

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**January 21, 2021**

**1:00 PM**

**City Hall Auditorium**

## **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 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 the Commission votes on together in one motion. These items are not discussed separately. The Commission may remove an item to discuss during the meeting or at a later meeting. This process saves time for discussing Regular Agenda items.

**Adoption of Regular Agenda:** The Commission approves the order of the Business Discussion (**BD**) items on the Regular Agenda. The Commission may re-order or remove discussion 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 give a public comment for the official meeting record. The options listed below may be offered during this meeting. Please see the city's [Public Meeting Calendar](#) for full details on public comment opportunities.

**Submit Written Public Comment:** You may write a public comment on any City Commission Meeting agenda item. Visit our website, [www.cityofgainesville.org](http://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](http://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 take public comment on specific agenda items during discussion. Speakers may have three (3) minutes and comments must relate to the agenda item.

**Early Public Comment:** During Early Public Comment, community members may 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.

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

*"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****INVOCATION****CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items****CA-1 [200697.](#) Approval of Minutes from the January 7 and January 12, 2021 City Commission Meetings (B)**

**RECOMMENDATION**      *The City Commission approve the January 7 and January 12, 2021 minutes.*

[200697 January 7, 2021 Minutes 20210121](#)

[200697 January 12, 2021 Minutes 20210121](#)

**CA-2 [200702.](#) Appointments to City Commission Advisory Boards and Committees (B)**

**RECOMMENDATION**      *The City Commission appoint:*

*Geraldine Klarenberg to the Bicycle Pedestrian Advisory Board for a term to expire on 12/31/2021.*

*Wayne Kemp as a student member of the Gainesville Human Rights Board for a term to expire on 9/30/2021*

[200702 BPAB Applications 20210121.pdf](#)

[200702 GHRB Application 20210121.pdf](#)

[200702 Advisory Board and Commission Ballot Form 20210221.pdf](#)

**CA-3 [200714.](#) GRU Operational Update for the Months of October, November and December 2020 (B)**

*Explanation: Staff has prepared reports of statistical and operational data for the utility*

for the months of October, November and December 2020. The reports are presented for informational purposes.

*Fiscal Note: None.*

**RECOMMENDATION**      *Receive reports.*

[200714 GRU Ops Update Oct 2020 20210121](#)

[200714 GRU Ops Update Nov 2020 20210121](#)

[200714 GRU Ops Update Dec 2020 20210121](#)

**CA-4      [200717.](#)      **Equity Advisory Council Recommendation (B)****

*Explanation: The Department of Equity and Inclusion, headed by Mrs. Teneeshia L. Marshall, will request authorization from the City Commission to begin drafting an ordinance that would create an Equity Advisory Council that is separate and independent of the Human Rights Board.*

*Fiscal Note: N/A*

**RECOMMENDATION**      *The City Commission consider and approve recommendation to draft an ordinance that would establish an Equity Advisory Council independent of the Human Rights Board*

[200717\\_EquityAdvisoryCouncil\\_01212021.pdf](#)

**CA-5      [200718.](#)      **Advisory Board and Committee Annual Reports (B)****

*AGENDA UPDATE - Additional Back-up Added*

*Explanation: At the September 17, 2020 meeting the commission moved to request annual reports from all Advisory Boards and Committees.*

*In accordance with the motion, the reports in the backup have been compiled. The City Clerks' Office will continue working with the Advisory Boards and Committees to submit outstanding reports.*

*Fiscal Note: N/A*

**RECOMMENDATION**      *The City Commission receive and review the advisory board and committee annual reports.*

[200718 LTR Advisory Boards and Committees Annual Report 2019-2020 0922](#)  
[200718 2020 CBB annual report 20210121.pdf](#)  
[200718 CACCD FY19-20 Report to Gainesville City Commission 20210121.pdf](#)  
[200718 DRB Annual Activities Report 2019 - 2020 12012020 20210121.pdf](#)  
[200718 GCAB Annual Report LtrHd 20210121.pdf](#)  
[200718 SCRAB 2019-2020 Annual Report to City of Gainesville Commission 20](#)  
[200718 TAB Annual Report 2019-2020 Final 20210121.pdf](#)  
[200718 WSPP 2020 Annual Work Plan and Accomplishments 20210121.pdf](#)  
[200718 UAB 2019-2020 Annual Report 20210121.pdf](#)  
[200718 NCC Annual Report 2019 2020 Final 20210121.pdf](#)  
[200718 CPB report 2019-2020 20210121.pdf](#)  
[200718 PRPB 2019-2020 Annual Report 20210121.pdf](#)  
[200718 GAPPT Annual Report LtrHd 20210121.pdf](#)  
[200718 FSBA Advisory Board and Committee Reports 20210121.pdf](#)  
[200718 HPB Annual Report 20210121.pdf](#)  
[200718 2019-2020 RTS CAB Annual Report 20210121.pdf](#)

CA-6 [200648](#).

**Request for Release of Escrowed Deposit (B)**

This item involves City Commission review of a letter from 1+1=3 of Gainesville, LLC regarding request for Release of Escrowed Deposit associated with the development of City Parking Lot #10.

*Explanation: On January 7, 2021, the City Commission approved an Offering of Memorandum prepared by Colliers International for the future marketing of City Parking Lot #10.*

*Staff discussed the status of the prior contract with 1+1=3 of Gainesville, LLC. on the January 7 agenda item and a November letter from staff to 1+1+3 of Gainesville, Inc. was attached as back-up.*

*As a reminder, in March, 2020, the Commission directed staff to extend performance benchmarks on an existing contract with 1+1=3 of Gainesville, LLC on City Parking Lot #10 moving them forward to September 1, 2020. Unfortunately, as a consequence of the public health crisis this extension could not accommodate the project.*

*Staff did work with the developer, per Commission direction, in spite of the public health crisis, on language to extend the project however the time period would have to be adjusted dramatically (past the September 1, 2020 date) and in addition to proposed extension language other substantive contractual issues were raised as well both by the developer and the City.*

*Fiscal Note:* The escrow deposit in the amount \$50,000 is currently held by Salter Feiber, PA.

**RECOMMENDATION**

*The City Commission: 1) hear a brief presentation on the request; 2) due to the unique challenges associated with development during the COVID-19 pandemic, staff supports Mr. Fogler's request for refunding the deposit.*

**Legislative History**

1/7/21 City Commission Approved as Recommended

[200648A\\_Lapse Ltr\\_1+1=3 of Gainesville LLC\\_20210121.pdf](#)

[200648B\\_Lot 10 Contract 1+1=3 of Gainesville\\_20210121..pdf](#)

[200648C\\_Request for Escrowed Deposit Ltr\\_1+1=3LLC\\_20210121.pdf](#)

CA-7 [200747.](#)

**The Equity Summit, Partnership Agreement with Gainesville, FL (B)**  
AGENDA UPDATE - REMOVE ITEM

**RECOMMENDATION**

*The City Commission discuss and take action deemed necessary.*

[200747\\_EQUITYSUMMIT2021\\_20210121](#)

[200747\\_Memorandum of Agreement\\_BondEducationalGroup\\_CityofGainesville](#)

CA-8 [200700.](#)

**General Government Budget Calendar (NB)**

The City Commission approves dates for discussion of the FY2022/2023 biennial budget.

*Explanation: Staff requests the City Commission approve dates to discuss items related to the FY2022/2023 biennial 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:*

05/10/2021 1:30-5:00pm  
General Government Budget

07/13/2021 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.

09/09/2021 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 FY2022 by resolution.

09/23/2021 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 FY2022 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 2021 requesting alternative special meeting dates. These potential conflicts will not be known until July 2021.*

*Fiscal Note: The cost of conducting these meetings is available in the FY21 Operating Budget.*

**RECOMMENDATION**

*The City Commission approve the dates requested by staff.*

CA-9 [200751.](#)

**2021 City Election (NB)**

AGENDA UPDATE - ADDED ITEM

**RECOMMENDATION**

*The City Commission approve the Supervisor of Elections Office, the Millhopper Library, University of Florida Reitz Union and Martin Luther King, Jr. (MLK) Center as early voting sites for the 2021 Election on March 16, 2021.*

*Note: The Reitz Union is still pending confirmation but the Clerk will send notice to the Commission once final approval is received.*

CA-10 [200746.](#)

**Acquisition of Additional Conservation Lands for Hogtown Creek Headwaters Nature Park (B)**

**AGENDA UPDATE - ADDED ITEM**

*Explanation:* This item is a request for the City Commission to approve the purchase of approximately 12 acres of conservation land that are beneficially located between the 4500 and 4900 blocks of NW 19th Street for the appraised value of \$186,000.00. The Jurecko parcels (TP# 07901-000-000 and 07902-001-000) have been on PRCA's priority acquisition list for several years and will be managed as part of Hogtown Creek Headwaters Nature Park.

The property consists of several relatively healthy natural community types, including upland mixed forest, mesic pine flatwoods, upland pine forest, seepage stream, seepage slope, and blackwater stream (a Hogtown Creek tributary). Staff evaluation of the property determined that there has been no major clearing visible on historical aerials going back to 1937, with the exception of the former homesite.

Acquisition of the property protects a portion of Hogtown Creek, protects additional headwater wetlands of Hogtown Creek, and provides protection for heritage trees. The property will provide additional acreage for recreational trails and provides a buffer from residential development to the west. As some of the property fronts on NW 45th Avenue, acquisition preserves additional aesthetic values for the neighborhood.

Management will include securing the boundaries, treating for invasive plants, and developing and maintaining trails.

*Fiscal Note:* Acquisition costs in the amount of \$186,000.00 are available from the Tree Mitigation Fund. Staff estimates management costs for the first two years at \$10,330.00 for fencing, boundary marking, signage, trail blazing and invasive plant control. Estimated annual management costs thereafter would be about \$1,500.00, barring emergencies or special projects. These funds are available in the Nature Operations Division annual operating budget.

**RECOMMENDATION**

The City Commission: 1) approve the Contract for Purchase and Sale of Real Property for Tax Parcels 07901-000-000 and 07902-001-000 in the amount of \$186,000.00 plus closing costs, as negotiated by staff; and 2) authorize the City Manager or designee to execute the appropriate contract and closing documents, subject to approval by the City Attorney as to form and legality.

[200746A\\_Jurecko FARBAR Purchase and Sale Contract-Jan 11 2021.pdf](#)

[200746B\\_Jurecko Property Appraisal 2020-085.pdf](#)

[200746C\\_Phase I Environmental Assessment.pdf](#)

[200746D\\_Jurecko Survey.pdf](#)

**ADOPTION OF REGULAR AGENDA**



**GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the 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      [200699.](#)                      2021 Canvassing Board Appointment (NB)**

**RECOMMENDATION**

*The City Commission: 1) appoint a City Commissioner to the 2021 Canvassing Board; or 2) in the absence of a Commissioner, the City Commission appoint the City Auditor to the 2021 Canvassing Board.*

**BD-2      [200554.](#)                      Appointments to the Police Advisory Council (B)**

*Explanation: At the City Commission meeting on December 3, 2020, the Commission requested staff to readvertise the openings for the Police Advisory Council for an additional month.*

*Due to additional outreach efforts of the City Clerk's Office and Communications, applications rose from 16 to 61.*

**RECOMMENDATION**

*The City Commission discuss appointments to the Police Advisory Council and take appropriate action.*

**Legislative History**

12/3/20      City Commission      Approved, as shown above

[200554A\\_PAC Ballot & Applications\\_20201203.pdf](#)

[200554B\\_PAC Ballot & Applications\\_20210121.pdf](#)

**BD-3      [200647.](#)                      Special Magistrate Requests Release of Liens (B)**

*Explanation: This item is a request for the City Commission to approve, approve with modification or deny the Code Enforcement Special Magistrate's recommendations regarding requests for lien reductions or rescissions for six properties. These properties were previously found in violation of a City ordinance and were assessed fines resulting in the placement of liens on the properties. Persons of interest have come before the Special Magistrate to request a reduction or rescission for the fines. In determining the amount of the fine, if any, the Magistrate and City Commission shall consider the following factors listed in Section 162.09(2)(b), Florida Statutes:*

1. *The gravity of the violation;*
2. *Any actions taken by the violator to correct the violation; and*
3. *Any previous violations committed by the violator.*

*The Special Magistrate recommends in these cases to either deny, rescind or reduce the fines with or without conditions. A summary of the Magistrate's recommendations is included in the backup along with the associated case files.*

**RECOMMENDATION**

*The City Commission approve, approve with modification or deny the Code Enforcement Special Magistrate's recommendations and authorize the Mayor and/or the City Manager to sign any required documents as outlined:*

1. *David C. Hoye, 506 NW 3rd Street: Magistrate recommends that the lien in the amount of \$195,223.02 be released.*
2. *Ina H Santos, 2130 SE Hawthorne Road: Magistrate recommends that the lien in the amount of \$25,500 be reduced to \$1,000.*
3. *Kaja Holdings LLC, 115 SE 14th Street: Magistrate recommends that the lien in the amount of \$1,400,000 be released.*
4. *David C/Linda K Stewart, 3119 SW 26th Terrace: Magistrate recommends that the lien in the amount of \$131,300 be released with the following conditions: The respondent has 60 days from the signing of the order to sell the property or the fines will revert to \$131,300.*
5. *John L. Rowe, 1237 SE 3rd Avenue: Magistrate recommends that the lien release request be denied.*
6. *Jose Luis Fornis, 3707 SW 28th Terrace: Magistrate recommends that the lien in the amount of \$67,531.11 be reduced to \$5,000.*

[200647 Summary of Reductions 20210107.pdf](#)

[200647A Hoye 506 NW 3rd Street 20210121.pdf](#)

[200647B Santos 2130 SE Hawthorne Road 20210121.pdf](#)

[200647C Kaja Holdings LLC, 115 SE 14th Street 20210121.pdf](#)

[200647D David C & Linda K Stewart, 3119 SW 26th Terrace 20210121.pdf](#)

[200647E John L. Rowe, 1237 SE 3rd Avenue 20210121.pdf](#)

[200647F Jose Luis Fornis, 3707 SW 28th Terrace 20210121.pdf](#)

**BD-4**      [180361.](#)

**Advanced Metering Infrastructure (AMI) Approval (B)**

*Explanation: Over the last decade, Advanced Metering Infrastructure (AMI) has been one of the top initiatives for utilities around the U.S. The technology*

*employed through AMI systems is no longer a cutting edge technology. It is a mature technology tested and deployed throughout the utility industry. AMI is a must have for any utility tasked with driving organizational and customer efficiencies.*

*AMI is an integrated system of smart meters, communications networks, and data management systems that enable two-way communication between utilities and customers. These systems provide a number of important functions that GRU cannot currently deploy or has to perform manually, such as the ability to automatically and remotely measure consumer consumption, connect and disconnect services, detect meter tampering, identify and isolate outages, and monitor voltage.*

*AMI technology offers utilities valuable information about customer usage, including consumption behavior, effects of external variables and outages. Both the customer and the utility are able to find out how energy is used. The knowledge of the customer's usage improves the customer service representatives' ability to work with a customer to understand his or her bill, which in turn increases customer confidence in the billing process.*

*Additionally, the customer will have the ability to monitor their utility usage. Those GRU customers who take advantage of this new benefit can better understand their usage, change their behaviors and ultimately be rewarded with lower energy usage and lower utility bills.*

*Overall, GRU envisions the successful deployment of an AMI system resulting in better customer interaction, improved quality of service and shortened response times to outages.*

*GRU has done extensive homework in regard to AMI. In 2014, GRU conducted a rollout of a small pilot program. An ITN was issued and an AMI vendor was awarded the opportunity to participate. This vendor provided an AMI solution that gave the utility the ability to investigate functions of smart meters, head end system software, and various types of communication protocols. This pilot program was rolled out strategically over a four-year period and the tests consisted of automated internal controls, meter to cash integrations (AMI meter data combined with billing system requirements equals billing statement), and various backhaul solutions and data analytic programs (communication efforts).*

*This AMI pilot program proved successful and provided the utility with a blueprint to not only deploy, but also maximize the potential benefits of an AMI system. With knowledge from the pilot system, as well as multiple site visits with other organizations that were using AMI, in 2017/2018 the utility engaged two industry consultants to develop the business case, as well as a gap analysis, assessment, and feasibility study for AMI. The business case quantified the cost and benefits that an AMI system deployment could have for the utility.*

*Based on the success of the pilot program, business case, gap analysis,*

assessment and feasibility study, in late 2018, GRU initiated two invitations to negotiate (ITN) for the AMI technology as well as the installation of the meters. After review of the proposals, consultations with other utilities and consultant guidance the team determined Itron (technology/meters) and Aclara (installation), could provide the best value to GRU. These two vendors were selected to move forward to negotiate. After extensive negotiations, GRU recommends the award of the AMI and Installation ITNs to Itron and Aclara, in general agreement with the current draft documents, subject to approval by the City Attorney as to form and legality.

This item was presented to the Utility Advisory Board on January 14, 2021.

*Fiscal Note:* \$47.1 Million - Total Estimated Implementation Cost  
\$79.6 Million - Total Estimated Cost of Ownership (includes implementation costs) over the 21-year agreement  
\$81.2 Million - Total Estimated Cost Savings and Benefits over 21 years  
\$ 1.6 Million - Net Estimated Cost Savings of solution

**RECOMMENDATION**

1. Authorize the General Manager or his designee to execute a Master Agreement with Itron for a term of 21 years that includes the purchase of the metering assets, network infrastructure, software licenses, professional services to implement the project and the provision of ongoing software as a service for the hosting and ongoing maintenance of the software in a secure cloud. The Master Agreement set of documents includes SaaS, SOW, Order Document and MSA, which are all subject to approval by the City Attorney as to form and legality.
2. Authorize the General Manager or his designee to execute an agreement with Aclara SGS for the installation of Smart Meters for the AMI solution. The agreement and SOW are subject to approval by the City Attorney as to form and legality.

UAB: At their January 14, 2021 meeting, the UAB voted 6-0, with member Miles absent, to advise the City Commission to approve the staff recommendation.

[180361 AMI ITN Update - UAB 20180913](#)

[180361 AMI Presentation 20210114](#)

BD-5      [200529.](#)

**Implementation for Parks, Recreation & Cultural Affairs Master Plan and Continued Acquisition of Conservation Land (B)**

This item requests that the City Commission review and approve the priorities of the Land Conservation and Acquisition Program.

**AGENDA UPDATE - NEW BACK-UP**

*Explanation: At the November 15, 2012 meeting, the City Commission approved the Parks, Recreation and Cultural Affairs (PRCA) Master Plan. The PRCA Master Plan calls for the City to acquire land adjacent to parks and centers in order to allow for future expansion.*

*Since 2009, the City has been attempting to acquire the top priority properties on the approved Land Conservation and Acquisition List. Some landowners have been willing to sell, but others have not. Since many of the priority landowners are unwilling to sell or are at an impasse on price, staff evaluated undeveloped parcels within City limits and outside the City limits but within the urban reserve for potential acquisition. Thirteen parcels of interest were identified and added to the land acquisition priority listing, and approved by the City Commission on April 5, 2012. Twenty-one (21) passive/conservation parcels were approved to be added to the list by the City Commission on July 16, 2015. Another six (6) parcels were approved to be added to the list by the City Commission on March 2, 2017.*

*As part of the City's 2020 Strategic Plan, Goal 2, Sustainable Community, the City seeks to "Increase the acreage of natural/conservation lands." In accordance with PRCA Departmental policy on "Acquisition of Conservation Lands," additional parcels are selected by the following prioritization criteria: a) expand an existing conservation area; b) connect existing conservation areas together, or c) are within a Strategic Ecosystem, or have sensitive habitat, or the potential for species that are listed statewide or nationally as rare, threatened, or endangered.*

*Fiscal Note: None at this time.*

**RECOMMENDATION**

*The City Commission: 1) review the Land Conservation Ranking Criteria List.*

[200529A\\_Property Ranking Criteria spreadsheet\\_Jul\\_2020\\_20210121.pdf](#)

[200529B\\_2020 Strategic Plan Placemat\\_20210121.pdf](#)

[200529\\_Conservation Land Ranking Criteria.pdf](#)

**TIME CERTAIN - 3:00 PM**

**BD-6**      [200358.](#)

**COVID Response (B)**

**RECOMMENDATION**

*The City Commission hear an update on the following topics and take actions as deemed*

necessary:

1. Healthy Gainesville
2. Bar/Restaurant Capacity
3. Open Container Policy
4. Street Barrier Removal

Legislative History

9/30/20 City Commission Discussed

[200358. Healthy Gainesville 20210121.pdf](#)

**BD-7**      [200521.](#)      **Hogtown Creek Greenway Update (B)**

*Explanation:* At the City Commission meeting on November 5, 2020, Commissioner Hayes-Santos requested that staff provide a recap and update on the Hogtown Creek Greenway project.

RECOMMENDATION      To seek general input and guidance from City Commission.

[200521\\_Hogtown Creek Watershed map\\_20210121.pdf](#)

[200521B\\_Hogtown Creek Greenway Master Development & Management Plan](#)

**BD-8**      [200591.](#)      **Welcome Back Program (B)**

*Explanation:* On August 31, 2020 the City Commission approved a motion for agenda item #200150 directing GCRA staff to return with details and possible funding source for the proposed Welcome Back program that would grant up to \$25,000 to recipients that move back to their former neighborhood. The purpose of this initiative would be to increase neighborhood stability and prevent rapid community change by incentivizing long term and multi-generational residency in neighborhoods within the GCRA boundary that are threatened with community displacement.

*This program is supported by the GCRA 10 Year Reinvestment Plan which calls for housing initiatives that directly benefit community members by maintaining the culture and population of an area. The Plan also favors programs that add additional housing stock into a neighborhood by infill. The City Action Agenda 2021-2020 also recommends that infill lots be used to maintain affordable housing within neighborhoods. This helps combat displacement caused by gentrification; a major concern addressed in the Gainesville Affordable Housing Action Plan.*

*The proposed program was presented to the GCRA Advisory Board on*

December 15, 2021. Advisory board member recommendations will be presented during this item's presentation to the City Commission.

*Fiscal Note:* The not to exceed amount of \$75,000 is budgeted for the Welcome Back Program in the GCRA Fund 620 "Community Enhancements & Housing" account.

**RECOMMENDATION**

City Manager to City Commission: Hear presentation and provide feedback.

[200591A\\_Welcome Back Presentation\\_20210121.pdf](#)

[200591B\\_Welcome Back Charter\\_20210121.pdf](#)

**BD-9**      [200720.](#)

**Commissioner Adrian Hayes-Santos: Clearboarding Ordinance (B)**

AGENDA UPDATE - ADDITIONAL BACK-UP ADDED

*Explanation:* This item was first discussed at the City Commission Code Enforcement Workshop on February 26, 2020. A presentation on clearboarding was given by the Policy Research Program. There was discussion of making a formal motion to begin drafting an ordinance, however, because it was a workshop, motions were not able to be made. There was intent to make a motion to move forward with the ordinance at the next regular city commission meeting, but the global pandemic delayed those plans.

*Fiscal Note:* N/A

**RECOMMENDATION**

The City Commission discuss enacting a clearboarding ordinance for abandoned properties in the city and give direction to staff to create an ordinance.

[200720\\_Clearboarding Abandoned Property 1\\_20210121.pdf](#)

[200720\\_Clear Boarding Ordinance\\_20210121.pdf](#)

**TIME CERTAIN - 7:00 PM**

**BD-10**      [200750.](#)

**Commissioner Harvey Ward - Traffic Safety (NB)**

AGENDA UPDATE - ADDED ITEM

**RECOMMENDATION**

The City Commission discuss and take action deemed necessary.

**CC COMMISSION COMMENT**

**PLEDGE OF ALLEGIANCE**

**PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)**

**PR-1      [200695.](#)      Zero Waste Week January 24-30, 2021 (B)**

**RECOMMENDATION**      Zero Waste Gainesville members Amanda Rice Waddle and Nina Bhattacharyya to accept the proclamation. The Repurpose Project Co-Founder Sarah Goff to accept the proclamation.

[200695 Zero Waste Week 2021\\_20210111](#)

**RE      RESOLUTIONS - ROLL CALL REQUIRED (RE)****RE-1      [200633.](#)      Resolution for a Public Transportation Grant Agreement - Public Transit Service Development Program Agreement for Autonomous Vehicle Project (B)**

*Explanation:* On August 17, 2017, the Gainesville City Commission adopted Resolution #170260, which authorized the City Manager to execute an agreement with the Florida Department of Transportation (FDOT) to initiate Gainesville's Autonomous Vehicle project. The project has continued despite a number of delays related to the autonomous vehicle industry, and has completed initial testing; the autonomous vehicle project is now providing limited, free transit service and collecting data for the project.

FDOT has indicated its desire to provide additional funding to continue the project, which will include continued provision of limited, free transit service on the existing autonomous vehicle route in the downtown area, as well as additional testing and data collection. FDOT provided 100% of the funding for this project, and the resolution for the attached Public Transportation Grant Agreement (PTGA) provides an additional \$608,172 from FDOT for continuation of the project.

FDOT service development fund allocations are given at FDOT discretion for agency projects that meet FDOT Service Development Grant (SDG) criteria. FDOT requires the governing board of each public transit system to adopt a Resolution authorizing the acceptance of these funds.

*Fiscal Note:* The Public Transportation Grant Agreement (PTGA) for this project does not require any matching City funds and provides \$608,172 from FDOT for continuation of the project.

**RECOMMENDATION**      The City Commission adopt the resolution.

[200633A Draft Resolution\\_20210121](#)



**PUBLIC HEARINGS (PH)****SR ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)****SR-1      [190973.](#)      **Voluntary Annexation - City-Owned Tower Road Lift Station - 0.057 Acres of Property located on SW 75th Street (Tower Road) (B)****

Ordinance No. 190973

An ordinance of the City of Gainesville, Florida, annexing approximately 0.057 acres of City-owned property (tax parcel no. 06678-010-137) generally located south of the current City limit, west of SW 17th Place, north of SW 19th Place, and east of SW 75th Street (Tower Road), 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 City Clerk; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: This ordinance will annex into the corporate limits of the City of Gainesville approximately 0.057 acres of city-owned property located south of Gainesville city limits, west of SW 17th Place, north of SW 19th Place, and east of SW 75th Street (Tower Road). On February 20, 2020, 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**

2/20/20	City Commission	Approved as Recommended
1/7/21	City Commission	Adopted on First Reading (Ordinance)

[190973\\_VoluntaryAnnexationPetition\\_Tower\\_Road\\_Lift\\_Station\\_20200220](#)

[190973\\_Tower\\_Road\\_Lift\\_Station\\_Voluntary\\_Annexation\\_Petition\\_Signed.pdf](#)

[190973A\\_draft\\_ordinance\\_20210107.pdf](#)

[190973A\\_draft\\_ordinance\\_20210121.pdf](#)

[190973B\\_Tower\\_Road\\_Lift\\_Station\\_Voluntary\\_Annexation\\_USR\\_20210121](#)

**SR-2**            [190974.](#)

**Voluntary Annexation - 4.25 Acres of City-Owned Property located South of GRU Water Reclamation Facility (B)**

Ordinance No. 190974

An ordinance of the City of Gainesville, Florida, annexing approximately 4.25

acres of city-owned property generally located south of Gainesville Regional Utilities' Water Reclamation Facility, west of Lake Kanapaha, north of Kanapaha Botanical Gardens, and east of SW 63rd 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 City Clerk; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: This ordinance will annex into the corporate limits of the City of Gainesville approximately 4.25 acres of city-owned property south of GRU's Water Reclamation Facility, west of Lake Kanapaha, north of Kanapaha Botanical Gardens, and east of SW 63rd Street. On February 20, 2020, 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**

2/20/20	City Commission	Approved as Recommended
1/7/21	City Commission	Adopted on First Reading (Ordinance)

[190974\\_KanapahaLakeProperty - Petition for Voluntary Annexation\\_20200220](#)

[190974 Kanapaha Lake Voluntary Annexation Petition Signed.pdf](#)

[190974A\\_draft ordinance\\_20210107.pdf](#)

[190974A\\_draft ordinance\\_20210121.pdf](#)

[190974B\\_KanapahaLakeProperty\\_USR\\_Voluntary Annexation\\_20210121](#)

**SR-3**            [190975.](#)

**Voluntary Annexation - City-Owned Sweetwater Creek Right-of-Way - 7.16 Acres of Property located on SE Williston Road (B)**

Ordinance No. 190975

An ordinance of the City of Gainesville, Florida, annexing approximately 7.16 acres of city-owned property (tax parcel no. 16246-003-002) generally located south of SE Williston Road and SE 16th Avenue, west of Paynes Prairie, north of Sweetwater Wetlands Park, and east of the Gainesville city limits, 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 City Clerk; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: This ordinance will annex into the corporate limits of the City of Gainesville approximately 7.16 acres of city-owned property located south of SE Williston Road and SE 16th Avenue, west of Paynes Prairie, north of Sweetwater Wetlands Park, and east of the Gainesville city limits. On February 20, 2020, 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**

2/20/20 City Commission Approved as Recommended

1/7/21 City Commission Adopted on First Reading (Ordinance)

[190975\\_VoluntaryAnnexationPetition Sweetwater Creek Right of Way\\_2020022](#)

[190975 Sweetwater Creek ROW Voluntary Annexation Petition Signed.pdf](#)

[190975A\\_draft ordinance\\_20210107.pdf](#)

[190975A\\_draft ordinance\\_20210121.pdf](#)

[190975B\\_SweetwaterCreekROW - Voluntary Annexation USR\\_updated\\_1\\_202](#)

SR-4 [190976.](#)

**Voluntary Annexation - 0.071 Acres of City-Owned Property Located East of SW 41st Boulevard (B)**

Ordinance No. 190976

An ordinance of the City of Gainesville, Florida, annexing approximately 0.071 acres of city-owned property (tax parcel no. 07240-034-000) generally located southwest of Interstate 75, north of Gainesville city limits, and east of SW 41st Boulevard, 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 City Clerk; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: This ordinance will annex into the corporate limits of the City of Gainesville approximately 0.071 acres of city-owned property located southwest of Interstate 75, north of Gainesville city limits, and east of SW 41st Boulevard. On February 20, 2020, 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**

2/20/20	City Commission	Approved as Recommended
1/7/21	City Commission	Adopted on First Reading (Ordinance)

[190976\\_VoluntaryAnnexationPetition Fred Bear Utility\\_20200220](#)

[190976 Fred Bear Voluntary Annexation Petition Signed.pdf](#)

[190976A\\_draft ordinance\\_20210107.pdf](#)

[190976A\\_draft ordinance\\_20210121.pdf](#)

[190976B\\_Fred\\_Bear\\_Utility\\_USR\\_20210121](#)

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

FR-1      [200280.](#)      **Quasi-Judicial - Historic Property Tax Exemption - 719 NE 5th Street (B)**

Ordinance No. 200280

An ordinance of the City of Gainesville, Florida, finding that property located at 719 NE 5th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2021, and continuing for 10 years under certain conditions; authorizing the Mayor and the City Clerk to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. In order to approve a property for such exemption, the Historic Preservation Board (HPB) and the City Commission must determine that a particular property is eligible for the property tax exemption (i.e., historical designation or contributing property) and that it has been improved consistent with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.*

*The process for a property owner to receive a historic preservation property tax exemption entails two steps. First, the property owner submitted Part 1 (Preconstruction Application) of the Historic Preservation Property Tax Exemption Application for the restoration, renovation, or rehabilitation of a contributing building listed on the Local and National Register of Historic Places. Part 1 was approved by the HPB on February 4, 2020, with a finding that the property was eligible for the exemption and that the improvements met the required standards.*

*Second, the applicant completed the improvements and submitted Part 2 of the property tax exemption application (Final Application for Review of Completed Work). Staff inspected the completed work and found the work meets the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as well as the City's Guidelines for Rehabilitating Historic Buildings. On September 1, 2020, the HPB approved Part 2 with a finding that the eligible property has been improved consistent with the required standards; the HPB recommended the City Commission approve same. The renovations eligible for the tax exemption are estimated at \$200,000.00. However, pursuant to City*



*Code and State Statute, the actual amount of the exemption will be determined by the County Property Appraiser.*

*The Bailey House is located at 719 NE 5th Street and is a contributing building listed on the Local and National Register of Historic Places.*

*This ordinance requires two hearings and will become effective immediately upon adoption; however, the ad valorem tax exemption will be effective as of January 1, 2021, in accordance with Section 196.1997(10), Florida Statutes, and Gainesville Code Section 25-65(g).*

**RECOMMENDATION**            *The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

[HP\\_20-03\\_Part\\_II\\_Ad\\_Valorem\\_Tax\\_Exemption\\_Staff\\_Report\[1\].pdf](#)  
[200280A\\_draft\\_ordinance\\_20210121.pdf](#)

**FR-2**            [200464.](#)

**Pedestrian Safety - Traffic Separator Ordinance (B)**

Ordinance No. 200464

An Ordinance of the City of Gainesville, Florida, creating a new Article VII titled "Pedestrians Prohibited in Traffic Separators" within Chapter 26 titled "Traffic and Motor Vehicles" of the City Code of Ordinances; amending Sec. 2-339 to create a civil citation penalty; providing a severability clause, providing a repealing clause and providing an effective date.

*Explanation: At its meeting on November 19, 2020, the City Commission discussed concerns with pedestrian fatalities and injuries in the rights-of-way within the City and directed the City Manager to work on a narrowly-tailored pedestrian safety ordinance. City staff reviewed pedestrian fatalities and injuries in the rights-of-way, as well as the Florida Department of Transportation guidance on median design for safe pedestrian refuge and median design for narrow traffic separators. Based on that review, this ordinance recognizes that medians that are 6 feet in width or less are designed as traffic separators and are not designed for safe pedestrian refuge and therefore, pedestrians are prohibited from being within those traffic separators for any purpose. The back-up to this agenda item also includes a map, for ease of visual reference, depicting where most of these traffic separators are located within the City.*

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

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

**Legislative History**

11/19/20 City Commission Approved, as shown above

12/3/20 City Commission Discussed

[200464A\\_Legal Bulletin 2018-10\\_20201203.pdf](#)

[200464B\\_Ordinance No. 2018-06\\_20201203.pdf](#)

[200464\\_draft ordinance\\_20210121.pdf](#)

[200464\\_Map Traffic Separators\\_20210121.pdf](#)

FR-3 [200657.](#)

### **Ordinance Amending the Supplemental Retirement Program for Police Officers (B)**

Ordinance No. 200657

An ordinance of the City of Gainesville, Florida, amending Section 2-608 of the Code of Ordinances of the City of Gainesville to modify the eligibility rules associated with the Supplemental Retirement Program for Police Officers; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: The City of Gainesville maintains a retirement plan for Police Officers and Firefighters subject to the provisions provided in Chapter 175 (Fire) and Chapter 185 (Police) of Florida Statutes. These Statutes set minimum benefit levels for Police Officers and Firefighters retirement plans and provide for supplemental benefits after the plan has achieved the minimum benefits required by the Statutes. The City receives premium tax revenue collected on property and casualty policies issued in the State of Florida and a portion of those are used to offset the cost the retirement program. This amount is referred to as the adjusted base year contribution and any amount over the negotiated base can be used for extra benefits for the members. In the Police Officers portion of the plan this includes a supplement "share plan" that allocates those excess premium tax revenues (above the base) to eligible members.*

*Recently the City, the Fraternal Order of Police and the Police Benevolent Association negotiated a modification to the eligibility rules for their members. The amendment was ratified by both collective bargaining units and is included in this item to complete the process.*

*Fiscal Note: There is no fiscal impact to the City as the funds used for this purpose are above the negotiated base amount, are received from the State and can only be used for supplemental or extra benefits.*

**RECOMMENDATION**

*The City Commission: 1) approve the amendment to the Police Share Plan as ratified by the FOP and the PBA; and 2) adopt the proposed Ordinance.*

[200657\\_draft ordinance\\_20210121.pdf](#)

**ADJOURNMENT -**