

# City of Gainesville

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Meeting Agenda**

**March 21, 2013**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Craig Lowe (At Large)  
Mayor-Commissioner Pro-Tem Lauren Poe (At Large)  
Commissioner Thomas Hawkins (At Large)  
Commissioner Yvonne Hinson-Rawls (District 1)  
Commissioner Todd Chase (District 2)  
Commissioner Susan Bottcher (District 3)  
Commissioner Randy Wells (District 4)*

*Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.*

**CALL TO ORDER.****AGENDA STATEMENT**

*"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited."*

**ROLL CALL****INVOCATION****CONSENT AGENDA****CITY MANAGER, CONSENT AGENDA ITEMS**[100523.](#)**City of Gainesville Registry of Protected Public Places Phase II-A Property Listing (B)**

**This item is regarding the potential listing of four (4) nature parks to the Registry of Protected Public Places as per Ordinance #080576.**

*Explanation:* [Enter Text Here].. Title

*City of Gainesville Registry of Protected Public Places Phase II-A Property Listing (B)*

*This item is regarding the potential listing of four (4) nature parks to the Registry of Protected Public Places as per Ordinance #080576.*

*Fiscal Note:* There is no cost to the City to list properties on the Registry of Protected Public Places.

[100523 PPT 20110131.pdf](#)

[100523A Land Registry Phase I Listing 20110303.pdf](#)

[100523B Land Resistry Ordinance 20110303.pdf](#)

[100523C PPT 20110303.pdf](#)

[100523A Reg Narr20130321.pdf](#)

[100523B LandRegOrdFinal 20130321.pdf](#)

[120899.](#)

**American Recovery & Reinvestment Act of 2009 (ARRA), Homelessness Prevention and Rapid Re-housing (HPRP) Grant #S09-MY-12-0025 Closeout Report (B)**

**This informational item is for the City Commission to receive a closeout report for the HPRP Grant #S09-MY-12-0025 in the amount of \$567,404 received from the U.S. Department of Housing and Urban Development (HUD).**

*Explanation: The American Recovery and Reinvestment Act of 2009 (Recovery Act) was signed into law on February 17, 2009, and appropriates \$787 billion for measures that will modernize our nation's infrastructure, enhance energy independence, expand educational opportunities, preserve and improve affordable health care, provide tax relief and protect those in greatest need. Under the Recovery Act, the City of Gainesville received a direct allocation of Homelessness Prevention and Rapid Re-Housing Program (HPRP) funding in the amount of \$567,404.*

*As part of the closeout process, HUD requires for the City to complete and submit an HPRP Grantee Closeout Certification. A copy of the form is included in Attachment A for reference. Additionally, a public hearing was conducted on February 19, 2013 by the Citizens Advisory Committee for Community Development (CACCD) to receive public comment on the closeout of the HPRP Grant. No public comment was received on the closeout of the HPRP Grant. A copy of the HPRP presentation is provided in Attachment B for reference.*

*The City received a one-time special allocation in the amount of \$567,404 from the U.S. Department of Housing & Urban Development (HUD) for the administration and implementation of the HPRP. The HPRP funds constituted a special allocation of the funding to provide financial assistance and other assistance to either prevent individuals and families from becoming homeless or to help those who are experiencing homelessness to be quickly re-housed and stabilized.*

*The HPRP grant covered a 3-year period and HUD required for the City to expend at least 60% of the funds within the first two years of the program and 100% within three years. Due to HUD regulations to expedite the services provided through the HPRP grant, on September 30, 2009, the City entered into an agreement with the Alachua County Housing Authority (ACHA) to implement and administer the HPRP Program through the Office on Homelessness. Per approval from HUD, there was no requirement for the City to conduct a competitive process to enter into an agreement with the ACHA to administer the HPRP funds since this entity is a unit of general purpose local government pursuant to state law; and therefore, may carry out HPRP activities for the City.*

*The HPRP provided financial assistance to reduce financial barriers preventing homeless individuals and families from obtaining permanent housing. The HPRP funding provided services such as rental assistance, security deposits, utility payments, case management and*

outreach services to 1,012 individuals and families in the City of Gainesville and Alachua County [943 Homeless Prevention and 69 Rapid Re-housing]. On June 30, 2012, 100% of the HPRP was expended by the grant deadline as required by HUD. The HPRP Grant Expenditure Summary Report is provided in Attachment C for reference.

*Fiscal Note:* The HPRP Program funding in the amount of \$567,404 was a one-time special allocation that the City of Gainesville received from HUD.

**RECOMMENDATION**            The City Commission receive the Homelessness Prevention and Rapid Rehousing (HPRP) Grant HPRP Closeout Report.

[120899A\\_HRPR Closeout Form 20130321.pdf](#)

[120899B\\_Closeout Presentation 20130321.pdf](#)

[120899C\\_Expenditures 20130321.pdf](#)

### [120905.](#)

#### **Settlement of Worker's Compensation Claim - Michael Glidden (NB)**

**This item involves the full and final settlement of Mr. Michael Glidden's workers' compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$35,000 and represents a significant cost advantage to the city.**

*Explanation:* While employed by RTS, Mr. Michael Glidden received injuries to his low back due to a slip and fall. This led to ongoing medical treatment. As a result of his injuries, the present potential exposure to the City in future medical treatment, indemnity payments and the potential for surgery is significant given his 33 year life expectancy.

The City Attorney's Office, the Risk Management Department, RTS, Special Counsel and our Worker's Compensation servicing agent all concur as to the full and final settlement of this claim. The total amount \$35,000, includes future medical costs and future indemnity payments.

*Fiscal Note:* The settlement of this case in the amount of \$35,000 will be paid out of the General Insurance Fund.

**RECOMMENDATION**            The City Commission authorizes Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Glidden, in the amount of \$35,000.

## **GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

### [120915.](#)

#### **Cashiering System Upgrade (NB)**

**Staff recommends upgrading GRU's cashiering system with Systems Innovators.**

*Explanation:* GRU's Cashiering department accepts customer utility payments through various channels including, but not limited to mail, in-person, electronic fund transfer, third party remote payments, and third party credit card payments. All payments are processed and reconciled through System Innovators' (SI) system which is responsible for gathering and transmitting customer payments to GRU's Customer Information System.

SI's Revenue Collector was installed in 1996 and updated in 2001. Since this system version is no longer supported, upgrading the current cashiering and payment processing system is necessary to ensure customers' payment information is accurate and up to date. The upgraded system will also allow additional payment channels, offering other payment options for customers.

SI's cashiering system is also used by General Government's Billing and Collections Department for their payment processing activities. With the consolidation of General Government and GRU Information Technology staffing, continuing to use the same cashiering system reduces staff training needs and enhances continuity in City operations.

*Fiscal Note:* Funds for this equipment are available in the FY 2013 capital budget.

**RECOMMENDATION**

*The City Commission:* 1) authorize the General Manager, or his designee, to negotiate a contract with Systems Innovators, a specified source, to upgrade GRU's existing cashiering system to the current product line, subject to approval of the City Attorney as to form and legality; and 2) issue a purchase order to Systems Innovators in an amount not to exceed \$221,236 for software licenses, upgrade services, hardware and training.

[120916.](#)

**Kanapaha Odor Control Improvements Project (B)**

**Staff recommends awarding a contract to Sawcross, Inc. for construction services for the Kanapaha Water Reclamation Facility Odor Control Improvements Project.**

*Explanation:* Water/Wastewater Systems operates the Kanapaha Water Reclamation Facility (KWRF), located adjacent to a residential area. In the wastewater treatment process, an odorous gas is released into the atmosphere during the screening and grit removal process. The gas, which has a rotten egg smell often associated with wastewater, is corrosive to the facility's equipment.

To remove the gas, an odor control system is needed. The system will reduce nuisance odors and extend the life of the facility's equipment, reducing maintenance costs. The project includes provision and installation of odor control equipment, including air collection piping, a

blower, an air scrubber, and a nutrient recirculation pump and tank. The completed project will comply with odor control requirements established by the Florida Administrative Code.

Utilities Purchasing issued an Invitation to Bid to ten known companies that perform this type of work. In addition, the bid was posted on GRU's web page and advertised in the Mid State Builders Exchange, Inc. periodical. Seven firms attended a mandatory pre-bid meeting. Seven bids were received. A tabulation of the bids received is attached for your information. Any additional purchases will be made in accordance with established Purchasing policies.

*Fiscal Note:* Funding for this work is included in the Wastewater System Capital Improvements FY 2013 and 2014 budget.

**RECOMMENDATION**

The City Commission: 1) authorize the General Manager, or his designee, to execute a contract with Sawcross, Inc. to perform construction services for the Kanapaha Water Reclamation Facility Odor Control Improvements Project, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Sawcross, Inc. for these services in an amount not to exceed \$492,000; and 3) authorize staff to procure services, equipment and materials, as required, to complete the project as budgeted, subject to the final appropriation of funds.

[120916\\_bidtab\\_20130321.pdf](#)

## CITY ATTORNEY, CONSENT AGENDA ITEMS

[120897.](#)

**ANTHONY CLARK, JR; A MINOR BY AND THROUGH HIS PARENT AND NATURAL GUARDIAN AQUALIA CURTIS, AND AQUALIA CURTIS INDIVIDUALLY VS. CITY OF GAINESVILLE, A MUNICIPAL CORPORATION, AND GAINESVILLE REGIONAL UTILITIES A/K/A GRU; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2012-CA-1734 (B)**

*Explanation:* On February 26, 2013, the City was served with a Summons and Complaint. The Plaintiff alleges that on or about April 28, 2008, a power line broke free from a GRU pole and struck him. Plaintiff claims to have suffered serious permanent physical and mental injuries, pain and suffering, disability, handicap, mental anguish, loss of capacity for enjoyment of life, expense of hospitalization medical and other care and treatment, loss of ability to earn money and aggravation of a previously existing condition. Plaintiff is seeking damages in excess of \$15,000.00.

**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Anthony

Clark, Jr; a Minor by and through his Parent and Natural Guardian Aqualia Curtis, and Aqualia Curtis Individually vs. City of Gainesville, a Municipal Corporation, and Gainesville Regional Utilities a/k/a GRU; Eighth Judicial Circuit, Case No. 2012-CA-1734.

[120897\\_Anthony Clark Consent\\_20120321.pdf](#)

[120898.](#)

**JAMES V. CROSBY VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2011-CA-4967 (B)**

*Explanation:* On February 26, 2013, the City was served with a Summons and Complaint. The Plaintiff has filed a multi-count Complaint for damages related to his 2007 arrest by the Polk County Sheriff's Office, and his conviction of using a computer system or network to solicit or obtain sex with a minor. At the time of the Plaintiff's criminal offense and arrest, the City and Polk County Sheriff's Office were both members of a multi-jurisdictional Internet Crimes Against Children Task Force, through which federal grants funded law enforcement activities. The Plaintiff seeks damages in the amount of \$20,000,000.00.

**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled James V. Crosby vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2011-CA-4967.

[120898\\_James Crosby Consent\\_20120321.pdf](#)

[120900.](#)

**KATHRYN KRAMER, INDIVIDUALLY VS. THE CITY OF GAINESVILLE, A FLORIDA MUNICIPAL CORPORATION; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2013-CA-690 (B)**

*Explanation:* On March 5, 2013, the City was served with a Summons and Complaint filed by Kathryn Kramer in the Circuit Court. Kathryn Kramer alleges that on or about December 13, 2011, she tripped and fell on uneven sidewalk pavers at the Bo Diddley Community Plaza. Kathryn Kramer claims to have suffered bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expensive hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money and/or aggravation of a previously existing condition. Ms. Kramer seeks money damages in excess of \$15,000.00.

**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Kathryn Kramer, Individually vs. The City of Gainesville, a Florida Municipal Corporation; Eighth Judicial Circuit, Case No. 2013-CA-690.

[120900\\_Consent - Kramer\\_20130321.pdf](#)

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**[120895.](#)**Appointments to City Commission Advisory Boards and Committees (NB)***Modification***RECOMMENDATION***The City Commission appoint:**Belinda Smith and Dejeon Cain to the Citizens Advisory Committee for Community Development for a term to expire 11/1/16.**Jeffrey Knee to the City Beautification Board for a term to expire 11/1/16.**Charles Goston and Belinda Smith to the Gainesville Human Rights Board for a term to expire 2/22/16.**Jon Reiskind to the Wild Spaces & Public Places Citizen Oversight Committee for a term to expire 12/31/14.**Jeffrey Knee to the Development Review Board for a term to expire 11/1/16.***EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PUBLIC SAFETY COMMITTEE, CONSENT**[110683.](#)**Alcohol Sales and Consumption Outdoors Downtown (NB)**

**This is a referral to address increasing interest in holding outdoor events in the downtown area that allow the sale and consumption of alcohol on City property.**

*Explanation: Commissioner Hawkins brought this item forward during Commission Comment at the February 2, 2012 City Commission meeting for the Public Safety Committee to research the impact of modifying the Alcoholic Beverage Ordinance to allow the consumption of alcoholic beverages at outside events and on public property in the Downtown area, specifically on Lot Ten. There is concern that the current ordinance that was modified for United Downtown may be restricted in scope and area. Members of Gainesville Downtown Owners and Tenants have expressed interest in having the ordinance modified for*



outside events. City staff concurs that if there is interest in expanding opportunities for events that allow alcohol on City property it would be best to develop a framework that could accommodate the types of events envisioned rather seeking changes to City ordinance for each event.

The Committee discussed this referral at the February 29, 2012, March 28, 2012 and October 25, 2012 meetings. The Committee approved a motion to support an exception for alcohol sales and consumption on Lot 10 and adjacent streets determined by City staff and to keep the broader issue in Committee. After further research, the City Attorney's Office and other City staff identified issues that would benefit from more in-depth discussion and guidance from the Committee prior to the Committee making a recommendation to the City Commission to direct the City Attorney to prepare an ordinance.

Some of the issues include: 1) possible restrictions on use (charitable/non-profits), 2) single day or multi-day events (weekly/monthly series vs. weekends), 3) hours of operation, 4) facility use agreement, 5) expansion to use of other City properties and 6) City sponsorship. There are a number of other issues City staff can address through a facility use agreement such as: 1) fees, 2) utilities, 3) insurance requirements, 4) crowd capacity, 5) security, 6) noise, and 7) trash/recycling and area clean-up.

Santa Fe College specifically requested that alcohol sales and consumption be allowed on NE 1st Street for their annual Spring Arts Festival. The Committee recommended that City ordinance be modified to allow for this. The ordinance was approved on first reading on February 7, 2013 and was approved at second reading on February 21, 2013.

City staff has suggested that GDOT and other stakeholders interested in the ability to hold these events on public property get together to develop a proposal that can be shared with the City.

At the February 28, 2013 Public Safety Committee Meeting a motion was approved 3-0 to recommend that the City Commission allow use of Lot 10 as an outdoor venue allowing the sale and consumption of alcohol for Fest to sell beer only.

The broader referral will stay in Committee with City staff meeting with GDOT and other stakeholders to work on details for a proposal to the Public Safety Committee and research ways to simplify these requests so new events don't require changes to City ordinance but to provide for a fair level of control over the number of events and to assure they are well managed. It may be helpful if we build in an annual process for taking applications to hold events on Lot 10. Then everybody would know the approved events well ahead of time for impact on downtown businesses and the need for City support services.

*Fiscal Note: The City will need to recover costs from event organizers for services*

*provided to support outdoor special events downtown. Even with cost-recovery, as more events take place downtown requiring City support, staff resources may become stretched.*

**RECOMMENDATION**

*The City Commission direct the City Attorney to prepare and the Clerk of Commission to advertise an ordinance allowing the use of Lot 10 as an outdoor venue allowing the sale and consumption of alcohol for the Fest Musical event to sell beer only.*

[110683a\\_EugeneArticle\\_20120229.pdf](#)

[110683b\\_SchaerEmail\\_20120229.pdf](#)

[110683c\\_AlcoholOrdin\\_20120229.pdf](#)

[110683\\_SFCFestivalInfo\\_20121025](#)

[120347.](#)

**Special Event Permits for Bars (B)**

**This is a referral to address the interest of businesses to provide for the temporary outdoor sales and consumption of alcoholic beverages beyond University of Florida Football Home Games.**

*Explanation: Please see the backup memorandum prepared by Planning and Development Services related to this referral. At the February 28, 2013 Public Safety Committee meeting, a motion was approved 3-0 to recommend City Commission approval of Option 3 to expand the ability to permit the temporary outdoor sale and consumption of alcoholic beverages Citywide and allow up to 4 Special Event Permits per year providing extension of premises for alcohol above and beyond UF Football Home Games.*

*Successful implementation of this option would depend upon allowing businesses and non-profit organizations conducting activities involving the temporary outdoor sales and consumption of alcoholic beverages in a manner that does not have an overall negative impact on the health, welfare, safety quality of life of the community.*

*In this option, the temporary outdoor sale and consumption of alcoholic beverages may be allowed only in zoning districts where the sale and consumption of alcoholic beverages are allowed. Any legally established business would be eligible to apply for a permit to conduct an event that includes the temporary outdoor sale and consumption of alcoholic beverages during the following recognized events: 1) University of Florida Home Football Game Day events, no more than one permit per applicant per location shall be allowed; and 2) In addition to the events allowed under #1 above, a maximum of four additional events may be allowed. The event must be conducted by the operator of the primary business and must be on the premises where the business is located. The event shall be conducted only during a prescribed time period and shall be subject to standards for operating an outdoor special event as identified in the memorandum. This option*

presumes that requests for outdoor events from non-local businesses are not allowed.

*Fiscal Note:* The City will need to recover costs from event organizers for services provided to support outdoor special events. Even with cost-recovery, as more events take place requiring City support, staff resources may become stretched.

**RECOMMENDATION**

The City Commission 1) direct the City Attorney to prepare and the Clerk of Commission to advertise an ordinance to expand the extension of premises Citywide and allow up to 4 Special Event Permits per year providing extension of premises for alcohol above and beyond UF Football Home Games; and 2) authorize the Plan Board Petition and first reading of the ordinance to occur at the same meeting.

[120347\\_PDSSpecialEventsPermitsforBarsMemo\\_20130228](#)

[120347\\_PDSSpecialEventsPermitsforBarsMemo\\_20130321](#)

## COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

### END OF CONSENT AGENDA

### ADOPTION OF THE REGULAR AGENDA

### CHARTER OFFICER UPDATES

### CLERK OF THE COMMISSION

### CITY MANAGER

[120860.](#)

**Contract Award with Tindale-Oliver & Associates, Inc. for Streetcar Conceptual Study for the Regional Transit System (RTS) (B)**

**This item is a request to approve rankings for Request for Qualifications (RFQ) #RTSX-130035-DS and execute a contract with Tindale-Oliver & Associates, Inc., to conduct a Streetcar Conceptual Study for the Regional Transit System (RTS).**

*Modification*

*Explanation:* On November 28, 2012, the City's Purchasing Division solicited Request for Qualifications (RFQ) to conduct a Streetcar Conceptual Study for the Regional Transit System (RTS). The RFQ process was implemented in compliance with, and as required by, the Federal Transit Administration (FTA), Florida Statutes and City of Gainesville policies.

*Four (4) proposals were submitted by the deadline. The submissions*

contained technical and written proposals and oral presentations were made. An evaluation team consisting of City staff evaluated the proposals and is recommending the following ranking of the four (4) firms:

1. Tindale-Oliver & Associates, Inc.
2. HDR Engineering, Inc.
3. Nelson Nygaard Consulting Associates, Inc.
4. Whitman Requardt & Associates, LLP

RTS desires to enter a contract with Tindale-Oliver & Associates, Inc.

*Fiscal Note:* City of Gainesville Capital Improvement Program funds in the amount of \$100,000 has been approved for this project.

**RECOMMENDATION**

The City Commission: 1) approve staff's recommended ranking of the top four (4) firms; and 2) authorize the City Manager or his designee to negotiate and execute a contract with the top ranked firm, or next ranked firm if those negotiations are not successful, for the Streetcar Conceptual Study for the Regional Transit System (RTS), subject to approval by the City Attorney as to form and legality.

[Bid Tab.pdf](#)

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

**RECESS 2:12PM**

**RECONVENE**

**PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS**[120920.](#)**Jack Hughes Day - March 21, 2013 (B)****RECOMMENDATION**

*Gainesville Sports Commission Retired Executive Director Jack Hughes to accept the proclamation.*

[120920\\_JackHughes\\_20130321.pdf](#)

[120921.](#)**Children's Week - April 7-13, 2013 (B)****RECOMMENDATION**

*Early Learning Coalition of Alachua County Executive Director Dr. Gordon Tremaine and Community Outreach Coordinator Sheryl Eddie to accept the proclamation.*

[120921\\_ChildrensWeek\\_20130321.pdf](#)

[120922.](#)**Earth Hour - March 23, 2013 (B)****RECOMMENDATION**

*City of Gainesville Energy Management Specialist Kinzon Hutchinson and Facilities Management Manager Gary Cothren to accept the proclamation.*

[120922\\_EarthHour\\_20130321.pdf](#)

[120923.](#)**Doctor's Day - March 30, 2013 (B)****RECOMMENDATION**

*Alachua County Medical Alliance President Barbara Kirby to accept the proclamation.*

[120923\\_DoctorsDay\\_20130321.pdf](#)

[120932.](#)**Howard Douglas Stapp, III Day - March 31, 2013 (B)****RECOMMENDATION**

*The Family of Howard Douglas Stapp, III to accept the proclamation.*

[120932\\_HowardStapp\\_20130321.pdf](#)

**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**

**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED**[120881](#)

**Resolution for the Regional Transit System (RTS) FY2013 Program of Projects (POP) and FY2010-2011 Performance Measures (B)**

This item is a request to adopt a Resolution authorizing the filing of an application with the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT).

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

[120881A Program 20130321.pdf](#)

[120881B Resolution 20130321.pdf](#)

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****ORDINANCES, 2ND READING- ROLL CALL REQUIRED**[110373](#)

**LAND DEVELOPMENT CODE AMENDMENT - DEVELOPMENT REVIEW PROCESS AND FEES, SPECIAL USE PERMITS AND CITIZEN PARTICIPATION (B)**

**Ordinance No. 110373, Petition No. PB-11-74TCH**

An ordinance of the City of Gainesville, Florida, amending the Land Development Code and Appendix A, Schedule of Fees, Rates and Charges of the City Code of Ordinances related to the development review process, special use permits and citizen participation; by deleting existing Sections 30-151 through 30-166; by creating new Sections 30-151 through 30-164 relating to the development review process; by amending Sections 30-234 and 30-235 relating to special use permits; by amending Section 30-350 relating to citizen participation; by amending Section 30-356 relating to the Development Review Coordinator and Technical Review Committee; by amending Appendix A. Schedule of Fees, Rates and Charges to reflect the new levels of and fees for the development review process; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Modification*

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This ordinance proposes text amendments to the Land Development Code related to the development review process including the development review coordinator and technical review committee, special*

use permits, citizen participation, and to Appendix A fees related to the development review process. The proposed amendments include the reorganization of the levels of development review, an update of the development plan submittal requirements and clarifications to the process for development review and approval, including the development review coordinator and technical review committee. The amendments update the process for special use permits to make them consistent with the proposed revisions to the development review process. The amendments also specify the types of projects that will require a neighborhood workshop, the notification requirements, and the timing of workshops.

The proposed amendments were presented to the Development Review Board on January 13, 2011. In addition, the proposed amendments to the levels of development review were discussed with the Community Development Review Committee in 2011.

After public notice, the City Plan Board held a public hearing on June 23, 2011 and, by a vote of 3-1, recommended the City Commission approve the petition, with revisions. On October 20, 2011, the City Commission approved the petition, by a vote of 7-0, with revisions from the City Plan Board and City Staff.

City Planning and Legal staff have extensively reviewed and reorganized the petition language to provide clarity to the requirements and review processes.

#### CITY ATTORNEY MEMORANDUM

This ordinance requires two readings.

**RECOMMENDATION**            The City Commission adopt the proposed ordinance as amended on second reading.

[110373A\\_cpb & staff revisions\\_dev\\_review\\_LDC\\_new\\_20111020.pdf](#)

[110373B\\_cpb & staff revisions\\_Sec 30-350 Citizen Participation\\_2011020.pdf](#)

[110373C\\_staff report\\_20111020.pdf](#)

[110373D\\_attach A\\_proposed amendment to Article VII\\_20111020.pdf](#)

[110373E\\_attach B\\_existing article VII dev review\\_20111020.pdf](#)

[110373F\\_attach C\\_proposed amendment to Sec 30-350\\_20111020.pdf](#)

[110373G\\_cpb minutes\\_20111020.pdf](#)

[110373H\\_staff ppt\\_20111020.pdf](#)

[110373\\_draft ordinance\\_20130307.pdf](#)

[110373A\\_MOD\\_20130321.pdf](#)

[120597.](#)

#### AMENDMENTS TO CHAPTER 27 AND APPENDIX A OF THE CITY CODE OF ORDINANCES RELATING TO NATURAL GAS (B)

**ORDINANCE NO. 120597  
AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA,  
RELATING TO NATURAL GAS, AMENDING ARTICLE VI, NATURAL  
GAS, OF CHAPTER 27, UTILITIES, SECTIONS 27-271, 27-272, 27-273,  
27-275, 27-277, 27-283, 27-286 AND AMENDING APPENDIX A,  
UTILITIES (5) NATURAL GAS, OF THE CITY OF GAINESVILLE  
CODE OF ORDINANCES; PROVIDING A REPEALING CLAUSE;  
PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A  
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

*Explanation: At its meeting on December 6, 2012, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending Chapter 27 and Appendix A of the Code of Ordinances. GRU staff recommended that certain language in Chapter 27, Article VI, Natural gas, and Appendix A warranted updating and clarification. Such instances include the terms and conditions required to qualify for and to receive the Large Volume Service rate, the responsibilities of the City and the customer following a force majeure event, and removing references to the Contract Interruptible Service Rate. Additionally, there are currently two categories of Purchased Gas Adjustment (PGA) in the code: firm and interruptible. In that the utility no longer reserves natural gas pipeline capacity from the supplier on an interruptible basis, an interruptible PGA is no longer necessary and is being deleted. Corresponding revisions are also being made to the portion of Appendix A that relates to fees and charges for natural gas.*

*This ordinance requires two readings.*

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

[120597 Draft Ordinance.pdf](#)

**PLAN BOARD PETITIONS**

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)**