

# **City of Gainesville**

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



## **Meeting Agenda**

**November 18, 2010**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Craig Lowe (At Large)*

*Mayor-Commissioner Pro Tem Jeanna Mastrodicasa (At Large)*

*Commissioner Scherwin Henry (District 1)*

*Commissioner Lauren Poe (District 2)*

*Commissioner Warren Nielsen (District 3)*

*Commissioner Randy Wells (District 4)*

*Commissioner Thomas Hawkins (At Large)*

*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*

## 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

### 100474.

#### **State Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Gainesville Police Department Portion of the Problem Oriented Policing Unit Equipment and Training Expenses (NB)**

**This item requests that the City Commission appropriate and expend funds from the State Law Enforcement Contraband Forfeiture Trust Fund for the purchase of equipment and materials for enhancement of the narcotics enforcement efforts.**

*Explanation: The Gainesville Police Department participates in the Problem-Oriented Policing (POP) Unit with Federal, State, County and Municipal agencies. The POP unit is funded by a grant which provides funding for overtime used by the members of the Alachua County Drug Taskforce. Items and funds seized during operations conducted during these details paid for using POP grant dollars are required to be expended to address narcotics enforcement issues in the service area. The grant has the following requirements for seized funds:*

*Program Income (also known as Project Generated Income)*

- 1. All income generated as a direct result of a sub-grant project shall be deemed program income.*
- 2. Any project that will potentially earn PGI must submit an Earnings and Expenditures Report to report how much PGI was earned during each quarter. A report must be submitted each quarter even if no PGI was earned or*

expended.

3. PGI expenditures require prior written approval from the Office of Criminal Justice Grants. Program income must be used for the purposes of and under the conditions applicable to the award. If the cost is allowable under the Federal grant program, then the cost would be allowable using program income.

Program income should be used as earned and expended as soon as possible. Any unexpended PGI remaining at the end of the Federal grant period must be submitted to the Office of Criminal Justice Grants for transmittal to the Bureau of Justice Assistance.

Consequently, the Police Department requests approval to expend the dollars as follows:

- |   |             |
|---|-------------|
| 1. Establish Narcotics Interdiction Unit                |             |
| a. Purchase Narcotics K-9                               | \$6,698     |
| b. vehicle outfitting for k-9                           | \$2,742     |
| c. travel and training for k-9 handler                  | \$1,312     |
| 2. Narcotics facilitates improvement                    |             |
| a. Replace security gate motor                          | \$5,583.24  |
| b. Installing Air handler system for one evidence vault | \$2,500     |
| 3. Training   |             |
| a. Wire intercept course                                | \$880       |
| b. DEA Narcotics course                                 | \$1324      |
| 4. Investigative Equipment                              |             |
| a. Equipment (Covert and Emergency)                     | \$11,626.06 |

Total Recommended Expenditures \$32,665.30

**Fiscal Note:** Funds for this expenditure are available in the State Law Enforcement Contraband Forfeiture Trust Fund, as allowed under Florida State Statute 932.7055. The current balance in the Project Generated Income account of the State Law Enforcement Contraband Forfeiture Trust Fund is \$43,479.25

**RECOMMENDATION**

The City Commission authorizes the appropriation of \$32,665.30 from the Project Generated Income account of the State Law Enforcement Contraband Forfeiture Trust Fund for the purchase of equipment and training for the Gainesville Police Department's Special Investigation Bureau.

Alternative Recommendation A: The City Commission declines the appropriation and allows the funds to be turned over to the State of Florida resulting in the potential lost of \$32,000.

**100483.****Neighborhood Marker for the Woodland Terrace Neighborhood (B)**

**This item involves a request to use surplus Neighborhood Planning Program (NPP) funds to pay for the development and installation of a neighborhood Marker for the Woodland Terrace Neighborhood.**

*Explanation: In January 2010, the residents of the Woodland Terrace Neighborhood requested that the City develop and install a sign or marker identifying the neighborhood. The proposed site for the marker is a large City-owned median at the main entrance to the neighborhood.*

*According to neighborhood residents, Woodland Terrace was established in 1956 as one of the first single-family neighborhoods west of the University of Florida. The diverse nature of the neighborhood is illustrated by the fact that it remains home to many original residents, while also being attractive to college students.*

*Staff has met with neighborhood representatives and explained that although the City does not make and install those types of signs, it may be possible to permit a private sign contractor to install one. Staff agrees that such a marker could beautify and increase civic pride in the area. Typically, the City does not maintain these identity markers in the community. Therefore, if the City Commission wishes to approve this project, a maintenance agreement must be negotiated between the Woodland Terrace Neighborhood Association and the City.*

*The Finance Department identified an account established for the Neighborhood Planning Program (NPP) that is not tied to a specific neighborhood. That account, which has not been used for several years, contains \$4,255. Since Woodland Terrace is not part of the NPP, the City Commission would need to waive the rules of the NPP and approve this use of funds from that account for this project.*

*Fiscal Note: Account number 123-790-217-N100-4110-5150 contains \$4,255. Preliminary estimates provided to the neighborhood indicate the cost of the marker will be between \$2,500 and \$3,000.*

**RECOMMENDATION**

*The City Commission: 1) waive the rules of the Neighborhood Planning Program to allow the use of NPP funds for a neighborhood marker at the entrance of the Woodland Terrace Neighborhood; 2) approve the expenditure of up to \$3,000 from account number 123-790-217-N100-4110-5150 to develop and install a neighborhood marker at the Woodland Terrace Neighborhood entrance; and 3) authorize the City Manager or designee to negotiate and enter into a maintenance agreement with the Woodland Terrace Neighborhood Association, subject to approval by the*

*City Attorney as to form and legality.*

100483\_Woodland Terrace\_20101118.pdf

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

## **CITY ATTORNEY, CONSENT AGENDA ITEMS**

## **CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

### **100503.**

#### **City Commission Minutes (B)**

##### **RECOMMENDATION**

*The City Commission approve the minutes of November 4, 2010, as circulated.*

100503\_reg\_nov. 4, 2010\_20101118.pdf

### **100428.**

#### **Appointments to City Commission Advisory Boards and Committees (NB)**

##### **RECOMMENDATION**

*The City Commission appoint the following:*

*Ellen West to the Art in Public Places Trust for a term to expire 9/30/13; and Bill Warinner to the Art in Public Places Trust for a term to expire 9/30/12.*

*Leonard Thompson, Student, to the Bicycle/Pedestrian Advisory Board for a term to expire 11/18/12.*

*Rolf Hummel to the Board of Adjustment for a term to expire 11/1/13.*

*Leslie Roseman to the City Beautification Board for a term to expire 11/18/13; Rebecca Howard to the City Beautification Board for a term to expire 11/1/12; Nina Ring to the City Beautification Board for a term to expire 11/1/12; Charles Woods to the City Beautification Board for a term to expire 11/1/13; and Adrienne Campbell to the City Beautification Board for a term to expire 11/18/13.*

*Robert Ackerman and Laurel Nesbit to the City Plan Board for a term to expire 11/1/13.*

*Frank Blanco to the Citizens Advisory Committee for Community Development for a term to expire 11/18/13.*

*Gerry Dedenbach, Luis Diaz, Seth Lane, Martin Gold,*

*John Barrow, John Hudson, Robert Ackerman, and Milton Reid to the Community Development Review Committee for a term to expire 11/18/11.*

*Jeffrey Haviland to the Development Review Board for a term to expire 11/1/13.*

*Laura Dedenbach and Tony Mullersman to the Gainesville Energy Advisory Committee for a term to expire 11/18/13.*

*Richard Shuster to the Gainesville Human Rights Board for a term to expire 11/18/13.*

*Wells the Losen to the Historic Preservation Board for a term to expire 6/1/13; Robert Gill to the Historic Preservation Board for a term to expire 6/1/12; Timothy Hoskinson to the Historic Preservation Board for a term to expire 6/1/12; and Jason Straw to the Historic Preservation Board for a term to expire 11/18/13.*

*Taylor Stein, Pearse Hayes and Charles Pedersen to the Nature Centers Commission for a term to expire 11/1/13.*

*Frank Blanco and Michelle Holder to the Public Recreation and Parks Board for a term to expire 11/18/13.*

*Andrew Coffey to the Regional Transit System Advisory Board for a term to expire 11/18/13.*

*Richard Shuster, Student, to the Community Relations Advisory Board for a term to expire 11/18/12.*

## **EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

## **COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

## **PUBLIC SAFETY COMMITTEE, CONSENT**

### **091037.**

#### **Teen Dance Clubs in the Hospitality District (NB)**

*Explanation: This item was brought forward by Commissioner Mastrodicasa at the May 6, 2010 City Commission Meeting and referred to the Public Safety Committee for discussion.*

*The Public Safety Committee discussed this referral at its June 16, 2010 meeting and made the decision to review the situation with the teen club downtown in three months.*

*At the Public Safety Committee meeting on October 11, 2010 GPD staff gave a three month update on the club and informed the Committee that the subject club had gone out of business after only three weeks in operation due to the lack of patrons. In the future if another teen club opens in the Hospitality District, staff will address the issue at that time.*

**RECOMMENDATION**                    *The City Commission remove this referral item from the Public Safety Committee referral list.*

**Legislative History**

5/6/10	City Commission	Referred (5 - 0 - 2 Absent)	Public Safety Committee
6/16/10	Public Safety Committee	Discussed	
10/11/10	Public Safety Committee	Discussed	

091037\_DanceHallOrd\_20100616.pdf

## **DISABILITY REVIEW COMMITTEE, CONSENT**

### **100486.**

#### **Application for Disability Retirement for Michael Joe McCumbers (B)**

**Retirement application for Michael Joe McCumbers, Vehicle Service Attendant for Regional Transit System for 6.583 years who has been under the care of a physician for medical reasons.**

*Explanation: A meeting of the Disability Review Committee was conducted on Tuesday, November 2, 2010 to review the application for disability retirement for Michael Joe McCumbers. In reviewing the application and supporting information from Mr. McCumbers' physician, it is the recommendation of the Disability Review Committee that the City Commission approve the application.*

*Information provided to the Committee from Mr. McCumbers' physician and from the City of Gainesville's third party administrator Health Direct Inc., states that Mr. McCumbers is totally disabled and wholly and continuously unable to perform any and every duty of his employment or of a position to which he may be assigned.*

*Fiscal Note: The current monthly salary, final average earnings of the employee's 36 highest consecutive months of earnings, and the estimated benefit for this employee has been determined to be: current monthly salary - \$2339.39; final average monthly earnings - \$2504.06; final monthly benefit - \$0.00 with Social Security offset. These benefits shall become effective upon the City Commission's approval and would be paid from the Disability Pension Fund.*

**RECOMMENDATION**                    *The City Commission approve the submitted*

*application for disability retirement for Michael Joe McCumbers, Vehicle Service Attendant for Regional Transit System.*

100486\_Application\_20101118.pdf

**100487.**

**Application for Disability Retirement for Robert C. Buckholt (B)**

**Retirement application for Robert C. Buckholt, Transit Supervisor for Regional Transit System for 10.417 years who has been under the care of a physician for medical reasons.**

*Explanation: A meeting of the Disability Review Committee was conducted on Tuesday, November 2, 2010 to review the application for disability retirement for Robert Buckholt. In reviewing the application and supporting information from Mr. Buckholt's physician, it is the recommendation of the Disability Review Committee that the City Commission approve the application.*

*Information provided to the Committee from Mr. Buckholt's physician and from the City of Gainesville's third party administrator Health Direct Inc., states that Mr. Buckholt is totally disabled and wholly and continuously unable to perform any and every duty of his employment or of a position to which he may be assigned.*

*Fiscal Note: The current monthly salary, final average earnings of the employee's 36 highest consecutive months of earnings, and the estimated benefit for this employee has been determined to be: current monthly salary - \$4509.44; final average monthly earnings - \$4293.52; final monthly benefit - \$103.88 with Social Security offset. These benefits shall become effective upon the City Commission's approval or at such time Mr. Buckholt exhausts all of his sick leave and would be paid from the Disability Pension Fund.*

**RECOMMENDATION**

*The City Commission approve the submitted application for disability retirement for Robert C. Buckholt, Transit Supervisor for Regional Transit System.*

100487\_Application\_20101118.pdf

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION**



**100509.****Special Meetings (NB)****RECOMMENDATION**

*The City Commission schedule a special meeting on Butler Plaza Planned Development (PD) Rezoning - Petition PB-09-84PDV for December 14, at 6:00 PM and schedule a joint meeting with the Alachua County Commission for December 15 at 6:30 PM regarding the NW 16 Avenue Paving Project at a location to be determined.*

**CITY MANAGER****100482.****Annual Funding Recommendations for the Community Grant Program (B)**

**The City Commission is requested to consider approval of the City's State Housing Initiatives Partnership Affordable Housing Advisory Committee (AHAC) funding recommendations for allocating the FY 2010-2011 Community Grant Program funds.**

*Explanation: On July 15, 2010, the City Commission approved the Community Grant Program to provide small amounts of funding to non-profit organizations performing community services that advance City goals to support activities that serve a public purpose and improve the quality of life for Gainesville residents. The Commission allocated up to \$125,000 for the Community Grant Program, with ten percent set aside for program administration. The maximum grant award was established at \$2,500 per eligible non-profit organization. The City Commission developed and adopted guidelines describing eligible organizations, reimbursable activities, and program requirements and procedures. The Commission desired to keep the Community Grant Program application process simple for both the applicants and staff. The Commission also indicated a desire to fund as many eligible programs as possible within the approved program budget.*

*As required by the Community Grant Program guidelines, the City's AHAC reviewed the applications and made funding recommendations at its October 12, 2010 public hearing. A majority of the agencies who applied for funding attended the AHAC's public hearing. The total allocation available to fund agency programs and services is \$112,500. The City received 52 funding requests totaling \$121,524. The AHAC recommended funding in the amount of \$104,174 to forty-four (44) agencies to provide community programs and services. The AHAC did not recommend funding for eight (8) agencies due to not meeting the Community Grant Program guidelines. The AHAC funding recommendations for the FY 2010-2011 Community Grant Program are attached for reference.*

**Fiscal Note:** *The City Commission allocated \$125,000 for the Community Grant Program,*

with \$112,500 available for program awards and a 10% set aside for program administration. The AHAC recommended funding requests totaling \$104,174.

**RECOMMENDATION**

*The City Commission: 1) consider approval of the AHAC's funding recommendations for the Community Grant Program; and 2) authorize the City Manager or his designee to execute the funding agreements and other related documents with the approved agencies to disburse the grant funds, subject to approval by the City Attorney as to form and legality.*

100482\_Fund Recs\_20101118.pdf

## GENERAL MANAGER FOR UTILITIES

### 100493.

#### **Extension of Wholesale Power Contract with the City of Alachua (B)**

**A mutually beneficial agreement to extend the wholesale electric power contract between Gainesville Regional Utilities and the City of Alachua through 2020 has been negotiated and has been approved by the Alachua City Commission subject to approval by the Gainesville City Commission.**

*Explanation: Gainesville Regional Utilities (GRU) has been selling wholesale electric power to the City of Alachua for distribution to their retail electric customers since 1992 under agreements extending through December 31, 2010. A third amendment has been negotiated that will extend the contract through 2020, but includes a provision to allow either party to reopen the price provisions of the agreement after five years. The term of the agreement was designed to avoid affecting the timing of GRU's need for additional generation capacity.*

*The agreement consists of three key pricing elements: 1) a charge per kilowatt of monthly peak kilowatt demand; 2) a non-fuel energy charge per megawatt-hour; and 3) a production cost per megawatt-hour. The first two charges will be adjusted annually based upon a fixed escalation rate of 2.5%. The third charge will vary monthly, 50% based on GRU's retail fuel adjustment, and 50% based on the NYMEX contract cost of gas for the coming month times a factor representing the marginal efficiency of GRU's gas fired units needed to serve Alachua's load. This formula was developed empirically to correlate with both GRU's fuel cost and unit availabilities, and has been in place for the last two years.*

*The agreement also provides the City of Alachua with two elective options on a fee payment basis. The first is to provide an emergency back-up feed to a portion of Alachua's system through an electrical interconnection near the Turkey Creek subdivision on US 441. The second is to have GRU assist the City of Alachua with processes and filings involved in complying with federally mandated reliability requirements.*

*Fiscal Note: Extending the contract with the City of Alachua will generate revenue from resources owned by GRU to assist in maintaining retail rates as low as possible.*

**RECOMMENDATION**

*The City Commission authorize the General Manager to execute the third amendment to the Wholesale Electric Service Contract between Gainesville Regional Utilities and the City of Alachua substantially in the form as attached subject to approval by the City Attorney as to form and legality.*

Backup for GM Item #100493 Alachua PPA 11 18 10.pdf

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**100508.**

**Committee Assignments (B)**

**RECOMMENDATION**

*The City Commission confirm the Mayor's appointments.*

100508\_MOD\_COMMITTEE ASSIGNMENTS\_20101118.pdf

**COMMISSION COMMENTS (if time available)**

**RECESS**

**RECONVENE**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**100495.**

**Transgender Day of Remembrance - November 20, 2010 (B)**

**RECOMMENDATION**

*Pride Community Center of North Central Florida*

*Co-President Terry Fleming and Treasurer Linda Bassham to accept the proclamation.*

100495\_Transgender\_20101118.pdf

**100505.**

**Martin Luther King, Jr. Hall of Fame Day - January 9, 2011 (B)**

**RECOMMENDATION**

*Martin Luther King, Jr. Commission of Florida, Inc. Marie Small and Diyonne McGraw to accept the proclamation.*

100505\_MLKDay\_20101118.pdf

**100506.**

**King Celebration 2011 - January 9-18, 2011 (B)**

**RECOMMENDATION**

*Martin Luther King, Jr. Commission of Florida, Inc. Marie Small and Diyonne McGraw to accept the proclamation.*

100506\_KingCelebration\_20101118.pdf

**100513.**

**City of Gainesville's Citizens' Academy Fall 2010 Graduates (NB)**

*Explanation: The City of Gainesville Communications Office offers the Citizens' Academy, dubbed "Gainesville 101," to educate Gainesville citizens on the diverse services their city government provides and inform them on how they can become more involved in their local government.*

*Participants in this year's Citizens' Academy went behind the scenes of city government operations, met with government officials, toured facilities and asked questions at six weekly sessions. A unique feature of the Citizens' Academy is the emphasis on sustainability, fiscal responsibility and increased interaction. Handouts were provided primarily electronically via the Citizens' Academy webpages.*

**RECOMMENDATION**

*The City Commission: 1) recognize accomplishments of Gainesville 101 Fall 2010 City of Gainesville Citizens' Academy graduates; and 2) hear brief comments from the class speaker on what they have learned.*

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

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

**100512.****Resolution of the City Commission Supporting DREAM Act (B)**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, SUPPORTING AN AMENDMENT TO THE FEDERAL IMMIGRATION LAW RELATING TO THE STATUS OF CERTAIN ALIEN STUDENTS; PROVIDING DIRECTIONS FOR THE CLERK OF THE COMMISSION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

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

100512\_DREAMActResolution\_20101118.pdf  
100512A\_MOD\_Summary\_20101118.pdf  
100512B\_MOD\_Article\_20101118.pdf

**100516.****Uniting American Families Act (B)**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, SUPPORTING THE UNITING AMERICAN FAMILIES ACT OF 2009, RELATING TO THE EQUAL APPLICATION OF THE IMMIGRATION LAWS TO SAME SEX PERMANENT PARTNERS OF UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS; PROVIDING DIRECTIONS TO THE CLERK OF THE COMMISSION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

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

100516\_Resolution UAFA of 2009\_20101118.pdf  
100516\_MOD\_FACT SHEET\_20101118.pdf

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****100391.****ELECTION DISTRICT AMENDMENT (B)****Ordinance No. 100391**

**An ordinance of the City of Gainesville, Florida, amending Chapter 9 of the Code of Ordinances relating to elections; adding the newly annexed area that is covered by Election District 36 to City Election District 3; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: The City Commission, at its meeting of October 21, 2010, authorized the City Attorney's Office to draft and the Clerk of the Commission to advertise an ordinance amending Chapter 9, Elections, of the Code of Ordinances by adding the newly annexed area that is covered by Election District 36 to City Election District 3.*

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

10/21/10 City Commission Approved as Recommended (5 - 0 - 2 Absent)

100391\_Map\_20101021.pdf

100391\_Draft Ordinance\_20101118.pdf

100391\_MOD\_Revised\_Map\_20101117.pdf

**100455.****HISTORIC TAX EXEMPT FROM AD VALOREM TAXATION – 835 E. UNIVERSITY AVENUE (B)****Ordinance No. 100455; Petition No. 2AVT-08HPB**

**An ordinance of the City of Gainesville, Florida, finding that property located at 835 E. University Avenue, Gainesville, Florida, as more specifically described in this Ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2011, and continuing for 10 years under certain conditions; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. As part of its review, the Historic Preservation Board (HPB) and the City Commission must determine whether “the proposed improvement is consistent with the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and is therefore an eligible improvement.”*

*The process entails two steps: First, the Petitioner files Parts 1 (Preconstruction Application) and 2 (Final Application for Review of Completed Work) of the Historic Preservation Property Tax Exemption Application for the restoration/rehabilitation of a contributing residential building in the Northeast Residential Historic District. Part 1 was approved by the HPB on July 1, 2008, and Part 2 was approved by the HPB on April 6, 2010.*

*The applicant completed the restoration/rehabilitation work and staff inspected the completed work and found the work meets the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and the City’s Guidelines for Rehabilitating Historic Buildings. The renovations eligible for the tax exemption total \$517,974.43.*

*On July 1, 2008, the HPB found the property eligible for the tax exemption and*

*recommended the City Commission grant same, with certain conditions.*

*CITY ATTORNEY MEMORANDUM*

*Should this ordinance pass on first reading, second and final reading will be held on Thursday, December 2, 2010.*

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

100455\_Draft Ordinance\_20101118.pdf

100455\_Exhibit 1\_20101118.pdf

100455A\_staff ppt\_20101118.PDF

**100456.**

**HISTORIC TAX EXEMPT FROM AD VALOREM TAXATION – 719 SE SECOND AVENUE (B)**

**Ordinance No. 100456; Petition No. HP-10-00044**

**An ordinance of the City of Gainesville, Florida, finding that property located at 719 SE Second Avenue, Gainesville, Florida, as more specifically described in this Ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2011, and continuing for 10 years under certain conditions; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. As part of its review, the Historic Preservation Board (HPB) and the City Commission must determine whether “the proposed improvement is consistent with the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and is therefore an eligible improvement.”*

*The process entails two steps: First, the Petitioner files Parts 1 (Preconstruction Application) and 2 (Final Application for Review of Completed Work) of the Historic Preservation Property Tax Exemption Application for the restoration/rehabilitation of a contributing residential building in the Southeast Gainesville Historic District. Part 1 was approved by the HPB on August 3, 2010, and Part 2 was approved by the HPB on September 7, 2010.*

*The applicant completed the restoration/rehabilitation work and staff inspected the completed work and found the work meets the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and the City’s Guidelines for Rehabilitating Historic Buildings. The*

renovations eligible for the tax exemption total \$183,659.50.

On August 3, 2010, the HPB found the property eligible for the tax exemption and recommended the City Commission grant same, with certain conditions.

*CITY ATTORNEY MEMORANDUM*

*Should this ordinance pass on first reading, second and final reading will be held on Thursday, December 2, 2010.*

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

100456\_Draft Ordinance\_20101118.pdf

100456\_Exhibit 1\_20101118.pdf

100456A\_staff ppt\_20101118.PDF

## **ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

### **100101.**

#### **ADDITIONAL SIGNAGE FOR MULTIPLE-FAMILY DEVELOPMENTS (B)**

**Ordinance No.100101; Petition PB-10-21-TCH.**

**An ordinance of the City of Gainesville, Florida, amending Section 30-318(d)(2) of the Land Development Code, related to permanent development identification signs and structures for subdivisions and neighborhoods; by allowing additional signage for multi-family developments with more than one frontage and increasing the maximum size of the secondary entrance signs; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF  
REPORT*

*This petition and ordinance amend Section 30-318 (d)(2) of the City's Land Development Code, to allow additional and larger identification signage for multiple-family developments with frontage on multiple streets. Section 30-318(d)(2) specifically regulates identification signage for multiple-family residential developments, community residential homes of over fourteen residents, mobile home parks and other allowed uses in multiple-family zoning districts. Currently, a multiple-family development is allowed one identification sign of up to 24 square feet in size, excluding structural elements and decorative features. This can be a single sign unit with two faces or a single-faced sign mounted on each side of the entrance into the development. If the development has more than one approved entrance, one additional sign designed for identification purposes only, on a structure not exceeding four square feet in size, is currently allowed at each entranceway.*

*The Petitioner requested a code revision to allow an additional frontage sign of up to 128 square feet in size and up to 12' in height and to allow more than*



identification information to be displayed on the sign.

City staff did not support the Petitioner's request, as most multiple-family developments are located within residential zoning districts and a proposed sign area of

128 square feet is larger than a primary sign is allowed to be, even in commercially zoned areas. The largest sign allowed in the City is 96 square feet for commercial development with a frontage exceeding 300 linear feet. In addition, the proposed twelve-foot height is taller than the ten-foot maximum height allowed in commercial zones.

However, staff recognizes the need for identification signage on more than one frontage, even if the development does not have an entrance on that frontage, and the staff recommended language addresses that issue.

After public notice was published in the Gainesville Sun on April 6, 2010, the City Plan Board held a public hearing on April 22, 2010. The City Plan Board heard the petition and, by a vote of 6-0, recommended approval with a further revision to allow the maximum sign area of the identification sign at a secondary entrance to be up to 16 square feet, rather than the up to 4 feet that is currently allowed by code.

The Petitioner supports the petition as recommended by City staff and revised by the City Plan Board.

#### CITY ATTORNEY MEMORANDUM

Should this ordinance pass on first reading, second and final reading will be held on Thursday, November 18, 2010.

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

#### Legislative History

10/21/10	City Commission	Continued (Petition) and First Reading (Ordinance) (5 - 0 - 2 Absent)
11/4/10	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance) (5 - 1 - 1 Absent)

100101\_draftordinance\_20101021.pdf  
 100101\_draftordinance\_20101021.pdf  
 100101\_cpb recommendation\_20101021.pdf  
 100101A\_staff report\_20101021.pdf  
 100101B\_application\_20101021.pdf  
 100101C\_100422 cpb minutes\_20101021.pdf  
 100101D\_staff ppt\_20101021.PDF  
 100101\_draftordinance\_20101104.pdf  
 100101\_cpb recommendation\_20101104.pdf  
 100101A\_staff report\_20101104.pdf  
 100101B\_application\_20101104.pdf  
 100101C\_100422 cpb minutes\_20101104.pdf  
 100101D\_staff ppt\_20101104.PDF

**100405.****EXPANSION OF EASTSIDE COMMUNITY REDEVELOPMENT AREA (B)****Ordinance No. 100405**

**An ordinance of the City of Gainesville, Florida amending Division 9 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to Community Redevelopment, amending Section 2-410.3 by expanding the boundaries of the Eastside Community Redevelopment Area; amending Section 2-415 by establishing the base values of the expanded areas for purposes of tax increment calculations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: Pursuant to the requirements of State law, on January 15, 2009, the City Commission adopted Resolution No. 080712 and Resolution 080713 finding certain areas (referred to as Study Area 1 and Study Area 2) adjacent to the Eastside Community Redevelopment Area to be blighted areas and further finding that rehabilitation, conservation or redevelopment or a combination thereof, of the blighted areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the City of Gainesville.*

*On April 19, 2010, the CRA Board approved amending the Eastside Redevelopment Plan in its entirety to include Study Area 1 and Study Area 2*

*On July 15, 2010, the City Commission adopted Resolution No. 090966, approving the Eastside Redevelopment Plan, as amended in its entirety to include Study Area 1 and Study Area 2. In addition, the City Commission directed the City Attorney to prepare and the Clerk to advertise an ordinance amending the City Code of Ordinances to update the legal description of the Eastside Redevelopment Area to include Study Area 1 and Study Area 2 and to establish the base values of Study Area 1 and Study Area 2 for purposes of tax increment calculations.*

*The figures for the base values were calculated by CRA staff based on data provided by the Alachua County Property Appraiser's Office.*

*This ordinance requires two public hearings. If this ordinance is passed on first reading, second and final reading will be held on November 18, 2010.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

11/4/10 City Commission Adopted on First Reading (Ordinance) (7 - 0)

100405\_draft ordinance\_20101104.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)**

**MODIFICATIONS TO THE AGENDA - Revised 11/18/2010 @ 12:00 Noon**

**100526.**

**MODIFICATIONS TO THE AGENDA (B)**

**RECOMMENDATION**

*Please see attached modification sheet. Also, please note that any additional or new back-up has been added to the file listed on the sheet.*

REVISED\_November 18, 2010\_MODIFICATIONS.pdf