

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

September 3, 2020

1:00 PM

Virtual Teleconference City Commission Meeting

City Commission

Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large)
Commissioner Gail Johnson (At Large)
Commissioner Gigi Simmons (District 1)
Commissioner Harvey Ward (District 2)
Mayor-Commissioner Pro Tem 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.

Welcome to the City Commission meeting!

We're glad you're here. Please review the meeting process and how you can participate.

What is the Meeting Agenda? The City Commission makes policies and conducts the city's business in an open and transparent forum. The agenda is an outline of what will happen during the meeting. It includes the following sections:

Adoption of Consent Agenda (CA): The Consent Agenda is a group of business items that are voted on together in one motion. These items are not discussed separately. The Commission may remove an item to discuss it during the meeting or at a later meeting.. This process saves time for the Commission to discuss items on the Regular Agenda.

Adoption of Regular Agenda: The Commission must approve the order of items on the Regular Agenda, which is the list of items set for discussion. The Commission can also re-order or remove items.

The **(B)** after an item's title means that there are materials, called Backup, in support of the item. Click the links on the agenda to view the documents. An **(NB)** after an item's title means there are no Backup materials for the item.

How to Share Your Opinion. Your opinion is important to the City Commission. There are multiple ways to add a comment to the official record.

Submit Written Public Comment: You may write a public comment on any City Commission Meeting agenda item. Visit our website, www.cityofgainesville.org, and go to the "Agendas & Minutes" tab. Click on the "eComment" link in the right-hand column. Written comment opens when the agenda is published the Friday before the meeting and closes one (1) hour before the start of the meeting. Your comments will be sent to the City Commissioners and added to the official record.

Speak at a Public Meeting: Any member of the public may sign up to speak at a City Commission meeting. Visit our website, www.cityofgainesville.org, and go to the "Agendas & Minutes" tab on our website. Click on the "eComment" link in the right-hand column and register to speak on a specific agenda item. Online registration closes one (1) hour before the meeting is called to order. You may also register on the sign-up sheet in the Auditorium before the meeting begins. Speakers will be called to the podium by name and should address their comments to the Chair of the meeting, usually the Mayor. There are two types of public comment during Commission Meetings:

General Public Comment: The public is invited to speak to the Commission for three (3) minutes about any topic, as long as it is not on the Agenda. This is an opportunity to bring up new ideas or issues to the Commission. Each person may speak during one comment period: at the start of the 1pm session, at the start of the 5:30pm session, or at the end of the meeting. The Commission will not discuss or make decisions on ideas presented during this time. Comments may be referred to City staff for follow up.

Public Comment on Agenda Items: The Commission may request public comment on specific agenda items during discussion. Speakers may have three (3) minutes and comments must stay focused on the agenda topic at hand.

Early Public Comment: The Commission has created Early Public Comment to allow community members to speak on agenda items without waiting for the item to be called during the meeting. Speaking at Early Public Comment waives the right to speak later during the meeting. Members of the public may speak for three (3) minutes on one agenda item or five (5) minutes on two or more items. Speakers should begin their comments by announcing which items they are addressing so the timeclock can be set properly.

The City of Gainesville encourages civil public speech. Disruptive behavior is not permitted during City Commission meetings. Please do not bring food, drinks, props, signs, posters, or similar materials into the Auditorium. Cheering and applause are only permitted during the Proclamations/Special Recognitions portion of the meeting.

We look forward to a productive meeting and are glad you have joined us.

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

"Individuals are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 minutes for general public comment once during the meeting. Speakers who wish to participate in early public comment will be limited to 3 minutes to speak on one agenda item or 5 minutes if they wish to speak on several agenda items. If speakers do not participate in early public comment, speakers will be limited to 3 minutes per agenda item. The City of Gainesville encourages civility in public discourse and requests that speakers direct their comments to the Chair. Signs, props and posters are not permitted in the meeting room."

ROLL CALL**CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items****CA-1 [200261.](#) Approval of Minutes from the August 10, August 20, and August 26, 2020 City Commission Meetings (B)**

RECOMMENDATION *The City Commission approve the August 10, August 20, and August 26, 2020 Minutes.*

[200202_August 10, 2020 Minutes_20200820.pdf](#)

[200261_August 20, 2020 Minutes_20200903.pdf](#)

[200261_August 26, 2020 Minutes_20200903.pdf](#)

CA-2 [200177.](#) School Resource Officer and School Board of Alachua County Funding Agreement (B)

Explanation: This is a request to discuss the School Resource Officer and School Board of Alachua County Funding Agreement for Fiscal Year 2020-2021 and the next three years afterwards between the City of Gainesville and School Board of Alachua County. This agreement expired on July 30, 2020 and is retroactive to August 1, 2020.

RECOMMENDATION *The City Commission authorize the execution of the SRO Agreement.*

[200177_SRO Contract \(GPD\) 2019-2020_20200806](#)

[200177a_SRO Contract \(GPD\) 2020-2021 Final_20200903](#)

CA-3 [200192.](#) **Transit Services Agreement with Alachua County Board of County Commissioners (B)**

This item is a request to authorize the City Manager to execute the Transit Services Agreement for FY21 between the City of Gainesville Regional Transit System (RTS) and the Alachua County Board of County Commissioners (BoCC).

Explanation: The Agreement between the Regional Transit System (RTS) and the Alachua County Board of County Commissioners (BoCC) for RTS to provide transit services to residents and visitors in the surrounding urbanized area expires on September 30, 2020. The City and County have negotiated a new Agreement for the period of October 1, 2020 through September 30, 2021, for transit services, subject to funding and written consent of both parties.

The existing services will be continued in the FY21 agreement with minor modifications. The negotiated service rate for regular service was \$67.25 per hour in FY20 and will be \$68.36 per hour in FY21.

The annual amount of the FY20 Transit Services Agreements totaled \$1,022,772 in revenue from the County.

Fiscal Note: For the FY21 Transit Services Agreement RTS will receive \$1,056,426 of revenue from the BoCC made in quarterly payments.

RECOMMENDATION

The City Commission authorize the City Manager or his designee to execute the Transit Services Agreement with Alachua County Board of County Commissioners (BoCC) for the period of October 1, 2020 through September 30, 2021, subject to approval by the City Attorney as to form and legality.

[200192A Draft FY21 County Transit Agreement 20200903](#)

CA-4 [200234.](#) **Florida Department of State, Division of Cultural Affairs General Program Support, Multidisciplinary Presenter (B)**

This item requests retroactive approval by the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept, if awarded, a General Program Support grant from the Florida Division of Cultural Affairs.

Explanation: The City of Gainesville Parks Recreation and Cultural Affairs' Department, Cultural Affairs Division, annually applies to the Florida Department of State, Division of Cultural Affairs (DCA) for a general

program support grant. The Department qualifies as a Level III organization and can apply for the highest level of funding, \$150,000. Staff has prepared a general program support grant request which was submitted by the June 1st deadline, requesting grant funds for FY 2021-2022 in the Multidisciplinary Presenter category.

Though this grant is for general program support, a detailed outline of how the funds will be spent was required with the application. If funded, the grant award for FY 2021-2022 will be applied to initiatives that will build PRCA's cultural program presenting capacity. The grant will provide funding for elements of the "352ArtsRoadmap" cultural master plan for the City of Gainesville and related marketing initiatives. It will provide support for the Thomas Center Galleries' exhibition curation and marketing; 352walls coordination and artist fees, as well as cultural programming artist fees.

The grant submission deadline was June 1, 2020; a panel review of applications will be scheduled for late August; final recommendations are subject to approval by the Florida Legislature and Governor and will be announced in June 2021. The grant period for the next grant is July 1, 2021 - June 30, 2022.

Fiscal Note: The FY 2021-22 General Program Support, \$150,000 grant requires a 1:1 match. The matching funds will be met by expenses from recurring cultural affairs staffing costs, cultural programming artist fees and event marketing costs for the Hoggetowne Medieval Faire and the Downtown Cultural Series, which includes the Downtown Festival and Art Show. No additional funds will be necessary to facilitate this request.

RECOMMENDATION

The City Commission to 1) retroactively approve the request for the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept the grant if awarded, from the Florida Department of State, Division of Cultural Affairs, and 2) authorize the City Manager or designee to execute the grant award agreement and other grant related documents, subject to approval by the City Attorney as to form and legality.

[200234A_DCA Grant 2021-2022 Submitted 5-27-20_20200903.pdf](#)

[200234B_352artsroadmap-summary_20200903.pdf](#)

CA-5 [200242.](#)

Subrecipient Agreement between the City of Gainesville and Alachua County for CARES Funding of COVID19 Expenses (B)

The City Manager is requesting City Commission approval of the Subrecipient Agreement allowing the City of Gainesville to request CARES funding for reimbursement of COVID19 related expenses from Alachua County.

Explanation: Pursuant to section 5001 of the Coronavirus Aid, Relief and Economic

Security Act ("CARES Act"), the State of Florida (State) received Coronavirus Relief Funds from the Federal Government. Pursuant to the CARES Act Funding Agreement, Agreement Number Y2273, by and between the State of Florida, Division of Emergency Management and Alachua County (County), the State awarded a portion of the Coronavirus Relief Funds to the County. On July 7, 2020, the County approved the Alachua County CARES Act Plan and on August 3, 2020, the County approved the amended Alachua County CARES Act Plan. In accordance with the Plan, the County appropriated \$2,356,350 of its Coronavirus Relief Funds to be provided as grant funding to the City of Gainesville (City) to fund expenses incurred as a result of the COVID-19 Public Health Emergency. Reimbursement will only be given for approved expenses incurred between March 1, 2020 and December 30, 2020 and that were not budgeted as of March 27, 2020. The City will be submitting a single application encompassing both General Government and Gainesville Regional Utilities reimbursement requests as the funding allocation is applied to the entire city as one entity.

Fiscal Note: The City will seek reimbursement of COVID-19 related expenses allowed by the CARES Act in an amount up to \$2,356,350 based on actual allowable expenses incurred March 1, 2020 through December 30, 2020.

RECOMMENDATION

The City Commission authorize the City Manager to apply for and accept the grant and to execute the Subrecipient Grant Agreement with Alachua County, as well as any other necessary documents, subject to review by the City Attorney as to form and legality.

[200242 CARES Subrecipient Agreement 20200903.pdf](#)

ADOPTION OF REGULAR AGENDA

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

BD-1 [200260.](#) Coronavirus Relief Fund Utility Assistance Program (B)

This is a request for the City Commission to approve the Coronavirus Relief Fund Utility Assistance Program.

Explanation: The Coronavirus Relief Fund (CRF) is a portion of the Coronavirus Aid, Relief, and Economic Security (CARES) Act passed by Congress and signed into law by the President in March 2020 in response to the economic fallout of the COVID-19 pandemic. Governor DeSantis authorized \$120 million of Florida's CRF allocation to Florida Housing Finance Corporation (Florida Housing) to assist renter and homeowner households that have been negatively impacted by the COVID-19 pandemic. The CRF Program for impacted homeowners and renters will

be administered through the State Housing Initiatives Partnership Program (SHIP) platform though not funded through SHIP.

As required by the State, the CRF grant program must be completed and funds expended by December 30, 2020. In general, assistance with paying monthly rent, mortgage payments or emergency repairs are eligible expenditures through the CRF Program; however, time is of the essence, thus, the Housing and Community Development (HCD) Division is proposing to concentrate only on providing financial assistance towards a Utility Assistance Program for extremely low, very low, low and moderate income city neighbors. The proposed Utility Assistance Program will include financial assistance to assist individuals with electric, water, cable, phone and/or internet services. Continuing with the GNVcares about Neighbors funding concept, eligible recipients can receive up to \$1,250 in utility payment assistance. Applications will be submitted through an online application portal.

Fiscal Note: Through the CRF Program, the City anticipates receiving an allocation of \$350,511 with 10% being allocated for program administration. This will allow the City to assist approximately 252 households within this short turn-around period.

RECOMMENDATION

The City Commission: 1) approve the Coronavirus Relief Fund Utility Assistance Program; 2) authorize the City Manager or designee to take actions as appropriate to expend funds associated with Coronavirus Relief Fund Utility Assistance Program; and 3) authorize the City Manager to execute any required programmatic and financial agreements to implement the Coronavirus Relief Fund Utility Assistance Program, subject to approval by the City Attorney as to form and legality.

[200260A CRF UAP Presentation 20200903](#)

[200260B CRF Strategy 2 Allocation 20200903](#)

BD-2 [200259.](#)

Acceptance of Anticipated US Department of Transportation FAA AIP Grant No. 3-12-0028-045-2020 in an amount up to \$1,796,715.00 (B)

Resolution No. 200259

A Resolution of the City of Gainesville, Florida, accepting FAA AIP Grant No. 3-12-0028-045-2020 from the U.S. Department of Transportation, Federal Aviation Administration, and authorizing execution by the Mayor and the Clerk of the Commission on behalf of the City of Gainesville; and providing an immediate effective date.

Explanation: The Gainesville-Alachua County Regional Airport Authority (GACRAA)

anticipates an offer from the U.S. Department of Transportation, Federal Aviation Administration (FAA) for AIP Grant No. 3-12-0028-045-2020 in an amount up to \$1,796,715.00 for the "Expand Terminal Building (2 Passenger Boarding Bridges) Project" at the Gainesville Regional Airport.

Because the City of Gainesville retains title to the land upon which Gainesville Regional Airport operates, the City of Gainesville, in addition to GACRAA, must formally accept all federal grant offers. Accordingly, GACRAA on June 25, 2020, adopted Resolution No. 20-008, which accepted and authorized execution of the anticipated grant offer.

RECOMMENDATION *The City Commission adopt the resolution.*

[200259A_draft_resolution_20200903.pdf](#)

[200259B_GACRAA_Resolution_20200903.pdf](#)

[200259C_Grant_Application_from_GACRAA_20200903.pdf](#)

[200259D_Assurances_20200903.pdf](#)

[200259E_Letter_from_GACRAA_to_City_20200903.pdf](#)

BD-3 [200230.](#)

Resolution for Local Agency Program Agreements for NW 19th Lane Multimodal Facility (B)

This item is associated with a Resolution authorizing the City Manager to execute a Construction and Maintenance Agreement between the City of Gainesville and the Florida Department of Transportation for the NW 19th Lane Multimodal Project.

Explanation: The City of Gainesville and the Florida Department of Transportation (FDOT) have entered into a Local Agency Program Agreement to receive funding for the construction of the project. The Local Agency Program (LAP) provides financial assistance to local governments to design and construct transportation facilities with federal funds. The Florida Department of Transportation is the steward of these funds and provides oversight on behalf of the Federal Highway Administration. This Construction and Maintenance Agreement allows the City to move forward with the construction and maintenance phases of the project.

Fiscal Note: Construction of the project is funded 100% by FDOT through a LAP agreement, totaling \$347,820. This project is replacement of an existing sidewalk facility in City right-of-way; as such, there are no additional maintenance obligations that will be required of the City.

RECOMMENDATION *The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute the Construction and Maintenance Agreement for NW 19th Lane, subject to approval by the City Attorney as to form and legality.*

[200230A_Executed_NW_19th_Ln_Const_LAP_Agreement_20200903](#)

[200230B_NW_19th_Ln_CMA_06-19-20_20200903](#)

[200230C_Resolution_NW_19_Ln_Const_maint_Agreement_20200903](#)

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

RE RESOLUTIONS - ROLL CALL REQUIRED (RE)

RE-1 [191241](#) Quasi-Judicial - Final Plat for Finley Woods Phase 2 (B)

Resolution No. 191241

A resolution of the City of Gainesville, Florida, approving the final plat named "FINLEY WOODS PHASE 2" located in the vicinity of 5711 and 5915 SW 43rd Terrace, Gainesville, Florida, as more specifically described in this resolution; authorizing the City Manager to execute a security agreement to secure required public improvements; accepting the dedication of the public rights-of-way, easements, and other dedicated portions as shown on the plat; providing directions to the Clerk of the Commission; and providing an immediate effective date.

Explanation: The platting of land, which is governed by Chapter 177, Florida Statutes, and the City of Gainesville Land Development Code (LDC), serves to establish the legal identity of all lands included on the plat to provide for conveyance (i.e., the sale of land) by reference to such plat. Platting also ensures that adequate and necessary physical improvements will be installed in subdivisions by the subdividers. Sections 30-3.38 and 30-6.6 of the LDC describe the subdivision improvements that the subdivider must construct for plat approval. The subdivider may choose to provide security (i.e., surety bond, letter of credit, cash deposit, or construction loan agreement) to ensure that the improvements get constructed within 12 months of plat approval, and in such case the subdivider may record the plat and sell lots therein immediately upon City Commission approval.

In this case, the owner has submitted a security agreement along with a construction loan agreement and an irrevocable letter of credit to secure the construction of the required subdivision public improvements. This resolution will approve a Final Plat for Finley Woods Phase 2, which is located in the vicinity of 5711 and 5915 SW 43rd Terrace. The property comprises several parcels totaling 28.55 acres. The plat subdivides the land into 93 single-family residential lots, plus additional parcels for stormwater management, utilities, common area, and other amenities.

The subdivision is submitted part of the implementation of a Planned Unit Development (PUD), adopted by Alachua county before annexation into

the City of Gainesville. The plat complies with the development standards of the LDC, the governing Planned Development zoning, as well as the goals, objectives, and policies of the Comprehensive Plan.

On October 30, 2018, the City's Development Review Board reviewed and approved the design plat (a preliminary and temporary development order that is a prerequisite of a final plat) for Finley Woods Phase 2, and on February 7, 2019, the City Commission approved the design plat.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

[191241A_draft resolution_20200903.pdf](#)

[191241B_Plat Map_20200903.pdf](#)

[191241C_StaffPPT_20200903](#)

[191241D_StaffReport_20200903](#)

PUBLIC HEARINGS (PH)

FR ORDINANCES, 1ST READING - ROLL CALL REQUIRED (FR)

FR-1 [200247.](#) **Ordinance Repealing the Housing and Commercial Building Codes and Adopting the International Property Maintenance Code (B)**

ORDINANCE NO. 200247

An ordinance of the City of Gainesville, Florida, related to property maintenance standards for existing residential and non-residential properties; repealing the existing Division 1. titled "General Requirements for Fences and Walls" within Article I of Chapter 13 and renumbering the existing Division 2.; repealing the existing Article II titled "Housing Code" of Chapter 13; repealing the existing Article III titled "Commercial Building Code" of Chapter 13; and creating a new Article II titled "Property Maintenance Code" within Chapter 13 to adopt by reference the International Property Maintenance Code (IPMC) with local revisions; amending Sec. 2-339 titled "Applicable codes and ordinances" within Division 6, Article V of Chapter 2; amending Sec. 2-377 titled "Applicability; jurisdiction" within Division 8, Article V of Chapter 2; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing effective dates.

Explanation: One of the recommendations of the Rental Housing Subcommittee was to create a rental housing ordinance that would require an annual permit, inspections and minimum energy efficiency, life safety and property maintenance standards be met with respect to residential rental units within the City (excluding Public Lodging Establishments as defined by and regulated under State law.) During the deliberations of the Rental

Housing Subcommittee, staff focused on using certain of the minimum standards from the City's existing Housing Code as the rental unit standards; however, upon new staff and management review, it was determined that a better approach would be to replace the outdated and Gainesville-specific Housing Code and Commercial Building Code with an industry standard code, the "International Property Maintenance Code" (IPMC), with local revisions as the City's new Property Maintenance Code.

This new Property Maintenance Code applies to all existing residential and commercial structures and properties (not just residential rental properties) and will become effective at 12:01am on January 1, 2021. This will allow time for City staff to disseminate educational information about this Code change and encourage voluntary compliance.

Fiscal Note: Staff anticipates minimal fiscal impact on the General Government budget resulting from adoption of this ordinance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[200247 draft ordinance 20200903.pdf](#)

FR-2 [200249.](#)

Ordinance Repealing the Landlord Permit Program and Creating the Residential Rental Unit Permit and Inspection Program (B)

ORDINANCE NO. 200249

An ordinance of the City of Gainesville, Florida, related to the regulation of residential rental units; amending Chapter 14.5 titled "Miscellaneous Business Regulations" of the City Code of Ordinances by repealing the existing Article I titled "Landlord Permits" and creating a new Article I titled "Residential Rental Unit Permits"; amending Appendix A. titled "Schedule of Fees, Rates and Charges" by repealing the existing Landlord Permit fees and creating new Residential Rental Unit Permit fees; amending Sec. 2-339 titled "Applicable codes and ordinances" within Division 6, Article V of Chapter 2; amending Sec. 2-377 titled "Applicability; jurisdiction" within Division 8, Article V of Chapter 2; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing effective dates.

Explanation: One of the recommendations of the Rental Housing Subcommittee was to create a rental housing code that would require an annual permit, inspections and minimum energy efficiency, life safety and property maintenance standards be met with respect to residential rental units within the City (excluding Public Lodging Establishments as defined by and regulated under State law.) On July 25, 2019, the General Policy Committee moved all recommendations of the Rental Housing Subcommittee to the City Commission and directed the City Attorney to draft an ordinance to be brought to the Commission for discussion. The

City Manager, City Attorney, Code Enforcement (now Sustainable Development) and GRU Energy Efficiency staff worked together to draft an ordinance that was discussed by the Commission at its Regular Meeting on July 16, 2020. At that meeting, the Commission directed the ordinance be scheduled for first reading on August 20th, with the following revisions:

Add that the City shall conduct an Energy Efficiency rating system of each unit every 8 years. That the rating system shall be HES system or equivalent rating system with duct testing.

Change Page 14, section a, landlords have to give an energy efficiency rating sheet and other required materials available to tenants either electronically or in print before the signing of the lease

Change Page 15 and Page 16 - under Energy Efficiency section c, under 14.5-4 Living Standards: (a) R-19 by October 2021 and R-30 in 5 years (2026), (m) Programmable thermostat connected to HVAC within 5 years, and (h) toilets 1.6 gal/flush in 5 years (2026), volume reduction devices can be used to bring down to 3 gals.

Change Page 15 (Living Standards) living standards start October 1, 2020 for section a and b, energy efficiency section c October 2021.

Add City shall create a mediation program to deal with rental property issues by October 1, 2021.

Add the City Commission shall review the standards every 4 years starting in 2025.

Section 14.5-5 Inspections Page 17 add more wording to (b) the city may conduct inspections outside the required 4 year cycle.

The draft ordinance includes the Commission requested revisions, with the following exceptions:

- 1) The owner is required to obtain an Energy Efficiency Rating Report (at least every 8 years) and provide it to the City with the permit application.
- 2) The life safety requirements (fire extinguisher and carbon monoxide alarm) have been deleted, as those were incorporated into the International Property Maintenance Code requirements (which is proposed for adoption by separate Ordinance No. 200247, as it applies to more than just residential rental units) and will become effective on January 1, 2021 to allow staff time to disseminate educational information and encourage voluntary compliance.
- 3) A mediation program is not appropriate for inclusion in a regulatory ordinance. The Commission will need to provide more direction regarding what they desire to accomplish with a mediation program and staff can report back on resources that might already be available in the community or what city department might be most appropriate to manage such a program and provide a budget estimate for same.
- 4) It is not appropriate to include in a regulatory ordinance a requirement that binds future Commissions to review the Rental Housing requirements every four years.

Fiscal Note: Staff estimates this new regulatory program will require 11 new FTEs with an annual budget of \$1,813,369. Based on the estimated number of regulated rental units, staff has set the permit fee at \$170 per unit to cover the budget for this program.

RECOMMENDATION

The City Commission discuss the draft ordinance and take action deemed appropriate.

[200249_draft ordinance_20200903.pdf](#)

FR-3 [200250.](#)

Ordinance Suspending Enforcement of Open Container During the COVID-19 Pandemic (B)

ORDINANCE NO. 200250

An ordinance of the City of Gainesville, Florida, suspending the enforcement of Sec. 4-4 and Sec. 18-20(16) as it relates to the consumption or possession of any alcoholic beverage in any open container on property owned or operated by the city (including parks) or on any public right-of-way during the declared State of Emergency for the COVID-19 Pandemic; providing for repeal by emergency ordinance; providing for non-codification; providing a severability clause; providing a conflict clause; and providing an effective date and termination date

Explanation: City Management and the City Commission are concerned that with the return of University of Florida students to Gainesville for the Fall 2020 semester, the operating and capacity restrictions placed on bars and restaurants through the State and County Emergency Orders issued in response to the COVID-19 Pandemic will drive students to congregate and possess and consume alcoholic beverages in large, non-socially distant groups in indoor locations (such as house or fraternity/sorority parties).

To address this concern, City Management and the City Commission desire to provide opportunity for all persons to possess and consume alcoholic beverages outdoors on City-owned or operated property (including parks) and public right-of-way throughout the City by temporarily suspending the enforcement (as to personal possession and consumption) of Sec. 4-4 and Sec. 18-20(16) of the City Code of Ordinances. This ordinance is intended to be of limited duration during the declared emergency for the COVID-19 Pandemic and may be repealed by emergency ordinance if the cessation of enforcement creates an immediate public health, safety or welfare concern.

If adopted on first reading on September 3, 2020, this ordinance will be heard on second reading at the Special City Commission Meeting on September 10, 2020.

Fiscal Note: There is no fiscal impact on the General Government budget resulting from adoption of this ordinance.

RECOMMENDATION

The City Commission discuss the draft ordinance and take action deemed appropriate.

[200250_draft ordinance_20200903.pdf](#)

ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)

SR-1 [190988.](#) **Text Change - Amending Accessory Dwelling Unit Regulations in the Land Development Code (B)**

Ordinance No. 190988

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by amending accessory dwellings as a permitted use in certain zoning districts with associated regulations; by amending Section 30-2.1 Definitions; by amending Section 30-4.12 Permitted Uses in Transects; by amending Section 30-4.16 Permitted Uses in Residential Districts; by amending Section 30-4.19 Permitted Uses in Mixed-Use and Nonresidential Districts; by amending Section 30-4.23 Permitted Uses in Special Districts; by amending Section 30-5.35 Accessory dwellings; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

NOTE: This ordinance was amended by the City Commission at first reading on 8/20/20. A tracked-changes version of the ordinance showing the amendments made by the City Commission in double strike-through and double underline is provided in the backup.

This ordinance will add Accessory Dwelling Units (ADUs) as a permitted use within various zoning districts, including single-family zoning districts, with specific regulations to ensure compatibility with existing neighborhoods. The City Plan Board held a public hearing on February 27, 2020, where it voted to recommend approval of this amendment to the Land Development Code. 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

8/20/20 City Commission Approved, as shown above

[190988C Staff Report Supporting Documents 20200402](#)

[190988D CPB 200227 Minutes Draft 20200402](#)

[190988E ADU Presentation 20200820.pdf](#)

[190988 draft ordinance 20200820.pdf](#)

[190988 C-Hayes-Santos Proposed ADU Ordinance Changes Summary 20200](#)

[190988 C Hayes-Santos ADU Ordinance proposal by Adrian Hayes-Santos 20](#)

[190988 UPNA Ltr Re ADU Ordinance #190988A 20200820.pdf](#)

[190988 CC Agenda 8-20-2020 20200820.pdf](#)

[190988 revised draft ordinance 20200903.pdf](#)

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