

City of Gainesville

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



Meeting Agenda

February 13, 2006

1:00 PM

City Hall Auditorium

City Commission

***Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Chuck Chestnut (District 1)
Commissioner Warren Nielsen (At Large)
Commissioner Rick Bryant (At Large)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)***

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

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

050823

Conforming changes to Building Code references in the City Code of Ordinances, Appendix A (NB)

Executive Summary

This item involves a request for the City Commission to modify the Building Code references found in Appendix A of the Code of Ordinances.

Explanation: With the statewide adoption of the 2004 Florida Building Code and with the City's adoption of ordinance 050242 on December 12, 2005 (amending section 6-3, City of Gainesville Code of Ordinances), several references to Code sections found in Appendix A need to be amended and updated for consistency with the new building codes.

Fiscal Note: There will be no fiscal impact.

RECOMMENDATION

The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the Code of Ordinances amending Appendix A to include the correct references to the 2004 Florida Building Code and to Section 6-3 of the City of Gainesville Code of Ordinances.

Alternative Recommendation:

If the City Commission does not authorize the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the Code of Ordinances amending Appendix A, then the references to the current addition to the Florida Building Code will be incorrect.

050866**Annual Services Contract for Professional Surveyor and Mapping (B)**

This item involves a request for the City Commission to authorize contract negotiations with George F. Young, Inc., and Terrance Brannan Land Surveyor, Inc., for Annual Services Contract for Professional Surveyor and Mapping Services.

Explanation: On September 13, 2005, the City's Purchasing Department solicited statements of qualifications for professional surveying and mapping services. Four (4) firms submitted responses on October 11, 2005. Staff reviewed the submittals and invited all responsive firms to present their qualifications on January 5, 2006. The final ranking of the four firms is:

- 1st - George F. Young, Inc.*
- 2nd - Terrance Brannan Land Surveyor, Inc.*
- 3rd - Dyer, Riddle, Mills & Prescourt, Inc.*
- 4th - Genesis Group*

Fiscal Note: Funding sources will be identified as needed through the operating budgets of individual departments or City capital project funds.

RECOMMENDATION

Recommended Motion: The City Commission: 1) accept the selection of the four most qualified surveying firms in the order of ranking; 2) authorize the City Manager to initiate contract negotiations with George F. Young, Inc., and Terrance Brannan Land Surveyor, Inc., for professional surveying and mapping in accordance with the Consultants' Competitive Negotiations Act (CCNA); and 3) authorize the City Manager, upon successful contract negotiations, to execute the contracts and any related documents, including contract amendments and extensions.

Alternative Recommendation A: The City Commission reject the recommended ranking and direct the City Manager to secure the services of individual land surveying firms on a project-by-project basis in accordance with CCNA. This would result in project delays as individual qualification based selection processes would be require to meet State Statutes. This would also result in additional administrative costs for both projects and routine tasks that require

the services of registered surveyors.

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050867

Weschester Release of Easement (B)

This item involves an easement granted to the City by the developer for the Krystle Pines subdivision. This subdivision, now known as Weschester, was sold to a new developer who has requested that the City release this easement in order for him to develop the property with drainage provided elsewhere in the development.

Explanation: On March 27, 2004, Arthur D. Weiss, owner of a development known as Krystle Pines subdivision, granted to the City of Gainesville a Drainage Easement over a portion of his development as a requirement of the subdivision approval. Since that time, the development was sold to Weschester LLC. Weschester LLC has requested the Drainage Easement be released as it conflicts with their proposed development plans. The City's site plan review engineers have reviewed the prior development (Krystle Pines subdivision) and the proposed development (Weschester subdivision) and do not object to the release of the easement. This easement is released with the understanding by Weschester LLC that development of the Weschester subdivision will either require drainage easements be dedicated to the City in the plats of the subdivision or to be covered in easements granted by the owner for the benefit of the development.

Fiscal Note: None.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the release of the Drainage Easement granted by Arthur D. Weiss; and 2) authorize the Mayor to sign the Release of Easement, subject to review and approval by the City Attorney as to form and legality.

Alternative Recommendation A: The City Commission deny the request for release of easement, which would result in Weschester Subdivision plans being revised and resubmitted for plans review.

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050874

Request to Declare as Surplus Property Located in the 3800 Block of Waldo Road (B)

This item involves a request for the City Commission to approve the surplus and sale of property to adjacent property owners. The property in question previously was CSX rail right-of-way and is not a developable parcel by itself.

Explanation: The City acquired the vacant property known as Tax Parcels 08198-000-000

and 08198-007-000 located in the 3800 block of Waldo Road by Special Warranty Deed in August 2002 (OR Book 2526, Page 560). CSX Transportation, Inc., granted the parcels to the City for further development of the City of Gainesville and for the benefit of the public. The acquisition cost of \$201,000 was for a multi-parcel acquisition of 77.05 acres. No grant money was used for this acquisition. The City has received requests from two adjacent property owners to declare a 0.45-acre portion of Tax Parcel 08198-007-000, a 17.68-acre parcel, as surplus. Two property owners have offered a total sum of \$8,000.00 for portions of the property requested to be declared surplus, lying adjacent to their prospective properties.

In and of itself this property is not conducive to development. Staff believes that it would be in the City's best interest to declare a 0.45-acre portion of this property as surplus and return this property to the tax roll by selling the property to the adjacent property owners, retaining a drainage/utility easement over the north 40 feet of the southern portion and the south 25 feet of the northern portion. The estimated tax assessed value of these two portions is \$5,000. If the City Commission approves the surplus of this 0.45-acre portion of Tax Parcel 08198-007-000, then a minor subdivision will be processed prior to the exchange of the property.

Fiscal Note: Expenses incurred will be paid from Public Works operating funds and will be reimbursed from the sale proceeds, with the remainder deposited into the General Fund.

RECOMMENDATION

Recommended Motion: The City Commission: 1) declare a 0.45-acre portion located in the 3800 block of Waldo Road of Tax Parcel 08198-007-000, as surplus; 2) authorize the City Manager to execute Purchase and Sale Agreements for two portions of Tax Parcel 08198-007-000 to the adjacent property owners, retaining a drainage/utility easement over the north 40 feet of the southern portion and the south 25 feet of the northern portion; 3) authorize the City Manager to prepare two Special Warranty Deeds, subject to approval by the City Attorney; and 4) authorize the Mayor to execute, and the Clerk to attest, two Special Warranty Deeds to convey the property located in the 3800 block of Waldo Road, Tax Parcel 08198-007-000, to the two adjacent property owners, retaining a drainage/utility easement over the north 40 feet of the southern portion and the south 25 feet of the northern portion .

Alternative Recommendation A: The City Commission deny the request for surplus and sale of the property to the adjacent property owners and keep the property off the tax rolls.

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050876**Additional Costs for the Old Landfill at Sweetwater - Slope and Creek Stabilization (B)**

This item involves a request for the City Commission to approve additional compensation for the project to Environmental Barrier Company, LLC (EBC). The changes in the site condition require EBC to incur additional costs in order to accomplish the repair work.

Explanation: The additional costs are required to restore original site conditions that existed when the contract was first awarded to C.E.M. Enterprises, Inc., (CEM) in November 2004. CEM's means and methods caused changes to the site that must be repaired prior to project completion. The completion contractor, Environmental Barrier Company, LLC, has developed the additional work descriptions and costs, and has provided the required change orders summing to \$149,268.58. In addition, more gabion baskets and aggregate are necessary for the repair work. Additional quantities to be added to the proposal unit price quantities are: 43 cubic yards of 12" gabion mattress, 44 cubic yards of gabion basket, and 264 cubic yards of gabion rock. The cost for the additional unit price items is \$44,660.

Fiscal Note: This is a project funded by Solid Waste that EBC initially priced at \$642,450 to complete the work. The additions to the contract total \$193,928.60, and the adjusted contract price will be \$836,378.60.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the additional costs for the project; 2) authorize all funding transfers in the Solid Waste Enterprise Fund necessary for the additional costs; and 3) authorize the City Manager to issue a modified purchase order not to exceed \$836,378.60, subject to approval by the City Attorney as to form and legality

Alternative Recommendation A: There are no alternate recommendations or fiscal notes.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**050899****Financial Advisor Contract (B)**

Staff recommends award of a contract to Public Financial Management to serve as the utility system's financial advisor.

Explanation: The Utility employs the services of a financial advisor to assist in developing and implementing strategies to meet the Utility's long-term capital financing

needs. The financial advisor also assists staff in evaluating financial options, assists in technical aspects of designing financing arrangements and instruments, and assists in representing the Utility's interests in financial market dealings.

A Request for Proposal for financial advisor services was sent to ten prospective firms, with four responding. Presentations were made to staff by all four firms. The proposals were evaluated based on the firms' financial advisory services and financial stability, qualifications and experience of the firm and their personnel, the firms' reputation as well as experience in maintaining effective credit rating agency relationships and proposed fees for their services. Public Financial Management submitted the highest evaluated proposal based on the evaluated criteria. A tabulation of the evaluation results is attached for your reference.

Fiscal Note: Funds for these services have been included in the FY 2006 budget in the amount of \$75,000, excluding incidentals and monies related to expenses relative to financing, and will be requested in future fiscal years. We anticipate that the contract will be negotiated at no greater than the current budgeted amount.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a contract with Public Financial Management for financial advisor services, subject to the approval of the City Attorney as to form and legality, and 2) approve the issuance of a purchase order to Public Financial Management in amounts not exceeding budgeted amounts for FY 2006 and for subsequent years of the contract, subject to the appropriation of funds in each fiscal year.

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050900

Low Income Household Energy Efficiency Study (NB)

Staff is requesting authorization to enter into a contract with the University of Florida partially funded from an American Public Power Association Demonstration of Energy-Efficient Developments (DEED) grant to implement a Low Income Household Energy Efficiency Study.

Explanation: Low-income households spend a disproportionate amount of their income on utilities. Previous billing records indicate that many low-income households use more energy per square foot than a typical customer in our system. Conservation services staff applied for and received a grant from the American Public Power Association's (APPA) Demonstration of Energy-Efficient Developments (DEED) to determine key reasons for this high energy intensity and develop recommendations to reduce energy intensity in low income households. During the grant application process the University of Florida Program for Resource Efficient Communities agreed to partner with the utility on this grant project.

Fiscal Note: The APPA DEED grant will cover \$25,000 of the contract with UF and the additional \$25,000 is available in the utility's FY '06 O&M budget.

RECOMMENDATION

The City Commission 1) authorize the General Manager, or his designee, to negotiate and execute a contract with the University of Florida's Program for Resource Efficient Communities to implement the Low Income Household Energy Efficiency Study at a cost not to exceed \$50,000, subject to the approval of the City Attorney as to form and legality; and 2) the City Commission authorize the General Manager, or his designee, to accept a \$25,000 grant award and execute a contract with American Public Power Association's (APPA) Demonstration of Energy-Efficient Developments (DEED) to implement the Low Income Households Energy Efficiency Study, subject to the approval of the City Attorney as to form and legality.

050901

Amendment to Agreement for Management & Staff Training (NB)

Authorize an amendment to the Agreement with Organizational Excellence International, P.C. for management and employee development consulting and training services.

Explanation: Organizational Development has determined that on-site training for GRU's manager's staff and employees is a more effective means of providing this service than through outsourced training. Staff believes that consultants such as Organizational Excellence International, P.C. can augment internal resources by providing consulting, coaching and team building services.

An Agreement for Professional Consulting Services was established with Organizational Excellence International, P.C. on October 1, 2005 to provide management and employee development consulting services for various GRU departments in an amount not to exceed \$25,000 based on their firm's experience in fostering the managerial attributes required for successful organizational change and in working with utilities and municipalities. The use of this firm has improved GRU's has improved its managerial and supervisory training, resulting in high functioning work groups. To continue this valuable training, staff requests authority to amend the agreement by increasing the not-to-exceed amount to \$95,000 through FY 2006.

Fiscal Note: Funds for these services are available in the Organizational Development department's FY 2006 budget.

RECOMMENDATION

The City Commission authorize the General Manager, or his designee, to execute an amendment to the Agreement with Organizational Excellence International, P.C. for management and employee development consulting and training services subject

to the approval of the City Attorney as to form and legality, in an amount not to exceed \$70,000 for FY06 (New Not-to-Exceed Amount \$95,000).

050902**Main Street WRF Reuse System (B)**

The recommended improvements and additions to the Main Street Water Reclamation Facility (MSWRF) are necessary to meet regulatory requirements for providing reclaimed water for public use.

Explanation: In order for GRU to serve reclaimed water from the MSWRF to customers, it is necessary to meet Florida Department of Environmental Protection's requirements for producing reclaimed water suitable for public use. In order to meet these regulatory requirements, modifications and additions to the disinfection system, existing reclaimed pump station and existing plant piping are required. With these improvements, MSWRF will be able to serve reclaimed water to the Depot Avenue Stormwater Park and other potential reclaimed water customers. When the work is complete, the plant will have an estimated peak capacity of 1.3 million gallons per day (mgd) of which 0.3 mgd will be delivered to the Stormwater Park.

Invitations to Bid for the construction at MSWRF were sent by Utilities Purchasing to seven prospective bidders. Two bids were received and evaluated based on pricing and performance time. The recommended approval amount includes 5% contingency funding for the possibility of unforeseen conflicts with underground utilities. A bid tabulation is attached for your information.

Invitations to Bid for two (2) precast concrete buildings were sent to the two known manufacturers of precast concrete buildings in Florida. Staff received a bid from Concrete Modular Systems. The bid price is consistent with past projects with comparable buildings.

Fiscal Note: Funding for this work is in the approved FY 2006 Water/Wastewater Systems budget.

RECOMMENDATION

The City Commission approve the following purchases for improvements and additions to the Main Street Water Reclamation Facility: 1) WW Gay, Inc. for the construction of the improvements and additions to the MSWRF in an amount not to exceed \$659,216.00 and 2) Concrete Modular Systems, Inc. for two precast concrete buildings needed for the project in the amount of \$54,776.26.

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050903**Purchase Order for a 36" x 24" Wet Tap (NB)**

The recommended wet tap is necessary to accommodate future wastewater flows entering the Kanapaha Water Reclamation Facility.

Explanation: The Water/Wastewater Engineering Department requires the fabrication and installation of a 36" x 24" Wet Tap on an existing 36" force main located west of the Kanapaha Water Reclamation Facility. The tap is required to complete a budgeted Capital Improvement Project which is necessary for providing capacity for projected future increased wastewater flows. In addition, the tap will enhance GRU's existing wastewater force main network by providing a redundant pipeline which gives significant benefit to GRU's system in the event of an emergency.

GRU has standardized on IPSCO products which are utilized by Flowserve for the fabrication and installation of wet taps. Flowserve is the only known source for this service and has previously provided similar services for GRU. Staff has obtained a written quotation from Flowserve in the amount of \$26,850.00.

Fiscal Note: Funds are available in the FY 2005-2006 Water/Wastewater Construction budget.

RECOMMENDATION

The City Commission authorize the issuance of a purchase order to Flow Serve, as a specified source, for the fabrication and installation of one (1) 36" x 24" IPSCO Wet Tap in the amount of \$26,850.

050904

Arc Flash Hazard Analysis Services for Deerhaven and John R. Kelly Generating Stations (B)

Staff recommends award of a contract to perform arc flash hazard analysis on certain equipment in GRU's power plants based on the updated standards.

Explanation: An electric arc or an arcing fault is a flashover of electric current through air in electrical equipment from one exposed live conductor to another or to ground. Arc flash hazard is dangerous to employees as excessive heat exposure and serious burn injury can result due to arcing faults in electrical power systems. Electric arcs produce intense heat, sound blast and pressure waves and due to their extremely high temperatures, they radiate intense heat and can ignite clothing, causing severe or fatal burns.

Engineering services are required to conduct arc flash hazard analysis at the Deerhaven and John R. Kelly Generating Stations. The 2004 Edition of NFPA 70E provides the most comprehensive guidance to date regarding safe working practices in the vicinity of an arc flash hazard and represents an evolution in the understanding of how and why arc flash occurs, and how to best protect employees from potential harm. A complete review of potential arch flash hazards will be conducted to identify the hazards and make recommendations for (1) eliminating or mitigating the hazard; (2) equipment replacement and/or

modification; (3) recommended personal protective equipment (PPE) for each piece of equipment; and (4) warning labels specific to each affected piece of equipment. The goal of this project is to improve worker safety by eliminating or mitigating the hazards.

Purchasing Staff issued a Request for Proposal (RFP) to four firms with the subject matter expertise to provide the requested services and received four proposals back. Suncoast Industrial Services, Inc. was determined to be the best evaluated proposer based upon qualifications, cost, references, and work plan. A summary of the evaluation is attached for reference.

Fiscal Note: Funds for this expense are available in the FY 2006 Utilities O&M budget.

RECOMMENDATION

The City Commission authorize the General Manager or his designee to negotiate and execute a contract with Suncoast Industrial Services, Inc. to perform arc flash hazard analysis and recommend protection measures for compliance with National Fire Protection Association (NFPA) Standard 70E and approve the issuance of a purchase order to provide these services in the amount of \$54,500.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

050892

Resignation of Advisory Board/Committee Member Sunil Patel of the Public Recreation Board (B)

RECOMMENDATION

The City Commission accept the resignation of Sunil Patel from the Public Recreation Board effective immediately.

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050907

Resignation of Advisory Board/Committee Member William R. Samples, Jr. (B)

RECOMMENDATION

The City Commission accept the resignation of William R. Samples, Jr. from the Gainesville Code Enforcement Board effective immediately.

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050898

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of January 23, 2006 (Regular Meeting); January 30, 2006 (2 Special Meetings); and February 7, 2006 (Special Meetings).

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050918**Special Meetings - Equal Opportunity Department (NB)****RECOMMENDATION**

The City Commission schedule two special meetings regarding the Equal Opportunity Department on April 3 and May 1, 2006 at 6:00 PM in the City Hall Auditorium.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PUBLIC SAFETY COMMITTEE, CONSENT****050792****State LECFTF Funding for Corner Drug Store Interface Youth Program and Spotlight on Youth Campaign (B)**

This item requests that the City Commission appropriate and expend funds from the State Law Enforcement Contraband Forfeiture Trust Fund for the Corner Drug Store Interface Youth Program and Spotlight on Youth Campaign.

Explanation: The seventh annual Spotlight on Youth fundraiser is a unique program that features talented youth throughout Gainesville/Alachua County and exhibits their artistic talents in one gala event held annually at the University Performing Arts Center. Law Enforcement Contraband Forfeiture Trust Funds will be used to enhance services in the Interface Youth Program/Shelter Central for at-risk youth who are in the early stages of system penetration and may be diverted from incarceration. The facility is a twenty-bed operation that provides short-term residential care to truants, runaways, and ungovernable youth. Tickets for under-privileged youth to attend the gala will be issued at no cost and credited as compliments of the Gainesville Police Department. A similar contribution is being requested from the Alachua County Sheriff's Office.

Fiscal Note: Funds for this expenditure are available in the State Law Enforcement Contraband Forfeiture Trust Fund, as allowed under FSS 932.7055(4)(a). The current balance of the State Law Enforcement Contraband Forfeiture Trust

Fund is \$28,511.

RECOMMENDATION

The City Commission authorize the appropriation of an amount not to exceed \$10,000 from the State Law Enforcement Contraband Forfeiture Trust Fund for the Corner Drug Store Interface Youth Program and Spotlight on Youth Campaign.

Alternative Recommendation A: The City Commission decline the appropriation and advise staff to not fund the request from the Corner Drug Store. There is no fiscal impact.

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COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

050837

Presentation of 2005 HUD Continuum of Care Awards for Local Homeless Projects (NB)

On December 20, 2005, U.S. Secretary of Housing and Urban Development Alphonso Jackson announced the award of \$1.33 billion dollars in grants to house and serve homeless individuals and families. Among those grants were five local projects.

Explanation: On June 8, 2005, the Alachua County Coalition for the Homeless and Hungry, in partnership with the City of Gainesville and local providers, submitted an application for funding through the U.S. Department of Housing and Urban Development's (HUD) "Continuum of Care for the Homeless" competition. Renewal funding for five local projects was included in the \$1.33 billion dollars announced by HUD Secretary Alphonso Jackson on December 20, 2005. Those projects and the amounts awarded are:

§ Lee Conlee House (Palatka) - Supportive Services for Homeless Victims of Domestic Violence - \$38,306

§ Meridian Behavioral Healthcare - HOPE Program - Transitional Housing for Homeless Persons - \$99,101

§ Peaceful Paths - Transitional Housing for Homeless Victims of Domestic

Violence - \$84,974

§ Pleasant Place - Transitional Housing for Homeless Pregnant and Parenting Teens - \$80,569

§ VETSPACE - Transitional Housing for Homeless Veterans - \$106,215

The total award is \$409,165.

The City of Gainesville will continue to serve as the grantee/fiscal agent for both the Meridian and VETSPACE projects. As part of the award process, representatives from the HUD field office in Jacksonville wish to make a presentation to the City Commission.

Fiscal Note: Grant funding for the five renewal projects will be provided by the U.S. Department of Housing and Urban Development.

RECOMMENDATION

The City Commission receive a presentation from representatives from the HUD field office in Jacksonville.

050891

Legislative Update (NB)

The City Commission will receive an update from staff on pending legislation related to the Gainesville Regional Airport.

Explanation: At the direction of the Commission, staff is engaged in ongoing discussions with the Airport Authority regarding pending legislation.

RECOMMENDATION

The City Commission receive a report from staff and take action if appropriate.

050915

Gainesville Alachua County Regional Airport Authority (GACRAA) - Request for Recording of Conservation Easement (B)

This item involves a request from the Gainesville Alachua County Regional Airport Authority (GACRAA) regarding the proposed recording of a conservation easement on 129.36 acres of the Gum Root Swamp property. In furtherance of this request, proposed conservation easement language and the supporting environmental report, have recently been provided to City staff for review.

Explanation: Since notification by the St. John's River Water Management District (SJRWMD) in December, 2002, Gainesville Alachua County Regional Airport Authority (GACRAA) staff has been working with representatives of the SJRWMD staff to resolve non-compliance issues regarding: 1) unauthorized land clearing reported to have taken place on Airport Property sometime between 1995 and 2000; and, 2) failure to record a conservation easement

associated with prior permitted taxiway improvements in 1992.

An originally proposed plan to locate a replacement conservation easement between existing runways met with opposition when reviewed by the FAA. As a consequence, GACRAA staff then contacted City staff to explore the possibility of providing the replacement conservation easement on a portion of the Gum Root Swamp property. City staff did indicate initial support for the use of the Gum Root Swamp property for the recording of the conservation easement in January, 2004. Based upon this communication from City staff, GACRAA subsequently moved forward with preparation of a required environmental report designed to determine a suitable substitute and ecologically equivalent portion of the property.

It is reported by GACRAA staff that the proposed conservation easement on Gum Root Swamp property, in addition to resolving the aforementioned non-compliance issues, may impact the proposed Eclipse Aviation project, as well as future development projects planned for Airport property.

Fiscal Note: It is reported that the City owned portion of Gum Root Swamp was purchased utilizing a funding allocation consisting of a 75% grant from FDOT and 25% from the City of Gainesville in the early 1990's. It is unclear at this juncture what the financial impacts of placing a conservation easement on the property may be based upon the request. It is not known whether an appraisal on the property has been conducted recently to determine fair market value and the highest and best use.

RECOMMENDATION

Recommended Motion: The City Commission: 1) hear a presentation from GACRAA staff on the proposed recording of the conservation easement; and 2) provide policy direction to City staff regarding the proposed recording of the conservation easement.

Alternative Recommendation: The City Commission direct staff to review the environmental report and fiscal impact of the proposed conservation easement as well as all pertinent documents submitted with GACRAA's attached staff correspondence.

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050897

Gainesville Regional Airport Master Plan Update Presentation (B)

RECOMMENDATION

The City Commission hear a presentation regarding the Airport's Master Plan Update.

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GENERAL MANAGER FOR UTILITIES

050850**Wastewater Service to the City of Archer (B)**

Staff is requesting policy direction on acceptable options for meeting Archer's wastewater needs.

Explanation: Since the late 1990's, the City of Archer has considered the development of a central wastewater system. Archer has considered various options for constructing wastewater facilities to serve its citizens and for operating and maintaining the wastewater system once constructed. Two options that Archer has considered are: 1) connecting the City of Archer to GRU's wastewater system with a force main extension along Archer Road; or 2) constructing a centralized wastewater treatment system in Archer and contracting with GRU for operation and maintenance of its system.

The City of Archer is pursuing grant opportunities to help provide wastewater service to its community. On December 19, 2005 Mayor Hanrahan wrote a letter to Mayor Clark expressing support for Archer's grant application for wastewater service and offering to develop a mutually beneficial agreement for addressing Archer's wastewater needs.

On December 22, 2005, Doug Drymon, Archer City Manager, wrote a letter to Mayor Hanrahan thanking her for her letter supporting Archer's grant application and identifying the extension of a force main to Archer as a critical component for wastewater service. Given that the City of Archer has identified the extension of a force main as the lead alternative, and in an effort to provide timely assistance, its important to receive policy direction from the Gainesville City Commission as to whether this is an acceptable option for further consideration.

A copy of a draft Memorandum of Understanding (MOU) is attached for your information as a starting point for discussions with the City of Archer. The draft MOU includes both options listed above. The final MOU will be modified as appropriate based on direction provided by the City Commission. Any final agreement between Gainesville and Archer will be incorporated into an interlocal agreement.

Fiscal Note: There is no fiscal impact to the City.

RECOMMENDATION

The City Commission: 1) receive a report from Staff concerning options for providing wastewater service to Archer; and 2) provide Staff with policy direction regarding the range of acceptable options for further consideration.

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CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

050917

Meridian Behavioral Healthcare (B)

RECOMMENDATION

The City Commission hear a presentation and authorize the Mayor to write a letter of support.

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COMMISSION COMMENTS (if time available)

CITIZEN COMMENT (5:30pm) - Please sign on sign-up sheet

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

Girl Scout Troop #1367

Kristina Sapp, Leader

PROCLAMATIONS/SPECIAL RECOGNITIONS

050893

President's Day - February 20, 2006 (B)

RECOMMENDATION

Gator Detachment of the Marine Corps League to accept the proclamation.

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050877**Thomas Yatabe Award for 2005 from the State Emergency Response Commission (NB)****Recognition for Firefighter Daniel E. Smith receiving the Thomas Yatabe Certificate of Outstanding Achievement, presented by the State Emergency Response Commission for Hazardous Materials on October 21, 2005.**

Explanation: On October 21, 2005 the State Emergency Response Commission (SERC) for Hazardous Materials awarded Firefighter Daniel E. Smith the Thomas Yatabe Certificate of Outstanding Achievement for Region III of the State of Florida's Local Emergency Planning Council. Firefighter Smith received the award at the SERC meeting on January 6th in Sarasota, Florida. Firefighter Smith earned this award through his service as Gainesville Fire Rescue's Acting Hazmat Program Assistant. In this capacity, Firefighter Smith has served as the lead instructor and facilitator for the Local Emergency Planning Council's Boot Camp Educational sessions. In July 1999, the City Commission approved the Interlocal Agreement for the North Central Florida Regional Hazardous Materials Response Team which serves an 11-county area. Since its inception, the team has been awarded Emergency Management Preparedness and Assistance Competitive Grants from the State of Florida, Division of Emergency Management. These grants require the regional delivery of hazardous materials incident response training, including awareness, operations, medical protocols, atmospheric monitoring, sampling and identification, and weather station monitoring. Gainesville Fire Rescue sought an employee who would be willing and able to meet the stringent demands of creating and maintaining the training schedule necessary to ensure that hazmat competencies were met by the regional team members. Due to the increasingly complex field of hazardous materials mitigation, the training for these team members must be provided on a consistent and recurring basis. Firefighter Smith accepted this enormous responsibility and fulfilled its requirements admirably. The Local Emergency Planning Council director, Mr. Dwayne Mundy, nominated Firefighter Dan Smith for "his unique ability to understand the technical operation of devices, as well as his ability to transfer that level of knowledge to others."

Fiscal Note: None

RECOMMENDATION

The City Commission recognize Firefighter Daniel E. Smith for his outstanding achievement.

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****050527****RETIREE HEALTH INSURANCE TRUST (B)**

Ordinance No. 0-06-14

An Ordinance of the City of Gainesville, Florida, relating to retiree health insurance; establishing a trust, describing City contributions and retiree benefits, providing for administration of the program, and protection against creditors; repealing obsolete Article VIII of Chapter 2 relating to the same subject; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: Last fall, the City Commission directed the City Attorney's office to prepare an ordinance converting the existing Retiree Health Insurance Program/fund (Sections 2-610 – 2-614) to the format of a trust. The attached ordinance restates and rearranges the previous provisions while establishing a trust fund, and provides for the administration of such in a manner similar to that utilized for the pension funds.

Since the 1980's, Florida Statutes have required that cities allow retirees and their dependents the option of continuing to participate (after retirement) in cities' group health insurance plan at the same premium cost applicable to active employees. Cities may pay some, all, or none of the cost of such continued participation.

Section 2-631 restates applicable program definitions, while Section 2-632 establishes the trust, and provides for placement of existing and future funds in the trust. Disbursements for benefits and costs of administration, as has been occurring over the last 10 years, are continued.

Section 2-633 restates the benefits for formulas and conditions under which the program has operated. Management has studied the pattern of "short-service" disability retirements over the last 10 years and this ordinance clarifies that future disability retirees will receive no higher benefit than they could have received with normal retirement.

Section 2-634 provides for administration of the program and trust through a Board of Trustees and program officers, in a fashion similar to administration of the General Employees Pension Plan.

Sections 2-635 – 2-638 deal with interpretation, protection against fraudulent claims or claims of creditors and amendment or termination of the program, again in a fashion similar to that provided in the General Employees Pension Plan.

This ordinance requires two readings. If approved on first reading, the second and final reading will be February 27, 2006.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

10/24/05 City Commission Approved as Recommended (7 - 0)

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050582**REZONING - 1108 SOUTHEAST 1ST AVENUE (B)****Ordinance No. 0-06-18, Petition No. 156ZON-05PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City from "MU-1: 8-30 units/acre mixed use low intensity" to "PS: Public services and operations district"; to allow a cemetery as a use permitted by right without approval of a preliminary development plan; located in the vicinity of 1108 Southeast 1st Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF MEMORANDUM

The subject property is 0.3 acres and is currently vacant. The property to the west has a PS zoning designation. The property to the south has a PS and RMF-5 zoning designation. The property to the north and east have MU-1 zoning.

Because the character of nearby properties is compatible, a PS zoning is an appropriate designation of the subject property. The adjacent properties, land use and zoning designations are compatible with the proposed public service and public facilities designations.

The City has adopted Plan East Gainesville, which contains this property in its adopted "Five Points" Special Area Plan. The proposed rezoning would not meaningfully promote or inhibit this plan. The subject property is also within the City Redevelopment District and Enterprise Zone.

The Plan Board heard the petition and recommended that it be approved.

Public notice was published in the Gainesville Sun on November 1, 2005. Letters were mailed to surrounding property owners on November 2, 2005. The Plan Board held a public hearing November 17, 2005. Planning Division staff recommended that the Plan Board approve the petition, and that the City Plan Board not recommend a preliminary development plan be submitted before the property is rezoned. The Plan Board recommended that the City Commission approve Petition 156ZON-05 PB and not recommend a preliminary development plan be submitted before the property is rezoned. Plan Board vote 6-0.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

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050881**VOLUNTARY ANNEXATION - CCGH****Ordinance No. 0-06-21**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the

City of Gainesville Reserve Area Pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of Tax Parcels 06706-025-000 through 06706-030-000 and 06706-035-000 through 06706-040-000, generally located south of SW 17th Avenue, west of the vicinity of SW 34th Street and the City limits, north of SW 17th Place and east of Tax Parcel 06724-000-000; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

Explanation: The adoption of an annexation ordinance is the final stage in the annexation process under the provisions of the Alachua County Boundary Adjustment Act. On Monday, October 24, 2005, at a regular City Commission meeting, the City Commission received and accepted the petition for annexation, and determined that the petition bore the signature of the owner of the property that is the subject of this annexation. On November 28, 2005 and December 12, 2005, the City Commission held advertised public hearings and adopted the Urban Services Report as mandated by the Boundary Adjustment Act.

ANNEXATION ORDINANCE

The annexation ordinance proposes to annex a contiguous, compact, unincorporated portion of the reserve area. The Boundary Adjustment Act requires the ordinance to be adopted as a nonemergency ordinance and to include one reasonably compact area.

In the Ordinance the City Commission makes certain findings of fact related to the area proposed for annexation. The area must meet certain standards as required by the Boundary Adjustment Act. In this regard, your attention is drawn to Section 1 of this Ordinance and the presentation by the City Manager.

If adopted on first reading, the second and final reading of this ordinance will be February 27, 2006. Pursuant to the Boundary Adjustment Act, notice of adoption of this ordinance was published for two consecutive weeks prior to first reading.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

050489

ZONING MAP ATLAS – 309 NE 39TH AVENUE

Ordinance No. 0-06-07, Petition No. 146ZON-05PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City from “I-1: Limited industrial district” to “BUS: General business district”; located in the vicinity of 309 Northeast 39th Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF MEMORANDUM

The subject property is 1.25 acres and currently contains a vacant building set behind a parking lot.

The property to the east and west is zoned BA (Business Automotive). The property to the south is zoned I-1 (Limited Industrial). Property to the north is zoned BA and BUS (General Business).

The subject property is entirely within the Secondary Zone of the Murphree Wellfield Protection Area.

Because the character of nearby properties is compatible and because the property is within a Wellfield Protection Zone, a BUS zoning is preferable for the subject property rather than the industrial zoning the property now has.

The Plan Board heard the petition and recommended that it be approved by the City Commission.

Public notice was published in the Gainesville Sun on October 4, 2005. Letters were mailed to surrounding property owners on October 6, 2005. The Plan Board held a public hearing October 20, 2005. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 146ZON-05 PB. Plan Board vote 4-0.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

1/23/06 City Commission Approved (Petition) and Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

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050652

URBAN SERVICES REPORT – DAUTEL (B)

Ordinance No. 0-06-26

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area generally located south of the City limits, west of the vicinity of SW 34th Street and the City limits, north of the vicinity of SW 20th Avenue and east of SW 17th Street; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as

amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

Explanation: The Alachua County Boundary Adjustment Acts requires a municipality to prepare and adopt by nonemergency ordinance a report setting forth plans to provide urban services to any reserve area to be annexed prior to commencing the annexation procedures under the Act.

The report must generally include the following information:

1) a map or maps of the City and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, and the general land use pattern in the area to be annexed.

2) a statement indicating to what extent services to existing residents would need to be reduced within the next 5 years because of the annexation; to what extent taxes would need to be adjusted within the next 5 years to provide services to the areas to be annexed, including services required by the comprehensive plan of the municipality; and to what extent the area to be annexed meets the criteria of Section 9 of the Alachua County Boundary Adjustment Act;

3) a statement setting forth the plans of the City for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation, including:

a) plans for extending urban services on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation.

b) plans for the extension of existing municipal water and sewer services into the area to be annexed so that, when such services are provided, property owners in the area to be annexed will be able to secure public water and sewer service according to the policies in effect for extending water and sewer lines to individual lots or subdivisions.

c) if extensions of major trunk water mains and sewer mains into the area to be annexed is necessary, set forth a proposed timetable for construction of such mains as soon as possible following the effective date of annexation.

d) set forth the method under which the City plans to finance extension of services into the area to be annexed.

If adopted on first reading, this ordinance shall be heard on second reading on February 13, 2006. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

11/28/05 City Commission Approved as Recommended (7 - 0)
1/23/06 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)
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050786**URBAN SERVICES REPORT - BEVILLE 2 (B)****Ordinance No. 0-06-27**

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area generally located south of the City limits, west of SW 34th Street and the City limits, north of the City limits and east of Tax Parcel 06715-001-000; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

Explanation: The Alachua County Boundary Adjustment Acts requires a municipality to prepare and adopt by nonemergency ordinance a report setting forth plans to provide urban services to any reserve area to be annexed prior to commencing the annexation procedures under the Act.

The report must generally include the following information:

1) a map or maps of the City and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, and the general land use pattern in the area to be annexed.

2) a statement indicating to what extent services to existing residents would need to be reduced within the next 5 years because of the annexation; to what extent taxes would need to be adjusted within the next 5 years to provide services to the areas to be annexed, including services required by the comprehensive plan of the municipality; and to what extent the area to be annexed meets the criteria of Section 9 of the Alachua County Boundary Adjustment Act;

3) a statement setting forth the plans of the City for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation, including:

a) plans for extending urban services on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation.

b) plans for the extension of existing municipal water and sewer services into the area to be annexed so that, when such services are provided, property owners in the area to be annexed will be able to secure public water and sewer service according to the policies in effect for extending water and sewer lines to individual lots or subdivisions.

c) if extensions of major trunk water mains and sewer mains into the area to be annexed is necessary, set forth a proposed timetable for construction of such mains as soon as possible following the effective date of annexation.

d) set forth the method under which the City plans to finance extension of services into the area to be annexed.

If adopted on first reading, this ordinance shall be heard on second reading on February 13, 2006. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

1/23/06 City Commission Adopted on First Reading (Ordinance) (7 - 0)

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RESOLUTIONS- ROLL CALL REQUIRED

050875

Resolution authorizing grant applications to the U.S. Department of Transportation and the Florida Department of Transportation and approval of staff positions for expanded bus services (B)

This item involves an authorization to apply for transportation funding and approval of the addition of nine (9) new positions and an increase of \$486,014 in the operating budget to operate new and enhanced service (including Sunday Service) negotiated with the University of Florida and funded jointly by the University of Florida and the Florida Department of Transportation. The new service will be effective August 21, 2006.

Explanation: RTS and the University of Florida (UF) currently have an Interlocal Agreement to provide unlimited access to the transit system. The UF Transportation Fee Committee meets with RTS on an annual basis to evaluate the service and determine the need for enhanced services. During this year's meeting, the UF Transportation Fee Committee agreed to raise the student fee to pay for current and additional services. In order to provide these services, additional staff is required.

The enhanced service consists of Sunday Service and additional hours of service on City routes 12, 13, 20, and 35 on weekdays. Sunday Service includes nine (9) City routes with a one-hour frequency from 10:00am to 5:00pm and additional hours of service to existing campus route 126.

A total of seven (7) new transit operator positions, one (1) mechanic I, and one (1) vehicle service attendant will be needed to provide enhanced service. The recruitment and training period for these new positions will require that the current RTS staff members operate the service until the new employees are available.

Fiscal Note: The projected cost of providing this service is approximately \$486,014. The revenues generated through the Transportation Fee are projected to cover the additional budget expenses. Florida Department of Transportation will provide 50% funding for Sunday Service for the first year with an option for a second year. There is no obligation to continue the service each year. If the City chooses to continue service funding sources will need to be identified. While the University of Florida has agreed to pay for the service, they are asking that the City partner with them once the FDOT funding goes away.

RECOMMENDATION

Recommended Motion: The City Commission: 1) adopt the Resolution; and 2) approve the nine (9) new positions and increase in operating budget to operate new and enhanced service negotiated with the University of Florida and FDOT.

Alternative Recommendation A: The City Commission deny the implementation of new service. There is no fiscal impact associated with this alternative.

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PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

050916

Evergreen Cemetery Association (NB)

RECOMMENDATION

The City Commission hear a report from the Evergreen Cemetery Association.

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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