

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final-Revised**

July 19, 2021

3:00 PM

Continued from July 15, 2021

City Hall Auditorium

### **City Commission**

*Mayor Lauren Poe (At Large)*

*Commissioner Reina Saco (At Large, Seat A)*

*Mayor-Commissioner Pro Tem Gail Johnson (At Large, Seat B)*

*Commissioner Desmon Duncan-Walker (District 1)*

*Commissioner Harvey Ward (District 2)*

*Commissioner David Arreola (District 3)*

*Commissioner Adrian Hayes-Santos (District 4)*

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

## Welcome to the City Commission meeting! Learn about the meeting process and how to participate.

The public may attend this meeting *virtually* or *in person*. Limited in-person capacity is available during the State of Emergency for the COVID-19 Pandemic. Safety protocols including facial coverings and social distancing will be observed at all times.

The City Commission makes policies and conducts City business in an open forum. The **agenda** outlines what will happen during the meeting. It includes the following sections:

**Consent Agenda (CA):** Business items that the Commission approves together in one motion to save time. The Commission may remove an item to discuss separately.

**Regular Agenda:** Includes Business Discussion (**BD**) items considered by the Commission for action during the meeting. The Commission may re-order or remove discussion items.

Note: The **(B)** after an agenda item's title means that Backup materials are included. Click the links on the agenda to view the documents. An **(NB)** after the title means there are no Backup materials for the item.

**Public Comment.** Share your opinion with the Commission for the official record. Please see the city's [Public Meeting Calendar](#) for specific public comment options for upcoming meetings.

The following public comment opportunities may be available for this meeting. Verbal comments are limited to three (3) minutes unless otherwise specified.

**General Public Comment:** Share a comment about a topic or issue *not* on the Meeting Agenda.

Note: *In-person General Public Comment is not available during the COVID-19 health emergency.*

- **Record a comment *before* the meeting:** Dial 352-334-5003 to leave a voice message with a general public comment. The line is open from 8:00am on Friday until Noon on Wednesday prior to the meeting. All pre-recorded comments will be played during the meeting.
- **Comment by phone *during* the meeting:** At the start of the afternoon session (1:00 pm), dial toll-free 1-800-876-7516. A moderator will call on you to speak. Mute the sound on your computer/device if you are watching the meeting online. State your name clearly for the record.

### Public Comment on Agenda Items

- **Speak in person:** Safety protocols will be observed at all times.
- **Comment by phone *during* the meeting:** Dial toll-free 1-800-876-7516. A moderator will call on you to speak. Mute the sound on your computer/device if you are watching the meeting online. State your name clearly for the record.

**Written Public Comment:** Submit a general comment or a comment on the meeting agenda. Your comments will be sent to the City Commissioners and added to the official meeting record.

- **Mail** to the City of Gainesville, City Clerk: P.O. Box 490, Station 19, 32627-0490
- **Email** to [citycomm@cityofgainesville.org](mailto:citycomm@cityofgainesville.org)
- **E-Comment:** Visit the "Agenda & Minutes" page on the City's website [www.cityofgainesville.org](http://www.cityofgainesville.org). Click the "eComment" link for a meeting agenda to leave comments on specific items.

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 - Afternoon Session****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      [210106.](#)      City Commission Workshop on Ethics Training (NB)****RECOMMENDATION**

*The City Commission approve a workshop on ethics training scheduled for August 18, 2021 at 4:00 PM.*

**CA-2      [210103.](#)      Voting Delegate - 95th Annual Florida League of Cities Annual Conference (NB)**

*Explanation: The Florida League of Cities has asked that each city designate a voting delegate for the 95th Annual Conference scheduled for August 12-14, 2021. Election of League leadership and adoption of resolutions are undertaken during the business meeting. One official from each municipality will make decisions that determine the direction of the League.*

**RECOMMENDATION**

*The City Commission appoint Mayor Lauren Poe to be the City's voting delegate at the 95th Annual Conference of the Florida League of Cities scheduled for August 12-14, 2021.*

**CA-3      [210109.](#)      Approval of Minutes from the June 14, and June 17, 2021 City Commission Meetings (B)****RECOMMENDATION**

*The City Commission approve the minutes of June 14, and June 17, 2021.*

[210109 June 14, 2021 Minutes, 20210715.pdf](#)

[210109 June 17, 2021 Minutes, 20210715.pdf](#)

**CA-4      [210146.](#)      Resignation of Aditya Basu-Dutta from the Citizen's Advisory Board for Community Development and Meghan Lopez from the Student Community Relations Advisory Board (B)**

**RECOMMENDATION**

*The City Commission accepts the resignation of Aditya Basu-Dutta and Meghan Lopez, effective immediately.*

[210146\\_CACCD Resignation\\_20210715](#)

[210146\\_SCRAB Resignation\\_20210715](#)

**CA-5      [210147.](#)      Appointments to City Commission Advisory Boards and Committees (B)**

**RECOMMENDATION**

*The City Commission appoint:  
Stacey Hill to the Public Recreation and Parks Board for a term to expire on 6/1/2024.*

[210147\\_PRPB Applications\\_20210715](#)

[210147\\_Advisory Board and Commission Ballot Form\\_20210715](#)

**CA-6      [201240.](#)      Fiscal Year 2020 Individual Annual Audited Financial Statements and Independent Auditors' Reports for the Employees' Pension Fund, Consolidated Police Officers' and Firefighters' Retirement Plan, Retiree Health Insurance Program, and the Wild Spaces Public Places Funds (B)**

*Explanation: Section 218.39, Florida Statutes, requires the City of Gainesville (City) to publish within nine months of the close of the fiscal year a complete set of financial statements presented in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP). The City presents financial information such that it meets the requirements of accounting standards issued by the Governmental Accounting Standards Board (GASB). The basic financial statements were included in the Annual Comprehensive Financial Report of the City for the fiscal year ended September 30, 2020 and that report was approved by the City Commission on April 22, 2021.*

*In addition to the Annual Comprehensive Financial Report, the City is required to submit individual annual audited financial statements for the Employees' Pension Fund, Consolidated Police Officers' and Firefighters' Retirement Plan, Retiree Health Insurance Program, and the Wild Spaces Public Places Funds. The reports were prepared by the Budget & Finance Department and audited by an independent firm of licensed certified public accountants, Purvis Gray & Company, LLP, according to*

the City Code of Ordinances, Chapter 2 Article VI, Section 2-433 and are hereby transmitted.

*The reports consist of management's representations concerning the finances of the two pension plans, the other postemployment benefits fund, and the Wild Spaces Public Places funds. To provide a reasonable basis for making those representations, management of the City has established a comprehensive internal control framework that is designed both to protect the government's assets from loss, theft, or misuse and to compile sufficient reliable information for the preparation of the City's financial statements in conformity with U.S. GAAP.*

*The goal of the independent audit is to provide reasonable assurance that the financial statements of these plans for the fiscal year ended September 2020, are free of material misstatement. The audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditors concluded, based upon the audit, that there was a reasonable basis for rendering unmodified opinions on the plan's financial statements as of and for the year ended September 30, 2020.*

*The following reports are included with this item:*

- 1. The Financial Statements, Independent Auditors' Report and Governance Letter for the Employees' Pension Fund for the fiscal year ended September 30, 2020.*
- 2. The Financial Statements, Independent Auditors' Report and Governance Letter for the Consolidated Police Officers' and Firefighters' Retirement Plan for the fiscal year ended September 30, 2020.*
- 3. The Financial Statements, Independent Auditors' Report and Governance Letter for the Health Insurance Program for the fiscal year ended September 30, 2020.*
- 4. The Financial Statements, Independent Auditors' Report and Governance Letter for the Wild Spaces and Public Places Funds for the fiscal year ended September 30, 2020.*

*The reports also include the independent auditors' Management Letter which details their findings and provides recommendations and Management's response to those findings.*

*Fiscal Note: N/A*

**RECOMMENDATION**

*The Audit and Finance Committee recommends the City Commission accept the external financial statement audit reports prepared by Purvis Gray.*

**Legislative History**

|         |                             |                         |
|---------|-----------------------------|-------------------------|
| 7/13/21 | Audit and Finance Committee | Approved as Recommended |
|---------|-----------------------------|-------------------------|

[201240-A Fiscal Year 2020 Employees' Pension Fund Financial Report 20210](#)  
[201240-B Fiscal Year 2020 Employees' Pension Fund Governance Letter 202](#)  
[201240-C Fiscal Year 2020 Consolidated Police Officers' and Firefighters' Retir](#)  
[201240-D Fiscal Year 2020 Consolidated Police Officers' and Firefighters' Retir](#)  
[201240-E Fiscal Year 2020 Health Insurance Program Financial Report 20210](#)  
[201240-F Fiscal Year 2020 Health Insurance Program Governance Letter 202](#)  
[201240-G Fiscal Year 2020 Wild Spaces Public Places Funds Financial Report](#)  
[201240-H Fiscal Year 2020 Wild Spaces Public Places Funds Governance Lett](#)

**CA-7      [201233.](#)      Citywide Succession Planning Audit (B)**

*Explanation: The objective of the engagement was to review citywide succession planning policies and procedures, and internal controls to assess the City's level of preparedness for continuity and growth.*

**RECOMMENDATION**      *The Audit and Finance Committee recommends the City Commission accept the Internal Auditor's Report.*

**Legislative History**

|         |                             |                         |
|---------|-----------------------------|-------------------------|
| 5/20/21 | City Commission             | Striken From the Agenda |
| 7/13/21 | Audit and Finance Committee | Approved as Recommended |

[201233 Citywide Succession Planning Audit Report 20210518 \(B\)](#)

**CA-8      [201234.](#)      Independent Payroll Calculation Memo (B)**

*Explanation: The objective of this special project was to provide an independent comparison of the calculation of employee overtime hours processed in the legacy payroll system and the future ERP payroll system against the expected labor agreement terms to identify non-alignment with the respective City labor agreements.*

**RECOMMENDATION**      *The Audit and Finance Committee recommends the City Commission accept the Internal Auditor's Report.*

**Legislative History**

|         |                             |                         |
|---------|-----------------------------|-------------------------|
| 5/20/21 | City Commission             | Striken From the Agenda |
| 7/13/21 | Audit and Finance Committee | Approved as Recommended |

[201234 Independent Payroll Recalculation Memo 20210518 \(B\)](#)

**CA-9      [210153.](#)      GRU Operational Updates for the Months of March, April, and May**

**2021 (B)**

*Explanation: Staff prepares monthly reports of statistical and other data related to GRU's operations to share for informational purposes with the UAB and City Commission.*

*Fiscal Note: None.*

**RECOMMENDATION**

*Receive reports.*

[210153 GRU March FY21 Ops Update 20210715](#)

[210153 GRU April FY21 Ops Update 20210715](#)

[210153 GRU Ops Update 2021 May 20210715](#)

**CA-10      [210148.](#)****GPD Property and Evidence Cash Audit Report (B)**

*Explanation: The objective of this audit was to assess the design and operating effectiveness of internal controls over the handling of cash and cash equivalents in GPD property and evidence and drug task force processes.*

**RECOMMENDATION**

*The Audit and Finance Committee recommends the City Commission accept the Internal Auditor's report.*

**Legislative History**

7/13/21      Audit and Finance      Approved as Recommended  
Committee

[210148 GPD Property and Evidence Cash Audit Report 20210713](#)

**CA-11      [210150.](#)****City Auditor Quarterly Update (B)**

*Explanation: The City Auditor Quarterly Update provides more transparency into activities conducted by the Office of the City Auditor. The update includes status of our work in progress, audit issue follow up, and other activities.*

**RECOMMENDATION**

*The Audit and Finance Committee recommends the City Commission accept the Internal Auditor's report.*

**Legislative History**

7/13/21      Audit and Finance      Approved as Recommended  
Committee

[210150 City Auditor Update 20210713](#)

**CA-12      [210108.](#)****Bid Award - Loblolly Woods Boardwalk Reconstruction (B)**

This item is a request for the City Commission to authorize the bid award to Industrial Maintenance Services, Inc. DBA IMS Contracting, Inc. for the reconstruction of the boardwalk at Loblolly Woods Nature Park, located at approximately 2710 NW 8th Avenue.

*Explanation: The boardwalk at Loblolly Woods Nature Park, spanning from NW 8th Avenue approximately 1400 feet north, has been closed since August 2020. Severe wood rot created a safety hazard that was beyond the capacity of City staff to repair.*

*In October of 2020 the Nature Operations Division reached out to Wharton-Smith, Inc., one of the City's approved construction management firms for small projects (under \$2M), to bid out the work needed to repair the Loblolly Woods Nature Park boardwalk and provide the City with a guaranteed maximum price (GMP) proposal. Wharton-Smith, Inc. has experience facilitating boardwalk projects for the City of Gainesville (Sweetwater Wetlands Park), Volusia County (Smyrna Dunes Park), the City of Clearwater (Crest Lake Park) and many others.*

*The GMP that Wharton-Smith, Inc. submitted to the City far exceeded the available funds within the Nature Operations Division's Boardwalk Replacement CIP fund, which was the anticipated funding source for this project. The Wild Spaces & Public Places (WSPP) program was brought into the discussion in December 2020 as a possible supplemental funding source for the project.*

*Upon review of the GMP, WSPP staff noted that Wharton-Smith's markup for staffing, overhead and profit was a significant portion of the cost of the work. After internal discussions and evaluation of paving a trail in lieu of the boardwalk reconstruction, it was determined that the best path forward for the project would be to bid out the boardwalk work as a low bid procurement ITB through centralized City of Gainesville Procurement Staff and supervise the project in-house.*

*On May 12, 2021 the Purchasing Division solicited bids for the Loblolly Woods Park Boardwalk Reconstruction project. A mandatory pre-bid conference was held on May 26, 2021 at 10:30 a.m. at the existing northern limits of the boardwalk. A total of sixteen (16) vendors attended the pre-bid conference. All bids were due at 3:00 p.m. on June 16, 2021. A total of nine (9) bids were received by 3:00 p.m. Eight (8) of these bids were deemed responsive and responsible.*

*Staff recommends awarding this contract in the amount of \$370,287.00 to Industrial Maintenance Services, Inc. DBA IMS Contracting, Inc. for the reconstruction of the boardwalk at Loblolly Woods Nature Park. IMS Contracting, Inc. was determined to be the lowest responsible, responsive bidder as stipulated by the City's competitive bidding process.*

*Strategic Connection: This item is connected to Goal 3: A Great Place to*



*Live and Experience*

*Fiscal Note: Funds in the amount of \$400,287.00 are available for the Loblolly Woods Boardwalk Reconstruction project; \$349,000 from the Loblolly Woods Park Wild Spaces & Public Places ½ cent sales tax project account and \$51,287 from the WSPP unobligated fund balance. Funding above the construction contract amount with IMS Contracting, Inc. is for owner's contingency.*

*There is no anticipated annual increase in operating and maintenance costs associated with this project.*

**RECOMMENDATION**

*The City Commission: 1) award the bid to IMS Contracting, Inc. for the reconstruction of the boardwalk at Loblolly Woods Nature Park; 2) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality; and 3) authorize a budget transfer in the amount of \$51,287 from the WSPP unobligated fund balance to the WSPP Loblolly Woods unit number.*

[210108A Loblolly Woods Boardwalk Reconstruction Bid Analysis 06-16-21 20210715](#)

[210108B Award recommendation transmittal 20210715](#)

[210108C Industrial Maintenance Services ITB Submittal Response 20210715](#)

[210108D WSPP-210047-DM Loblolly Woods Park Boardwalk Reconstruction B](#)

[210108E WSPP-210047-DM Loblolly Woods Park Boardwalk Reconstruction B](#)

[210108F WSPP-210047-DM Loblolly Woods Park Boardwalk Reconstruction P](#)

[210108G WSPP-210047-DM Loblolly Woods Park Boardwalk Reconstruction A](#)

[210108H WSPP-210047-DM Loblolly Woods Park Boardwalk Reconstruction A](#)

[210108I WSPP-210047-DM Loblolly Woods Park Boardwalk Reconstruction Ac](#)

[210108J WSPP-210047-DM Loblolly Woods Park Boardwalk Reconstruction L](#)

**CA-13**      [200590.](#)

**Contract Award for Probate Legal Services for Heirs Property Program (B)**

This item is a request to approve the recommended award for Request for Proposal (RFP) #CRAX-210034-GD and execute separate contracts with Three Rivers Legal Services, Inc. and Lippes Mathias Wexler Friedman LLP. Three Rivers will serve as the primary provider and Lippes Mathias Wexler Friedman LLP will serve as the secondary provider.

*Explanation: On March 23, 2021 the City's Procurement Division issued a Request for Proposals (RFP) for Probate Legal Services for Heirs Property Program for the Gainesville Community Reinvestment Area (GCRA).*

Three (3) proposals were submitted by the deadline. The submission contained technical and written proposals and a cost component of both hourly and flat rate fees. An evaluation team consisting of City community builders evaluated and ranked proposals. On June 10, 2021 each vendor that submitted a proposal gave a presentation that was evaluated and ranked by the evaluation team. The highest ranked presentation was submitted by Three Rivers Legal Services, Inc. The second ranked presentation was submitted by Lippes Mathias Wexler Friedman LLP. Staff recommends that the City enter into a contract for Probate Legal Services for Heirs Property Program with Three Rivers Legal Services, Inc. as the primary provider and Lippes Mathias Wexler Friedman LLP as the secondary provider.

The Gainesville City Commission asked GCRA staff to return with program details and funding for an heirs property assistance program at its August 31, 2020 meeting. The next step was to complete a public solicitation for a non-profit and/or for-profit attorney group to become the vendors for the program.

The Heirs Property Program is part of a forthcoming suite of five housing programs the GCRA will implement. The goal of these programs is neighborhood stabilization through maintaining the population and culture of GCRA communities. A marketing plan for these programs is being finalized to start promoting the availability of these new programs.

*Strategic Connection:* This item is connected to Goal 3: "A Great Place to Live".

*Fiscal Note:* The not to exceed amount of \$250,000 is available in the GCRA fiscal year 2021 budget.

**RECOMMENDATION**

The City Commission to authorize the City Manager or his designee to execute contracts with Three Rivers Legal Services, Inc. and Lippes Mathias Wexler Friedman LLP for Probate Legal Services for Heirs Property Program, subject to approval by the City Attorney as to form and legality.

[200590\\_B\\_All in the Family Charter.pdf](#)  
[200590\\_A\\_RFP Doc-CRAX-Heirs Property Program-Final\\_2021.07.15.pdf](#)  
[200590\\_B\\_Addendum 1-Probate Legal Services for Heirs Property Program\\_20](#)  
[200590\\_C\\_Bid Record\\_2021.07.15.pdf](#)  
[200590\\_D\\_Submittal-Lippes Mathias\\_2021.07.15.PDF](#)  
[200590\\_E\\_Submittal-Three Rivers\\_2021.07.15.PDF](#)  
[200590\\_F\\_Submittal-Weidner Law\\_2021.07.15.PDF](#)  
[200590\\_G\\_Eval 1-All Vendors-5 3\\_2021.07.15.pdf](#)  
[200590\\_H\\_Eval 2-All Vendors-5 3\\_2021.07.15.pdf](#)  
[200590\\_I\\_Eval 3-All Vendors-5 3\\_2021.07.15.pdf](#)  
[200590\\_J\\_Oral-All Evaluators-All Vendors\\_2021.07.15.pdf](#)  
[200590\\_K\\_Reference Check Results-Three Rivers\\_2021.07.15.pdf](#)  
[200590\\_L\\_Reference Check Results-Weidner\\_2021.07.15.pdf](#)  
[200590\\_M\\_Reference Check Results-Lippes\\_2021.07.15.pdf](#)  
[200590\\_N\\_Department Award Recommendation - signed\\_2021.07.15.pdf](#)  
[200590\\_O\\_Vendor Notification-Lippes\\_2021.07.15.pdf](#)  
[200590\\_P\\_Vendor Notification-Three Rivers\\_2021.07.15.pdf](#)  
[200590\\_Q\\_Vendor Notification-Weidner\\_2021.07.15.pdf](#)  
[200590\\_R\\_Rec of Award Public Notice\\_2021.07.15.pdf](#)

**CA-14**      [200904.](#)      **GCRA and CWC Partnership (B)**

*Explanation: The proposed Reinvestment Area Home Energy and Water Efficiency Initiative is a partnership between the Community Weatherization Coalition (CWC) of Alachua County and Gainesville Community Reinvestment Area (GCRA). The vision of this Initiative is to strengthen neighborhoods by maintaining the culture and population of the district neighborhoods through long term residency. The mission being to directly benefit community members by lowering their monthly utility bill and thus increasing the number of energy and water efficient homes in the District. Residents with inefficient appliances, poorly functioning air conditioning, and water leaks may spend hundreds to thousands of dollars in additional annual costs. In addition, areas of poor quality housing and a large numbers of inefficient homes can destabilize communities by leading to a high turnover rate for permanent residents.*

*The CWC currently provides free services to homeowners through the Home Energy Tune-up (Tier 1) and Upgrade (Tier 2) Programs. The Tune-up (Tier 1) Program offers a free kit that contains water and energy saving supplies, as well as education on conservation behaviors. These supplies include energy-efficient light bulbs, water-saving showerheads, and toilet tank displacement bags. The Upgrade (Tier 2) Program offers more permanent energy upgrade services such as installation of attic and*

underfloor insulation, water heater replacement, and window pane replacement. Both programs are designed to lower the residential energy cost burden-or the percent of a resident's annual household income that goes toward energy costs.

Through the partnership, the GCRA would provide funding for each low income participant or lessor (within the district) the CWC provides services to. The objective is to increase the number of energy and water efficient homes and expand the program to rental property owners (lessors). By helping residents save money on energy costs, the initiative supports the GCRA 10 Year Reinvestment Plan goals.

The Partnership was presented to the GCRA Advisory Board on June 15, 2021 (Legistar #200904). Members of the Board passed a motion that the Partnership be approved with the following revision: change the requirement that lessors must not raise the cost of rent for 12 months after the improvements to require that lessors must not raise the cost of rent more than 2% per year for three years after improvements (See Partnership Guidelines, Section 2: Lessor Eligibility, page 2).

The Reinvestment Plan supports the Initiative's vision through the Plan's "Community Enhancement and Housing Objective." The purpose of this objective is to directly benefit community members by maintaining the culture and population of neighborhoods.

*Fiscal Note:* The total estimated cost for one year to implement the initiative is \$70,132.00. Funding has been budgeted for and will be utilized from the GCRA Fund W022. As this is a pilot program GCRA and CWC have committed to reviewing the efficacy of the program, the annually appropriated dollar amount and any suggested changes will be brought back prior to the first year anniversary of the program.

#### RECOMMENDATION

City Commission to authorize the City Manager to execute a contract with Community Weatherization Coalition (CWC), subject to approval by the City Attorney as to form and legality.

#### Legislative History

|         |   |                                      |
|---------|---|--------------------------------------|
| 6/15/21 | Gainesville<br>Community<br>Reinvestment Area<br>Advisory Board | Recommended for Approval, as revised |
|---------|---|--------------------------------------|

[200904\\_B\\_Home\\_Energy\\_and\\_Water\\_Efficiency\\_Initiative\\_DRAFT.pdf](#)

[200904\\_A\\_GCRA-CWC\\_Partnership\\_Guidelines\\_Draft\\_2021.07.15.pdf](#)

[200904\\_B\\_GCRA-CWC\\_Partnership\\_GCRAAB\\_June\\_15.2021\\_Presentation\\_202](#)

CA-15      [201238.](#)

**Fiscal Year 2021 Second Quarter Investment Performance Reports for the City of Gainesville Operating Fund, General Employees' Pension Fund, Police Officers' and Firefighters' Pension Fund, Retiree Health**

**Insurance Trust Fund, Evergreen Cemetery Trust Fund (B)**

Audit & Finance Committee to review various Fiscal Year 2021 Second Quarter Investment Performance Reports.

**AGENDA UPDATE - ADDED ITEM**

*Explanation: In accordance with the City's Investment Policy, quarterly investment and performance reports are required to be provided to the City Commission. The following reports are submitted for Fiscal Year 2021 Second Quarter (period ended March 31, 2021):*

- 1) Operating Funds SBA Prime Fund Investment Performance Report*
- 2) General Employees' Pension Fund Investment Performance Report*
- 3) Police Officers' & Firefighters' Pension Fund Investment Performance Report*
- 4) Retiree Health Insurance Trust Fund Investment Performance Report*
- 5) Evergreen Cemetery Trust Fund Investment Performance Report*

*Fiscal Note: The General Government pooled cash is held in the SBA Prime Fund and interest bearing SunTrust/Truist demand deposit bank accounts. As of March 31, 2021, the cash and investment balance was \$162,822,087.25. Fiscal year-to-date interest of \$144,806 was earned at an annualized rate of return of 0.19%.*

*The Evergreen Cemetery Trust Fund is managed by the City in accordance with its Investment Policy. As of March 31, 2021, the Fund had an investment account balance of \$1,784,992 with a fiscal year-to-date investment return of 29.14%.*

*The General Employees' Pension Plan is managed by the City in accordance with its investment policy. As of March 31, 2021, the Plan had an investment account balance of \$693,848,320 with a fiscal year-to-date investment return of 20.86%.*

*The Police Officers' & Firefighters' Pension Plan is managed by the Plan's Board of Trustees in accordance with its investment policy. As of March 31, 2021, the Plan had an investment account balance of \$341,084,296 with a fiscal year-to-date investment return of 17.90%.*

*The Retiree Health Insurance Trust Fund is managed by the City in accordance with its investment policy. As of March 31, 2021, the Fund had an investment account balance of \$69,788,173 with a fiscal year-to-date investment return of 18.17%.*

*Detailed quarterly reports related to the City's SBA Prime Fund account & SunTrust/Truist bank accounts, Evergreen Cemetery Trust Fund,*

*General Employees' Pension Plan, Police Officers' & Firefighters' Pension Plan and Retiree Health Insurance Trust Fund are included as back-up to this item. The reports are derived from applicable bank and custodian statements, and are provided by staff and respective investment consultants.*

*Additionally, two internal review committees meet quarterly to review the portfolio's performance, economic and market conditions to ensure the City is most favorably positioned in its investment portfolios.*

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) review the submitted investment performance reports; and 2) approve the submitted investment reports.*

**Legislative History**

7/13/21      Audit and Finance      Approved as Recommended  
Committee

[201238-A FY21 2nd Quarter Investment Performance Memorandum 20210518](#)  
[201238-B FY21 2nd Quarter SBA Prime Fund Investment Report 20210518.pdf](#)  
[201238-C FY21 2nd Quarter General Employees' Pension Fund Investment Report 20210518](#)  
[201238-D FY21 2nd Quarter Police & Fire Pension Fund Investment Report 20210518](#)  
[201238-E FY21 2nd Quarter Retiree Health Trust Fund Investment Report 20210518](#)  
[201238-F FY21 2nd Quarter Evergreen Trust Fund Investment Report 20210518](#)

## **ADOPTION OF REGULAR AGENDA**

**EARLY PUBLIC COMMENT** - Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

**GENERAL PUBLIC COMMENT** - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Under the City Commission meeting rules during the COVID-19 health emergency, General Public Comment may be given by phone or by pre-recorded voice message only (see page 2 for details).

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

**BD-1**      [201103.](#)      Proposed Cost Agreement with St. Johns River Water Management District to Meet Lake Brooklyn and Geneva Minimum Flows and Levels (MFLs) (B)

**\*\*This item was presented to the UAB on July 8, 2021.\*\***

**Summary:** GRU staff worked with St. Johns River Water Management District (SJRWMD) staff to develop a proposed cost participation agreement which will enable the City of Gainesville d/b/a Gainesville Regional Utilities (“GRU”) to comply with Minimum Flows and Levels (MFLs) rules for Lakes Brooklyn and Geneva. Under the proposed agreement GRU will pay \$2.71 million to SJRWMD as a cost participation for the Black Creek Water Resource Development Project. The agreement will ensure GRU’s compliance with these MFLs through at least 2045. GRU will pay the money into an escrow account, which has a separate escrow agreement associated with it. The proposed cost participation and escrow agreements will be presented to the SJRWMD governing board for their approval on July 13, 2021. Staff recommends that City Commission approve the agreements and have the mayor sign them, upon approval of SJRWMD governing board.

**AGENDA UPDATE - REMOVE ITEM**

*Explanation: Groundwater withdrawals in Florida are regulated by five regional water management districts. GRU has a consumptive use permit (CUP) for the Murphree Wellfield issued by the SJRWMD. A portion of GRU’s service area also extends into the Suwannee River Water Management District (SRWMD) to the West. The water management districts develop regulatory criteria known as MFLs for individual water bodies in order to ensure that they are not significantly harmed by aquifer drawdowns due to pumping in the region. If it is deemed that a water body is being significantly harmed, the district must issue a recovery plan for restoring water levels. Recovery plans often include projects and other provisions that CUP permit holders must comply with.*

*The SJRWMD has developed proposed MFLs for Lakes Brooklyn and Geneva in Keystone Heights along with a proposed recovery plan. The Lake Brooklyn and Geneva MFLs are of particular significance in our region. The recovery plan includes construction of the Black Creek Water Resource Development Project to increase recharge and restore water levels in these lakes. SJRWMD has secured \$48 million in funding for the project which has an estimated construction cost of \$83 million. SJRWMD has proposed that CUP holders participate in the cost of the project as a means to comply with the MFLs.*

*GRU staff have been working with SJRWMD staff and other utilities in order to develop an equitable agreement for cost participation. SJRWMD had originally proposed a cost share of \$5.5 million for GRU. However, through a series of discussions and refinement of groundwater modeling and cost calculations, GRU and SJRWMD staff have agreed upon the proposed \$2.71 million amount as being appropriate based on the methodology for determining the proportional impacts of groundwater pumping from GRU’s wellfield. The amount will be paid in two payments, with half being paid by November 1, 2021 and the other half being paid by November 1, 2022.*

*Other key provisions of the agreement include:*

- *The agreement will allow GRU to meet the Lake Brooklyn and Geneva MFLs for its current CUP allocation of 30 mgd through 2045*
- *If in the future GRU needs additional CUP allocation, it can provide additional cost share funding to the project to continue to meet these MFLs*
- *The project will be solely owned and operated by SJRWMD*
- *GRU has no responsibility for project implementation, project success, cost overruns, or other issues*
- *If the project construction cost is lower than estimated, GRU's cost will be reduced proportionally*

*Prior to resolution of the cost share agreement, staff and City Commission had requested that the SJRWMD delay adoption of the MFLs and recovery strategy rules until the cost participation could be negotiated. However, SJRWMD moved forward with adoption despite this request. In response GRU, along with other utilities, had to file legal petitions in order to preserve its rights in negotiation. However, if the proposed cost participation and escrow agreements are approved by both the SJRWMD governing board and the City Commission, GRU will dismiss all petitions. The other utilities involved, JEA, Clay County, and St. Johns County are developing similar cost share and escrow agreements with SJRWMD and are expecting to dismiss their petitions as well.*

*Following approval of these agreements, GRU staff intends to apply for early renewal of its CUP. The current CUP expires in 2034. Early renewal will allow us to extend it to 2041.*

*Fiscal Note: If the City Commission approves the proposed agreement, GRU will pay \$2.71 million, with one half due November 1, 2021 and the other half due November 1, 2022.*

**RECOMMENDATION**

- 1) *The City Commission approve the proposed cost participation and escrow agreements and have the mayor sign them.*
- 2) *The City Commission approve the dismissal of all petitions related to the MFLs and Recovery Strategy, upon approval of these agreements by the SJRWMD governing board.*

*On July 8, 2021, the UAB voted 6-0, with Member Lewis absent, to advise the Commission to approve the staff recommendation.*

**Legislative History**

|         |                 |                         |
|---------|-----------------|-------------------------|
| 4/15/21 | City Commission | Approved as Recommended |
| 6/17/21 | City Commission | Heard                   |



[201103 CCom Ltr to SJWMD Re Keystone Lakes Project 20210415](#)

[201103 SJRWMD Brooklyn-Geneva MFLs 20210617](#)

[201103 Cost Participation Agreement Final 20210708](#)

[201103 Escrow Agreement Final 20210708](#)

**BD-2      [210149.](#)      Appointment to the Gainesville/Alachua County Regional Airport Authority (B)**

**RECOMMENDATION**

*The City Commission discuss the appointment to the Gainesville/Alachua County Regional Airport Authority and take appropriate action.*

[210149 Ballot & Applications 20210715](#)

**BD-3      [210117.](#)      Business Improvement Grant Program Historic Masonic Lodge LLC Application (B)**

*Explanation: The Business Improvement Grant Program was approved by the City Commission on November 5, 2020 through Legistar item #200275. Per the program guidelines any application of over \$100,000 must be approved by the City Commission.*

*Historic Masonic Gainesville, LLC. is located at 215 North Main Street, Gainesville, Florida 32601. The building is listed on the National Register of Historic places by the National Parks Service as of May 29, 1998. The Historic Masonic Gainesville, LLC's application was reviewed by GCRA Staff and the application was complete as of June 9, 2021. They are applying under the program for Tier 4 funding of up to \$150,000 of matching funds as the following condition is met: Building is listed on the National Register of Historic Places or listed on the City of Gainesville's Historic Local Register Listing.*

*The Historic Masonic Gainesville, LLC will be contracting with ten contractors to perform the work on this property. Per the program guidelines, Applicants are required to obtain two competitive quotes for each type of work to be performed. The Applicant met or exceeded this requirement.*

*Strategic Initiative: Goal 3: A Great Place to Live & Experience and Goal 4: Resilient Local Economy*

*Fiscal Note: Business Improvement Grant program has an FY21 remaining balance of \$187,793.91 in the GCRA (Fund 620 Unit W023) after taking into account in process approved agreements. The maximum to be reimbursed under this grant would be \$122,679.42 leaving \$65,114.49 in funds remaining in this account through the end of the fiscal year.*

**RECOMMENDATION**

*City Commission to approve the Historic Masonic Gainesville LLC's Business Improvement Grant application as described and authorize the City Manager to execute the grant agreement.*

[210117\\_A Business Improvement Grant Program Historic Masonic Lodge LLC](#)

[210117\\_B Business Improvement Grant Program Historic Masonic Lodge LLC](#)

[210117\\_C Business Improvement Grant Program Historic Masonic Lodge Exist](#)

[210117\\_D Business Improvement Grant Program Historic Masonic Gainesville](#)

[210117\\_E Business Improvement Grant Program Historic Masonic Gainesville](#)

**BD-4      [210141.](#)****Phalanx Defense Systems, LLC - Requested Lender Modification (B)**

The City Commission review the Phalanx Defense Systems, LLC request for lender modification of terms associated with occupation of the Armory building located at 1125 NE 8th Avenue.

*Explanation: On May 19, 2016, the City Commission approved the ranking of proposals for the "Reuse/Development of the Former U.S. Army Reserve Property" and authorized City staff to begin negotiations with the top proposer Phalanx Defense Systems.*

*On September 1, 2016, the City Commission authorized the City Manager to execute a Purchase and Sale Agreement with Phalanx Defense Systems, LLC for disposition of the subject property in the amount of \$635,000 (the appraised market value of the northern portion of the subject property).*

*The purchase was secured by a mortgage provided by Phalanx Defense Systems, LLC to the City of Gainesville in the amount of \$635,000 at zero (0%) percent interest payable within 10 years (September, 2026), if not paid earlier or forgiven. In addition, a note dated the same date as the First Mortgage (September, 7, 2016) provided the terms under which debt forgiveness could be provided.*

*This included a maximum total amount of the loan eligible for forgiveness in the amount of \$535,000 regardless of Phalanx's actual expenditures or number of qualified jobs actually created. This was inclusive of a maximum cap of \$335,000 towards qualified actual expenditures for repair, remediation, and improvements on the property and a maximum cap of \$200,000 for qualified new full time job creation and retention.*

*On February 15, 2018, the City Commission approved the forgiveness of \$335,000 due to Phalanx Defense Systems actual expenditures of approximately \$533,000 in various building repair, remediation and improvements put into the Army Reserve Property.*

*On December 3, 2020, Phalanx Defense Systems, LLC made a request for forgiveness of the qualified new full time job creation and retention*

*component of the controlling note.*

*Staff recommended and the Commission approved that a portion of the allowable forgiveness be provided if verification of required documents could be secured however, this was not the case based upon subsequent staff review.*

*Recently, staff was approached by a representative of Phalanx Defense Systems, LLC with an opportunity to attract a bio-medical company to the armory building based in Cambridge, Massachusetts with an existing footprint in Gainesville and staff seeks input into whether the City Commission is interested in modifying the original loan terms to accommodate this entity.*

*Phalanx Defense Systems, LLC is requesting relief from the Right of Reverter #2 provision of the Special Warranty Deed dated September 7, 2016 (attached) which requires the Grantee (Phalanx) to "...continuously occupy the Property for GRANTEE's business operations for a period of 10 years..."*

*Strategic Connection*

*Goal 4: Resilient Local Economy.*

*Fiscal Note: There is an obligation to the City remaining in the amount of \$300,000 per the originally executed documents: \$200,000 that can be forgiven based upon job creation/retention and then a remaining \$100,000 due at maturity in 2026.*

**RECOMMENDATION**

*The City Commission direct staff to make the appropriate modifications to the loan documents that would accommodate the request.*

[210141.A Colliers Phalanx Loan Modification 20210715](#)

[210141.B Phalanx - Special Warranty Deed 20210715](#)

[210141.C City Letter Nov 20210715](#)

[210141.D Easement - Recorded 20210715](#)

[210141.E Mortgage - Recorded 20210715](#)

[210141.F Phalanx Documentation Review for Loan Forgiveness 20210715](#)

[210141.G Phalanx AmendedandRestatedPromissoryNote 20210715](#)

**CC COMMISSION COMMENT**

**4:30 - 5:30pm DINNER BREAK**

**5:30pm - CALL TO ORDER - Evening Session**

**PLEDGE OF ALLEGIANCE**

**PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)****PR-1      [210152.](#)      Parks Recreation and Culture Month July, 2021 (B)****RECOMMENDATION**

*Nature Center Commission Board Vice Chair Grace Crummer to accept the proclamation. Parks Recreation Parks Board Chair Sean Johnson to accept the proclamation. Culture Affairs Board Chair Marcie Stefan to accept the proclamation.*

[210152\\_Parks, Recreation and Culture Month\\_20210715](#)

[210152\\_Parks, Recreation and Culture\\_20210715](#)

**EARLY PUBLIC COMMENT - Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.**

**RE RESOLUTIONS - ROLL CALL REQUIRED (RE)****RE-1      [210082.](#)      Settlement of State Opioid Litigation (B)**

Resolution No. 210082

A resolution of the City Commission of the City of Gainesville, Florida, authorizing the City of Gainesville to join with the State of Florida, Alachua County and other local governmental units in a resolution of pending opioid litigation as a participant in the Florida Memorandum of Understanding and formal agreements implementing a unified plan.

**AGENDA UPDATE - NEW BACK-UP ADDED**

*Explanation: The City Commission, at its meeting of June 17, 2021, directed the City Attorney's Office to draft this resolution for adoption. This resolution indicates the City's intent to participate in the unified state-wide settlement ("the Florida Plan") of pending opioid litigation.*

*This resolution directs city staff, upon receipt of the final Florida Plan, to agenda that matter for final consideration by the City Commission.*

*Fiscal Note: None at this time.*

**RECOMMENDATION**

*The City Commission adopt the proposed resolution.*

Legislative History

6/17/21 City Commission Approved as Recommended

[210082A County Resolution 20210617](#)

[210082B Attorney General Letter 20210617](#)

[210082 draft resolution 20210715](#)

[210082 Exhibit A 20210715](#)

RE-2 [210116.](#)

**Setting the Amount of the General Fund Transfer (B)**

**\*\*This item was presented to the UAB on July 8, 2021.\*\***

Resolution No. 210116

Resolution of the City Commission of the City of Gainesville, Florida, setting the amount of the general fund transfer from Gainesville Regional Utilities Funds to the General Government Fund through fiscal year 2027; providing an immediate effective date.

*Explanation: As part of the FY22 budget deliberations, GRU and General Government staff have participated in several discussions with the City Commission regarding the level of the General Fund Transfer in upcoming years. At their June 7, 2021 special meeting, the City Commission directed staff to return with a resolution for the Commission's consideration reducing the General Fund Transfer by \$2 million per year from its current level each year through FY27.*

RECOMMENDATION

*The City Commission adopt the proposed resolution.*

*On July 8, 2021, the UAB voted 6-0, with Member Lewis absent, to advise the City Commission to approve the staff recommendation.*

[210116A draft resolution 20210715](#)

RE-3 [210125.](#)

**Establish Rates for Electric and Wastewater through Fiscal Year 2027;  
Resolving to Establish Utility Rate Assistance Programs (B)**

**\*\*This item was presented to the UAB on July 8, 2021.\*\***

Resolution No. 210125

A resolution of the City Commission of the City of Gainesville resolving to

establish rates for electric and wastewater through fiscal year 2027; resolving to establish utility rate assistance programs; providing an immediate effective date.

*Explanation: As part of the FY22 budget deliberations, utility staff explained that revenues were not keeping pace with rising costs to operate and maintain the utility systems. After reviewing the reasons why revenue was not keeping pace and after exploring alternatives, the City Commission determined that multi-year rate increases were necessary to meet the Commission's stated mission for its utilities. The Commission also determined that it was necessary to explore and develop financial assistance programs for neighbors who were most impacted by rising utility rates.*

**RECOMMENDATION**

*The City Commission adopt the proposed resolution.*

*On July 8, 2021, the UAB voted 6-0, with Member Lewis absent, to advise the Commission to approve the staff recommendation.*

[210125A draft resolution 20210715](#)

**RE-4**      [210060.](#)

**Resolution for Amendment to the Traffic Signal Maintenance and Compensation Agreement with FDOT (B)**

This item is a request to amend the Florida Department of Transportation Traffic Signal Maintenance and Compensation Agreement and authorize the City Manager to execute all necessary documents.

*Explanation: The Florida Department of Transportation (FDOT) currently compensates the City of Gainesville annually for maintenance of Traffic Signals and Intelligent Transportation System (ITS) infrastructure along the State Highway System (SHS). This includes traffic signals, school beacons, blank out signs, travel time detector, within city limits, and Connected and Automated Vehicle Devices (CAVD) beginning in FY20/21.*

*Strategic Connection: This item is connected to Goal 2: "Sustainable Community" and Goal 5: "Best in Class Neighbor Services" in the City's Strategic Plan.*

*Fiscal Note: The amount to be reimbursed from the State FY21/22 is \$771,704 an increase from the previous year of \$20,495 due to an increase in reimbursement rates for Traffic Signals and ITS devices.*

**RECOMMENDATION**

*The City Commission: 1) adopt the Resolution for the Amendment to the Traffic Signal Maintenance and Compensation Agreement with FDOT; and 2) authorize the City Manager to execute all necessary documents, subject to review and*

approval by the City Attorney as to form and legality.

[210060A\\_FDOT-FY22\\_Amendment\\_20210715](#)

[210060B\\_FDOT-FY22\\_ExhibitA\\_20210715](#)

[210060C\\_FDOT-FY22\\_Resolution\\_20210715](#)

## RESOLUTIONS (NBR) - NON BINDING

## PUBLIC HEARINGS (PH)

PH-1      [210105.](#)      **Cluster Subdivision Review, Terra Serena, to create 120 Lots on 10.7 Acres. (B)**

**Petition DB-21-5 SUB:** EDA Consultants, LLC, agent for Peaceful Paths Inc. Development plan review for a Cluster Subdivision to create 120 lots on 10.7 acres. Zoned: RMF-7(Multi-family Residential 8 to 14 units per acre). Located at 2100 NW 53rd Ave.

### AGENDA UPDATE - ADDITIONAL BACK-UP ADDED

*Explanation: The project is proposed as an infill cluster subdivision, which is designed to better utilize the land above what might otherwise be developed per the standard zoning regulations. The provision of single family attached homes will provide a housing type that is unique to this portion of the City and will help fill an unfulfilled housing need, which is to provide a variety of homeownership housing options for the local workforce. The cluster subdivision regulations allow for such flexibility to help meet these existing housing market conditions. The property is zoned RMF-7, which has prescribed development standards such as minimum lot size, dimensions, setbacks, lot coverage, and clustering of attached units. This application is submitted as an infill development and is requesting modifications to some of the RMF-7 standards through the Cluster Subdivision process.*

*The Development Review Board (DRB) reviewed the petition on June 22, 2021. The DRB discussed the reduction in lot size, reduced setbacks parking, and pedestrian and bicycle connectivity. The DRB asked about open space in consideration of the reduction in setbacks and future ownership of common areas. The DRB acknowledged the network of sidewalks proposed, especially those crossing between the buildings. The DRB asked about the makeup of each block of buildings and the possibility of reducing the number of units in each block from six to four.*

*The applicant submitted one additional condition to allow phasing of the subdivision which the DRB accepted.*

*Additional Condition:*

*The approved Design Plat shall be valid for a period of five years from approval of the Design Plat and final plats may be submitted in up to two phases. The subdivider may request an extension before the City Commission prior to the expiration date. If the Design Plat expires, the subdivider shall be required to seek design plat approval based on standards existing at the time of the request.*

*Fiscal Note: This project has the potential to increase the City's tax base due to the additional parcels being created and therefore additional revenue generation is expected in the ad valorem, non-ad valorem, and utility tax categories (at a minimum). More concrete estimates can be calculated once home sale prices are established.*

**RECOMMENDATION**

*Staff Recommendation to the City Commission  
Adopt the Development Review Board's  
recommendation to approve the Cluster  
Subdivision Design Plat with all conditions.*

*Staff Recommendation to the Development Review  
Board.*

*Staff recommends approval of Petition DB-21-5  
SUB, with conditions.*

*DRB Recommendation to the City Commission  
Approve the design plat for the Tera Serena Cluster  
Subdivision, Design Plat with all conditions included  
in the staff report plus the "Additional Condition"  
submitted by the applicant.*

[210105\\_StaffReport\\_DB\\_21\\_5\\_SUB\\_withAttachmentsAtoF\\_06222021](#)

[210105B\\_City Commission Agenda Item Petition DB-21-5 SUB with Staff Repor](#)

[210105\\_CC Applicant's Presentation Tara Serena MOD\\_20210715.pdf](#)

**SR ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)****AR ORDINANCES, ADOPTION READINGS - ROLL CALL REQUIRED****AR-1      [200883.](#)      Land Use Change - 0.99 Acres of Property Located at 2020 West  
University Avenue (B)**

Ordinance No. 200883

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 0.99 acres of property generally located at 2020 West University Avenue, as more specifically described in this ordinance, from Residential Low-Density (RL) to Mixed-Use Office/Residential (MOR);



providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*AGENDA UPDATE - MOVED FROM 2ND READING TO ADOPTION READING AND ADDITIONAL BACK-UP ADDED*

*Explanation: STAFF REPORT*

*This ordinance will amend the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 0.99 acres of property located at 2020 West University Avenue from Residential Low-Density (RL) to Mixed-Use Office/Residential (MOR). This ordinance was generated by an application of the private property owner to change the land use category of the property as proposed. The City Plan Board held a public hearing on February 25, 2021, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan. This proposed amendment to the Comprehensive Plan involves a use of 10 acres or fewer and qualifies as a small-scale development amendment. The City Commission may adopt small-scale development amendments with a single public hearing.*

*Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after adoption. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

[200883\\_PB-20-00161\\_LUC\\_UF\\_Hillel\\_w\\_appendices\\_20210225](#)

[200883A\\_draft ordinance\\_20210715](#)

[200883B\\_StaffPPT\\_PB-21-00161\\_LUC\\_Land Use Change\\_CCM\\_Hillel\\_20210](#)

[200883 Hillel Land Use Change PPT for CC MOD\\_20210715.pdf](#)

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

**FR-1**      [200884.](#)

**Quasi-Judicial - Rezoning 0.99 Acres of Property Located at 2020 West University Avenue (B)**

Ordinance No. 200884

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.99 acres of property generally located at 2020 West University Avenue, as more specifically described in this ordinance, from Planned Development (PD) to Urban 4 (U4); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

AGENDA UPDATE - ADDITIONAL BACK-UP ADDED

*Explanation:* STAFF REPORT

*This ordinance will rezone approximately 0.99 acres of property located at 2020 West University Avenue from Planned Development (PD) to Urban 4 (U4). This ordinance was generated by an application from the private property landowners. The City Plan Board held a public hearing on February 25, 2021, where it voted to recommend approval of this rezoning.*

*This ordinance requires two hearings and will become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 200883 becomes effective as provided therein.*

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

[200884 PB-20-00162 ZON UF Hillel w appendices 20210225](#)

[200884A draft ordinance 20210715](#)

[200884B StaffPPT PB-21-00162 ZON Zoning CCM Hillel 20210715](#)

[200884 Hillel Rezoning PowerPoint Mod 20210715 .pdf](#)

**FR-2**      [210005.](#)

### **Amending the Open Container Ordinance (B)**

ORDINANCE NO. 210005

An ordinance of the City of Gainesville, Florida, amending Sections 4-1 and 4-4 of the City Code of Ordinances relating to the sale, dispensing, possession and consumption of alcohol; amending Section 18-20 of the City Code of Ordinances relating to the purchase or sale of alcohol in parks; and Section 2-339 of the City Code of Ordinances relating to civil citation for the possession or consumption of an open container of an alcoholic beverage; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

AGENDA UPDATE - NEW BACK-UP ADDED

*Explanation: The City Commission adopted Ordinance No. 200250 on September 10, 2020, which temporarily suspended the enforcement (as to personal possession and consumption) of Sec. 4-4 and Sec. 18-20(16) of the City*

*Code of Ordinances.*

*The City Commission, at its meeting of May 20, 2021, directed the drafting of this ordinance so that the allowances for possession and consumption granted by Ordinance No. 200250 would become permanent.*

*This ordinance permanently repeals the open container prohibitions contained in Sec. 4-4 and Section 18-20; along with making changes that City staff recommends to the special alcohol permitting provisions.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

5/20/21 City Commission Approved, as shown above

[210005A\\_Final Open Container\\_20210520](#)

[210005B\\_Draft Ordinance\\_20210715](#)

[210005C\\_Open Container Presentation\\_PPT\\_20210715](#)

[210005D\\_GPD Crowd Management Presentation\\_PPT\\_20210715.pdf](#)

FR-3 [210066.](#)

**Ordinance Amending the Consolidated Police Officers and Firefighters Retirement Plan to Amend the Earnings Definition for Firefighters (B)**

Ordinance No. 210066

An ordinance of the City of Gainesville, Florida, amending the definition of Earnings in Section 2-596 of Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: This ordinance amends the Consolidated Police Officers and Firefighters Retirement Plan ("Plan") in accord with the collective bargaining process between the City, Professional Firefighters of Gainesville Local No. 2157 of the International Association of Firefighters ("IAFF"), and Fire District Chiefs of the International Association of Firefighters Local No. 2157 ("IAFF-DC"). The changes negotiated with the IAFF and IAFF-DC bargaining units provide that overtime hours worked as part of the normal schedule do not count toward the 300 hours annual maximum on pensionable overtime earnings for firefighters*

*Fiscal Note: There is no anticipated fiscal impact associated with the proposed change.*

**RECOMMENDATION**

*The City Commission adopt the proposed Ordinance.*

[210066\\_draft ordinance\\_20210715](#)

## **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**