

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



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

July 21, 2022

1:00 PM

City Hall Auditorium

### **City Commission**

*Mayor Lauren Poe (At Large)*  
*Mayor-Commissioner Pro-Tem Reina Saco (At Large, Seat A)*  
*Commissioner Cynthia Moore Chestnut (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 Equity and Inclusion 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 to Spanish relay, please call 1-877-955-8773. For STS Spanish to English relay, please call 1-844-463-9710.*

## **Welcome to the City Commission meeting!**

### **Learn about the meeting process and how to participate.**

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. The following public comment options may be available for this meeting.

Find specific public comment details for each meeting on the [Public Meeting Calendar](#) or the Notice of Meetings on the City's website. Verbal comments are usually limited to three (3) minutes.

**General Public Comment:** Share a comment about a topic or issue *not* on the Meeting Agenda. There is one 30-minute General Public Comment period at the beginning of the meeting.

- **Pre-recorded comment:** Call to record a voice comment *before* the meeting. Visit the [Public Meeting Calendar](#) for details. Comments received by the deadline will be played at the meeting.
- **In-person comment:** Neighbors present in the meeting chambers may comment at the designated time. Safety protocols will be observed.

#### **Public Comment on Agenda Items**

- **In-person comment:** Neighbors present in the meeting chambers may comment at the designated times. Safety protocols will be observed.

**Written Public Comment:** Submit a general comment or a comment on the meeting agenda. Your comments will be shared with 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.

**1:00 PM - 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 AGENDA (Includes both Consent and Regular Agenda Items. Consent Agenda Items that will not be discussed, may include Advocacy Resolutions)****CONSENT AGENDA ITEMS****CA-1      [211350.](#)      Approval of Minutes from the June 16 (3), and June 21, 2022 City Commission Meetings (B)**

**RECOMMENDATION**      *The City Commission approve the June 16 (3) and June 21, 2022 minutes.*

[211350 BOT Retire Health Insurance Trust Fund Minutes 20220721.pdf](#)

[211350 BOT General Employees Pension Plan Minutes 20220721.pdf](#)

[211350 June 16, 2022 Minutes 20220721.pdf](#)

[211350 June 21, 2022 Minutes 20220721.pdf](#)

**CA-2      [211241.](#)      Bid Award - Albert "Ray" Massey (Westside) Park Playground (B)**

This item is a request for the City Commission to authorize the bid award to Scherer Construction of North Florida, LLC for the Albert "Ray" Massey (Westside) Park Playground project, located at 1001 NW 34th Street.

*Explanation: On March 4, 2021 the City Commission approved the Albert "Ray" Massey (Westside) Park Playground Improvements project which allowed the Parks, Recreation and Cultural Affairs Department to work towards one of its master plan goals of creating a fully accessible park in each quadrant of the city. Inspired by the NW 8th Avenue Solar Walk, the space-themed playground will offer a wide variety of physical, social and sensory play experiences for children of all ages and abilities. Fully accessible play surfacing and a colorful theme will boost imaginative play*

*within the fully-fenced playground. Albert "Ray" Massey (Westside) Park is the busiest park in Gainesville and the playground equipment is nearing the end of its anticipated lifespan. The Wild Spaces & Public Places program began working with Manley Design, LLC, a small, local, woman-owned design firm, in the spring of 2021.*

*On April 14, 2022 a presentation was made to the General Policy Committee which included an update on the Albert "Ray" Massey (Westside) Park Playground Improvements. Community engagement for the project took place in the summer and fall of 2021 with focus group meetings throughout the summer and two open houses in September of 2021. Project permitting completed in the spring of 2022. On June 2, 2022 the City Commission authorized the City to enter into two Cooperative Purchasing Contracts for owner direct purchases of playground equipment for the future Albert "Ray" Massey Park Playground.*

*On May 3, 2022 the Purchasing Division solicited bids for the Albert "Ray" Massey (Westside) Park Playground project. A non-mandatory pre-bid conference was held on May 17, 2022 at 10:00 a.m. at the Albert "Ray" Massey (Westside) Park Playground. A total of five (5) bidders attended the pre-bid conference. All bids were due at 3:00 p.m. on June 7, 2021. A total of two (2) bids were received by 3:00 p.m.*

*Staff recommends awarding this contract to Scherer Construction of North Florida, LLC in the amount of \$1,481,512.00 for the construction of the Albert "Ray" Massey (Westside) Park Playground project. Scherer Construction of North Florida, LLC 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 \$1,556,512.00 are available for the Albert "Ray" Massey (Westside) Park Playground project from the WSPP Albert Ray Massey Westside Park Wild Spaces & Public Places ½ cent sales tax project account. Funding above and beyond the construction contract amount with Scherer Construction of North Florida, LLC is for owner direct purchases of the following: permit fees (site work, building permit, utility connections), and owner's contingency.*

*There is an anticipated annual increase in operating and maintenance cost of \$30,000 for the additional lights and new restroom after the Albert "Ray" Massey (Westside) Park Playground project is complete.*

**RECOMMENDATION**

*The City Commission: 1) award the bid to Scherer Construction of North Florida, LLC for the construction of the Albert "Ray" Massey (Westside) Park Playground; and 2) authorize the City Manager or designee to execute all contract documents and other necessary documents,*

*subject to approval by the City Attorney as to form and legality.*

Legislative History

6/2/22 City Commission Approved as Recommended

[211241J Bid Tabulation 20220721](#)

[211241K ARM Playground - Award Recommendation 20220721](#)

[211241L Oelrich Construction, Inc ITB Submittal Response 20220721](#)

[211241M Scherer Construction ITB Submittal Response 20220721](#)

[211241N WSPP-220067-DM Albert Ray Massey Park 20220721](#)

[211241O WSPP-220067-DM Albert Ray Massey Add#1 20220721](#)

[211241P WSPP-220067-DM Albert Pay Massey Add#2 20220721](#)

[211241Q WSPP-220067-DM Albert Ray Massey Add#3 20220721](#)

**CA-3      [211336.](#)      Adoption of the Regional Transit System (RTS) FY22/23 Annual Progress Report of the Transit Development Plan (TDP) (B)**

*Explanation: The Florida Department of Transportation (FDOT) requires that a transit system update and submit a Ten-Year Transit Development Plan (TDP) by September 1st of each year to maintain its eligibility for state block grant funds, with major updates of the plan occurring every five (5) years. FDOT further requires Transit Agencies to submit an annual progress report of the TDP. The governing board of a transit system must adopt the Annual Progress Report to maintain eligibility for FDOT transit block grant funding. The City Commission acts as the governing board for public transit in Gainesville urban area. A copy of RTS' Annual Progress Report for FY2022-2023 is included in the back-up.*

*Fiscal Note: For FY21-22, RTS received \$2,371,784 in FDOT transit block grant funds.*

RECOMMENDATION

*The City Commission adopt the Annual Progress Report of the Regional Transit System (RTS) Transit Development Plan (TDP) for FY 22-23.*

[211336A Draft 2022 TDP Annual Progress Report 20220721](#)

**CA-4      [211337.](#)      Authorization to Accept the FTA American Rescue Plan Route Planning Discretionary Grant Award (B)**

This item requests authorization to accept an award by the Federal Transit Administration (FTA) American Rescue Plan (ARP) Route Planning Discretionary grant program.

*Explanation: In September 2021, the Federal Transit Administration (FTA) announced a funding opportunity for its American Rescue Plan Route Planning Discretionary grant program. The Route Planning Restoration Program provides funds under the American Rescue Plan Act of 2021 for public transportation planning associated with the restoration of transit service reduced due to the COVID-19 pandemic. The Department of Transportation's Regional Transit System submitted a competitive application, and recently learned its project was fully funded in the amount of \$300,000.*

*The funding awarded to RTS will be used to identify opportunities to restore and expand transit services by collaborating with community-sourced options with the goal of reducing travel time and increasing trip frequency while incorporating the use of other complementary travel modes. RTS anticipates that after completing required planning & FTA processes, the grant agreement can be executed within the next few months.*

*The City of Gainesville Department of Transportation and Regional Transit System are grateful to the FTA for their support of this project.*

*Strategic Connection: The Regional Transit System network provides transportation access to many services within our community and supports all five goals in the City's strategic plan including Equitable Community, A More Sustainable Community, a Great Place to Live and Experience, a Resilient Local Economy, and "Best in Class" Neighbor Services.*

*Fiscal Note: Reimbursement funds will be received from the FTA in the amount of \$300,000. Matching funds are not required for this grant.*

**RECOMMENDATION**

*The City Commission: 1) authorize the Interim City Manager to accept the FTA's American Rescue Plan Route Planning Discretionary grant award; 2) authorize the Interim City Manager to execute the grant award and any other necessary documents, subject to approval by the Interim City Attorney as to form and legality; and 3) direct the Budget Office to include this award in the next available Budget Amendment resolution in order to enable start-up of project-related expenses.*

[211337A FTA Notice of Grant Award 20220721](#)

**CA-5      [211353.](#)**

**Resilient Florida Grants (B)**

*Explanation: This item is a request for the City Commission to approve the submission and acceptance of two grants, if awarded, by the Florida Department of Environmental Protection - under the Resilient Florida Grant program.*

*The Florida Department of Environmental Protection has announced a competitive grant program to provide funding assistance to Florida communities that are interested in developing planning studies and projects that address risks of flooding or sea level rise.*

*Two projects will be submitted for funding consideration; Adaptation Plan for Resilient Critical Assets and Airport Road Culvert Replacement Phase 1. The Adaptation Plan will encompass city limits and the GRU service area. Projects to adapt critical assets to the impacts of climate change will be developed with cost estimates. The second project will replace a roadway culvert that was substantially damaged by flooding during Tropical Storm Elsa in 2021. Phase 1 includes the Hydrologic and Hydraulic modeling needed to determine the size of the replacement culvert.*

*Strategic Connection:*

*Goal 2: Sustainable Community - a normal priority item.*

*Fiscal Note: The grant request for the Adaptation Plan for Resilient Critical Assets is \$400,000. If awarded, no local match is required for the planning study. The grant request for the Airport Road Replacement Phase 1 is \$300,000. If awarded, a 50 % (\$150,000) local match is required. The source of funding is the Stormwater Management Utility Surcharge fund providing \$150,000 in FY 23.*

**RECOMMENDATION**

*The City Commission authorize the City Manager, or designee, to apply for two Resilient Florida Grants with the Florida Department of Environmental Protection for Adaptation Plan for Resilient Critical Assets and Airport Road Culvert Replacement and execute a grant agreement and related documents, if awarded, subject to approval by the City Attorney as to form and legality.*

[211353A\\_ResFlaMap\\_Adapt-AirportCulvertRepl-Draft\\_20220721](#)

**CA-6**      [211355.](#)

**Contract for Mowing and Grounds Maintenance of the City of Gainesville's Rail Trail (B)**

This is a request for the City Commission to authorize the Interim City Manager to sign a new contract with Oasis Landscape Services, Inc. for Mowing and Grounds Maintenance of the City of Gainesville's Rail Trail.

*Explanation: The current Contract for Mowing and Grounds Maintenance of the City of Gainesville's Rail Trail, will expire on September 30, 2022, so the City's Procurement Division has recently coordinated an Invitation to Bid for a new contract. After thorough review and evaluation of the bids submitted, Oasis Landscape Services, Inc. was selected to be the most responsive and responsible bid. The contract will take effect on October 1, 2022 and*

continue for two years with up to three possible 12-month extensions available.

*Strategic Connection:*

*A great place to live and experience.*

*Fiscal Note: Oasis' bid price for this project is \$53,100.00; or \$106,200.00 for the two-year initial contract term. If all three extensions were utilized at that annual price, the total expense over five years would be \$265,500.00. (The current contract is in its fifth year at \$48,402.20 per year.) The project will be paid from the General Fund and Park, Recreation and Cultural Affairs Department's Park Operations maintenance funding.*

**RECOMMENDATION**

*The City Commission 1) approve the two-year Contract with three possible 12-month extensions for Mowing and Grounds Maintenance of the City of Gainesville's Rail Trail with Oasis Landscape Services, Inc.; and 2) authorize the Interim City Manager to approve the Contract, subject to approval by the City Attorney as to form and legality.*

[211355A ITB Submittal Response 20220721.PDF](#)

[211355B Bid Tabulation \(21\) 20220721.pdf](#)

[211355C Award Public Notice-Notification \(002\) 20220721.pdf](#)

[211355D RECP-220060-DM Mowing of the Rail Trail 20220721.pdf](#)

[211355E RECP-220060-DM Mowing and Grounds Maintenance of the Rail Ad](#)

CA-7      [211363.](#)

**Contract Award to American Janitorial, Inc., for Trash Pick-Up and Disposal for Regional Transit System Bus Stops (B)**

**This item is a request to approve the recommended award and execute a contract with**

**American Janitorial, Inc., for Trash Pick-Up and Disposal for Regional Transit System Bus Stops.**

*Explanation: The Regional Transit System (RTS) currently has hundreds of bus stops that require regular trash pick-up and disposal services. On April 18, 2022, the City's Procurement Division solicited an Invitation to Bid (ITB) for Trash Pick-Up and Disposal for Regional Transit System Bus Stops. The RFP process was implemented in compliance with, and as required by, Florida Statutes and City of Gainesville policies.*

*Three (3) responses were submitted by the deadline. The lowest bid meeting all requirements and specifications was from American Janitorial, Inc.*



*RTS desires to enter into a contract for five (5) years with American Janitorial, Inc., not to exceed \$150,000 annually.*

*Strategic Plan Connection: The Regional Transit System network provides transportation access to many services within our community and supports all five goals in the City's strategic plan including Equitable Community, A More Sustainable Community, a Great Place to Live and Experience, a Resilient Local Economy, and "Best in Class" Neighbor Services.*

*Fiscal Note: Funds in the amount of \$150,000 annually are available in the RTS Maintenance operating budget for these services.*

**RECOMMENDATION**

*The City Commission authorize the interim City Manager or designee to execute a contract with American Janitorial, Inc. for Trash Pick-Up and Disposal for Regional Transit System Bus Stops, subject to approval by the City Attorney as to form and legality.*

[211363A ITB Trash Pick Up and Disposal for RTS Bus Stops 20220721](#)

[211363B Bid Record 20220721](#)

[211363C Price Summary 20220721](#)

[211363D CC Bid Tab-ITB 20220721](#)

[211363E American Janitorial Inc Submittal 20220721](#)

[211363F GFL Solid Waste Southeast LLC Submittal 20220721](#)

[211363G T&N Lawn Masters LLC Response 20220721](#)

**CA-8**      [211380.](#)

**Heartwood Home Construction (B)**

**AGENDA UPDATE - REVISED BACK-UP**

*Explanation: On June 22, 2022, GCRA staff received approval from the City Manager to move forward with utilizing Heartwood funds to construct market-rate homes in Heartwood, upon approval by the GCRA Board and City Commission. The GCRA would contract with the builders on two homes and sell the homes upon completion. The proceeds from the sales of the first two homes would be placed back in the GCRA fund. Those funds would then be used to build one or two more homes at a time if lots are still available.*

*GCRA staff is proposing to utilize the cost-plus model for these market-rate homes similar to the one used for the Dreams2Reality homes. Under this model, the builders are reimbursed for labor and materials costs and earn a set percentage in addition to those costs for overhead and profit. All purchases are tracked and receipts are submitted with each payment request. The builders have requested a slight change to the terms used for the Dreams2Reality homes, and are requesting a 4% increase for overhead and profit, from 18% to 22%. The additional 4%*

*was requested to help cover the cost of supervisory personnel onsite, which is not allowable under the terms of the Dreams2Reality contracts.*

*GCRA Staff is working with procurement and legal on the contract documents.*

*Today's request is to use up to \$620,000 from its Heartwood Fund 1132 to build two market-rate homes. The proceeds from the sales would go back into the Heartwood fund and would be used to build one or two additional homes at a time until all lots are sold.*

*Strategic Connection:*

*This project is connected to Goal 3: A Great Place to Live and Experience, and Goal 4: Resilient Local Economy in the City's Strategic Plan and is a high priority item.*

*Fiscal Note: Department of Gainesville Community Reinvestment Area has \$620,000 available in the GCRA Heartwood Fund 1132.*

**RECOMMENDATION**

*City Manager recommends the City Commission approve the request to use up to \$620,000 of GCRA Heartwood Funds to build one or two market-rate homes at a time in Heartwood as lot availability allows.*

[211380 Heartwood Showcase Home Construction 1.pdf](#)

**CA-9      [211386.](#)**

**The Transportation Department is seeking City Commission Approval to apply to the US Department of Transportation for the Safe Streets and Roads for All (SS4A) Implementation Grant. (B)**

**AGENDA UPDATE - CHANGED TEXT FILE**

*Explanation: The Transportation Department is seeking City Commission approval to apply to the US Department of Transportation for the Safe Streets and Roads for All (SS4A) Implementation Grant. (<<https://www.transportation.gov/grants/SS4A>). This grant program is part of the Bipartisan Infrastructure Law <<https://www.congress.gov/bill/117th-congress/house-bill/3684/text>> (BIL). In fiscal year 2022 (FY22), up to \$1 billion is available.*

*The SS4A program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries. Implementation Grants fund projects and strategies identified in an Action Plan (Vision Zero Plan) that address a roadway safety problem.*

*The application seeks funds for capital assistance to implement corridor improvements along West University Avenue from NW 22nd Street to the eastern City Limit. Support letters from partner organizations will be submitted as part of the application. A Memo of Understanding with the*

*Florida Department of Transportation to partner with the City on the application and allow construction of the final design from the PDE & Design process in state right-of-way has also been requested.*

*Implementation of the City Commission adopted design concepts for the approximately 4.5 miles of roadway meets the goals of the grant program to transform the corridor to prevent death and serious injury for all roadway users. This funding investment supports the City's adopted Vision Zero Action Strategy to improve safety, prioritize people, and connect diverse populations.*

*Strategic Connection: Goal 3: A Great Place to Live & Experience*

*Fiscal Note: The total project cost is \$10 million. The grant program requires a 20% local match. The application seeks \$8.4 million with the \$1.6 million required match coming from funds already identified for the University Avenue corridor PDE & Design and other Vision Zero/TMPA funded projects feeding the corridor.*

**RECOMMENDATION**

*The City Commission authorize the City Manager or designee to execute all necessary SS4A application documents, subject to approval by the City Attorney as to form and legality.*

[211386A How-to-Apply-for-SS4A-2022 General-Overview 07212022](#)

**CA-10**      [211377.](#)

**Resignation of Duncan Purvis from the Police Advisory Council and Andre Soucy from the Regional Transit System Advisory Board (B)**

AGENDA UPDATE - CHANGED TEXT FILE

**RECOMMENDATION**

*The City Commission accepts the resignation of Duncan Purvis and Andre Soucy, effective immediately.*

[211377 RTS Resignation 20220721](#)

[211377 PAC Resignation 20220721](#)

**CA-11**      [211409.](#)

**Appointments to City Commission Advisory Boards and Committees (B)**

**RECOMMENDATION**

*The City Commission appoint:*

*Craig Carter to the Gainesville/Alachua County Airport Authority for a full term ending 7/31/2025.*

*Casey Harrison to the Public Recreation and Parks Board for a partial term ending 6/1/2024.*

[211409 Advisory Board and Commission Ballot Form 20220721](#)

[211409 GACRAA Application 20220721](#)

[211409 PRPB Application 20220721](#)

CA-12      [211148.](#)

**Amend Future Land Use Map from Urban Mixed Use High (UMUH) to Planned Use District (PUD) (B)**

Petition PB-21-00219 LUC. CHW Inc., agent for CA Ventures (Applicant), request to amend the City of Gainesville Future Land Use Map from Urban Mixed Use High (10-100 units per acre and an additional 25 units per acre allowed by Special Use Permit) to Planned Use District. Located at the northwest corner of SW 2nd Avenue and SW 10th Street.

**AGENDA UPDATE - CHANGED TEXT FILE LANGUAGE**

*Explanation: This petition proposes to change the land use designation of the subject properties from Urban Mixed Use High to Planned Use District to accommodate a proposed twelve story multi-family development that will include ten percent of available units set aside for workforce housing in perpetuity. The total land area of the project is 1.11 acres and is located at the northwest corner of SW 2nd Avenue and SW 10th Street.*

*The subject properties are surrounded by Mixed Use Residential (up to 75 units per acre), Urban Mixed Use High (10-100 units per acre and an additional 25 units per acre allowed by special use permit), and Urban Core (150 units per acre and an additional 25 units per acre allowed by special use permit) land use designations. The University Heights South Historic District wraps around to the north, west, and south of the subject properties.*

**Strategic Connection**

**Goal 3: A Great place to live and experience.**

**Fiscal Note: Not Applicable**

**RECOMMENDATION**

*Staff recommends continue petition to September 15, 2022 City Commission Meeting.  
City Plan Board recommended that the City Commission Deny this application at the April 28, 2022 City Plan Board meeting.*

[PB-21-00219 LUC CA Ventures Final](#)

[211148 1026 SW 2nd Ave and SW 10th St 20220721](#)

CA-13      [211149.](#)

**Rezone from Urban Transect Zone U9 to Planned Development (PD)**

**(B)**

Petition PB-21-00220 ZON. CHW Inc., agent for CA Ventures, (Applicant) requests to rezone from Urban Transect Zone U9 (100 units per acre by right, 125 with bonus system) to Planned Development. Located at the northwest corner of SW 2nd Avenue and SW 10th Street.

**AGENDA UPDATE - CHANGED TEXT FILE LANGUAGE**

*Explanation: This petition proposes to change the zoning designation of the subject properties from Urban Transect Zone U9 to Planned Use District to accommodate a proposed twelve story multi-family development that will include ten percent of available units set aside for workforce housing in perpetuity. The total land area of the project is 1.11 acres and is located at the northwest corner of SW 2nd Avenue and SW 10th Street.*

*The subject properties are surrounded by Urban Transect Zone U9 (100 units per acre by right, 125 with bonus system), Urban Transect Zone U5 (up to 75 dwelling units per acre), and Downtown (150 units per acre by right, 175 with bonus system) zoning designations. The University Heights South Historic District wraps around to the north, west, and south of the subject properties.*

**Strategic Connection**

Goal 3: A Great place to live and experience.

*Fiscal Note: Not Applicable*

**RECOMMENDATION**

*Staff recommends continue petition to September 15, 2022 City Commission Meeting.  
City Plan Board recommended that the City Commission Deny this application at the April 28, 2022 City Plan Board meeting.*

[211149 PB-21-00220 ZON CA Ventures 20220428](#)

[211149 1026 SW 2nd Ave and SW 10th St 20220721](#)

**CA-14**      [210790.](#)

**RFQ Recommended Award for Cultural Arts Center Planning (B)**

*Explanation: At the March 17, 2022 General Policy Committee meeting, the City Commission directed the City Manager to move forward with the solicitation of an external cultural facility specialist to begin the research, neighbor and stakeholder engagement for a cultural arts center to be located in East Gainesville.*

*On April 8, 2022, the City's Procurement Division released a Request for Qualifications for this project. The solicitation closed on May 6, 2022 at 3*

PM and the City received six responses, one of which was non-responsive. The five firms that were evaluated are: AMS Planning and Research Corp., Arts Consulting Group, Keen Independent Research LLC, Wannemacher Jensen Architects, Inc., and Webb Management. The evaluation committee, consisting of four community builders, met on May 24, 2022 to review and evaluate the proposals. The top three vendors were invited for oral presentations which were held on June 29, 2022. Through this process AMS Planning and Research Corp. (AMS) was evaluated as the top ranked firm due to its extensive experience with strategic, operational, and financial planning and implementation of arts and cultural facilities. AMS has also specifically worked on successful cultural arts projects in the State of Florida, including the Adrienne Arsht Center, South Dade Cultural Center, Little Haiti Cultural Center, and Lyric Theater; and is currently working on the Gulfshore Playhouse project and a feasibility study for a new arts and events center in Panama City, Florida. AMS also clearly demonstrated its ability to work with both diverse and culturally specific populations. Webb Management Services, Inc. was ranked second and Arts Consulting Group was ranked third.

*Fiscal Note:* The proposed contractual cost for this engagement is \$190,000 with funding for this project set aside from the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds Revenue Replacement allocation.

**RECOMMENDATION**

The City Commission 1) Approve the ranking of the firms as recommended by the evaluation committee, 2) Authorize the Interim City Manager, or designee, to negotiate and execute a contract with AMS Planning and Research, Corp., the first ranked firm, or if no contract agreement can be reached with them to negotiate and execute a contract with the next ranked firm subject to approval of the City Attorney as to form and legality.

**Legislative History**

1/13/22	General Policy Committee	Approved, as shown above
3/10/22	General Policy Committee	Approved, as shown above

[210790 A cultural Arts Center RFQ 21072022](#)  
[210790 B Cultural Arts Center RFQ - Addendum #1 21072022](#)  
[210790 C Cultural Arts Center RFQ - Addendum #2 21072022](#)  
[210790 D AMS Planning and Research Corp. Proposal 21072022](#)  
[210790 E Arts Consulting Group Proposal 21072022](#)  
[210790 F Keen Independent Research LLC Proposal 21072022](#)  
[210790 G Superior Moves Proposal 21072022](#)  
[210790 H Wannemacher Jensen Architects Inc. Propopsal 21072022](#)  
[210790 I Webb Management Services Inc. Proposal 21072022](#)  
[210790 J Cultural Arts Center References 21072022](#)  
[210790 K Cultural Arts Center Final Evaluation Scores 21072022](#)  
[210790 L Cultural Arts Center RFQ Intended Award 21072022](#)

**CA-15      [211398.](#)      Heartwood Home Sales (NB)**

*Explanation: The Heartwood neighborhood currently has four market-rate homes under contract and the closing dates are approaching. The market-rate buyers have executed a purchase and sales agreement with the City. This contract requires a construction contract to be executed between the buyer and the builder within 45 days of the effective date of the purchase and sales agreement.*

*The closing process requires City Commission authorization for the City Manager and Mayor to execute required documents, and the terms are defined below in the recommendation. A reverter provision was also added to provide a path for cash buyers.*

*Strategic Connection: This project is connected to Goal 3: A Great Place to Live and Experience, and Goal 4: Resilient Local Economy in the City's Strategic Plan and is a high priority item.*

*Fiscal Note: None.*

**RECOMMENDATION**

*For closing on the sale and conveyance of all City lots in the Heartwood Subdivision: 1) authorize the City Manager or designee to execute the contract for sale and purchase of real property, and addendums thereto, and all other closing related documents (e.g., settlement statements, closing agreements, affidavits, etc.) subject to the review and approval of the City Attorney's Office as to form and legality. 2) authorize the Mayor, or designee, to execute and deliver, and the City Clerk, or designee, to attest the Special Warranty Deed conveying fee simple title in and to the City*

*lots; 3) authorize and direct pursuant to 270.11, Fla. Stat. that the Special Warranty Deeds include a release and discharge of all of the City's oil, gas, and mineral rights in such lots; and 4) authorize and direct for cash purchases of vacant lots that the Special Warranty Deeds reserve an option to exercise a right of reverter if within 18 months following the lot closing date, a certificate of occupancy for a single-family residence has not been issued for the subject lot.*

**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.**

**BD BUSINESS DISCUSSION ITEMS (Agenda Items that will be discussed, including those moved from Consent)**

**RE RESOLUTIONS - ROLL CALL REQUIRED (Unless mandated by statute to occur in the evening: May include Advocacy Resolutions and Binding Resolutions)**

**EARLY PUBLIC COMMENT ON AGENDA ITEMS - 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 FOR ITEMS NOT ON THE AGENDA - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. General Public Comment may be submitted in advance by pre-recorded voice message only (see page 2 for details). The General Public Comment period shall not exceed 30 minutes total.**

**BD BUSINESS DISCUSSION ITEMS**

**BD-1 [211375](#) Commissioner David Arreola - Rezoning the 300 Club (B)**

**RECOMMENDATION**

*The City Commission initiate the requested rezoning of the 300 Club.*

[211375\\_The 300 Tennis and Swim Club.Background\\_20220721](#)

[211375\\_Neighborhood\\_Workshop\\_Documents\\_20220721](#)

[211375\\_300 Club Property Information\\_20220721](#)



**BD-2      [211376.](#)      Commissioner David Arreola - Infinity Line Feasibility Study Discussion (B)**

**RECOMMENDATION**      *The City Commission add a feasibility study on the project to the Wild Spaces Public Places (WSPP) project priority list.*

[211376 The Infinity Line Presentation 20220721](#)

[211376 Infinity Line City Commission 2022 20220721](#)

**BD-3      [211361.](#)      GCRA Community Partnership Grant Program (B)**

*Explanation: At the March 15, 2022, Gainesville Community Reinvestment Area Advisory Board (GCRAAB) meeting, a draft of the Community Partnership Grant Program (Legistar #210323) was brought to the board for review and feedback. Feedback was received during that meeting, and the City's legal department has been incorporated into the proposed Program that was then re-presented to the GCRAAB (Legistar #211245) on June 21, 2022. The GCRAAB unanimously recommended that the Program be brought to the City Commission for review.*

*The former Gainesville Community Redevelopment Agency (CRA) and the current Gainesville Community Reinvestment Area (GCRA) have assisted local non-profit organizations with small-scale grants for events within the District for most of its existence. An example of this is the annual support of the Fifth Avenue Arts Festival. Typically, the grant funds assisted with the fixed costs related to city services required via permit. Examples of these costs include street closures, Gainesville Police Department participation, Gainesville Fire Rescue support, etc.*

*In the past, non-profit groups would request to address the CRA Advisory Board, give a presentation about their event, and ask for the Board's financial support. If the event met the criteria of the CRA Redevelopment Plan, the Board typically approved these funding requests. Grant awards ranged from \$1,500 to \$3,000.*

*The GCRA 10-Year Reinvestment Plan identified the need for this Program to continue and to develop a formal program for its administration. In its transition to a city department, there was also a need to understand other sources of community grants available from the city to avoid duplication and understand what's available city-wide to promote events of this kind.*

*GCRA Staff, in conjunction with Parks Recreation and Cultural Affairs (PRCA), has been working to understand how to help supplement PRCA's Special Event Additional Support (SEAS) grant program. The SEAS grant is specifically for special events throughout Gainesville and focuses on support services required for safety, traffic, waste, and park clean-up.*

*In thinking through how the GCRA could differentiate its Program, complement the SEAS grant, and meet a community need, Staff created this grant program to assist with other event costs not covered in PRCA's grant program. Events must align with the plan by focusing on community, arts and culture, recovery/resiliency, cultural celebration, neighborhood improvement, and racial healing/justice. The GCRA program is proposed to be a 50% matching grant, and the maximum grant amount is \$5,000.*

*Strategic Connection:*

*This item is connected to Goal 1: Equitable Community, Goal 3: A Great Place to Live & Experience, and Goal 4: Resilient Local Economy from the City's Strategic Plan.*

*Fiscal Note: GCRA Fund (1132) currently has \$36,700 in funds available for the Program, with an additional \$15,000 of proposed additional funding for FY23.*

**RECOMMENDATION**

*Hear the presentation and approve the Program as presented.*

[211361\\_A\\_CommunityPartnershipGrantPresentation\\_2022.07.21](#)

[211361\\_B\\_CommunityPartnershipGrantProgram\\_2022.07.21](#)

**BD-4**      [211436.](#)

**Commissioner Cynthia Moore Chestnut - Minority, Women and Service-Disabled Veterans Owned Business Enterprises Policy (B)**

**RECOMMENDATION**

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

[211436\\_Letter from Commissioner Chestnut\\_20220721.pdf](#)

**RE      RESOLUTIONS**

**RE-1**      [211340.](#)

**Florida Department of Economic Opportunity, Community Development Block Grant Mitigation Program, Grant Agreement IR049, Tumblin Creek Improvement Project (B)**

*Explanation: This item is to request approval by the City Commission to execute and enter into a grant agreement if awarded, and any other necessary documents with the Florida Department of Economic Opportunity (DEO) under the Community Development Block Grant-Mitigation (CDBG-MIT) Program.*

*An application to submit for funding under the Community Development Block Grant - Disaster Recovery (CDBG-DR) by the U.S. Department of Housing and Urban Development (HUD) for damage from Hurricane Irma was approved by the City Commission on June 18, 2020. The Notice of*

*Intent to award from the DEO was received on January 22, 2021. The City was notified on October 1, 2021, that a Notice of a Substantial Amendment to shift the Hurricane Irma Round 2 Rebuild Florida Infrastructure Repair Program projects from CDBG-DR to CDBG-MIT (Mitigation Program) had been approved HUD.*

*The project will address significant erosion damage in Tumblin Creek near Depot Avenue and SW 6th Street incurred by Hurricane Irma near a neighborhood comprised primarily of multi-family structures and condominiums. The improvements will provide for long-term structural integrity of the stormwater infrastructure and mitigation of future erosion.*

*Strategic Connection*

*Goal 2: Sustainable Community - a normal priority item.*

*Fiscal Note: The grant is funded at 100% - no grant match is required.*

**RECOMMENDATION**

*The City Commission adopts the Resolution, which authorizes the City Manager or designee to execute and enter into a grant agreement if awarded, and any other necessary documents with DEO pertaining to this grant, subject to approval by the City Attorney or designee as to form and legality.*

[211340A Draft Resolution 20220721](#)

[211340B 4 City of Gainesville Service Area Map 20220721](#)

## OR ORDINANCES

### ADOPTION READINGS

**AR-1      [211151.](#)      Land Use Change - 1.27 Acres of Property Located on SW 16th Avenue West of South Main Street (B)**

Ordinance No. 211151

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 1.27 acres of property generally located on SW 16th Avenue and west of South Main Street, as more specifically described in this ordinance, from Conservation (CON) to Single Family (SF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: STAFF REPORT*

*This ordinance will amend the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 1.27 acres of property located on SW 16th Avenue, west of South Main Street from Conservation (CON) to Single Family (SF). This ordinance*

*was generated by an application of the City of Gainesville to change the land use category of the property as proposed. The City Plan Board held a public hearing on April 28, 2022, 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 50 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.*

[211151\\_PB-22-00023LUC\\_Abdi\\_LandUse\\_20220428](#)

[211151A\\_draft ordinance\\_20220721.pdf](#)

## **SECOND READINGS**

**SR-1**      [210836.](#)

**Vacation of Public Right-of-Way - 20ft Wide ROW Overlaying Three Tax Parcels Located in the 200 Block of NW 1st Avenue (B)**

Ordinance No. 210836

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close certain portions of a public right-of-way located in the 200 block of NW 1st Avenue, as more specifically described in this ordinance; providing directions to the City Clerk; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation:* **STAFF REPORT**

*This ordinance was privately initiated and requests to vacate to vacate the 20ft wide right-of-way (ROW) that overlays three tax parcels (14260-000-000, 14261-000-000, and 14242-000-000) located in the 200 block of NW 1st Avenue. The ROW is paved with asphalt and aligns with what has historically been used as a drive-aisle for off-street parking. All*

*property owners for the abutting properties have signed the application requesting the ROW vacation. The ROW to be vacated is approximately 0.09 acres in total, with the total length of the proposed ROW vacation being approximately 170 ft.*

*Per Section 30-3.41 of the Land Development Code, the City Commission may vacate a public right-of-way only upon its finding that the criteria in both 1 and 2 as provided below have been met:*

- 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:*
  - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;*
  - b. Whether the proposed action is consistent with the Comprehensive Plan;*
  - c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;*
  - d. Whether the proposed action would deny access to private property;*
  - e. The effect of the proposed action upon public safety;*
  - f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;*
  - g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;*
  - h. The necessity to relocate utilities both public and private; and*
  - i. The effect of the proposed action on the design and character of the area.*
- 2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:*
  - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;*
  - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;*
  - c. The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and*
  - d. There is no reasonably foreseeable need for any type of transportation corridor for the area.*

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

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

6/16/22      City Commission      Adopted on First Reading (Ordinance)

[210836 PB-21-00154 SVA McGurn ROW Vacation Staff Report 20220127](#)

[210836A draft ordinance 20220616.pdf](#)

[210836A-1 draft ordinance 20220721.pdf](#)

SR-2

[210851.](#)

### **Charter Amendment Addressing Vacancies in Office (B)**

Ordinance No. 210851

An ordinance of the City of Gainesville, Florida; proposing an amendment to 2.04 titled "Election and terms" of the Charter Laws of the City of Gainesville; providing for submission of the charter amendment to the voters for approval or disapproval at the November 8, 2022 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the city clerk; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: Currently per City Charter 2.04(4):*

*(4) Vacancies in office shall be filled in one of the following ways:*

*(a) If less than 6 months remain in the unexpired term or until the next regular election, the commission by a majority vote of the remaining members shall choose and appoint a successor, who is otherwise eligible under section 2.03 of this act, to serve until a newly elected commissioner is qualified.*

*(b) If more than 6 months remain in the unexpired term and a general election is not scheduled within 6 months, the commission shall fill the vacancy by a special election to be held not more than 60 days after the occurrence of the vacancy. [emphasis added]*

*In the time since this Charter provision was enacted, requirements and procedures regarding elections have expanded such that it is extremely difficult, and impossible in some instances, to call and conduct an election within 60 days. The recent City special election held to fill a vacancy resulted from a voluntary resignation for which the resigning commissioner provided 30 days' notice, thus expanding the time to hold the special election. Even still, the City benefitted greatly from a fortuitous calendar and the extraordinary commitment and sacrifice by the Alachua County Supervisor of Elections and her staff. If an unexpected vacancy in office were to result from a sudden death, incapacity, or removal from office the City would be hard-pressed to meet the 60-day deadline set forth in the Charter.*

*At the February 10, 2022 General Policy Committee meeting, the Office of the City Attorney proposed placing a Charter Amendment on the ballot*

for the November 8, 2022 election to avoid logistically difficult and costly special elections when a commission seat is vacated prior to the end of the term of office. The proposed Charter Amendment would have allowed the remaining members of the City Commission to appoint a person to fill a vacancy until the next possible (given qualifying deadline) biennial City election. The City Commission did not support the proposed amendment, but, rather, directed that the issue be scheduled for further discussion. At the June 2, 2022 City Commission meeting, the Office of the City Attorney was directed to prepare a proposed Charter Amendment providing that a special election be "called" rather than "held" within 60 days and conducted expeditiously based on conditions including the existing elections calendar. At the June 16, 2022 City Commission meeting, the Office of the City Attorney was directed to advertise and place the proposed ordinance on the next available agenda. Of course, any changes to the Charter would be subject to voter referendum.

If the Commission reaches consensus on a desired Charter Amendment, the Charter and state law require that the ballot title, ballot question, and text of the Charter Amendment be embodied in an enabling ordinance that must be approved by four-fifths of the Commission members, which is 6 of 7 Commission members. The Alachua County Supervisor of Elections has indicated that any proposed referendum to be presented on the November 8, 2022 ballot must be provided to her office in proper form, in English and Spanish, by the end of July, 2022.

**RECOMMENDATION**

The City Commission adopt the proposed ordinance.

**Legislative History**

2/10/22	General Policy Committee	Approved, as shown above
6/2/22	City Commission	Approved, as shown above
6/16/22	City Commission	Approved, as shown above
7/14/22	City Commission	Adopted on First Reading (Ordinance) and Approved the Recommendation

[210851 Charter Amendment Ordinance Draft 20220203](#)

[210851 Charter Amendment Ordinance Draft 20220616.pdf](#)

[210851 draft ordinance 20220714](#)

**FIRST READINGS**

FR-1      [211150.](#)

**Quasi-Judicial - Rezoning 1.27 Acres of Property Located on SW 16th Avenue West of South Main Street(B)**

Ordinance No. 211150

An ordinance of the City of Gainesville, Florida, amending the Zoning Map

Atlas by rezoning approximately 1.27 acres of property generally located on SW 16th Avenue and west of South Main Street, as more specifically described in this ordinance, from Conservation (CON) to Single Family Residential (RSF-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: STAFF REPORT*

*This ordinance will rezone approximately 1.27 acres of property located on SW 16th Avenue, west of South Main Street from Conservation (CON) to Single Family Residential (RSF-1). This ordinance was generated by an application from the private property land owners. The City Plan Board held a public hearing on April 28, 2022, 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. 211151 becomes effective as provided therein.*

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

[211150\\_PB-22-00013ZON\\_Abdi\\_Zoning\\_20220428](#)

[211150A\\_draft ordinance\\_20220721.pdf](#)

## COMMISSION COMMENT

## RECESS

## RECONVENE -

## PLEDGE OF ALLEGIANCE

## PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1      [211401.](#)

**Parks, Recreation and Culture Month -2022 (B)**

**RECOMMENDATION**      *Michael Hill and Cultural Affairs Board to accept the proclamation.*

[211401\\_july as parks\\_20220721](#)

[211401\\_july as parks\\_20220721 pt2](#)

PR-2      [211406.](#)

**Swim Instructor Appreciation Day - 2022(B)**

**RECOMMENDATION**      *Brenadette Harper, Richard Adams, William &*



Minnie Smith to accept the proclamation.

[211406 Swim Instructor Appreciation Day 20220721](#)

**PR-3      [211407.](#)      Museum and Cultural Center Month -2022 (B)**

**RECOMMENDATION**

Leslie Walker, Director of Outreach and Partnerships, Cade Museum to accept the proclamation.

[Museum and Culture month](#)

**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 (required by state law to be heard after 5:00 pm)**

**BD      BUSINESS DISCUSSION ITEMS**

**BD-4      [200737.](#)      Commissioner Hayes-Santos - Update of Urban Lighting Standards Ordinance (B)**

**AGENDA UPDATE - ADDED ITEM**

*Explanation: Poor lighting has been an issue raised by our city neighbors and city staff in the past. At a past General Policy Committee meeting, the commission voted to update its urban lighting ordinance, #200737. Every day the city is approving new developments with the old and unsafe lighting standards that will result in decades of bad lighting at those developments if we don't update the ordinance as soon as possible. The ordinance is mostly written and is waiting on the final lighting standards to come back from the lighting study, which could still take months to complete. The city should move forward with the ordinance that includes the FDOT lighting standards, and then update the ordinance when the city lighting standards study comes back. This way, projects will not continue to be approved with dangerous lighting.*

**RECOMMENDATION**

Staff bring the lighting standards ordinance back to the City Commission for first reading with FDOT lighting standards. At a later date, when the lighting standards report is complete, come back with an updated lighting ordinance.

**Legislative History**

2/11/21	General Policy Committee	Approved, as shown above
5/12/22	General Policy Committee	Approved, as shown above

[200737\\_city lighting policy\\_20210211](#)

[200737\\_Pedestrian Lighting Report\\_20200211](#)

[200737\\_Pedestrian Lighting Final Presentation\\_20210211](#)

[200737\\_Pedestrian Lighting PPT\\_20210211](#)

[200737.Street Lighting Committee Presentation\\_20220512](#)

**BD-5      [211426.](#)      Commissioner Hayes-Santos - Vehicle Noise Ordinance (NB)**

**AGENDA UPDATE - ADDED ITEM**

*Explanation:* Noise pollution from car stereos and exhaust has been a major issue in Gainesville for many years. Staff has been working on a new noise ordinance, and the state has recently passed a new noise reduction law, § 316.3045, Fla. Stat. (2021). The commission should hear a verbal update on these two items and how they are being addressed and enforced in the city.

**RECOMMENDATION**

The City Commission receive an update on the timeline for Gainesville's proposed ordinance and on the state's new vehicle noise reduction law and take any action that it deems necessary.

**BD-6      [200720.](#)      Commissioner Hayes-Santos - ClearBoarding Ordinance (B)**

**AGENDA UPDATE - ADDED ITEM**

*Explanation:* On June 3rd, 2021 the commission passed Ordinance 200720 to mandate ClearBoarding on buildings instead of them being boarded up with plywood. The plywood boarding results in a blighted look in the neighborhood. While the intent of the ordinance was to cover all boarded up buildings, the ordinance wording only specifies buildings deemed "dangerous". This has resulted in many abandoned buildings still being boarded up with plywood and being a blight on those neighborhoods, since they were not deemed "a dangerous building".

**RECOMMENDATION**

The City Commission give direction to staff to come back with a revised ordinance on first reading that all buildings that are boarded up must use ClearBoarding.

**Legislative History**

1/21/21	City Commission	Approved, as shown above
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5/20/21 City Commission Adopted on First Reading (Ordinance)

6/3/21 City Commission Adopted on Final Reading (Ordinance)

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

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

[200720\\_draft ordinance\\_20210520](#)

[200720\\_Ordinance Final\\_20200603.pdf](#)

**BD-7**      [211420.](#)

**Commissioner Hayes-Santos - Protection of Reproductive Rights in Gainesville (B)**

**AGENDA UPDATE - ADDED ITEM**

*Explanation: The Supreme Court decision in Dobbs v. Jackson stripped away the constitutional right to abortion. Together with the continued and likely future attacks by the state of Florida legislature on abortion rights, the city should take all actions in its power to protect a person's right to an abortion. Many cities across the country are taking action locally. For example, Austin, TX is considering the GRACE Act (see backup), that restricts city funds from being used to investigate abortions. Gainesville should take similar actions to both protect the rights of our neighbors and our city employees.*

*1. Pass a resolution similar to Austin's resolution that will direct the city manager to create city policies that will both restrict city funds from being used to investigate abortions, sharing information concerning abortions, and making investigations into abortion the lowest priority for the police department. Sample language:*

*a. It is the policy of the City that, except to the extent otherwise required by state or federal law, City funds will not be used to:*

*- Store or catalog any report of an abortion, miscarriage, or other reproductive healthcare act;*

*- Provide information to any other governmental body or agency about any abortion, miscarriage, or other reproductive healthcare act, unless such information is provided to defend the patient's right to abortion care or the healthcare provider's right to provide that care; or*

*- Conduct surveillance or collect information related to an individual or organization for the purpose of determining whether an abortion has occurred, except for aggregated data without personally identifying information or personal health information which is collected for purposes unrelated to criminal investigation, enforcement, or prosecution.*

*2. For city employees, the city should cover travel and medical expenses related to abortions for those employees who would have been able to*

*access abortions locally before recent state laws were put in place.*

**RECOMMENDATION**

*The City Commission direct staff to pass a resolution similar to Austin, TX's GRACE Act, and direct staff to create a policy to allow city employees to have travel and medical expenses covered for abortions that are allowed locally.*

[211420 Comm Hayes-Santos Austin TX Resolution 20220721](#)

**PH PUBLIC HEARINGS (Including Planning Petitions)**

**ORDINANCES - ROLL CALL REQUIRED (required by state law to be heard at 5:00 pm)**

**SR SECOND READINGS**

**FR FIRST READINGS**

**FR-2      [211143.](#)      **Quasi-Judicial - Planned Development Amendment to the Shoppes at Pinewood Planned Development (B)****

Ordinance No. 211143

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 050487 commonly known as "The Shoppes at Pinewood" Planned Development located on the southwest corner of U.S. 441 and NW 23rd Terrace to allow for a mini-warehouse/self-storage facility as a use within the Planned Development (PD), as well as providing applicable maximum building area and parking regulations, as more specifically described in this ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: This ordinance will amend an existing Planned Development (PD) known as the Shoppes at Pinewood Planned Development to add mini-warehouse/self-storage as a permitted use and increase the maximum building area square footage to accommodate the proposed self-storage facility. An additional amendment would apply the current parking standard for a mini-warehouse/self-storage facility in the Land Development Code to the proposed self-storage facility instead of the 1 space per 250 square feet of Leasable Floor Area parking standard that currently applies to the PD as a whole.*

*Plans for the property include the construction of a climate controlled self-storage facility on one of the existing building pads and a retail commercial building on the second vacant building pad. The proposed amendment will allow for a less intense use at the property that can serve the adjacent residential areas while the retail proposal will front on U.S. 441, away from the multiple-family residential area to the west of the PD.*

*The proposed amendment will support a commercial center that is intended to serve the nearby neighborhoods and the city at large.*

*At a public hearing on April 28, 2022, the City Plan Board voted to recommend approval of this Planned Development amendment. This ordinance requires two readings and will become effective immediately upon adoption.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

[211143\\_LD22-000006\\_Shoppes\\_Pinewood\\_PD\\_Amendment\\_20220428](#)

[211143A\\_draft ordinance\\_20220721.pdf](#)

[211143\\_CC\\_Shpps@Pnwd\\_PDamndmnt\\_Staff\\_Presentation\\_20220721](#)

**CC COMMISSION COMMENT**

**ADJOURNMENT -**