

City of Gainesville

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



Meeting Agenda

March 28, 2005

1:00 PM

City Hall Auditorium

City Commission

***Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Tony Domenech (District 3)
Commissioner Warren Nielsen (At Large)
Commissioner Rick Bryant (At Large)
Commissioner Chuck Chestnut (District 1)
Commissioner Ed Braddy (District 2)
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

Pastor George Dix, Jr., PASSAGE Family Church, 2020 NE 15th Street, Gainesville, FL 32609

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

020989

Bid Award for Fire Alarm Systems for Fire Stations (B)

Explanation: On March 8, 2004, the City of Gainesville was awarded a grant from the U.S. Fire Administration for purchase of two improvement systems to its fire stations that will require installation in phases: diesel exhaust evacuation systems and fire alarm systems.

The City Commission approved the selection of Clean Air Concepts for a vehicle exhaust system for Phase I on September 13, 2004. Phase II of the grant, Fire Alarm Systems for Fire Stations, will equip all fire stations with round-the-clock monitored fire alarm systems.

The stations are currently retrofitted with single-station smoke detectors due to the stations being built before widespread smoke detection systems were available. The fire stations have recently been reclassified into the same category as commercial rooming houses and are now required by the Florida Fire Prevention Code to have a full UL compliant fire alarm system.

On December 22, 2004, Purchasing solicited bids from 608 potential vendors, with 31 receiving an Invitation to Bid. Nineteen (19) prospective vendors

attended the mandatory pre-bid conference. Two (2) vendors submitted bids for evaluation. The bids were evaluated on compliance with specifications (or acceptable deviation), price, performance time, warranties, acceptability of specific products or designs (includes methods of meeting specified monitoring capabilities in the future), and past performance. The panel that evaluated the proposals included a representative from Gainesville Fire Rescue, Building Inspections, Gainesville Regional Utilities, and a private sector Fire Protection Engineer. The overall rankings were as follows: 1) Honeywell International, Inc., and 2) Jacksonville Sound and Communications.

Fiscal Note: The total project cost was initially estimated at \$286,006. Funds from the US Fire Administration Grant have been received in the amount of \$200,206, and a 30% local match of \$85,800 was made part of an FY 2004 budget amendment. Phase I, Vehicle Exhaust Systems, is projected to cost approximately \$164,264, leaving \$121,742 available for Phase II, Fire Alarm Systems for Fire Stations. The total price of phase II is approximately \$135,556. Funds for the difference of \$13,814 are available in the General Fund Budget.

RECOMMENDATION

The City Commission award the Fire Alarm Systems for Fire Stations bid to Honeywell International Inc. and authorize the Interim City Manager or designee to issue a purchase order not to exceed \$135,556 and to execute the Contract and any other required documents, subject to approval by the City Attorney as to form and legality.

Legislative History

3/24/03 City Commission Approved as Recommended (5 - 0)

9/13/04 City Commission Approved as Recommended (6 - 0 - 1 Absent)

041101

Implementation of Employee Bus Pass Program for North Florida/South Georgia Veterans Health System Employees (B)

Explanation: The Employee Bus Pass Program was initially created to alleviate traffic and parking problems, particularly at the University of Florida and Downtown. The program has been in effect since January 24, 2000, with University of Florida employees being the first participants. Downtown City employees began participation on April 3, 2000, and Alachua County employee participation began on July 24, 2000. 487,307 University of Florida employees have ridden, and the combined total for City/County employee ridership was over 65,586 passengers through December 31, 2004.

North Florida/South Georgia Veterans Health System (NF/SG) recently contacted City of Gainesville's Regional Transit System (RTS) to discuss options to implement an employee bus pass program for their 2,000 employees. NF/SG desires to reduce employee parking demands and to provide their employees with prepaid, unlimited access to the public transit system as a means of commuting to work.

RTS proposed an employee bus pass program similar to the one enjoyed by the University of Florida, City, and County employees.

Fiscal Note: NF/SG shall pay the City of Gainesville \$9,000 for prepaid, unlimited access for 2,000 employees to transit, except for special service routes such as Gator Aider, etc. for the term of one year from May 1, 2005 through and including April 30, 2006. The \$9,000 represents the cost of \$4.50 per employee for 2,000 employees.

RECOMMENDATION

The City Commission: 1) approve the Employee Bus Pass Program for North Florida/South Georgia Veterans Health System Employees; and 2) authorize the Interim City Manager or designee to execute an interlocal agreement with North Florida/South Georgia Veterans Health System to implement an Employee Bus Pass Program, subject to approval by the City Attorney as to form and legality.

041102

First Extension to the Contracts between the City of Gainesville and Center for Independent Living of North Central Florida (B)

Explanation: The existing service contracts and all amendments with the Center for Independent Living of North Central Florida (CIL-NCF) will expire April 29, 2005. These contracts have a provision for additional one-year extensions. RTS recommends extending the current contracts and all amendments for an additional one-year period from April 30, 2005 to April 30, 2006.

Fiscal Note: Funds for these contracts are included in the RTS operating budget.

RECOMMENDATION

The City Commission: 1) authorize the Interim City Manager or designee to execute the First Extension of the agreement with CIL-NCF for the period of April 30, 2005 to April 30, 2006; and 2) authorize the Interim City Manager, or designee, to execute all contract documents and any other necessary documents.

041103

Transfer of Federal Assets from Palm Beach County Transit (Palm Tran) to the Regional Transit System (NB)

Explanation: The Regional Transit System (RTS) fixed route fleet consists of one hundred four transit buses. Sixty-six percent of this fleet exceeds their useful life expectancy. In order to maintain service levels and manage fleet costs, RTS is purchasing new buses as funds become available. RTS desires to acquire seven (7) 40' heavy-duty diesel powered transit buses from Palm Tran. These buses have not yet reached their useful life expectancy. Palm Tran has recently acquired new buses and desires to transfer the remaining balance of the Federal interest on seven (7) buses to RTS. These Buses are 1995 Flexible transit buses with an average of 430,000 service miles. These assets are in good condition and can be placed back in service with minimal maintenance. The addition of these assets will allow RTS to retire buses that are 1982-year models and a burden to the system to keep them in service.

Using a straight-line depreciation the current value of each asset would be \$39,084.50 or a total of \$273,591.50 would be assumed by RTS. Palm Tran has authorized the transfer of the aforementioned assets at no cost to RTS. City Commission approval is required in order to accept these Federal assets.

Fiscal Note: No fiscal impact.

RECOMMENDATION

The City Commission approve the transfer of federal assets from Palm Beach County Transit to the City of Gainesville Regional Transit System.

041104

Purchase of Security Camera Surveillance System for RTS Buses (NB)

Explanation: In an effort to improve safety and security of passenger and transit operators and diminish the number of injury claims in buses, the Regional Transit System (RTS) plans to install security camera surveillance system on buses purchased in years 2001 and over. The Federal Transit Administration is emphasizing the use of federal funds to improve security at transit facilities and on buses or other transit vehicles.

RTS currently has nine (9) new (2005) buses with a security camera surveillance system as part of the purchase. Future bus purchases will include this security system. To standardize the security system, RTS recommends the use of the vendor supplying the existing system.

RTS has a grant for purchase and installation of the security camera surveillance equipment on eight (8) buses. The cost of the equipment for eight buses is \$36,918.40.

Fiscal Note: Funds are available in an RTS Federal Transit Administration grant.

RECOMMENDATION

The City Commission: 1) approve the purchase and installation of security camera surveillance equipment; and 2) authorize the Interim City Manager or designee to approve the purchase of the security equipment.

041105

Award of Proposal for Security and Access System for Regional Transit System (RTS) Employee Parking Lot and Operations/Administrative Building (B)

Explanation: The Regional Transit System (RTS) recently constructed an employee parking lot facility with 150 parking spaces. This facility is in need of a security system to monitor activities in the parking lot and an access system to let employees in and out of the parking lot. In addition, it is necessary to install cameras in five different locations at the existing Operations/Administrative building.

On December 30, 2004, the Purchasing Division solicited proposals for the

security and access system of the RTS employee parking lot and Operations/Administrative Building from three hundred seventy nine (379) potential vendors, with forty (40) receiving the RFP. A total of four (4) proposals were received. After evaluation of the written proposals, staff recommends award of the contract to WW Gay Fire & Integrated Systems, Inc.

Fiscal Note: Funds are available in the RTS FY2005 Budget. Florida Department of Transportation (FDOT) Urban Capital funds (50% of total cost) and local funds (50%) will be used to pay for this project.

RECOMMENDATION

The City Commission: 1) approve the award of the proposal to WW Gay Fire & Integrated Systems, Inc. for the purchase and installation of a security and access system of the Regional Transit System (RTS) employee parking lot and existing Operations/Administrative building; and 2) authorize the Interim City manager or designee to execute a contract with WW Gay Fire & Integrated Systems, Inc. in an amount not to exceed \$48,687.

041106

Approval to Purchase Street Sweeper (B)

Explanation: The Operations Division of the Public Works Department utilizes street sweepers to maintain the cleanliness of the City's Road Way System. For the past several years, sweepers have been purchased on a Total Cost Agreement basis. This method of procurement guarantees a maximum repair and maintenance cost over the life of the machine and a specified buy-back price at the end of the contractual period. Since this method was adopted, the City has reduced the cost of utilization for street sweepers by approximately twenty-five (25) percent. Additionally, the availability has increased tremendously as the contractual agreement provides for a "loaner" should the street sweeper's "downtime" exceed five (5) working days. The recommended vendor has serviced the City since the inception of this concept and has provided excellent support. Because of this, the fleet is now standardized with the Johnston street sweeper. Staff would like to continue to take advantage of the added value resulting from improved Operators' and Mechanics' efficiencies as a result of familiarity with the same equipment reduced parts inventory, and lower tooling costs. The street sweeper is available under the General Service Pricing Contract and the vendor will customize the agreement to meet the "Total Cost Concept." The base price offered to the City is \$2,956 lower than the price offered on the General Services Pricing Agreement and the buy-back price for the machine at the end of the contract period is \$20,000.

Fiscal Note: Funds are available in the Fleet Replacement Fund.

RECOMMENDATION

The City Commission approve the purchase of a replacement street sweeper from Florida Municipal Equipment, Inc. at a total cost not to exceed \$142,459.50 and to authorize the City Manager or designee to execute the agreement, subject to approval by the City Attorney as to form and legality.

041107 Amendment No. 1 to the Emergency Watershed Protection Program (B)

Explanation: On December 13, 2004, the City Commission authorized the Interim City Manager to execute all documents associated with the Emergency Watershed Protection Program for the Lenox Place Subdivision. Since that time, the Public Works Department has decided to utilize this funding program to include 2 additional projects: 1) debris removal to prevent flooding at Lenox Place; and 2) sediment removal to prevent flooding at Hogtown Creek. This action requires an amendment to the agreement with the United States Department of Agriculture Natural Resources Conservation Services (NRCS).

As the local government sponsor applying for this additional funding, the City of Gainesville is required to provide 25% of the cost of construction and in-kind contribution of project design drawings and inspection services.

Fiscal Note: The amount authorized in the original agreement was \$122,500. Amendment No. 1 increased the agreement amount by \$221,000. The total revised agreement amount is \$343,500. The required 25% of the cost of construction (\$221,000) is estimated to be \$55,250 and is available in the Stormwater Management Utility Fund capital projects accounts.

RECOMMENDATION *The City Commission authorize the Interim City Manager to execute all documents related to Amendment No. 1, subject to approval by the City Attorney as to form and legality.*

041108 Cost Share Agreement for Gainesville Depot Park Stormwater Treatment (B)

Explanation: The City of Gainesville and the St. Johns River Water Management District (SJRWMD) wish to enter into a cost share agreement that will fund a portion of the Depot Park stormwater treatment system to reduce pollution and trash flowing into Sweetwater Branch.

The project shall intercept polluted stormwater from 40 acres of downtown Gainesville and divert it to the Depot Park basin where pollutants will be removed from the water before being discharged into Sweetwater Branch. The project will improve water quality and habitats in the Sweetwater Branch watershed within the City of Gainesville limits.

The Interceptor project is located on the south side of SW Depot Avenue where Sweetwater Branch passes, via twin culverts under Depot Avenue. The project is a Stormwater lift station comprised of a concrete box, a set of three pumps, a force main, and a trailer mounted backup generator. The stormwater treatment system is to be placed at the downstream end of the existing culverts and will collect stormwater and pump it to a gravity pipe system that discharges into the Depot Park basin.

Fiscal Note: The SJRWMD Cost-Share Agreement will provide \$350,000 and will cover a

portion of the construction costs. The City will provide \$60,000 through in-kind services and assume any costs above and beyond the total project cost of \$410,000. Additional funding is available in the Stormwater Utility Fund capital projects account.

RECOMMENDATION

The City Commission to authorize the Interim City Manager or designee to execute the cost share agreement between the City of Gainesville and St. Johns River Water Management District, subject to approval by the City Attorney as to form and legality.

041109

Acquisition of 1402 SW 22nd Place for Tumblin' Creek Improvement Project (B)

Explanation: The Public Works Department would like to acquire Tax Parcel Number 15697-000-000, a 4.7 acre tract located at 1402 SW 22nd Place, for construction of a trash collector on Tumblin' Creek. The facility will capture trash and floating debris that are routed to the creek through the storm water collection system.

Staff received an appraisal of \$120,000 from Adnot Appraisal Services. Staff has negotiated with the owners and has reached an agreement to acquire the property for \$85,000. The parcel contains two (2) rental properties that will be split from the parent parcel and offered for resale.

Fiscal Note: Funds for the \$85,000 property acquisition have been allocated within the Public Works Department's FY05 operating budget. The funding source will be the Stormwater Utility Fund.

RECOMMENDATION

The City Commission: 1) approve the request for acquisition of Tax Parcel 15697-000-000, located at 1402 SW 22nd Place for \$85,000; and 2) authorize the Interim City Manager to execute all necessary documents for the acquisition of this property, subject to approval by the City Attorney as to form and legality.

041110

Property Purchase at 823 NE 17th Street - Duval Replat Project (B)

Explanation: The City of Gainesville is working to purchase small, vacant and often "unbuildable" lots in the Duval neighborhood. This will allow for the substandard lots to be combined, thereby creating property on which the Housing Department may build infill housing for low-to-moderate income families. Staff has negotiated a purchase for three properties owned by the same owner. Appraisals were obtained on all three properties, with the property located at 823 NE 17th Street (Tax Parcel # 10679-005-000) being appraised at \$38,000. City Commission approval is required on property purchases greater than \$25,000.

Fiscal Note: Funds are available in Community Development Block Grant Fund.

RECOMMENDATION

The City Commission: 1) approve the purchase of Tax Parcel # 10679-005-000 located at 823 NE 17th Street at a cost of \$38,000; and 2) authorize the Interim City Manager to execute the appropriate documents needed to facilitate the purchase, subject to approval by the City Attorney as to form and legality.

041111**Request to Surplus Property located at 2036 NW 8th Avenue (B)**

Explanation: The City acquired this property for the NW 8th Avenue expansion. The property was conveyed to the City by Warranty Deed on August 10, 1973, as described in OR Book 847, Page 483. The City utilized the southerly 30-feet for the NW 8th Avenue right-of-way, leaving a 45-foot by 110-foot remnant.

Staff received a request from the adjacent property owner to purchase the parcel to combine with their property to the north of the subject property. City policy allows the sale of properties to adjacent property owners by negotiation, if the value is less than \$25,000, and the City Commission declares the property as surplus. The taxable value for the whole property is \$10,000. On January 13, 2005, surplus intent letters were circulated to City departments to see if the City had a public use for the property. Staff recommended that the City retain a 10-foot utility easement on the west side, and a public ingress/egress easement be retained over the southerly 20-foot and the easterly 5-foot of the property. Staff believes that it would be in the City's best interest to declare this property as surplus and return the property to the tax roll. After consideration of the easements, the adjacent property owner has offered to pay \$4,000 for this vacant property.

Fiscal Note: Expenses incurred will be paid from Public Works Department's FY05 operating budget and will be reimbursed from the sale proceeds, with the remainder deposited into the General Fund.

RECOMMENDATION

The City Commission: 1) declare the property located at 2036 NW 8 Avenue, Tax Parcel Number 09229-000-000 as surplus; 2) authorize the Interim City Manager to execute the necessary documents to convey this property to the adjacent property owner for \$4,000, subject to approval by the City Attorney as to form and legality; and 3) authorize the Mayor to execute, and the Clerk to attest, a Special Warranty Deed to convey the property located at 2036 NW 8th Avenue to the adjacent property owner.

041112**Amendment to Personnel Policy: Policy 12, Military Leave (B)**

Explanation: City of Gainesville Policy 12, Military leave, is amended to extend the previously ratified supplement to an employee's military pay by an amount not to exceed the employee's regular base pay (i.e.: no overtime, certification pay, educational incentive pay or special duty pay, etc.) for those employees called

to active military duty. This amendment also extends the City health and basic life insurance coverage for employees called to active military duty at the same rates as for active employees. Both benefits expire April 1, 2005, unless renewed by Commission action.

A copy of this policy is on file in the Human Resources Department.

Fiscal Note: Funds are currently budgeted for the Fiscal year 2005-2006 in the individual department's accounts for General Government and GRU.

RECOMMENDATION

The City Commission ratify the amendment to City of Gainesville Policy 12, Military Leave, which extends the benefits an additional year.

041113

Update to Appeal Provisions for Impounded Vehicles (NB)

Explanation: Section 26-140(c) of the Code of Ordinances sets forth the procedures for citizens to appeal if their vehicles are towed by Code Enforcement or the Gainesville Police Department. The current ordinance language regarding filing for a hearing for such an appeal states that: "If a written request for a hearing to contest the validity of the determination to impound and impose costs is delivered to the city manager in accordance with the time limitations imposed by this article, the matter shall be considered at the next meeting of the Board of Adjustment occurring not less than three days after the filing of the request." This wording requires filing with the City Manager and not with the City Manager's designee (Community Development staff). This wording also provides a possibility of filing as little as three days before the hearing. Both of these issues are inconsistent with other sections of City ordinances that allow appeals to be filed with the office that staffs the board, and to allow appropriate time for notice and processing before the item is heard.

Notice is currently required to be sent by registered mail. Certified mail (along with the first class mail) would be less costly and equally effective. Therefore, this requirement in the code should be amended as well.

Fiscal Note: Certified and first class mail would be less expensive than registered mail.

RECOMMENDATION

The City Commission: 1) authorize the City Attorney to update Section 26-140(c) to provide that if a written request for a hearing to contest the validity of the determination to impound and impose costs is delivered to the City Manager or designee, in accordance with the time limitations imposed by the article, the matter shall be considered at the next meeting of the Board of Adjustment, occurring not less than 20 days after the City's receipt of such written request; and 2) amend Section 26-140(b) to require notice be sent by certified and first class mail, rather than registered mail.

041114

Bid Award for Sodium Hypochlorite, Storage Vessel, and Containment (B)

Explanation: The Recreation and Parks Department utilizes a liquid chlorine delivery system at its two largest pools, H. Cherry Spurgeon, and Dwight Hunter. The system requires the purchase of the chemical sodium hypochlorite, and the rental of storage vessels and containment units to operate.

An invitation to bid for the procurement of the sodium hypochlorite, storage vessels and containment was sent by the Department to six (6) prospective bidders. The bid requested pricing for a two year period, FY 05 and FY 06, with a possibility of three one-year extensions. Three bidders responded to the bid request; however, two of these bidders were non-compliant. Therefore, the Department recommends awarding the bid to CES, based on their ability to meet all material requirements of the specification and the competitive price of the bid. Staff is now requesting approval to purchase the sodium hypochlorite, at a price of \$1.15 a gallon and to rent the storage vessels and containment for a price of \$30 per vessel, per month, from CES.

Fiscal Note: Funds are available within the Aquatics Division's materials and supplies budget to cover these costs.

RECOMMENDATION

The City Commission award the contract for an initial period of two years to CES, with three possible one year extensions for sodium hypochlorite at a rate of \$1.15 per gallon, storage vessel and containment rental at a cost of \$30 per month per vessel.

041115

DataTrac Room and Intelligence Center Technology Upgrades and Renovations (B)

Explanation: On September 13, 2004, the City Commission approved funding for the purchase of technology equipment and renovations associated with the establishment of an Intelligence Center at the Gainesville Police Department. On February 28, 2005, the City Commission approved funding for renovations and equipment upgrades to the Gainesville Police Department's DataTrac room.

Five years ago when the DataTrac room was built, the Gainesville Police Department awarded a bid for a high tech turn-key Multi-media Boardroom Presentation System to The Whitlock Group. In light of rapidly advancing technology and ever-growing demands of the DataTrac process, it is necessary to upgrade this existing equipment. As previously noted to the City Commission, the Intelligence Center will facilitate the gathering and sharing of intelligence and criminal incident information utilizing high end technology equipment and software.

After a four year period of satisfactory use and service, and with consultation and approval of the City's Purchasing Department for a source justification, it was decided to remain with the same manufacturer (Whitlock Group) for these technological upgrades to both rooms. Approximately 30% of the equipment used in the DataTrac room will be reinstalled in the newly renovated

Intelligence Room within the Crime Analysis Section and will continue to be maintained by The Whitlock Group. The benefits of upgrading with the original company include knowledge of the service and equipment track record of Whitlock, familiarity and satisfaction with the work product provided by Whitlock and continued enjoyment of a cohesive and simplified work and maintenance relationship experienced with this company since the start of the DataTrac project.

Fiscal Note: Funding for these projects (\$73,973.36 from account #109-810-F113-5210-3009 and \$38,928.30 from account #109-810-F127-5210-3009 from the Federal Law Enforcement Contraband Forfeiture account) were previously approved by the City Commission on September 13, 2004 and February 28, 2005.

RECOMMENDATION

The City Commission approve the source justification and issuance of a purchase order of an amount not to exceed \$112,901.66 to The Whitlock Group, Jacksonville, Florida for technology upgrades and equipment for the DataTrac and Intelligence Rooms at the Gainesville Police Department, and execution of any contracts, subject to approval by the City Attorney as to form and legality.

041116

Thomas Center Building Use Regulations & Fees (B)

Explanation: The City of Gainesville Department of Cultural Affairs rents out the Thomas Center Building "A" for events such as weddings, receptions, recitals, meetings, film shooting, concerts, and other various events. The Department would like to increase the rental fees due to inflation and frequent usage of this venue

Changes on the Thomas Center Building "A", Building Use Regulations and Fees, reflect an increase in the non-profit rental of the Spanish Court, Long Gallery, and the Spanish Court and Long Gallery on the weekdays and social fees for the evening, and an increase in the fees for meeting room 102 (page 4 of the Building Use Regulations and Fees). The proposed changes in fees reflect only a one to two dollar increase. Fee rates for commercial film shoots will be decreased substantially; daily rate was \$700, decreased to \$300; preparation days were \$300 a day, decreased to \$150 a day. Co-sponsored event fees were added to page 5 of the Building Use Regulations and Fees schedule

Fiscal Note: Contract changes will reflect an increase in revenues, and standardizing all contracts will enable the Department of Cultural Affairs to use them for multi-day events.

RECOMMENDATION

The City Commission authorize the City Manager to approve the standardization and increases in rental fees of the Thomas Center contract.

041117

Funding for Public Art at the Downtown Community Plaza (NB)

Explanation: On February 28, 2005, the City Commission heard a presentation from CRA Coordinator Sham Sundar that included \$10,000 for public art at the Downtown Community Plaza. In order for the Art in Public Places Trust (APPT) to move forward with this project, up to three temporary members should be assigned to the Trust for this project. The APPT Trust Ordinance states "The commission with jurisdiction over the project may appoint up to three citizen experts for each project that is not associated with a particular building. All temporary members will have voting privileges only for the particular project for which they were designated or appointed and will serve on the trust only for the project for which they were designated or appointed". These temporary members should be citizens that best represent the downtown and neighboring community.

Fiscal Note: No fiscal impact at this time.

RECOMMENDATION

The City Commission appoint Mr. Sham Sundar, CRA Downtown Project Coordinator; and Mr. David Castine, Downtown Redevelopment Advisory Board member, as temporary members to the Art in Public Places Trust.

041118

City Commission Goals and Objectives - Status Update (B)

Explanation: City Commission Goals and Objectives were initially reviewed during a retreat at Ironwood Golf Course on February 2, 2004, and were further discussed during two subsequent workshops held on February 16, 2004 and February 27, 2004. The City Commission then officially adopted the Goals and Objectives on March 15, 2004. In preparation for the mid-cycle budget adjustment, staff has prepared a status report on the City Commission Goals and Objectives.

Fiscal Note: None

RECOMMENDATION

The City Commission accept a status report from the Interim City Manager on the City Commission Adopted Goals and Objectives.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

041124

Purchase Order for Vehicle Mounted Wastewater TV Inspection System (NB)

Explanation: The Wastewater Collection department uses closed circuit television systems to monitor existing underground wastewater lines for broken pipes and to monitor new installation by contractors to insure lines were installed acceptable by GRU's Wastewater installation standards. Infiltration and inflow monitoring is imperative to locate wastewater line problems and determine repairs and/or replacements in order to eliminate wastewater system leaks. In an effort to minimize the amount of customers impacted by an interruption of service, it is

necessary to foresee future leaks and wastewater line problems and to correct accordingly.

Staff believes that the replacement of the Cues Television System mounted on a 1995 GMC Step Van which has reached the end of its useful life with a new Cues Television System mounted on a 2005 Econoline truck will enable GRU crews to perform underground wastewater line monitoring and Infiltration and Inflow monitoring reducing after-hours and emergency repairs. By having this equipment replaced, GRU will have greater ability to minimize the number of wastewater line problems and leaks.

Compatibility with the existing equipment requires the closed circuit television system to be manufactured by CUES. CUES, Inc. is the sole manufacturer for CUES television equipment and their manufacturing factory and repair center is located in Orlando, FL. Pricing for the equipment is set by CUES and is within the budgeted amount. The Purchasing department solicited and obtained a written quotation from CUES in accordance with GRU's requirements.

Fiscal Note: Funds are available in the FY 2005 Wastewater Collection Budget.

RECOMMENDATION *The City Commission authorize the issuance of a purchase order to CUES, Inc. in the amount of \$114,990 for the purchase and delivery of Cues Television System mounted on a 2005 Econoline Truck.*

041125

Extension of Contract for Small Diameter Jack and Bore and Directional Boring Services (NB)

Explanation: On March 26, 2001, the City Commission authorized staff to enter into a three year contract for small diameter jack and bore and directional boring services with D & D, Inc. These services are used by Energy Delivery, Gas Distribution and Water Distribution for the installation of infrastructure. The Contract provides for two (2) one-year extensions which the City Commission approved the first extension on July 26, 2004 extending the term through April 4, 2005.

D & D has agreed to maintain the current pricing for an additional one year period. Based on the Contractor's performance and the current pricing, staff believes it would be in GRU's best interest to extend the contract for the second available extension.

Fiscal Note: Funds for these services are included in the FY 2005 budget and will be included in the proposed FY 2006 budget.

RECOMMENDATION *The City Commission: 1) authorize the General Manger or designee to execute Amendment No. Three to the Contract for small diameter jack and bore and directional boring services with D & D, Inc., extending the term through April 4, 2006; and 2) approve issuance of a purchase order(s) to D & D, Inc. in amounts not exceeding budgeted amounts for the*

remainder of FY 2005 and FY 2006, subject to the appropriation of funds for FY 2006.

041126 Contract for Journey-Level Relay and Control Temporary Personnel (B)

Explanation: GRU's Substation and Relay Division performs periodic testing of protection relays and controls associated with the electric transmission and distribution systems. This work is critical to ensure the safety and proper operation of these systems. The inability to hire skilled personnel has caused the testing program to fall behind schedule. Although the Division has been successful in hiring two apprentice technicians, it remains in urgent need of additional experienced personnel to bring the relay and control test program back on track and to help train the relatively inexperienced apprentices. It is anticipated that the requested temporary personnel would be needed for a period of three to four months.

Purchasing issued an invitation to bid for this work to three known sources and two firms responded. After review by staff, it is recommended that the bid be awarded to the low bidder, Sentinel Electric, Inc. A tabulation of the bids is attached for your reference.

Fiscal Note: Funding for this request is included in the Operations and Maintenance Budget for FY 2005.

RECOMMENDATION

The City Commission approve the bid award to Sentinel Electric, Inc. and authorize the General Manager or his designee to negotiate and execute a contract with Sentinel Electric, Inc. to provide journey-level relay and control temporary personnel and issue a purchase order in an amount not to exceed \$65,000.

041127 Approval of a Contract Amendment and Issuance of Purchase Orders for Limerock (NB)

Explanation: The Wastewater Collection and Water Distribution Divisions have the largest requirement for limerock as a base course for roadway construction. Limerock is also required by the Vegetation Management Division for right-of way access roads, the Gas Department for construction services and other GRU departments for specific projects or repair work.

The City Commission approved the award of a three year contract for the provision of limerock to Limerock Industries, Inc. on September 24, 2001. The contract allows for two (2) twelve-month extensions of the contract based upon mutual agreement of the parties and negotiation of the contract prices. The parties entered into an Amendment to the Contract on October 1, 2004, extending the term through FY 05.

Staff issued purchase orders totaling \$25,000 for the provision of limerock for

FY 05 to Limerock Industries, Inc. Based on expenditures to date, the current purchase order totals will not be sufficient to meet the requirement for limerock for the remainder of FY 05. The increased demand for limerock is due in part to repair work required as a result of storm damage.

Fiscal Note: Funding for these purchases is included in the Operation and Maintenance portion of the departmental budgets. The total expenditures for FY 05 are estimated to be \$45,000.

RECOMMENDATION

The City Commission authorize additional expenditures under an existing Contract with Limerock Industries, Inc. for the provision of limerock for various GRU departments for FY 05 in amounts not exceeding budgeted amounts.

041128

Extension of Contract for Electric Distribution Line Clearance, Tree-Trimming, Right-of-Way Maintenance, Weed Control and Related Work (NB)

Explanation: On November 13, 2001, the City Commission approved a contract to Asplundh Tree Expert Company for electric distribution line clearance, tree trimming, right-of-way maintenance, weed control, and related work for a 39-month period commencing December 1, 2001, and ending March 31, 2005. On November 25, 2002, the City Commission approved the issuance of a purchase order for these services for fiscal year 2003 and for each subsequent year of the contract term. This contract extension is the first of three allowable under the contract.

This contract is to provide a program for facilities maintenance-tree trimming to the electric transmission and distribution systems according to approved arboricultural standards. Recreation and Parks also uses Asplundh services to supplement their own crews. Asplundh provided all tree crews for the successful hurricane restoration efforts during 2004. This contract is subject to the Living Wage Ordinance and Asplundh's wage rates have been adjusted to reflect the new rates published by the U.S. Department of Health and Human Services in 2004. The fiscal impact of the Living Wage Ordinance on this Contract will be reported in the semi-annual report provided to the City Commission. Asplundh has provided satisfactory service over the initial term of the contract, and has not requested changes in contract terms. Staff does not believe there would be any cost benefit by re-bidding the contract at this time.

Fiscal Note: Funding for this request is included in the Operations and Maintenance and Capital Budgets for FY 2005.

RECOMMENDATION

The City Commission: 1) authorize the General Manager or his designee to execute the extension of the contract with Asplundh Tree Expert Company for the period April 1, 2005, to March 31, 2006; and 2) approve the issuance of a purchase order to Asplundh Tree Expert Company by GRU in an amount not to exceed \$1,330,000 and by General Government in an

amount not to exceed \$37,000 subject to the final appropriation of funds.

CITY ATTORNEY, CONSENT AGENDA ITEMS

040756 ADMINISTRATIVE ORDER, PETITION NO. 193ZON-04PB; LEGISTAR NO. 040756

Final Administrative Order In the Matter of Rezoning Certain Properties from "RC" to "RMF-5" filed by the City of Gainesville, Florida, a Municipal Corporation; Legistar No. 040756; Petition No. 193ZON-04PB

Explanation: The City Commission, at its meeting of March 14, 2005, announced its oral order in the matter of rezoning certain properties from "RC" to "RMF-5" - Petition No. 193ZON-04PB, (Legistar No.040756). At the conclusion of the hearing, the City Commission voted to deny the petition. City Commission Rules require the decision to be embodied in a written order. Copies of the proposed order were submitted to the Petitioner and affected parties.

RECOMMENDATION *The City Commission authorize the Mayor and Clerk of the Commission to execute the Final Administrative Order.*

Legislative History

3/14/05 City Commission Approved Staff's Recommendation (Deny Petition) (3 - 2
- 2 Absent)

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

041100 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of March 10, 2005 (Special Meeting); and March 14, 2005 (Regular Meeting); as circulated.*

041121 Resignation of Advisory Board/Committee Member Robert Pearce (B)

RECOMMENDATION *The City Commission accept the resignation of Robert Pearce from the City Plan Board effective March 15, 2005.*

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

041096 Rules for the Human Rights Board (B)

RECOMMENDATION

The City Commission Adopt the proposed rules.

Rules of Procedure for the Human Rights Board were drafted and discussed at several meetings in 2004. The Human Rights Board approved these rules on December 15, 2004. The Rules implement the procedures set out in ordinance 0-05-18 on February 28, 2005.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS**REGIONAL UTILITIES COMMITTEE, CONSENT****041129 Regional Utilities Committee Referral Items #031090 - Airport Solar Project and #020285 - Airport Solar Electric Project (NB)**

Explanation: GRU has offered to build a solar electric system at the Gainesville Regional Airport. Funds sufficient to build this project have been included in the GRU budget for the past three years.

GRU staff has discussed the project with airport staff and agreed to work within the on-going airport master planning process currently in progress. Airport staff has requested GRU staff to work with their planners at an appropriate point in the master planning process. Recent contact with airport staff and their planners indicate that development of the master plan is now mature enough to allow consideration of how to integrate a solar electric system into their facility.

RECOMMENDATION

The City Commission remove these two items from the Referral List.

AUDIT AND FINANCE COMMITTEE, CONSENT**041087 The Basic Financial Statements, Supplemental Information and Independent Auditors' Report of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2004; Financial Statements and Independent Auditors' Report on the Employees' Pension Fund of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2004; Financial Statements and Independent Auditors' Report on the Consolidated Police Officers and Firefighters Retirement Plan of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2004; the Independent Auditors' Management Letter and Single Audit Reports for the Fiscal Year Ended September 30, 2004; and management's written response. (B)**

Explanation: The City's independent auditors, Davis, Monk and Company and Ernst and Young, Certified Public Accountants, issued the following reports:

1. *The Basic Financial Statements, Supplemental Information and Independent Auditors' Report of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2004;*
2. *The Financial Statements and Independent Auditors' Report on the Employees' Pension Fund of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2004;*
3. *The Financial Statements and Independent Auditors' Report on the Consolidated Police Officers and Firefighters Retirement Plan of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2004; and*
4. *The Independent Auditors' Management Letter and Single Audit Reports for the Fiscal Year Ended September 30, 2004.*

In the opinion of the independent auditors, the basic financial statements referred to in item 1 above represent fairly, in all material respects, conformity with generally accepted accounting principles.

In the independent auditors' opinion, the financial statements referred to in items 2 and 3 above present fairly, in all material respects, the net assets available for benefits as of September 30, 2004, and the changes in net assets available for benefits for the year then ended in conformity with generally accepted accounting principles.

Item 4 relates to the basic financial statements from item 1. As part of the audit process the independent auditors issue "management letter comments" along with several other reports related to internal control structure; compliance with certain provisions of laws, regulations, contracts and grants, and internal control structure and certain requirements applicable to federal and state financial assistance programs.

The auditors' report related to General Government includes two reportable conditions. One is related to internal control over the City's procurement card program and the other is related to internal controls over the Home Investment Partnership ("HOME") program. Management's written response to these comments, as well as an update on the current status of three prior audit findings is included for your review and acceptance. Management's response indicates they agree with each of the recommendations and have taken steps to address them.

The auditors' Management Letter on Internal Control related to Gainesville Regional Utilities includes three suggestions submitted to assist in improving procedures and controls. The suggestions relate to Accounts Receivable Records and Procedures, Allowance for Doubtful Accounts and Journal Entry Review. Management's written response indicates they agree with each of the recommendations and will initiate control improvements in these areas. Of the two prior year recommendations provided by the auditor, both have been addressed or are no longer relevant.

In accordance with Section 6(b) of Resolution 970187, City Auditor Responsibilities and Administrative Procedures, I have reviewed the attached statements and reports to ensure that contractual terms have been fulfilled and transmit these reports with a recommendation for City Commission acceptance.

RECOMMENDATION *The Audit and Finance Committee recommend that the City Commission accept the subject financial statements and audit reports; receive the Independent Auditors' Management Letter and Single Audit Reports; and accept management's written response.*

Legislative History

3/21/05 Audit and Finance Committee Recommended for Approval

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

041131 Downtown Parking Around the County Administration Building (NB)

Explanation: This item was brought up during the March 21, 2005 CRA meeting under Citizen Comment during a discussion regarding File #041089.

RECOMMENDATION *The CRA request that the City Commission direct the City Manager to establish a dialogue with the County Manager with a goal to free up (on- street) parking around the County Administration Building.*

Legislative History

3/21/05 Community Redevelopment Agency Approved as Recommended (7 - 0)

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

041130 City Commission Meetings (NB)

RECOMMENDATION *The City Commission schedule meetings as follows:*

Union Negotiation Fraternal Order of Police - Closed Executive Session - May 3, @ 6:00 pm - Chamber of Commerce Parrish Board Room

*Long Term Energy Supply Plan - May 12, @ 6:00 pm
- GRU Multi-Purpose Room or Grace Knight
Conference Room
- Special City Commission meeting or Special City
Commission workshop*

*City Commission Goals Retreat Special Meeting
- June 23, @ 9:00 am - Ironwood Golf Course*

CITY MANAGER

041119 Leadership General Government VI (NB)

Explanation: Each year applications are received from interested City employees who desire to participate in the Leadership General Government Program. From these applications and department head nominations, a class of 10-12 individuals is selected to complete the year-long program. Bob Woods, a member of the current class, will introduce the participants and review the program requirements.

Fiscal Note: None

RECOMMENDATION

The City Commission hear a presentation from Bob Woods representing Leadership General Government VI.

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

041076 County Commissioner Rodney Long (NB)

Explanation: Motion from 3/14/05 meeting: The City co-sponsor the Clinton Portis Foundation, Inc. weekend event being held April 15-16, 2005 and: 1) Allocate

up to \$15,000 from City Commission Contingency for bus shuttle services, use of tables and chairs, portable toilets, ground crews for cleanup, and provide minimal armed Police services to assist private security, and use of Police Explorers and Cadets for parking; 2) request an update on this issue at the March 28, 2005 meeting; and 3) request that the funding be contingent on the (Clinton Portis) Foundation bringing back an indication of the charitable funding that would come back to the Gainesville community.

RECOMMENDATION *The City Commission hear an update from County Commissioner Rodney Long.*

Legislative History

3/14/05 City Commission Approved, as shown above

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

CITIZEN COMMENT (5:30pm) - Please fill out card and hand to the Clerk

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

041122 National Community Development Week - March 28-April 3, 2005 (B)

RECOMMENDATION *City of Gainesville Block Grant Manager Jim Hencin and Citizens Advisory Committee for Community Development Chair Kimberly Browne to accept the proclamation.*

041123 Children's Medical Services Week - March 28-31, 2005 (B)

RECOMMENDATION *Children's Medical Services Regional Executive Nursing Director Sharon Surrency to accept the proclamation.*

PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

040753 STREET VACATION - VEITCH STREET (B)**Ordinance No. 0-05-27, Petition 150SVA-04PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southeast Veitch Street lying north of Southeast 10th Avenue and approximately 230 feet west of Southeast 4th Street, as more specifically described in this Ordinance; providing a condition; reserving utilities easements; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of February 14, 2005, authorized the City Attorney to draft the proposed ordinance for street vacation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/14/05 City Commission Approved (Petition) with Conditions (7 - 0)

3/14/05 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

040754 STREET VACATION - NORTHEAST 11TH TERRACE (B)**Ordinance No. 0-05-28, Petition No. 187SVA-04PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Northeast 11th Terrace lying east of 1116 Northeast 12th Avenue and North of the North right-of-way line of Northeast 12th Avenue, as more specifically described in this Ordinance; reserving utilities easements; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of February 14, 2005, authorized the City Attorney to draft the proposed ordinance for street vacation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/14/05 City Commission Approved (Petition) with Conditions (6 - 0 - 1 Absent)

3/14/05 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

040961 CHAPTER 2 AMENDMENTS RELATING TO COMPENSATION IN THE EVENT OF A CIVIL EMERGENCY OR CATASTROPHIC CONDITIONS(B)**Ordinance No. 0-05-32**

An Ordinance of the City of Gainesville, Florida creating Division 2 of Article VII of Chapter 2 of the Code of Ordinances, relating to compensation in the event of a civil emergency or catastrophic conditions, or mutual aid, providing for definitions, eligibility, amount and forms of

compensation, directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

Explanation: The City Commission at its meeting of February 28, 2005, authorized the City Attorney's Office to draft and the Clerk of the Commission to advertise an ordinance amending Chapter 2 of the Gainesville Code of Ordinances authorizing the award of Supplemental Compensation to Administrative, Professional, and Managerial Employees under certain limited circumstances, providing a severability clause, and providing a retroactive effective date, based upon a policy prepared by staff.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/14/05	City Commission	Referred (6 - 0 - 1 Absent)	Personnel and Organizational Structure Committee
2/15/05	Personnel and Organizational Structure Committee	Approved as Recommended	
2/28/05	City Commission	Approved as Recommended (7 - 0)	
3/14/05	City Commission	Adopted on First Reading, as revised (Ordinance) (5 - 1 - 1 Absent)	

RESOLUTIONS- ROLL CALL REQUIRED

041120

Resolution Authorizing Acceptance of Land from FDOT for Depot Avenue/Main Street Roadway Reconstruction (B)

Explanation: The City currently leases a portion of land from the Florida Department of Transportation (FDOT) for placement of the historic depot building. FDOT also owns additional land that the City of Gainesville will need for the Depot Avenue right-of-way and for the maintenance of the Archer Road/Waldo Road rail trail connector. The City of Gainesville will be constructing improvements to the Depot Avenue/Main Street roadway in connection with the Depot Avenue Storm Water Park and Depot Avenue Transportation Corridor projects.

The City of Gainesville made an application to the FDOT to convey the land rights needed to reconstruct Depot Avenue, for placement of the historic depot building, and to maintain the pedestrian/bicyclist trail use. The FDOT has agreed to convey the land rights to the City if the City will agree to indemnify FDOT from any liability associated with any contamination found on the property. The City already has plans in place for remediation of currently identified contamination on this property and immediate abutting properties as part of the Depot Avenue Storm Water Park project.

Fiscal Note: There is no fiscal impact from this request.

RECOMMENDATION *The City Commission adopt the Resolution and forward a certified copy of this Resolution to the*

FDOT District Two offices in Lake City.

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)