

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final-Revised

January 16, 2020

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)
Mayor-Commissioner Pro Tem Harvey Ward (District 2)
Commissioner David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

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

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

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

ROLL CALL**INVOCATION****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**[190762.](#)**Approval of Minutes from the December 2, December 3, December 5, December 11 and December 18, 2019 City Commission Meetings (B)****RECOMMENDATION**

The City Commission approve the minutes of December 2, December 3, December 5, December 11, and December 18, 2019.

[190762 December 2, 2019 Minutes 20200116.pdf](#)

[190762 December 3, 2019 Minutes 20200116.pdf](#)

[190762 December 5, 2019 Minutes 20200116.pdf](#)

[190762 December 11, 2019 Minutes 20200116.pdf](#)

[190762 December 18, 2019 Minutes 20200116.pdf](#)

[190728.](#)**Appointments to City Commission Advisory Boards and Committees (B)****RECOMMENDATION**

*The City Commission appoint:
Jonathan Coron to the Bicycle Pedestrian Board
for a term to expire 12/31/2020.*

*Marylin Prado to the Nature Centers Commission
for a term to expire 11/1/2022.*

[190728_BPAB Ballot Applications_20200116.pdf](#)

[190728_NCC Ballot & Applications_20200116.pdf](#)

[190819.](#)

**Resignation of Eric Barkhurst from the Historic Preservation Board
(B)**

RECOMMENDATION

The City Commission accepts the resignation of Eric Barkhurst from the Historic Preservation Board, effective immediately.

[190819_HP B Resignation Letter_20200116.docx.pdf](#)

[190791.](#)

General Government Budget Calendar (NB)

The City Commission approves dates for discussion of the FY2021 annual budget.

Explanation: Staff requests the City Commission approve dates to discuss items related to the FY2021 annual budget. Topics of discussion will include an updated Capital Improvement Plan, Fire Assessment, Millage Rate and the General Government Budget.

Staff recommends an approval of the proposed tentative budget and millage rate for General Government to occur in July, in accordance with the State Department of Revenue's Truth in Millage requirements.

Staff requests the City Commission approve the following dates:

06/23/2020 - 1:30pm-5:00pm - General Government Budget @ Ironwood

07/16/2020 - 6:00pm - 1) Set preliminary Fire Assessment Rate by resolution. 2) Set proposed tentative Millage Rate by resolution. 3) Set proposed tentative General Government Budget by resolution.

09/03/2020 - 6:00pm - 1) Adopt ordinances on 1st reading related to Fee or Rate changes (if any). 2) Adopt Final Fire Assessment Rate by resolution. 3) Hold 1st Public Hearing to adopt tentative Budgets and set tentative Millage Rate for FY2021 by resolution.

09/17/2020 - 6:00pm - 1) Adopt Ordinances on 2ndst reading related to Fee or Rate Changes (if any). 2) 2nd public Hearing to Adopt final Budgets and Set final Millage Rate for FY2021 by resolution.

Truth in Millage or TRIM requirements set forth in State Statutes require that various taxing authorities hold their public hearings on different dates and/or times in order to allow taxpayers to attend each hearing and provide feedback if desired. Taxing Authorities that cross multiple

jurisdictions are given first priority on setting their public hearing dates. As a result, The City of Gainesville is required to set their public hearing dates in September so as not to conflict with the County, the School Board, the Library District and the Water Management Districts. In the event a conflict arises, staff will submit a revised schedule for September 2020 requesting alternative special meeting dates. These potential conflicts will not be known until July 2020.

RECOMMENDATION The City Commission: 1) Approve the dates requested by staff.

[190793.](#)

City to Negotiate with CRM (Community Relationship Manager) Vendor (B)

AGENDA UPDATE - CHANGED TEXT FILE

Explanation: On August 29, 2019, the City of Gainesville solicited an Invitation To Negotiate (ITN SIDX-190047-DM) to procure a technology solution that will support the City's neighbor-centered design and engagement efforts. The solution, commonly referred to as a CRM (Customer Relationship Manager), will allow for better management of neighbor-interactions with the City.

The project is broken down into three phases:

- Phase 1: Contact Manager (2020)
- Phase 2: Neighbor Portal (2021)
- Phase 3: Connections & Integrations (2022)

The ITN covers Phase 1 (Contact Manager). Phases 2 and 3 will be planned and budgeted for at the conclusion of Phase 1.

On September 26, 2019, three vendors submitted proposals for Phase 1. Respondents were Coastal Cloud, Verint, and Rock Solid Technologies. Proposals included implementation fee and annual licensing fees. All were invited for Oral Presentations.

On November 6, 2019, two vendors completed oral presentations. Verint chose not to participate.

On December 13, 2019, the award was posted to Rock Solid Technologies.

Proposals:

Rock Solid Technologies:

- Implementation: \$52,650
- Annual License: \$47,004
- Estimated 5 Year Total: \$287,670

Coastal Cloud:

- Implementation: \$151,200
- Annual License: \$20,888-\$47,693
- Estimated 5 Year Total: \$255,640- \$389,665

Verint:

- Implementation: \$136,167
- Annual License: \$97,132
- Estimated 5 Year Total: \$621,827

Fiscal Note: Costs for the product and implementation services will be negotiated by

the City Manager. Phase 1 of the project will not exceed \$290,000 for 5 years. The project is funded through existing Strategic Initiatives budget. Automatic renewal pricing beyond the initial 5 years will be negotiated by the City Manager. Phase 2 and 3 will be negotiated during the implementation of Phase 1 and funds will be requested in the FY21 and 22 budgets.

RECOMMENDATION

It is recommended that the City Commission:

1. Approve Invitation To Negotiate Award (ITN SIDX-190047-DM) to Rock Solid Technologies to create a CRM (Community Relationship Manager) platform for the City of Gainesville.
2. Authorize the City Manager to execute and procure all related documents, including contract, amendments, and extensions, subject to approval by the City Attorney as to form and legality.

[190793_CRM_Presentation_20200116.pdf](#)

[190801.](#)

**First Amendment to Agreement with EDSA, Inc. for Planning Services
(B)**

Explanation: This fall the GCRA contracted with EDSA, Inc. for Planning Services for the GCRA Reinvestment Plan to assist with the consolidation of four plans into one, managing the drafting of the plan itself and also assisting Team GCRA with the planning and execution of the community engagement around this task.

The amendment to the Agreement includes additional services as outlined by EDSA, Inc. in the December 20, 2019, "Additional Services Addendum." The proposed services will increase the original consultant fee by \$42,060 to include additional community engagement meetings, advisory board meetings, City Commission presentations, and increased time for plan refinements.

This will enhance public participation as well as provide for additional GCRA Advisory Board review and comment. The effort will result in further study to validate the proposed plan and to formulate an approach for implementation of initiatives and capital improvement projects for the next decade.

Fiscal Note: The total contract will be increased from \$74,000 and will not exceed \$116,060 and is budgeted for in unit numbers W737, W229, and W521.

RECOMMENDATION

City Manager to City Commission: 1) Approve the "First Amendment to Agreement for Services" as described, and 2) Authorize the City Manager to execute all necessary documents after approved as to form and legality by the City Attorney's Office.

[190801 \(A\) First Amendment to Agreement with EDSA, Inc. for Planning Servi](#)
[190801 \(B\) Executed Agreement with EDSA, Inc. for Planning Services 2020C](#)

[190860.](#)

Ostreicher v. City of Gainesville; Case No. 2019-CA-991; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)

Explanation: On October 31, 2017, at approximately 9:10 a.m., a City-owned Ford F350 pickup truck outfitted for use by GRU Water/Wastewater Instrumentation, Controls, and Electrical (ICE) Techs was involved in an automobile accident with a vehicle carrying the plaintiff. The City employee was acting in the course and scope of employment and struck the plaintiff's vehicle from behind. The GRU supervisor determined that the accident was preventable. The employee received progressive discipline.

Subsequent to the accident, the plaintiff, Sarah Ostreicher, was treated at the emergency room. She continued treatment with her medical providers, including surgery on her right shoulder. At trial, the plaintiff's attorneys were prepared to offer evidence of over \$90,000 in past medical expenses. They argued that she would suffer over \$100,000 in future medical expenses over the expected course of her life. She planned to claim lost wages and future lost wages and earning capacity. These proposed damages do not include the Plaintiff's claim for damages related to pain and suffering, mental anguish, inconvenience, and loss of capacity for the enjoyment of life. Her husband previously asserted a consortium claim for loss of companionship, fellowship, and household services that was resolved prior to mediation in the amount of \$16,000.

The City Attorney's Office and Risk Management Department conducted a thorough evaluation and investigation of this lawsuit in conjunction with Gainesville Regional Utilities. Per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes, the City's liability and authority to settle claims such as this is limited to \$200,000 per person, and \$300,000 per incident. At court-ordered mediation, a settlement agreement was achieved. Representatives for the City agreed to recommend a settlement in the amount of \$135,000, subject to the approval of the City Commission of the City of Gainesville, and, in exchange, the plaintiff will provide a full and complete Release to the City. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.

Fiscal Note: Funds are available in the City's General Insurance Fund.

RECOMMENDATION

The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the claims of Sarah Ostreicher, arising from an accident that occurred on or about October 31, 2017.

[190758.](#)**Bid Award - Westside Park Improvements (B)**

This item is a request for the City Commission to authorize the bid award to Hicks Seal Coating and Striping, LLC dba Hicks Asphalt Paving & Concrete Company for the construction of improvements at Albert “Ray” Massey Westside Park, a regional park located at 1001 NW 34th Street.

AGENDA UPDATE - ADDED ITEM

Explanation: The City Commission discussed the Westside Park Improvement Project on April 12, 2018 at a General Policy Committee Meeting and authorized funding for the project on April 19, 2018 at a City Commission Meeting. The City Commission received an update on the project’s design progress on January 10, 2019 and approved additional safety improvement project funding on October 17, 2019.

On September 19, 2019 the Purchasing Division solicited bids for the Westside Park Improvements project. A non-mandatory pre-bid conference was held on October 8th, at 10:00 a.m. at City Hall. A total of five (5) vendors attended the conference. All bids were due at 3:00 p.m. on October 22, 2019. A total of two (2) bids were received by 3:00 p.m. with one (1) bid being rejected as it was past the deadline.

Staff recommends awarding this contract to Hicks Seal Coating and Striping, LLC dba Hicks Asphalt Paving & Concrete in the amount of \$739,499.35 for park improvements. Hicks Asphalt Paving & Concrete was determined to be the lowest responsible, responsive bidder as stipulated by the City’s competitive bidding process.

The Westside Park Improvement project is funded through the Wild Spaces & Public Places ½ cent sales tax and a Public Works Department fund for work in the NW 34th Street right of way (this work in the right of way is needed to facilitate the construction of the new park entrance). No Wild Spaces & Public Places funds will be spent outside the park boundaries to facilitate this project. All work being conducted in the right of way is being funded by the Public Works Department.

Fiscal Note: Funds in the amount of \$739,499.35 are available for the Westside Park Improvement project; \$713,092.76 from the Wild Spaces & Public Places ½ cent sales tax and \$26,406.59 from the Public Works Department. Funds for the Public Works portion of the project are available in the right of way maintenance account.

The annual increase in operating and maintenance costs after the park renovation project is complete is approximately \$7,500/year for additional fertilizer, weed control, insect control and aeration to maintain the improved turf conditions on Baseball Fields 1 and 2.

RECOMMENDATION

The City Commission: 1) award the bid to Hicks

Seal Coating and Striping, LLC dba Hicks Asphalt Paving & Concrete for the improvements at Westside Park; and 2) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

[190758A_WSPP-200001-DM Westside Park Improvements ITB 9.19.2019 20200116](#)

[190758B_Bid Record Westside Park Improvements 20200116](#)

[190758C_Hicks Seal Coating Bid Westside Park Improvements 20200116](#)

[190758D_Mejia International Group Bid Westside Park Improvements 20200116](#)

[190758E_Award recommendation transmittal-2014-12-17 20200116](#)

[190758F_Westside Park Improvements 100% Plans 6.21.19 20200116](#)

[190758J_Westside Park Improvements Right of Way Work Detailed Breakdown](#)

[190768.](#)

Authorization for the Construction of Electrical Improvements at Depot Park (B)

This item is a request for the City Commission to approve the Guaranteed Maximum Price in the amount of \$456,991 for the construction of electrical improvements at Depot Park with Oelrich Construction, Inc.

AGENDA UPDATE - ADDED ITEM

Explanation: This project includes the addition of bollard lighting from the Depot Park parking lot to the old RTS parking lot. The old RTS parking lot is used by the public during events that extend past dusk. A lit path is necessary to allow pedestrians to safely get back to their vehicles. This project also includes a large electrical capacity upgrade to the park. Existing light poles will be retrofitted with electrical outlets and additional 30 and 50 amp outlets will be strategically located in the Little Lawns, the West Overlook, the East Overlook and the Open Lawn to better accommodate programming and events held at Depot Park.

Oelrich Construction, Inc. is one of the City's approved construction management firms for small projects (under \$2M). Oelrich Construction, Inc. is a local, certified service disabled veteran owned business. Oelrich Construction, Inc. has experience facilitating similar electrical projects. They are very knowledgeable on the history of Depot Park, having facilitated the construction of Depot Park for the City in 2016.

The Wild Spaces & Public Places program recommends authorizing this contract to Oelrich Construction, Inc. in the amount of \$456,991. The Depot Park Electrical Upgrade project is funded through the Wild Spaces & Public Places ½ cent sales tax and a Depot Park Improvements CIP fund.

Fiscal Note: Funds in the amount of \$456,991 are available for the Depot Park Electrical Upgrade Project; \$440,500 from the Wild Spaces & Public Places ½ cent sales tax Depot Park Improvement fund and \$16,491 from the Depot Park Improvements CIP fund.

RECOMMENDATION

The City Commission: 1) approve the project task; and 2) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

[190768B_2019-08-26 - Final CD_color code_20200116](#)

[190768C_COG Depot Park Electrical Improvements - GMP Deliverable rev2_20](#)

[190768D_Depot Park Map_20200116](#)

[190768E_CM Contract Exhibits_20200116](#)

[190768F_Oelrich Fully Executed Master Agreement_20200116](#)

[190768G_Continuing CM General Terms and Conditions 12-21-17 Final_20200](#)

ADOPTION OF REGULAR AGENDA

EARLY PUBLIC COMMENT - For items on the agenda, limited to 3 minutes per citizen for one item or up to 5 minutes for multiple items.

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.

[190790.](#)

Appointments to the Historic Preservation Board, Regional Transit System Advisory Board, Student Community Relations Advisory Board and the Utility Advisory Board (B)

AGENDA UPDATE - ADDITIONAL BACK-UP

RECOMMENDATION

The City Commission discuss appointments to the Historic Preservation Board, Regional Transit System Advisory Board, Student Community Relations Advisory Board and the Utility Advisory Board and take appropriate action.

[1890790_HPBBallot & Applications_20200116.pdf](#)

[190790_RTS Ballot & Applications_20200116.pdf](#)

[190790_SCRAB Ballot & Applications_20200116.pdf](#)

[190790_UAB Ballot & Applications_20200116.pdf](#)

[190790_CCom Appointment of UAB Members_20200116.pdf](#)

[190803.](#)**Canvassing Board Appointment (NB)****RECOMMENDATION**

The City Commission: 1) appoint a City Commissioner to the 2020 Canvassing Board if a run-off election is required; and 2) in the absence of a Commissioner, the City Commission appoint the City Auditor to the 2020 Canvassing Board.

[190816.](#)**City Auditor Employment Agreement (B)**

Explanation: In order to hire a City Auditor, 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. Baker Tilly Virchow Krause, LLP was selected to conduct the search and to present qualified candidates to the Commission for consideration.

Baker Tilly previously presented each Commission with a full candidate report, including resumes and other supporting documentation, of the top recommended semi-finalist candidates for consideration.

During the December 5th City Commission Meeting, the Commission selected the following candidates for in-person interviews:

*Virginia Bigbie
Michael Hill
Glenn Holloway**
Melinda Pensinger*

***Glenn Holloway withdrew from further consideration*

Candidate interviews were conducted by the City Commission on December 17, 2019 and December 18, 2019. The in-person interviews took place over two days; the schedule included one-on-one interviews with each Commission member, a panel-style interview with the full City Commission, and a Community Reception which neighbors and Commissioners were invited to attend and interact with the candidates.

Following the interview process, during the December 18, 2019, City Commission Special Meeting, the City Commission selected a City Auditor and authorized the Mayor to negotiate a contract with Virginia Bigbie.

Fiscal Note: Salary of \$129,000 to \$150,000 for the City Auditor is approved in the FY20 budget.

RECOMMENDATION

The City Commission approve the employment agreement with Virginia Bigbie for the Charter Office of City Auditor.

[190816_City Auditor Employment Agreement - Bigbie_20200116.pdf](#)

[190816_Legislative History Agenda 12.18.2019_20200116.pdf](#)

[190804.](#)

GRU Generation Transition Plan 2020 to 2022 (B)

****This item was presented to the UAB on January 9, 2020.****

AGENDA UPDATE - CHANGED TEXT FILE LANGUAGE and REVISED POWERPOINT

Explanation: Five of the eight units in GRU's generation fleet are over 38 years old. Each one of these aging generating plants is fossil fuel burning and will ultimately be retired as part of the plan to reach 100% renewable power generation by 2045.

GRU must develop a transition plan that will economically cover the daily electric load within its territory, while moving away from fossil fuel. As part of developing that overall transition plan, GRU worked with The Energy Authority (TEA) to conduct an Integrated Resource Plan (IRP) that determined how we could reach these goals. GRU also studied utility industry trends, technology and resources available to reach these goals.

After a year of study and analysis, GRU is bringing forward a plan to expand its electric transmission interconnection to FPL to receive up to 450 megawatts of transmission capacity by 2022. FPL has agreed that it would absorb the costs to interconnect with GRU - estimated by GRU to be between \$180 and \$220 million. In exchange, GRU would execute a Network Services Agreement and Network Operating Agreement (together referred to as "Network Agreements"), each of which is governed by the Federal Energy Regulatory Commission (FERC) and whose payments are regulated under a tariff. Initial payments by GRU to FPL under the tariff would be approximately \$9 million annually and would adjust up or down based on rate filings and the cost of transmission service. The term of the Network Agreements would be 30 years.

The normal FPL tariff process requires GRU to request interconnection, at which time FPL and GRU would execute a System Impact Study Agreement. Once the system impact study has been completed, if no additional work is required to interconnect, then the Network Agreements could be executed. If the impact study indicates additional improvements are necessary to interconnect, then the parties would enter into a Facilities Study Agreement. The facilities study would identify additional construction costs associated with the interconnection and would assign costs to GRU or FPL based upon the benefits.

FPL has requested that the City Commission authorize the General Manager to negotiate and execute the Network Agreements prior to the study agreements being executed. This is somewhat unusual and the reason FPL states it wants Commission approval is to allow FPL to avoid

delays in construction of the transmission tie-in by waiting for additional Commission approval once the studies are completed. FPL has stated that they have performed their due diligence and are comfortable with the rates costs they have provided to GRU.

This interconnection opportunity is presenting itself now as a result of FPL's acquisition of Gulf Power earlier in 2019. That acquisition was predicated on connecting Gulf Power to FPL's low-cost generating assets in Central Florida.

GRU is but one of several routes on FPL's short list of transmission options, so the opportunity to avoid spending \$180 to \$220 million to expand our interconnection is not an open-ended offer. FPL must finalize its decision on a transmission route as soon as possible in order to start the regulatory and contractual process. Time is of the essence for the City Commission to take advantage of the opportunity to interconnect with FPL.

The benefits of entering into the NSA are six-fold:

- 1) GRU would be able to reduce its dependence on its aging fleet, whose variable costs per megawatt of generation far exceed the market-based cost of FPL (or other suppliers' cost of power). Using our Gen Trader model, GRU estimates an annual \$10 to \$14 million savings between GRU's fuel costs and the market cost of power.*
- 2) GRU would avoid spending between \$895 million and \$1.954 billion to replace its units and move towards 100% renewable power generation. Having access to 450 megawatts of transmission capacity would allow GRU to utilize FPL's low-cost generation and its territory to enter into green market purchases of power or partner to build renewable generating assets outside of our territory.*
- 3) To end GRU's reliance on its aging generation fleet, we would need to expand our transmission capabilities. The NSA with FPL would allow GRU to avoid spending between \$200 and \$400 million in that expansion, whether it was done through FPL or Duke, respectively.*
- 4) After construction of the 450 megawatts of transmission capabilities, GRU may elect to discontinue its Balancing Authority (BA), which is the system by which the utility balances its load with its generation. Allowing FPL to be the BA could save GRU up to \$2 million annually. It would also shift the risk of managing solar generation and other supplemental power over a larger territory. This process should allow GRU to expand its solar footprint.*
- 5) Limited use of the aging fossil generation plants will result in an acceleration of their retirement and decommissioning. As a result, GRU will save between \$5 and \$8 million in fixed costs, such as maintenance costs and personnel expenses. Unfortunately, there will be a reduction in GRU's Energy Supply workforce, which we plan to accomplish through*

attrition, reassignment and, potentially, some employees being released starting two to three years from now.

6) The savings generated from this new plan would be used to pay down debt, which would make GRU a financially healthier utility. Ultimately, this reduction of debt will result in lower interest expenses, which can be passed on to customers as rate reductions.

However, as advantageous as this agreement appears, the General Manager will only proceed with the execution of the Network Agreements contingent upon the following:

- The studies and due diligence review do not result in or reveal any increases or additions to costs or rates described in this agenda item, and in the responses by FPL and GRU to questions included in the back-up. If there are additional or increased costs, the General Manager will bring the Network Agreements back to the Commission for consideration.
- GRU will continue to perform due diligence in the review and negotiation of the System Impact Study Agreement, the Facilities Agreement, and the Network Agreements.
- GRU's ability to satisfactorily negotiate the terms of the Study Agreements and the Network Agreements. While the agreements presented by FPL are form agreements from the tariff, there are terms that need to be renegotiated.

Fiscal Note: GRU will:

- 1) Avoid between \$200 to \$ 400 million in transmission expansion costs;
- 2) Avoid up to \$2 billion in replacement costs of generation;
- 3) Incur 30 years of payments under the NSA, with initial payments of \$9 million a year.

GRU staff anticipates annual fuel cost savings of \$10 to \$14 million a year, fixed cost savings of \$5 to \$8 million a year and possible savings on shift of Balancing Authority of \$2 million a year.

RECOMMENDATION

Staff Recommendation:

The City Commission authorize the General Manager of the Utility to:

- 1) submit a request to FPL for transmission interconnection;
- 2) negotiate the terms of and execute the System Impact Study Agreement and Cost Reimbursement, subject to approval by the City Attorney as to form and legality

3) *if required, negotiate the terms of and execute the Facilities Study Agreement, subject to approval by the City Attorney as to form and legality;*

4) *negotiate the terms of a Network Services Agreement and Network Operating Agreement with FPL, provided that there are no increases in or additions to the costs or rates described in this agenda item and in the responses by FPL and GRU included in the back-up. If there are additional or increased costs, or if the General Manager cannot successfully negotiate the terms of the Network Agreements, the General Manager will bring the Network Agreements back to the Commission for consideration. The Network Agreements are, subject to approval by the City Attorney as to form and legality;*

5) *Direct GRU to use the savings resulting from the Network Agreements to reduce GRU debt, which would be the basis for future base rate reductions, and/or reduce GRU's fuel adjustment depending on the classification of the Network Services agreement payment as a base cost or a fuel cost.*

UAB Recommendation:

The UAB voted 4-0, with Member Jacobson absent, to recommend that the City Commission approve staff's recommendations numbers 1 through 4. In place of staff's fifth recommendation, the UAB recommends that the Commission direct GRU to bring back recommendations to the UAB and City Commission on how to use the savings resulting from the network services agreement.

[190804 GRUTransitionPlan2020 Presentation Rev. 20200109](#)

[190804 Transition Plan Quick Reference 20200109](#)

[190804 NSA DRAFT 20200109](#)

[190804 GRU IRP Report Master 20200109](#)

[190804 FY20 Budget Analysis GenTrader 20200109](#)

[190804 GRU Employee Letter 20200109](#)

[190804 FPL Network Service Obligation Revised 20200109](#)

[190804 Network Service Agreement Questions 20200109](#)

[190804 RevisedGRUTransitionPlan2020 Presentation Rev. 20200116](#)

[180816.](#)**Immigration Policy for Gainesville Police Department (B)**

AGENDA UPDATE - ADDED ITEM

Explanation: At the September 16, 2019 Regular City Commission Meeting, the Commission requested a future discussion clarifying Gainesville Police Department's legal obligation and policies with regard to federal immigration enforcement including General Orders 40.3. This item is intended to initiate this discussion.

RECOMMENDATION

The Commission hear 1) an immigration policy update via Gainesville Police Department (GPD) and 2) take action as deem appropriate.

Legislative History

3/7/19	City Commission	Referred to the General Policy Committee
3/28/19	General Policy Committee	Continued
4/11/19	General Policy Committee	Approved, as shown above
9/16/19	City Commission	Approved, as shown above

[180816 GO 40.3 Revised Immigration Policy 20200116](#)

[190802.](#)**Gainesville Community Reinvestment Area (GCRA) DRAFT Reinvestment Plan (B)**

AGENDA UPDATE - ADDED ITEM

Explanation: Ordinance No. 181001, adopted by the City Commission on September 5, 2019, outlines the CRA's transition from a Community Redevelopment Agency overseeing projects in four redevelopment areas to become a City Department and one consolidated Community Reinvestment Area. As required by the ordinance in Section 2-410, the City Commission must adopt a reinvestment plan to guide community redevelopment within the new Community Reinvestment Area (GCRA).

The GCRA is consolidating the former redevelopment plans into one reinvestment plan for the City of Gainesville. The plan document will provide a brief history of the CRA, encapsulates the present by an annual accounting of redevelopment activities completed in FY19 and looks to the next ten years by analysis of community feedback received, project opportunities, proposed redevelopment locations and surrounding context, and potential strategies for the next decade.

The community outreach began with a kick-off meeting on October 14 to gather information about the community's vision for the district. Four area-specific meetings were hosted the week of November 4. At these meetings the public was encouraged to prioritize potential plan objectives and areas of focus. All engagement meetings were posted on the City's Notice of Meetings, and as a public notice in the Gainesville Sun newspaper. Flyers with engagement information were distributed on

public bulletin boards and advertised by social media. Every property located with the district received a mailed postcard with engagement dates. Area specific surveys were administered and advertised online. In addition to GCRA sponsored meetings, staff also attended and presented information about the reinvestment plan and engagement meetings at eight different neighborhood crime watch organization meetings.

At today's meeting the City Commission will receive a presentation and update on the reinvestment plan draft, review results from the community engagement meetings and hear about next steps, including the revised timeline and potential strategies for the next decade of the GCRA's work.

Fiscal Note: None at this time

RECOMMENDATION

City Manager to the City Commission: Hear presentation and provide feedback on the draft Reinvestment Plan

[190802 \(A\) GCRA DRAFT Reinvestment Plan 20200116.pdf](#)

[190802 \(B\) GCRA DRAFT Reinvestment Plan Presentation 20200116.pdf](#)

COMMISSION COMMENT

4:30 - 5:30pm DINNER BREAK

5:30 - CALL TO ORDER - Evening Session

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[190797](#)

John Henry Spencer Day-January 1, 2020 (B)

AGENDA UPDATE - REMOVE ITEM

RECOMMENDATION

John Henry Spencer to accept Proclamation.

[190797 John Henry Spencer Day 20200116](#)

[190798](#)

**Zeta Phi Beta Sorority Incorporated Centennial Celebration
Day-January 16, 2020 (B)**

RECOMMENDATION

Zeta Phi Beta Sorority Incorporated Centennial Celebration to accept Proclamation.

[190798 Proclamation Zeta Phi Beta Sorority Inc. Centennial Day Final 202001](#)

[190799](#)**African American Studies Day-February 21, 2020 (B)****RECOMMENDATION**

African American Studies Professor Emeritus Dr. Jacob U'Mofe Gordon to accept proclamation.

[190799_African American Studies Day_20200206](#)

[190829](#)**Zero Waste Week Jan 26 through Feb 1, 2020 (B)****RECOMMENDATION**

Nina Bhattacharyya representing Zero Waste Gainesville to accept Proclamation.

[Proclamation Zero Waste Week](#)

EARLY PUBLIC COMMENT - For items on the agenda, limited to 3 minutes per citizen for one item or up to 5 minutes for multiple items.

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**PUBLIC HEARINGS**[170427.](#)**Order - Application to Rezone Certain Property Owned by Weyerhaeuser NR Company (B)**

AGENDA UPDATE - NEW BACK-UP

Explanation: STAFF REPORT

On December 5, 2019, the City Commission held a quasi-judicial hearing on Petition PB-17-65, an application filed by EDA Engineers-Surveyors-Planners, Inc., as agent for Weyerhaeuser NR Company, that requested to rezone certain property from Alachua County Agriculture (A) to City of Gainesville Planned Development District (PD). Based upon the competent, substantial evidence received at the quasi-judicial hearing and included within the record, and in applying the essential requirements of the correct law and decision criteria, the City Commission voted 7-0 to deny Petition PB-17-65. This Order reduces to writing the decision made by the City Commission at the December 5, 2019, quasi-judicial hearing.

RECOMMENDATION

The City Commission approve the written Order and authorize the Mayor to execute and the Clerk of the City Commission to attest the Order.

Legislative History

12/5/19 City Commission Denied (Petition)

[170427A Staff Report 20191205](#)

[170427B Staff PPT 20191205](#)

[170427 11-20-19 Ltr to City Clerk 20191205.pdf](#)

[170427 Petitioner's Slides PB-17-65 for 12-5-19 20191205.pdf](#)

[170427 Petitioner Letter 20191205.pdf](#)

[170427A_order_20200116.pdf](#)

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[190264.](#)

Ordinance Amending Sections Related to City Beautification Board (B)

Ordinance No. 190264

An ordinance of the City of Gainesville, Florida, amending sections of the Code of Ordinances relating to the City Beautification Board; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: At its meeting of September 5, 2019, the City Beautification Board requested that the City Commission reduce the number of members of the board from 15 to 9 because of low attendance and in order to more efficiently conduct the functions of the City Beautification Board. The City Beautification Board also requested that the duty of sanitation be removed from the official duties and functions of City Beautification Board because the City Beautification Board no longer serves this function. The City Commission directed the City Attorney's Office to draft an amendment to the Code of Ordinances to reduce the number of members of the City Beautification Board from 15 to 9 and to remove the function and duty of sanitation. In drafting the Ordinance, the City Attorney's Office also removed outdated provisions governing the term of board members who served from 1996-1997.

The City Beautification Board requests that the City Commission approve revised Rules for the City Beautification board which reflect the above changes. The City Beautification Board has approved the proposed Rules.

Fiscal Note: No fiscal impact is expected.

RECOMMENDATION

The City Commission: 1) adopt the proposed ordinance; and 2) approve the revised Rules for the City Beautification Board.

Legislative History

9/5/19 City Commission Approved, as shown above
 11/21/19 City Commission Continued
 12/5/19 City Commission Adopted on First Reading (Ordinance)

[190264A_CBBCommissionletter_20190905](#)

[190264B_190125_City Beautification Board Bylaws_20190905](#)

[190264C_ATTENDANCE-SHEET-2018_20190905](#)

[190264D_ATTENDANCE-SHEET-2019_20190905](#)

[190264_draft ordinance_20191121.pdf](#)

[190264_draft rules_20191121.pdf](#)

[190289.](#)

Land Use Change - 20.74 Acres of Property Located at 6400 SW 20th Avenue (B)

Ordinance No. 190289

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 20.74 acres of property generally located at 6400 SW 20th Avenue, as more specifically described in this ordinance, from Alachua County High Density Residential to City of Gainesville Residential Medium-Density (RM); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

Update since first reading: On November 7, 2019, the City Commission approved this ordinance on first reading. City staff then transmitted this ordinance to the state reviewing agencies in accordance with the statutory expedited review process for comprehensive plan amendments. During the 30-day comment period, the City received letters from the Florida Department of Economic Opportunity, Florida Department of Environmental Protection, Florida Department of Transportation, and St. Johns River Water Management District. The comments received did not identify any adverse impacts to important state resources and facilities within the scope of review of the respective state agencies, and therefore did not necessitate any changes to the ordinance.

This ordinance amends the Future Land Use Map of the City of Gainesville by changing the land use category of approximately 20.74 acres of property located at 6400 SW 20th Avenue from Alachua County High Density Residential to City of Gainesville Residential Medium-Density (RM). This property was voluntarily annexed into the city on April 14, 2019. As a result of annexation, the city must now assign appropriate land use and zoning designations. The City Plan

Board held a public hearing on August 22, 2019, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan.

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 written comments to the City, which the City must then consider 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 the amendment, 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.*

Legislative History

11/7/19 City Commission Adopted on First Reading (Ordinance)

[190289A_draft ordinance_20191107.pdf](#)

[190289B_Staff Report with Appendices A-F_20191107](#)

[190289C_PPT_PB-19-68_LUC_20191107](#)

[190289B_state review letters_20200116.pdf](#)

[190290.](#)

Quasi-Judicial - Rezoning 20.74 Acres of Property Located at 6400 SW 20th Avenue (B)

Ordinance No. 190290

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 20.74 acres of property generally located at

6400 SW 20th Avenue, as more specifically described in this ordinance, from Alachua County Multiple-Family Medium-High Density (R-2a) district to City of Gainesville Multi-Family Residential (RMF-8) district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: **STAFF REPORT**

This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning approximately 20.74 acres of property located at 6400 SW 20th Avenue from Alachua County Multiple-Family Medium-High Density (R-2a) district to City of Gainesville Multi-Family Residential (RMF-8) district. This property was voluntarily annexed into the city on April 14, 2019. As a result of annexation, the city must now assign appropriate land use and zoning designations. The requested rezoning is consistent with the Comprehensive Plan and meets all applicable review criteria. The City Plan Board held a public hearing on August 22, 2019, where it voted to recommend approval of this rezoning.

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 190289 becomes effective as provided therein.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

11/7/19 City Commission Adopted on First Reading (Ordinance)

[190290A_draft ordinance_20191107.pdf](#)

[190290B_Staff Report with Appendices A-F_20191107](#)

[190290C_PPT_PB-19-69_ZON_20191107](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[190129.](#)

Ordinance Amending Regulations for Utility Use of Public Rights-of-Way (B)

Ordinance No. 190129

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances Chapter 23, Article VI - Public Rights-of-Way Use by Utilities and Appendix A, Schedule of Fees, Rates, and Charges, relating to regulations that apply to public rights-of-way use by utilities, including communications facilities and small wireless facilities; 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 the City's regulations in Chapter 23 of the Code of Ordinances that apply to public rights-of-way (ROWs) use by utilities, including communications facilities and small wireless facilities, as required by the Florida Legislature's 2019 adoption of Senate Bill 1000. On March 1, 2018, the City Commission adopted Ordinance No. 170786 and substantially revised the City's regulations regarding use of public ROWs by utilities, primarily in response to the Florida Legislature's 2017 amendment to Section 337.401, Florida Statutes, which required cities to allow the collocation of small wireless facilities on certain utility poles within public ROWs and which provided certain procedural and substantive limitations on local governments. Subsequently, the Governor of the State of Florida approved Senate Bill 1000 on June 25, 2019, which further limits the authority of local governments to regulate their public ROWs regarding use by communications services providers.

The City's regulatory program for utility use of public ROWs recognizes that public ROWs are a unique and physically limited resource and seeks to use and manage this resource by thoughtfully balancing the objectives of safety, aesthetics, economic vitality, and service delivery, all within the complicated context of overlapping federal, state, and local regulations that apply particularly to the communications industry. Accordingly, Chapter 23 Article VI of the City's Code of Ordinances requires any person or entity that desires to use the City's ROWs for any utility use to first receive a permit and to meet certain substantive and procedural requirements. The City/GRU is exempt from this permitting requirement, except when acting as a communications services provider.

One of the primary changes mandated by the Florida Legislature in 2017 was that local governments were for the first time required to allow the collocation of small wireless facilities on existing City (non-GRU) utility poles that are greater than 15 feet in height, subject to certain restrictions. Importantly, that 2017 law did not require local governments to allow the installation of new utility poles within public ROWs by communications services providers in order to accommodate small wireless facility collocation, and accordingly the City's 2018 ordinance did not allow for such. However, the 2019 Senate Bill 1000 now requires local governments to allow communications services providers to install a new utility pole when the provider demonstrates that it is not reasonably able to provide wireless service by collocation on an existing aboveground utility pole. This change could have a substantial impact on the presence of communications infrastructure within the City's public ROWs. As a result, the City's allowance of collocation on existing GRU poles (which make up the vast majority of existing utility poles within City limits) would significantly help to meet the demand for wireless infrastructure collocation and would therefore minimize the installation of new utility poles.

In addition to the primary changes mentioned above, this ordinance

amends other procedural and substantive provisions of the City's Code in accordance with 2019 HB 1000, such as: definition amendments; amendments to the registration requirements; limitations on the City's ability to require small wireless facilities to convert from aboveground to underground; limitations on the security the City may require from utility providers to secure performance and compliance with the City's Code; and amendments to the timeline for appeals of City permitting decisions. This ordinance also amends Appendix A to provide for certain allowable fees.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[190129A_draft ordinance_20200116.pdf](#)

[190129B_PowerPoint Presentation_20200116.pptx](#)

[190308.](#)

Ordinance Amending Chapter 18 of the Code of Ordinances Relating to Parks, Recreation and Cultural Affairs (B)

Ordinance No. 190308

An ordinance of the City of Gainesville, Florida, amending portions of Chapter 18 of the City Code of Ordinances relating to Parks, Recreation and Cultural Affairs, by amending the title of Chapter 18; by amending Section 18-1 regarding the Director of Parks, Recreation and Cultural Affairs; by amending Section 18-18 to update the list and names of parks; by amending Sections 18-20 and 18-21 relating to prohibited activities; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance updates the title for the Director of Parks, Recreation and Cultural Affairs. The list of city parks has been amended to reflect the addition of new parks, and renaming of parks. Lastly, the prohibited activities have been clarified to include littering, and swimming and water access at nature parks.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[190308A_draft ordinance_20200116.pdf](#)

[190419.](#)**Voluntary Annexation - 86.64 Acres of Property located near SW Williston Road & SW 34th Street (B)**

Ordinance No. 190419

An ordinance of the City of Gainesville, Florida, annexing approximately 86.64 acres of privately-owned property generally located south of SW Williston Road, west of SW 29th Drive, north of SW 56th Avenue, and east of SW 34th 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: This ordinance, at the request of property owner(s) of the subject property, will annex into the corporate limits of the City of Gainesville approximately 86.64 acres of privately-owned property that consists of parcels numbers 07176-007-000, 07176-010-000, 07176-011-000, 07240-037-000, 07176-016-000, 07176-012-000, 7240-000-000 (a portion of), and 07176-000-000 (a portion of), generally located south of SW Williston Road at the intersection of SW Williston Road and SW 34 Street. On October 3, 2019, the City Commission received and accepted a petition for voluntary annexation and directed the City Attorney to prepare this annexation ordinance.

Municipal annexation in Florida is governed by the Municipal Annexation or Contraction Act (the "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."

It is the opinion of city staff that the procedural and substantive requirements for voluntary annexation described in Section 171.044, F.S., have been met as follows: First, the annexation area is "contiguous" to the city limits because a substantial part of a boundary of the annexation area is coterminous with a part of the city boundary, and is touching or adjoining the city limits in a reasonably substantial sense. Second, the annexation area is "reasonably compact" because it is a reasonable concentration of property in a single area and does not create

any enclaves, pockets, or finger areas in serpentine patterns. This annexation would not result in a pattern of land that is winding or turning, and would not create any small isolated unincorporated area that is left in a sea of incorporated property when viewed in relationship to the overall scope and configuration of the annexation area and surrounding municipal property. Third, this annexation would not create any "enclaves" because the annexation would not result in any unincorporated property that is either enclosed and bound on all sides by the city limits; or enclosed within and bounded by the city limits and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the city.

Therefore, and in light of the general purpose of municipal incorporation and the fact that a property owner has voluntarily requested to be annexed into the City of Gainesville, city staff recommends adoption of this voluntary annexation ordinance.

The City Commission must decide, based on the map of the annexation area, the opinion and testimony of city staff, and other competent substantial evidence included in the record, whether the proposed annexation meets the essential requirements of the applicable state annexation law as described herein.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

10/3/19 City Commission Approved as Recommended

[190419A Rocky Point Voluntary Annexation Petition 20191003](#)

[190419B rocky point rd annex overview map 20191003](#)

[190419_draft ordinance 20200116.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