

City of Newberry Commission Meeting

February 28, 2022
7:00 PM

25440 West Newberry Road
Newberry, Florida 32669

IMMEDIATELY FOLLOWED BY A BOARD OF ADJUSTMENT MEETING

CALL TO ORDER

APPROVAL OF AGENDA

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

(Please limit presentations to 15 minutes)

1. American Legion Post 149.
2. My Time.
3. Florida Public Utilities Natural Gas System Expansion.
4. Retirement Proclamation – Wendy Kinser-Maxwell.
5. Certificate of Achievement for Excellence in Financial Reporting.

PUBLIC ANNOUNCEMENTS

(Please limit announcements to 2 minutes)

CONSENT AGENDA

6. February 15, 2022, Regular Meeting Minutes.
7. January 10, 2022, Commission Workshop.
8. Professional Public Works and Utilities Engineering Services RFQ NO 2021-08.

PUBLIC HEARINGS AND ORDINANCES

9. Changing Future Land Use Map classification from ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on 10 previously annexed properties and changing the Future Land Use classification from ALACHUA COUNTY RURAL COMMERCIAL AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on 1 previously voluntarily annexed property.

Legislative Public Hearing Second Reading: Ordinance 2022-04/CPA 21-30, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the Future Land Use classification from ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously

voluntarily annexed to the City, identified by Alachua County Parcel Numbers 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000, 04275-007-000, 04276-001-000, 04287-000-000, and 04287-002-000; and by changing the Future Land Use classification from ALACHUA COUNTY RURAL COMMERCIAL AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04369-002-000.

10. Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Numbers 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001).

Legislative Public Hearing: Second Reading, Ordinance 2022-07/CPA 21-33, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the Future Land Use classification from ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City, identified by Alachua County Parcel Numbers 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001.

11. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (A) and rezoning previously annexed property from Alachua County Agricultural-Rural Business (A-RB) and Alachua County Business, Retail Sales, and Services to City of Newberry Commercial, Neighborhood (CN), contingent up on approval of Application CPA 21-30.

Quasi-Judicial Public Hearing Second Reading: Ordinance 2022-11/LDR 21-38, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from ALACHUA COUNTY AGRICULTURE (A) to CITY OF NEWBERRY AGRICULTURAL (A) on property annexed into the City and identified by Alachua County tax parcel numbers 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000, 04276-001-000, 04287-000-000, and 04287-002-000; and by changing the zoning from ALACHUA COUNTY AGRICULTURAL-RURAL BUSINESS (A-RB) to CITY OF NEWBERRY COMMERCIAL, NEIGHBORHOOD (CN) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04275-007-000; and by changing the zoning from ALACHUA COUNTY BUSINESS, RETAIL SALES, AND SERVICES (BR) to CITY OF NEWBERRY COMMERCIAL, NEIGHBORHOOD (CN) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04369-002-000. (This application is contingent upon approval of Application CPA 21-30.)

12. Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Numbers: 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001).

Quasi-Judicial Public Hearing: Second Reading, Ordinance 2022-14/LDR 21-41, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from ALACHUA COUNTY AGRICULTURE (A) to CITY OF

NEWBERRY AGRICULTURAL (A) on property recently annexed into the City and identified by Alachua County Parcel Numbers: 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001. (This application is contingent upon approval of Application CPA 21-33.)

13. Amendment to the Land Development Regulations to allow electronic message signage at City Hall

Legislative Public Hearing, First Reading: Ordinance 2022-19/LDR 22-02, An application by the City of Newberry to amend the text of the Land Development Regulations of the City of Newberry, Florida Code of Ordinances, to provide for electronic message signage at city-owned facilities, specifically City Hall.

AGENDA ITEMS

14. Newberry Urban Services Area Boundary.
15. Property Taxing Policy Update.
16. Amendments to the Personnel Policies - Resolution 2022 - 09.
17. Newberry Lane Forcemain and Watermain Project #2021 - 12.
18. SR 26 Forcemain and Watermain Project #2021-13.
19. SW 4th Ave Sidewalk Project #2022-01.

COMMENTS

City Manager

City Attorney

City Clerk


Commission

Mayor

Citizens

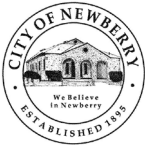
(Please limit your comments to 5 minutes)

MEETING ADJOURNMENT



Judy S. Rice, City Clerk

If A Person, Firm, or Corporation Desires to Take an Appeal From any Action Taken At the Above Meeting or Hearing, It May Be Necessary to Have A Verbatim Record of the Proceedings and It Is the Person, Firm, or Corporation's Duty to See that Such A Record Is Made. The City of Newberry City Commission Policy Is to End the Public Meeting At 10:30 P.M. the Evening of the Regularly Scheduled Meeting Unless Extended by the City Commission. Any Matter on the Agenda Not Acted upon Shall Be Continued to the Next Regularly Scheduled City Commission Meeting, or a Special Meeting, At the Commission's Discretion. In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation for attendance at this workshop should contact MV Transportation, Inc. At (352) 375-2784, not later than 72 hours prior to the proceedings. If hearing impaired, call the Florida Relay System at (800) 955-8770.



Commission Agenda Item

Meeting Date: February 28, 2022

Title: American Legion Post 149.

Agenda Section: Presentation

Department: Mayor & Commissioners

Presented By: Commander Leon Smith

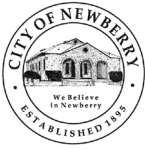
Recommended Action: 1) Receive Presentation

Summary:

On September 25, 2021, the American Legion Post 149 held a “Welcome Home Afghanistan Veterans” event.

Attachments:

1. None



Commission Agenda Item

Meeting Date: February 28, 2022

Title: My Time

Agenda Section: Presentations

Department: Recreation

Presented By: Travis Parker

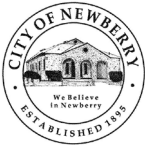
Recommended Action: 1) Receive Presentation

Summary:

My Time is a youth organization operating out of the Martin Luther King Jr., Community Center. The organization provides tutoring and learning opportunities while providing a safe and educational environment for children to congregate.

Attachments:

None



Commission Agenda Item

Meeting Date: February 28, 2022

Title: Florida Public Utilities Natural Gas System Expansion.

Agenda Section: Presentation

Department: City Manager

Presented By: Mike New

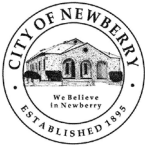
Recommended Action: 1) Receive Presentation

Summary:

Representatives from Florida Public Utilities will share plans to expand natural gas facilities into Newberry.

Attachments:

1. None



Commission Agenda Item

Meeting Date: February 28, 2022

Title: Retirement Proclamation – Wendy Kinser-Maxwell

Agenda Section: Presentations

Department: Mayor & Commission

Presented By: Jordan Marlowe

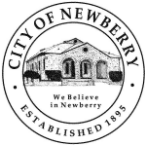
Recommended Action: 1) Receive presentation

Summary:

Ms. Kinser – Maxwell is retiring from the City of Newberry after 15 years. We want to wish her much happiness as she begins this exciting new chapter in her life.

Attachments:

1. Proclamation



Commission Agenda Item

Meeting Date:	February 28, 2022
Title:	Certificate of Achievement for Excellence in Financial Reporting
Agenda Section:	Presentations
Department:	Finance & Administration
Presented By:	Dallas Lee, Assistant City Manager/CFO
Recommended Action:	1) Receive Award

Summary: The City of Newberry Finance & Administration Department was awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada for its Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30, 2020. The Certificate is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by the City. This is the City's second time receiving this prestigious award, which less than 6% of governments earn and only 1% of government's Newberry's size win.

The city's comprehensive annual financial report was judged by an impartial panel to meet the high standards of the program, including demonstrating a constructive "spirit of disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the report. Attached is the scoring criteria and checklist for the award.

The Government Finance Officers Association established the Certificate of Achievement for Excellence in Financial Reporting Program in 1945. It encourages and assists state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and then recognizes individual governments that achieve that goal.

Total Governmental Units and Awards

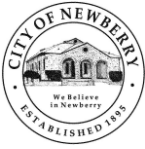
Cities ⁽¹⁾

<u>Population</u>	<u>Units ⁽²⁾</u>	<u>Awarded</u>	<u>Percent Awarded</u>
1 - 9,999	31,656	329	1.04%
10,000 - 24,999	2,335	614	26.30%
25,000 - 49,999	1,027	504	49.07%
50,000 - 99,999	547	369	67.46%
100,000 - 199,999	200	172	86.00%
200,000 or more	114	112	98.25%
Total	35,879	2,100	5.85%
% of all cities over 200,000			98.25%
% of all cities over 100,000			90.45%
% of all cities over 50,000			75.84%
% of all cities over 25,000			61.28%
% of all cities over 10,000			41.94%
% of all cities			5.85%

(1) "Cities" includes cities, municipalities, villages, and townships.

Attachments:

1. GFOA Award
2. GFOA Press Release
3. GFOA Scoring Criteria and Checklist



Commission Agenda Item

Meeting Date: 02/28/2022

Title: Professional Public Works and Utilities Engineering Services RFQ
NO 2021-08

Agenda Section: Consent

Department: Finance & Administration

Presented By: Bob Colson, Purchasing Specialist

Recommended Action: Award engineering bid submitted by Hanson, LLC, and authorize the City Manager to execute this contract for continuing engineering services.

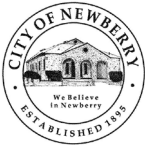
Summary:

On January 24, 2022, the commission reviewed a request to authorize the City Manager to execute all contracts submitted for Professional Public Works and Utilities Engineering Services. We realized once the contracts were executed that the Hanson contract did not contain the line-item changes requested by Hanson, LLC, and which were approved by the City Attorney.

The contract was corrected to include the changes and is presented here.

Attachments:

1. RFQ 2021-08 – Professional Public Works and Utilities Engineering Services
2. Hanson LLC Contract



Commission Agenda Item

Meeting Date: February 28, 2022

Title: Changing Future Land Use Map classification from ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on 10 previously annexed properties and changing the Future Land Use classification from ALACHUA COUNTY RURAL COMMERCIAL AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on 1 previously voluntarily annexed property.

Legislative Public Hearing Second Reading: Ordinance 2022-04/CPA 21-30, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the Future Land Use classification from ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City, identified by Alachua County Parcel Numbers 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000, 04275-007-000, 04276-001-000, 04287-000-000, and 04287-002-000; and by changing the Future Land Use classification from ALACHUA COUNTY RURAL COMMERCIAL AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04369-002-000.

Agenda Section: Public Hearings and Ordinances

Department: Planning & Economic Development

Presented By: Alayna Jackson, Planner

Recommended Action: 1) Enact Ordinance 2022-04/Application CPA 21-30, on second reading.

Summary:

On November 13, 2017, the City Commission adopted Ordinance 2017-18 approving the voluntary annexation of several contiguous parcels totaling 134.13 Acres ± located on both the north and south sides of SR 26/West Newberry Road along NW 170th Street. With the land now

annexed into the City, the next part of the process is to bring the property into conformance first with the City's adopted Future Land Use Map of the Newberry Comprehensive Plan and second, with the City's Official Zoning Atlas. To accomplish this, the parcels' existing Alachua County Future Land Use and Zoning District classifications must be changed to City of Newberry designations.

Application CPA 21-30 addresses Future Land Use, which is the first designation requiring change. The Application is a request for a large scale amendment (affecting property over 50 acres in size) to the Future Land Use Plan Map of the City of Newberry Comprehensive Plan, proposing to change the future land use classification of the 129.9 Acres ±, from ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE and 4.22 Acres ±, from ALACHUA COUNTY RURAL COMMERCIAL AGRICULTURE to CITY OF NEWBERRY AGRICULTURE. Large scale plan amendments require review by the Florida Department of Economic Opportunity and other state agencies in accordance with the expedited amendment procedures established in sections 163.3184 (2) and (3), Florida Statutes.

Since the County's Rural/Agriculture and the City's Agriculture classifications both allow residential densities of "less than or equal to 1 dwelling unit per 5 acres" and continuation of similar agriculture uses and intensities, no additional density is allowed based upon changing from the County's to the City's designation. The proposed amendment is consistent with the goals, objectives, and policies of the City of Newberry Comprehensive Plan.

PROPERTY RIGHTS. In accordance with the Newberry Comprehensive Plan's Private Property Rights Element, recently adopted pursuant to section 163.317(6)(i), F.S., consideration of the included list of four property rights is required as a part of local decision-making. The change from County Rural/Agriculture and County Rural Commercial Agriculture to City Agriculture Future Land Use classification for the subject property is a required part of the annexation process, providing no substantive change to permitted uses, and is consistent with these rights.

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

NEXT STEPS. Following the Planning and Zoning Board's public hearing, the next part of the Future Land Use Plan Map amendment process includes a public hearing before the City of Newberry City Commission for first reading of an ordinance to approve the proposed

amendment, followed by transmittal of the amendment to the Florida Department of Economic Opportunity for expedited state review, after which the ordinance may be enacted upon second reading.

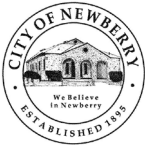
January 3, 2022 Planning and Zoning Board Recommendation. At the January 3, 2022 City of Newberry Planning and Zoning Board meeting, a public hearing was held to consider Application CPA 21-30. The Planning and Zoning Board, acting as the Local Planning Agency, voted 5-0 to recommend to the City Commission approval of Ordinance 22-04/CPA 21-30.

January 24, 2022 City Commission, First Reading. On January 24, 2022, the City Commission held a public hearing to consider Application CPA 21-30, voting 3-0 to approve Ordinance 22-04/CPA 21-30 on first reading with transmittal to the Florida Department of Economic Opportunity for expedited review.

Expedited State Review. *No comments requiring responses or noting any adverse impacts were received from any reviewing agency.*

Attachments:

1. Ordinance 2022-04, as approved on first reading;
2. Property Information;
3. Data and Analysis;
4. Expedited State Review Responses;
5. Public Notices; and
6. Draft Minutes, Planning and Zoning Board Meeting, 01/03/2022.



Commission Agenda Item

Meeting Date: February 28, 2022

Title: Changing Future Land Use Map classification from Alachua County Rural/Agriculture to City of Newberry Agriculture on previously annexed property (Parcel Numbers 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001).

Legislative Public Hearing: Second Reading, Ordinance 2022-07/CPA 21-33, an application by the City of Newberry to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the Future Land Use classification from ALACHUA COUNTY RURAL/AGRICULTURE to CITY OF NEWBERRY AGRICULTURE on property previously voluntarily annexed to the City, identified by Alachua County Parcel Numbers 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001.

Agenda Section: Public Hearings and Ordinances

Department: Planning & Economic Development

Presented By: Alayna Jackson, Planner

Recommended Action: 1) Enact Ordinance 2022-07/Application CPA 21-33, on second reading.

Summary:

On April 27, 2020, the City Commission adopted Ordinance 2020-10 approving the voluntary annexation of five contiguous parcels totaling 194.44 Acres ± located on the east side of NW 202 Street, south of NW 46th Avenue. With the land now annexed into the City, the next part of the process is to bring the property into conformance first with the City's adopted Future Land Use Map of the Newberry Comprehensive Plan and second, with the City's Official Zoning Atlas. To accomplish this, the parcel's existing Alachua County Future Land Use and Zoning District classifications must be changed to City of Newberry designations.

Application CPA 21-33 addresses Future Land Use, which is the first designation requiring change. The Application is a request for a large-scale amendment (affecting property over 50 acres in size) to the Future Land Use Plan Map of the City of Newberry Comprehensive Plan,

proposing to change the future land use classification from ALACHUA COUNTY RURAL/AGRICULTURE (less than or equal to 1 DU/5 Acres) to CITY OF NEWBERRY AGRICULTURE (less than or equal to 1 DU/5 Acres). Large scale plan amendments require review by the Florida Department of Economic Opportunity and other state agencies in accordance with the expedited amendment procedures established in sections 163.3184 (2) and (3), Florida Statutes.

Since the County's Rural/Agriculture and the City's Agriculture classifications both allow residential densities of "less than or equal to 1 dwelling unit per 5 acres" and continuation of similar agriculture uses and intensities, no additional density is allowed based upon changing from the County's to the City's designation. The proposed amendment is consistent with the goals, objectives, and policies of the City of Newberry Comprehensive Plan.

PROPERTY RIGHTS. In accordance with the Newberry Comprehensive Plan's Private Property Rights Element, recently adopted pursuant to section 163.317(6)(i), F.S., consideration of the included list of four property rights is required as a part of local decision-making. The change from County Rural/Agriculture to City Agriculture Future Land Use classification for the subject property is a required part of the annexation process, providing no substantive change to permitted uses, and is consistent with these rights.

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

NEXT STEPS. Following the Planning and Zoning Board's public hearing, the next part of the Future Land Use Plan Map amendment process includes a public hearing before the City of Newberry City Commission for first reading of an ordinance to approve the proposed amendment, followed by transmittal of the amendment to the Florida Department of Economic Opportunity for expedited state review, after which the ordinance may be enacted upon second reading.

January 3, 2022 Planning and Zoning Board Recommendation. At the January 3, 2022 City of Newberry Planning and Zoning Board meeting, a public hearing was held to consider Application CPA 21-33. The Planning and Zoning Board, acting as the Local Planning Agency, voted 5-0 to recommend to the City Commission approval of Ordinance 22-07/CPA 21-33.

January 24, 2022 City Commission, First Reading. On January 24, 2022, the City Commission held a public hearing to consider Application CPA 21-33, voting 3-0 to approve Ordinance 22-07/CPA 21-33 on first reading with transmittal to the Florida Department of Economic Opportunity for expedited review.

Expedited State Review. *No comments requiring responses or noting any adverse impacts were received from any reviewing agency.*

Attachments:

1. Ordinance 2022-07, as approved on first reading;
2. Property Information;
3. Data and Analysis;
4. Expedited State Review Responses;
5. Public Notices; and
6. Draft Minutes, Planning and Zoning Board Meeting, 01/03/2022.

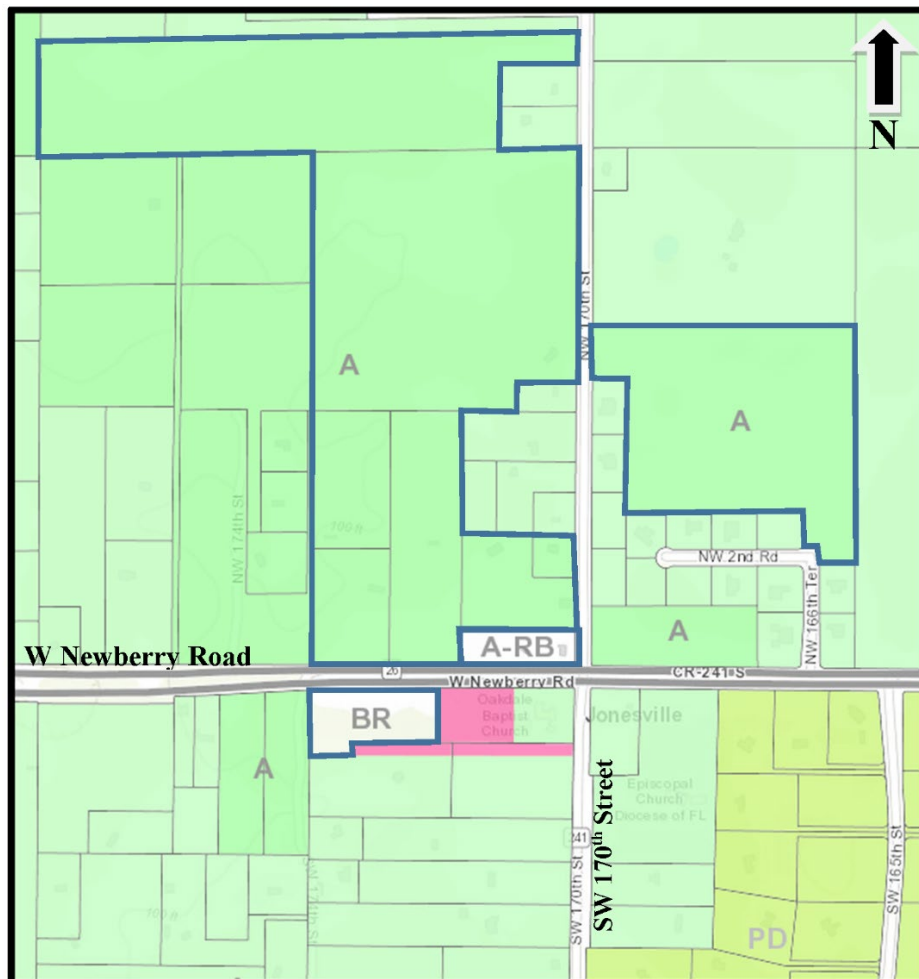


Commission Agenda Item

- Meeting Date:** February 28, 2022
- Title:** Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (A) and rezoning previously annexed property from Alachua County Agricultural-Rural Business (A-RB) and Alachua County Business, Retail Sales, and Services to City of Newberry Commercial, Neighborhood (CN), contingent up on approval of Application CPA 21-30.
- Quasi-Judicial Public Hearing Second Reading: Ordinance 2022-11/LDR 21-38, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from ALACHUA COUNTY AGRICULTURE (A) to CITY OF NEWBERRY AGRICULTURAL (A) on property annexed into the City and identified by Alachua County tax parcel numbers 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000, 04276-001-000, 04287-000-000, and 04287-002-000; and by changing the zoning from ALACHUA COUNTY AGRICULTURAL-RURAL BUSINESS (A-RB) to CITY OF NEWBERRY COMMERCIAL, NEIGHBORHOOD (CN) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04275-007-000; and by changing the zoning from ALACHUA COUNTY BUSINESS, RETAIL SALES, AND SERVICES (BR) to CITY OF NEWBERRY COMMERCIAL, NEIGHBORHOOD (CN) on property previously voluntarily annexed to the City as shown on the location map below and identified by Alachua County Parcel Number 04369-002-000. (This application is contingent upon approval of Application CPA 21-30.)
- Agenda Section:** Public Hearings and Ordinances
- Department:** Planning & Economic Development
- Presented By:** Alayna Jackson, Planner
- Recommended Action:** 1) Enact Ordinance 2022-11/Application LDR 21-38, on second reading, contingent upon the City Commission's approval of CPA 21-30.
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Summary On November 13, 2017, the City Commission adopted Ordinance 2017-18 approving the voluntary annexation of several contiguous parcels totaling ±133.12-acres, generally located on northwest corner of SR 26/West Newberry Road and NW 170th Street, and on the south side of SR 26. With the land now annexed into the City, the next part of the process is to bring the property into conformance first with the City’s adopted Future Land Use Map of the Newberry Comprehensive Plan and second, with the City’s Official Zoning Atlas. To accomplish this, each parcel’s existing Alachua County Future Land Use and Zoning District classifications must be changed to City of Newberry designations.

LDR 21-38 addresses the second step: changing the zoning. This application is a request to amend the City’s Official Zoning Atlas by changing the zoning on nine of the subject properties from Alachua County Agriculture (A) to City of Newberry Agricultural (A). This application is also a request to amend the City’s Official Zoning Atlas by changing the zoning on Parcel Number 04275-007-000 from Alachua County Agricultural-Rural Business (A-RB) to City of Newberry Commercial, Neighborhood (CN), and to amend the City’s Official Zoning Atlas by changing the zoning on Parcel Number 04369-002-000 from Alachua County Business, Retail Sales, And Services (BR) to City of Newberry Commercial, Neighborhood (CN). Note that the proposed rezoning is contingent upon approval of the associated Application CPA 21-30 (proposed Future Land Use change from County to City).



LDR 21-38, Current Alachua County Zoning Map

CONSISTENCY WITH COMPREHENSIVE PLAN. The Commercial Neighborhood zoning district is intended to provide for small scale retail and service developments which serve the convenience needs of a limited population and/or geographic area (i.e., a neighborhood). In accordance with the Comprehensive Plan, this district is not intended to accommodate major or large scale commercial or service activities. The CN district is intended to be oriented to and compatible with the neighborhood to be served, and shall be located on a collector or arterial road. Because the current use on Parcel 04275-007-00 and the allowed uses on Parcel 04369-002-000, are all small scale and intended to serve a limited customer base, the proposed rezoning is consistent with the goals, objectives, and policies of the City of Newberry Comprehensive Plan.

PROPERTY RIGHTS. In accordance with the Newberry Comprehensive Plan's Private Property Rights Element, recently adopted pursuant to section 163.317(6)(i), F.S., consideration of the included list of four property rights is required as a part of local decision-making. The classification changes from County Agriculture to City Agricultural Zoning (Parcels 04271-003-000, 04275-000-000, 04275-001-000, 04275-004-000, 04275-005-000, 04275-006-000, 04276-001-000, 04287-000-000, and 04287-002-000); from Alachua County Agricultural-Rural Business to City of Newberry Commercial, Neighborhood (Parcel Number 04275-007-000); and from Alachua County Business, Retail Sales, And Services (BR) to City of Newberry Commercial, Neighborhood (Parcel Number 04369-002-000) are a required part of the annexation process, providing no substantive change to permitted uses, and is consistent with these rights:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

LAND DEVELOPMENT REGULATIONS. Section 16.4. of the City of Newberry's Land Development Regulations addresses the relationship of a Zoning Atlas amendment action (rezoning) and a comprehensive plan amendment action:

If the amendment requires the prior amendment of the city's Comprehensive Plan adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. § 163.3161 et seq., as amended) action on an amendment to the city's Comprehensive Plan shall be taken prior to final action on such land development regulation amendment.

However, this provision shall not prohibit the concurrent review and consideration of a Comprehensive Plan amendment and land development regulation amendment.

Application LDR 21-38 includes the rezone approximately 2.23 acres from “Agricultural-Rural Business (A-RB),” to “Commercial Neighborhood (CN).” The subject property is located on the Northwest corner of SR 26/West Newberry Road and NW 170th Street, identified by Alachua County tax parcel number 04275-007-000. The site is served by Clay Electric Co-Op electric services and State roadways.

Application LDR 21-38 also includes the rezone approximately 4.22 acres from “Alachua County Business, Retail Sales, And Services (BR),” to “Commercial Neighborhood (CN).” The subject property is located on the South side of SR 26/West Newberry Road between SW 170th Street and SW 174th Street, identified by Alachua County tax parcel number 04369-002-000. The site is served by Clay Electric Co-Op electric services and State roadways.

The Commercial, Neighborhood category includes one zone district: CN. It is the intent of this district to provide for small scale retail and service developments which serve the convenience needs of a limited population and/or geographic area (i.e., a neighborhood). In accordance with the Comprehensive Plan, this district is not intended to accommodate major or large scale commercial or service activities. The CN district is intended to be oriented to and compatible with the neighborhood to be served, and shall be located on a collector or arterial road.

4.10.2. Permitted principal uses and structures.

1. Retail commercial outlets for sale of food, hardware and drugs.
2. Service establishments such as a barber or beauty shop, shoe repair shop, self-service laundry or dry cleaner, laundry or dry cleaning pick-up station.
3. The above uses are subject to the following limitations: (1) floor area of each individual outlet or establishment shall not exceed 3,000 square feet; (2) sale, display, preparation, and storage to be conducted within a completely enclosed building, and no more than 20 percent of floor area to be devoted to storage; (3) products to be sold only at retail; and (4) site and development plan approval is required for all developments (see article 14).

4.10.3. Permitted accessory uses and structures.

1. On the same premises and in connection with permitted principal uses and structures, dwelling units only for occupancy by owners or employees thereof.
2. On-site signs (see Section 4.2).
3. Uses and structures which:
 - a. Are customarily accessory and clearly incidental and subordinate to permitted uses and structures;
 - b. Are located on the same lot as the permitted use or structure, or on a contiguous lot in the same ownership; and

- c. Do not involve operations or structures not in keeping with the character of the district.
- d. For utility sheds and carports, refer to Section 4.2.4.

4.10.4. Prohibited uses and structures.

- 1. Any use or structure not specifically, provisionally, or by reasonable implication permitted herein.
- 2. Residential uses, except as specified under CN accessory uses.
- 3. Off-site signs.

4.10.5. Special exceptions. (See also articles 12 and 13.)

- 1. Automotive service and self-service stations (see section 4.2 for special design standards for automotive service and self-service stations).
- 2. Child care centers and overnight child care centers, provided:
 - a. No outdoor play activities shall be conducted before 8:00 a.m. or after 8:00 p.m.
 - b. Provision is made for areas for off-street pick-up and drop-off of children.
- 3. Banks and financial institutions.
- 4. Public buildings and facilities.

The attached Draft Ordinance includes staff's recommended findings and conditions.

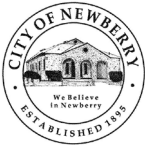
NEXT STEPS. Following the Planning and Zoning Board's public hearing, the next part of the rezoning process includes a public hearing before the City of Newberry City Commission for first reading of an ordinance to approve the rezoning, contingent upon approval of the companion application CPA 21-30 (changing to CITY OF NEWBERRY AGRICULTURE future land use). A second public hearing before the City Commission also is required, at which time the ordinance may be considered for enactment (adoption), contingent upon approval of CPA 21-30.

PLANNING AND ZONING BOARD RECOMMENDATION At the January 3, 2022, City of Newberry Planning and Zoning Board meeting, a public hearing was held to consider Application LDR 21-38. The Planning and Zoning Board voted unanimously (4-0) to recommend to the City Commission approval of Ordinance 2022-11/LDR 21-38, contingent upon approval of CPA 21-30.

CITY COMMISSION, FIRST READING On January 24, 2022, the City Commission held a public hearing to consider Application LDR 21-38, voting 3-0 to approve Ordinance 22-11/LDR 21-38 on first reading.

Attachments:

- 1. Draft Ordinance 2022-11;
- 2. Property Information
- 3. Public Notices; and
- 4. Draft Minutes, Planning and Zoning Board Meeting, January 3, 2022.



Commission Agenda Item

- Meeting Date:** February 28, 2022
- Title:** Rezoning previously annexed property from Alachua County Rural/Agriculture to City of Newberry Agricultural (Parcel Numbers: 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001).
- Quasi-Judicial Public Hearing: Second Reading, Ordinance 2022-14/LDR 21-41, an application by the City of Newberry to amend the Official Zoning Atlas of the City of Newberry by changing the zoning from ALACHUA COUNTY AGRICULTURE (A) to CITY OF NEWBERRY AGRICULTURAL (A) on property recently annexed into the City and identified by Alachua County Parcel Numbers: 04155-000-000, 04155-002-000, 04152-000-000, 04155-001-000, and 04155-001-001. (This application is contingent upon approval of Application CPA 21-33.)
- Agenda Section:** Public Hearings and Ordinances
- Department:** Planning & Economic Development
- Presented By:** Alayna Jackson, Planner
- Recommended Action:** 1) Enact Ordinance 2022-14/Application LDR 21-41, on second reading, contingent upon the City Commission's approval of CPA 21-33.
-

Summary: On April 27, 2020, the City Commission adopted Ordinance 2020-10 approving the voluntary annexation of five contiguous parcels totaling 194.44 Acres ± located on the east side of NW 202 Street, south of NW 46th Avenue. With the land now annexed into the City, the next part of the process is to bring the property into conformance first with the City's adopted Future Land Use Map and second, with the City's Official Zoning Atlas. To accomplish this, the parcel's existing Alachua County Future Land Use and Zoning District classifications must be changed to City of Newberry designations.

LDR 21-41 addresses the second step: changing the zoning. This application is a request to amend the City's Official Zoning Atlas by changing the zoning on the subject property from

and is consistent with these rights.

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

NEXT STEPS. Following the Planning and Zoning Board's public hearing, the next part of the rezoning process includes a public hearing before the City of Newberry City Commission for first reading of an ordinance to approve the rezoning, contingent upon approval of the companion application CPA 21-33 (changing to CITY OF NEWBERRY AGRICULTURE Future Land Use). A second public hearing before the City Commission also is required, at which time the ordinance may be considered for enactment (adoption), contingent upon approval of CPA 21-33.

PLANNING AND ZONING BOARD RECOMMENDATION At the January 3, 2022, City of Newberry Planning and Zoning Board meeting, a public hearing was held to consider Application LDR 21-41. The Planning and Zoning Board voted unanimously (5-0) to recommend to the City Commission approval of Ordinance 2022-14/LDR 21-41, contingent upon approval of CPA 21-33.

CITY COMMISSION, FIRST READING On January 24, 2022, the City Commission held a public hearing to consider Application LDR 21-41, voting 3-0 to approve Ordinance 22-14/LDR 21-41 on first reading.

Attachments:

1. Draft Ordinance 2022-14;
2. Property Information;
3. Public Notices; and
4. Draft Minutes, Planning and Zoning Board Meeting, January 3, 2022.



Commission Agenda Item

Meeting Date:	February 28, 2022
Title:	Amendment to the Land Development Regulations to allow electronic message signage at City Hall Legislative Public Hearing, First Reading: Ordinance 2022-19/LDR 22-02, An application by the City of Newberry to amend the text of the Land Development Regulations of the City of Newberry, Florida Code of Ordinances, to provide for electronic message signage at city-owned facilities, specifically City Hall.
Agenda Section:	Public Hearings and Ordinances
Department:	Planning & Economic Development
Presented By:	Wendy Kinser-Maxwell, AICP, Principal Planner
Recommended Action:	1) Approve Ordinance 2022-19/LDR 22-02, on first reading

Summary:

LDR 22-02 is a request by the City to amend the land development regulations to allow electronic message signage at city-owned public facilities, specifically City Hall. The electronic signage provides a public service through better and increased communication with the public about upcoming city events and important announcements that can affect the community's health, safety, and welfare, such as emergency or hurricane safety alerts. In addition, for those residents who do not use the internet, a changeable copy electronic message board offers a consistent, straightforward way to gain information. It is a practical means of communication that will give the City of Newberry another tool to share important information with its residents. Because City Hall is within the Historic District, the proposed amendment to the current city sign regulations is necessary and will not compromise the intent of the district (Attachment 1).

The City's Code currently allows signs on public property when erected by a public authority for a public purpose, such as public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic. The proposed amendment is consistent with the practice of having local governments exempt from certain regulatory requirements relative to municipal-

owned properties, helping to ensure their ability to fulfill the public purpose of serving the local community to “promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.”

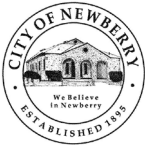
COMPREHENSIVE PLAN The proposed amendment to the land development regulations is consistent with the City of Newberry’s adopted Comprehensive Plan goals, objectives, and policies. In particular, the Property Rights Element, recently adopted by the City Commission pursuant to section 163.317(6)(i), F.S., includes a list of four private property rights, consideration of which is a required part of local decision-making. The requested amendment to the City’s Land Development Regulations (LDR 22-02) supports and is consistent with these rights.

HISTORIC ARCHITECTURAL REVIEW BOARD RECOMMENDATION At the February 7, 2022, City of Newberry Historic Architectural Review Board meeting, a public hearing was held to consider LDR 22-02. The Historic Architectural Review Board voted unanimously (5-0) to recommend that the City Commission approve Ordinance 2022-19/LDR 22-02 to allow electronic message signage at City Hall.

PLANNING AND ZONING BOARD RECOMMENDATION At the February 7, 2022, City of Newberry Planning and Zoning Board meeting, a public hearing was held to consider LDR 22-02. The Planning and Zoning Board voted unanimously (3-0) to recommend that the City Commission approve Ordinance 2022-19/LDR 22-02 to allow electronic message signage at City Hall.

Attachments:

1. Draft Ordinance 2022-19;
2. Land Development Regulations, Excerpts
3. Public Notice;
4. Draft Minutes from Historic Architectural Review Board Meeting, February 7, 2022; and
5. Draft Minutes from Planning and Zoning Board Meeting, February 7, 2022.



Commission Agenda Item

Meeting Date:	February 28, 2022
Title:	Newberry Urban Services Area Boundary
Agenda Section:	Agenda Items
Department:	Planning
Presented By:	Bryan Thomas, AICP, Director of Planning & Economic Development
Recommended Action:	<ol style="list-style-type: none">1) Receive presentation;2) Discuss the workshop maps presented;3) Direct staff to prepare a final Urban Services Area boundary map amendment, prepare a text only amendments and leave the current map boundary as-is, or direct staff to leave the current boundary map as is

Summary:

In 2011, the Florida Legislature provided a definition within F.S. 163.3164 of an “Urban Service Area” (USA). These areas are determined solely by the local government and recognize the location of existing public facilities and services and areas where these services are intended to be provided, as recognized in the capital improvement element of the local government’s Comprehensive Plan. USAs are not a mandatory element of the local government’s Comprehensive Plan.

A USA can be established by local governments as an optional part of the long-range Comprehensive Plan. USAs focus growth in a geographically defined area which is planned for urban services, rather than allowing growth to happen where there are few or no planned urban services. Though the location of the urban service area appears as a boundary on a map, it is most often used to implement a growth management strategy designed to direct growth over a projected time horizon (typically 20 years or more). It is also the area inside which the local government plans to prioritize government spending in order to provide and maximize the infrastructure needed to accommodate community growth in a fiscally sound manner.

Existing USAs can be amended by ordinance, reviewed first by the Planning & Zoning Board, then two hearings before the City Commission. Because the USA is an element of the Comprehensive Plan, once adopted on first reading, the amendment must be sent to the

Department of Economic Opportunity for review and comment. Once comments from DEO have been received and addressed, the ordinance may be approved on second reading.

In 2015, the City participated in a study of the State Road 26 corridor. One of the outcomes of that study was the expansion in 2016 of the Urban Services Area boundary, which was implemented as part of an overall Comprehensive Plan amendment and which replaced the USA that was enacted in 2007. Prior to 2007 the City had not adopted an Urban Service Area.

While the establishment of the Urban Services Area is a powerful tool to prevent urban sprawl and constrain growth to the areas that the Commission believes appropriate, it is more like a hammer than a scalpel when it comes to limiting the *types* of land use that are allowed. A more precise tool to strategically guide the types of allowable land use in a specific area is assigning the desired Future Land Use Map category to the parcel or parcels in that area. The assignment of a Future Land Use Map category does not grant specific entitlements to develop the property, which happens when a parcel is rezoned. Rather, the Future Land Use Map category is a legislative policy decision that indicates what types of land uses the Commission and community envision for different areas of the City. This item was presented to the Commission for consideration on November 22, 2021, where staff was directed to add the item to the January 10th, 2022 City Commission Workshop.

Commission Workshop:

On January 10th, 2022, the City Commission held a public workshop to discuss whether to amend the current Urban Service Area boundary. Approximately 20 members of the public attended. The public was encouraged to markup maps to show their suggested USA boundary. Results of these markups will be presented tonight.

Attachments:

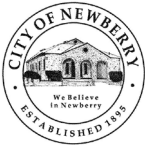
1. F.S. 163.3164.(51); and
2. Citizen Input Urban Services Area Maps.

Attachment 1

163.3164 Community Planning Act; definitions.—As used in this act:

...

(51) “Urban service area” means areas identified in the comprehensive plan where public facilities and services, including, but not limited to, central water and sewer capacity and roads, are already in place or are identified in the capital improvements element. The term includes any areas identified in the comprehensive plan as urban service areas, regardless of local government limitation.



Commission Agenda Item

Meeting Date: February 28, 2022

Title: Property Taxing Policy Update

Agenda Section: Agenda Items

Department: Planning & Economic Development

Presented By: Bryan S. Thomas, AICP, Director

Recommended Action: 1) Receive presentation.

Summary:

At the request of the City Commission, staff contacted the Alachua County Property Appraiser's office to inquire about Appraiser's approach to determining the taxable value of certain properties, specifically residential properties that are rezoned from noncommercial zoning to commercial zoning but continue to be used for residential purposes. The central question was "Are taxable values based upon actual use or zoning?"

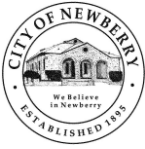
Staff spoke with a commercial property appraiser from the Alachua County Property Appraisers office, who provided the following response to the question of whether property is assessed based on the actual use of the property, or on the zoning district of the property:

1. If a developed parcel is rezoned from residential to commercial, but the use remains residential (including rental properties), the assessment will remain as residential until such time as the property is converted to a commercial use.
2. If a vacant parcel is rezoned, for example, from agricultural to commercial (or any other zoning category), then the parcel will be assessed at its highest and best use under the new zoning. The rationale is that with zoning entitlements comes an increase in value.

The commercial property appraiser also addressed/clarified the Appraiser's position on rural wedding/event venues located on agricultural-zoned property. He indicated that agricultural structures built prior to the change in state statutes related to agri-tourism (2013) that were converted to wedding/event venues remain classified as agricultural and are assessed accordingly. Wedding/event structures constructed after the agri-tourism law was updated, with a non-agricultural primary use are assessed as commercial, along with an acre or so of property immediately surrounding the structure. The remainder of the property remains agricultural and is assessed accordingly. This is similar to how residences on agricultural-zoned property are assessed. He noted that mixed use structures that are (demonstrably) used as storage for agricultural purposes (ex. a pole barn that stores hay in the hot summer months when not needed as a wedding/event venue), may retain the agricultural assessment.

Attachments:

1. None.



Commission Agenda Item

Meeting Date:	February 28, 2022
Title:	Adoption of Amendments to the Personnel Policies
Agenda Section:	Agenda Items
Department:	Human Resources
Presented By:	Dallas Lee, SHRM-CP, Assistant City Manager
Recommended Action:	1) Provide direction to the City staff, or 2) Adopt Personnel Policies

Summary:

City staff routinely reviews policies and procedures, and when necessary, makes recommendations to the City Commission for changes or updates. The Commission last updated its Personnel Policies in 2019. Since then, staff has determined that updates should be made to the policies for clarification, grammatical errors, and incorporation of existing practices and legal requirements.

Major changes include-

- Drug Testing Policy
- Compensatory Time
- Addition of Juneteenth Holiday
- Clarification of leave policies
- Declared City Closure Policy
- Disciplinary Actions

Attachments:

1. Presentation
2. Resolution
3. Policy



Commission Agenda Item

Meeting Date: 02/28/2021

Title: Newberry Lane Forcemain and Watermain Project #2021-12

Agenda Section: Agenda Items

Department: Utilities

Presented By: Jamie Jones

Recommended Action:

- 1) Authorize the City Manager to execute a contract including Owner Direct Purchasing terms/conditions in the amount of \$370,557.97 for the total of the Base bid and a Deductive Alternate in the amount of \$8,440 with Andrews Paving, Inc., for the Newberry Lane Forcemain and Watermain Project.
- 2) Authorize the City Manager to approve change orders not to exceed ten percent (15%) of the contract amount.

Summary:

This project was originally identified and approved in the FY 21 budget process. The project consist of the following elements:

- Installation of approximately 1400 LF of 6” sewer force main from LS# 12 on Newberry Lane heading west to NW 244th Drive. This will replace an existing oversubscribed 4 inch force main that has had a history of failures that has led to wastewater discharges.
- Installation of approximately 1100 LF of 12”potable water main. Construction of this new looping segment will provide improved fire flow to the NE section of the City’s potable water distribution system.
- Installation of approximately 50LF of 8” gravity sewer line and 1 gravity sewer manhole. This new segment will facilitate gravity wastewater connectivity to the South side of Newberry Lane, east of CR 235.
- Installation of 2 electric conduits under CR 235 to facilitate a future electrical undergrounding project.

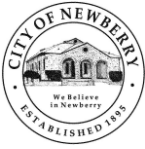
Staff retained the engineering firm George F. Young Engineering to provide surveying, geo-technical evaluation, design, permitting, bidding and construction services for the proposed Newberry Force Main/Water Main project. Surveying, geo-technical evaluation, design and FDEP/Alachua County ROW permitting were completed, bid documents were developed and the project was put out for competitive bid.

On 12/28/2021 RFB 2021-12 for the Newberry Lane Force Main/Water Main project was put out for competitive bid with bids being due on 1/27/2022. The City of Newberry received 2 responses to RFB 2021-12. Staff has evaluated the responses and determined that Andrews Paving Inc. is the lowest responsive and responsible bidder on the Base bid in the amount of \$370,557.97 and a deductive alternate of \$8,440.00 (See attached bid certification).

It is staff's recommendation that the Commission award the project to Andrews Paving Inc. for the base bid amount of \$370,557.97 and a deductive alternate of \$8,440.00 with Owner Direct Purchase terms/conditions and authorize the City Manager to approve change orders not to exceed 10% of the contract amount.

Attachments:

1. RFB 2021-12
2. Bid Certification
3. Andrews Paving Inc. Bid with deductive alternate.
4. Location sketch



Commission Agenda Item

Meeting Date: 02/28/2022

Title: SR 26 Forcemain and Watermain Project #2021-13

Agenda Section: Agenda Items

Department: Utilities

Presented By: Jamie Jones

Recommended Action:

- 1) Authorize the City Manager to execute a contract including Owner Direct Purchasing terms/conditions in the amount of \$994,238.74 for the total of the Base bid with O'Steen Brothers, Inc. for the SR 26 Forcemain and Watermain Project. This authorization would be conditioned upon the completion of the land rights process.
- 2) Authorize the City Manager to approve change orders not to exceed ten percent (10%) of the contract amount.

Summary:

In FY 2019 the City of Newberry submitted an appropriations request to the State Legislature for funding of Water and Wastewater infrastructure improvements on SR26 to promote Commercial/Manufacturing or Light Industrial development. The appropriation request was for \$1,498,000 of which \$500,000 was granted.

Staff evaluated the area and located a potential site for a master wastewater lift station to serve the project area, contacted the property owner who indicated a willingness to deed the property to City at no cost to the City.

Staff retained the engineering firm CHW to provide surveying, geo-technical evaluation, design, permitting, bidding and construction services for the proposed LS#26 site and the force main to convey wastewater back to the existing wastewater system, as well as an 8inch potable water main extension to extend potable water to the LS site. Surveying, geo-technical evaluation, design and FDEP/FDOT permitting were completed, bid documents were developed and the

project was put out for competitive bid. The bid document identified the Lift station work as the base bid with the force main and water main extensions as add alternates due to uncertainty as to if the City would receive additional appropriation funding. It was staff's recommendation that the Commission award the project to Andrews Paving Inc. for the base bid work only, while continuing to seek funding sources for the force main/water main extensions as a subsequent project. On 1/10/2022 construction LS # 26 was completed and deemed ready to be placed in service once the future force main is constructed.

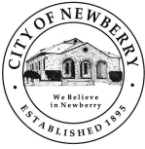
On 12/28/2021 RFB 2021-13 for the SR 26 Force Main/Water Main project was put out for competitive bid with bids being due on 1/31/2022. The City of Newberry received 2 responses to RFB 2021-13. Staff has evaluated the responses and determined that O'Steen Brothers Inc. is the lowest responsive and responsible bidder on the Base bid in the amount of \$994,238.74. (See attached bid certification).

It is staff's recommendation that the Commission award the project to O'Steen Brothers Inc. for the base bid amount of \$994,238.74. The City had budgeted \$900,000 for the project. Funding for the base bid amount would be from the \$900,000 budgeted for the project, with the balance of approximately \$94,238.74 being funded with American Rescue Plan Act (ARPA) funding.

The requested action would be to authorize the City Manager to execute a contract with O'Steen Brothers Inc. for the base bid amount of \$994,238.74, with Owner Direct Purchase terms/conditions and authorize the City Manager to approve change orders not to exceed 10% of the contract amount.

Attachments:

1. RFB 2021-13
2. Bid Certification
3. O'Steen Brothers. Bid
4. Agreement
5. SR 26 Forcemain Watermain Plans
6. Material Specifications
7. Ferguson WaterWorks Quote



Commission Agenda Item

Meeting Date: 02/28/2022

Title: SW 4th Ave Sidewalk Project #2022-01

Agenda Section: Agenda Items

Department: Utilities

Presented By: Jamie Jones

Recommended Action:

- 1) Authorize the City Manager to execute a contract between Andrews Paving inc. including Owner Direct Purchasing terms/conditions, for the total of the base bid of \$48,757.17 with Andrews Paving, Inc., for the SW 4th Ave Sidewalk project.
- 2) Authorize the City Manager to approve change orders not to exceed \$10,000.00, (Ten and 00/100 Thousand Dollars).

Summary:

In recent years there has been interest from the community in constructing a sidewalk along SW 4 Avenue between Oak View Middle School and Newberry Place subdivision. The project was included in the FY 2021 budget with a combination of Local Option Fuel tax funds and funding from the original developer of the Newberry Place subdivision. City Staff worked with the Alachua County School Board and the Newberry Place HOA to secure an easement adjacent to the SW 4th Avenue right of way to facilitate the construction of the sidewalk without negatively impacting existing utilities and stormwater drainage. City staff also had an existing chain-link fence relocated, as well as removed existing landscaping in the path of the sidewalk to be constructed.

On 1/12/2022 the City posted RFB 2022-01 requesting bids to construct approximately 1950 LF of concrete sidewalk to meet FDOT current specifications, sidewalk curb ramps with detectable warning mats and striped pedestrian crosswalk areas on SW. 4th Ave from the entrance of Newberry Place subdivision, west along the south side of SW 4th Ave connecting to existing sidewalk at the front of Oak View Middle School adjacent to SR 45. Sealed bids were received and certified on 2/10/2022 with four contractors responding to the RFB.(see attached bid certification) Staff evaluate the four bids received and determined that Andrews Paving Inc. was

the lowest responsive and responsible bidder in the amount of \$48,757.17

Staff's recommendation is that the Commission authorize the City Manager to execute a contract with Andrews Paving Inc., including Owner Direct Purchasing terms/conditions, for the total of the base bid of \$48,757.17 and authorize the City Manager to approve change orders not to exceed 15 percent (15%) of the contract amount.

Attachments:

1. RFB 2022-01
2. Bid certification
3. Project agreement