolution 20181206](#)

[180535.](#)

Resolution for 5310 Grant Application (B)

This item is a request for the City Commission to adopt a Resolution to allow the Regional Transit System (RTS) to apply for a 5310 Grant to purchase paratransit trips and a paratransit van to provide access to fixed route transportation for persons with disabilities and ADA service to the disabled citizens of Gainesville.

Explanation: Federal funds are available through the Federal Transit Administration (FTA) and the Florida Department of Transportation (FDOT) to purchase paratransit trips and a paratransit van.

FDOT requires documentation of City Commission approval for submittal of the application to be included with the application, and has stated the Resolution must have specific verbiage, in the format approved by their attorney, and be adopted within 30 days of the application due date which is December 18, 2018. RTS is requesting that the City Commission adopt the Resolution allowing the application to go forward to apply for much needed paratransit trips and a replacement paratransit van to ensure safe transport to City of Gainesville citizens riding fixed route trips.

Fiscal Note: The 5310 grant program is administered by FDOT through a competitive process. Funds are allocated in the RTS FY19 budget to provide the required matches. RTS anticipates requesting approximately \$70,000 for the capital component of the 5310 grant application, and will use its capital replacement funds received from the RTS Paratransit Contract for the required 20% match. For the Demand Response trip service component of the 5310 grant application, RTS will request \$50,000, and is required to provide a 50% match for the grant.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager or his designee to execute related Public Transportation Grant Agreement(s) with the Department of Transportation, subject to approval by the City Attorney as to form and legality.

[180535A Draft Resolution 20181206.pdf](#)

[180470.](#)

Fourth Quarter Amendment through September 30, 2018 to the FY 2018 General Government Financial and Operating Plan (B)

Resolution No. 180470

A Resolution of City Commission of the City of Gainesville, Florida; relating to its general government budget for the fiscal year beginning October 1, 2017 and ending September 30, 2018; amending Resolution No. 170380, as amended by Resolution No. 170852, Resolution No. 180055, and Resolution No. 180348, by making certain adjustments to the General Government Financial and Operating Plan Budget; and providing an immediate effective date.

Explanation: The purpose of this amendment is to accurately reflect and incorporate into the City's FY 2018 General Government budget those transactions and activities that were not anticipated during the budget process.

Fiscal Note: All of the recommended changes are funded either by increases in revenue budgets, decreases in expenditure budgets, or decreases in appropriate fund balances.

RECOMMENDATION

The Audit and Finance Committee: (1) Review the proposed amendatory budget resolution; and if acceptable, (2) recommend that the City Commission adopt the proposed resolution.

[180470_4th QTR Amendatory and Summary_20181127.pdf](#)

[180470\(A\)_4th Budget Amendment Resolution_20181127.pdf](#)

[180470B_FY2018 4th QTR Amendatory and Summary_20181206.pdf](#)

[180470A_4th Quarter Budget Amendment Resolution_20181206.pdf](#)

PUBLIC HEARINGS

[171022.](#)

**Second Review of Design Plat for the Oaks Preserve Cluster
Subdivision to Ensure Consistency with Conditions of Approval (B)**

Petition DB-18-17 SUB. EDA, Inc. (Sergio Reyes), agent for Oaks Preserve Parcel Owners. Design plat review for Oaks Preserve Cluster Subdivision, a residential subdivision of Tax Parcels: 06951, 06949-1, 06949, 06952-2-2, 06944-1, 069440, 06943-2, 06949-2 and 069521 to create 296 single-family residential lots. Zoned: RSF-4 (single-family residential 8 dwelling units per acre).

Explanation: A petition to reconsider the design plat for Oaks Preserve Cluster Subdivision to ensure consistency with commission directed conditions of approval. The City Commission reviewed the petition on June 21, 2017 and accepted the Development Review Board's recommended conditions of approval. In addition, the Commission modified Condition 14 and added four additional conditions as listed below.

1. *The north/south trail shall be reconfigured to run as an independent route and shall not be designed as a shared path within the proposed rights-of-way. The trail shall be designed as a 10-foot wide multi-use trail and shall be routed at the back of lots.*

2. *The right of way corridor provided between lots 135 and 136 for access to tax parcels 06952-001-000 and 06952-003-000 shall be expanded to a minimum width of 50 feet.*

3. *Prior to approval by the City Commission, the subdivision shall be designed to show a second or third phase with a third approved external connection to the closest officially paved roadway.*

4. *Condition 14 shall be modified as listed below:*

Condition 14.

Prior to Construction Drawing approval, a final report shall be submitted indicating the status of the site relative to the occurrence of significant archeological artifacts. If the final report may requires modifications to the design plat to address archeological findings; additional review by the DRB and the City Commission may shall be required. based on the extent of any proposed redesign.

5. A 7-foot wide buffered bike lane shall be constructed on both sides of Road "Q"; the design shall be resubmitted to the City Commission for final approval.

The Cluster Subdivision Design Plat has been modified to incorporate the conditions of approval. If approved, the petition will move to Construction Drawing Review and then Final Plat Review by the City Commission.

The applicant has addressed the five conditions imposed by the City Commission and submits the design plat for reconsideration.

Fiscal Note: None

RECOMMENDATION Staff to City Commission - Approve the Design Plat for Oaks Preserve Cluster Subdivision, authorizing the applicant to proceed to Construction Drawing Review.

Legislative History

6/21/18 City Commission Approved (Petition) with Staff Conditions, as Revised

[171022_Staff Report_20180424.pdf](#)

[171022A_Summary of DRB Conditions_20180621.pdf](#)

[171022B_Staff Report w Appendices A-I_20180621.pdf](#)

[171022C_Oaks Preserve Enviro Report_20180621.pdf](#)

[171022D_DRB 180424 Minutes draft_20180621.pdf](#)

[171022E_Staff ppt_20180621.pdf](#)

[171022_Oaks Preserve - City Commission Presentation_Developer Material_2C](#)

[171022A_Summary of CC Conditions w Exhibits A - C_20181206.pdf](#)

[171022B_Staff ppt_20181206.pdf](#)

[171022_Oaks Preserve - Developer City Commission Presentation_20181206.r](#)

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)
11/15/18	City Commission	Continued

[171056A_draft ordinance_20181101.pdf](#)

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

[171056A_draft ordinance_20181115.pdf](#)

[171056A_MOD_draft ordinance_20181206.pdf](#)

[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.*

Legislative History

11/15/18 City Commission Adopted on First Reading (Ordinance)

[180479_UAB ordinance_20181115.pdf](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[180311.](#)

Voluntary Annexation - 1.79 Acres of Property located at 4015 SW 43rd Street (B)

Ordinance No. 180311

An ordinance of the City of Gainesville, Florida, annexing approximately 1.79 acres of privately-owned property that is generally located south of parcel number 06800-006-001, west of Interstate 75, north of SW Archer Road, and east of SW 43rd Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: Municipal annexation in Florida is governed by the Municipal Annexation or Contraction Act, which is found in Chapter 171, Florida Statutes. Section 171.044, F.S., sets forth the requirements and procedure for voluntary annexation, whereby property owners may voluntarily request a municipality to include their property within the corporate limits of that municipality. Besides various procedural requirements, Section 171.044, F.S., sets forth the following substantive requirements for voluntary annexations: 1) the proposed annexation area must be "contiguous" to the municipality; 2) the proposed annexation area must be "reasonably compact"; and 3) the annexation must not create any "enclaves."

This ordinance, at the request of the property owners of the subject property, will annex into the corporate limits of the City of Gainesville approximately 1.79 acres of privately-owned property that is generally south of parcel number 06800-006-001, west of Interstate 75, north of

SW Archer Road, and east of SW 43rd Street. On September 20, 2018, the City Commission received and accepted a petition for voluntary annexation of the property and directed the City Attorney to prepare this annexation ordinance.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/20/18 City Commission Approved as Recommended

[180311A_Annexation Petition- country inn_20180920.pdf](#)

[180311A_draft ordinance_20181206.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