

# **City of Gainesville**

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



## **Meeting Agenda**

**January 09, 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

### 050661

#### **First Extension/Second Amendment to the Contract for Cellular Phone Service with Alltel Communications, Inc. (B)**

**This item involves a request for the City Commission to amend the contract with Alltel Communications Inc. and to extend the term of the contract for one year.**

*Explanation: The City of Gainesville entered into a two-year agreement with Alltel Communications, Inc. on October 1, 2003 to provide cellular phone service. Upon satisfactory and faithful performance of the Contract by the Contractor, the City reserved the right through negotiation with the Contractor, to extend the term of the contract for a 12-month period with a maximum of three (3) such extensions. This first extension and second amendment extends the term of the Contract for one year.*

*The first amendment extended the installation time for the E-Care automated system where minutes of use can be checked throughout the month to July 15, 2005. The second amendment provides that any new lines added to the account be billed as follows: \$26.00 per line, 450 aggregate State of Florida minutes per line, Unlimited Off-Peak calling, Unlimited Mobile-to-Mobile, \$0.10 each additional State of Florida minute, \$0.59 roaming plus applicable long distance outside of Florida. The amendment provides for B2B web portal billing system*

and the ability for the City to move users between two plans in order to maximize the most cost effective plan.

*Fiscal Note: Funds are budgeted in each department's budget for cellular phone service.*

**RECOMMENDATION**

*The City Commission authorize the City Manager or designee to execute the First Extension/Second Amendment to the agreement with Alltel Communications, Inc. for cellular phone service, extending the term of the agreement from October 1, 2005 to September 30, 2006, and execute the amendments subject to approval of the City Attorney as to form and legality.*

*Alternative Recommendation A:*

*The City Commission decline to execute the First Extension/Second Amendment to the agreement with Alltel Communications, Inc. for cellular phone service and direct staff to issue a RFP for cellular phone service. The fiscal impact would be unknown until bids were opened.*

*Alternative Recommendation B:*

*The City Commission decline to execute the First Extension/Second Amendment to the agreement with Alltel Communications, Inc. for cellular phone service and cease providing cell phones for employees to conduct city business. The fiscal impact would be unknown since employees would have to find other means of communication.*

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**050734**

**Bid Award - Annual Contract for Redi-Mix Concrete for FY2005/2006 (B)**

**This item is to establish a primary and secondary annual services contract for the provision of Redi-Mix Concrete.**

*Explanation: The Public Works Department Operations Division purchases approximately 2000 cubic yards of redi-mix concrete for use in the routine maintenance of City streets and drainage facilities. Redi-mix concrete is also used in capital projects and in repairs to City facilities as necessitated by utility installations.*

*The Purchasing Division received bids from two (2) vendors. Florida Rock Industries is recommended as the primary supplier, and Cemex is recommended as the secondary supplier.*

*Fiscal Note: All purchases will be charged to the appropriate operating budget or capital improvement account.*

**RECOMMENDATION**

*The City Commission: 1) award a contract for*

*redi-mix concrete to Florida Rock Industries as Primary Supplier; 2) award a contract for redi-mix concrete to Cemex as Secondary Supplier; and 3) authorize the City Manager to execute the contracts and all related documents with Florida Rock Industries and Cemex.*

*Alternative Recommendation A: The City Commission: 1) award a contract for redi-mix concrete to Cemex as Primary Supplier; 2) award a contract for redi-mix concrete to Florida Rock Industries as Secondary Supplier; and 3) authorize the City Manager to execute the contracts and all related documents with Cemex and Florida Rock Industries. Fiscal impact would be approximately a 5% increase in materials cost.*

*Alternative Recommendation B: The City Commission refers the request back to staff for further review. This process was rebid as only one firm bid previously. There are no interested additional vendors. The fiscal impact is deferred with this action.*

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## 050763

### **Request to Extend the Procurement of Medium and Heavy Duty GMC/Chevrolet Cab and Chassis (B)**

**This item involves exercising an option to extend the contract for one (1) year, the first of three (3) one-year extensions as allowed in the Agreement.**

*Explanation: The City of Gainesville's fleet of medium and heavy-duty trucks has been standardized with one manufacturer's brand for the past several years. The advantages in achieving this goal include reduced parts inventory, lower diagnostics software and tooling costs, increase in Mechanic's and Operator's efficiencies because of familiarity with the same product, reduced training cost and price protection for popular model vehicles.*

*In January 2004, the City Commission approved a two-year contract with three (3) optional one-year extensions with Classic Chevrolet for the procurement of Medium and Heavy Duty GMC/Chevrolet Cab and Chassis.*

*Fiscal Note: Funds are available in the General Government's Fleet Replacement and GRU's General Plant Funds for FY2006.*

#### **RECOMMENDATION**

*Based on the success of the agreement, staff is recommending that the City Commission: 1) approve a one-year extension of the current contract with Classic Chevrolet Company of Apopka, Florida; and 2) authorize the City Manager or designee to execute the contract extension.*

*Alternative Recommendation A: The City Commission require re-bidding the contract and risk losing the advantages of a standardized fleet.*

*Alternative Recommendation B: The City Commission require purchase of vehicles from the Florida State and Sheriff's Contract; which the agreement allows for whenever it is in the best interest of the City.*

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### **050773**

#### **Domestic Violence FY 2007 Grant Application (B)**

**This item involves receiving \$400,000 in Year 4 grant funds from the U.S. Department of Justice, Office on Violence Against Women for continued funding of the Gainesville Police Department's Domestic Violence Unit and expansion of those activities to the University of Florida Police Department for FY2007 and FY2008.**

*Explanation: The City of Gainesville initially applied for and received grant funding in the amount of \$454,695 from the U.S. Department of Justice, Office on Violence Against Women in 2003 and has used those funds to form the Gainesville Police Department's Domestic Violence Unit. The Domestic Violence Unit is housed within the Criminal Investigations Bureau and is comprised of two Detectives and a Victim Advocate whose sole focus is the investigation of domestic violence cases and assistance for those victims. The Gainesville Police Department will use these new funds for the continued operation of the Domestic Violence Unit (current grant funding will expire on 09/30/06), efforts to increase public awareness of domestic violence related issues, and expand the success of the grant project to the University of Florida through partnerships with the University of Florida's Police Department and College of Law. These partnerships will enable the University Police Department to staff a Domestic Violence Detective and formalize procedures with the College of Law which will permit certified 3rd Year Law Students to assist victims of domestic violence in civil proceedings such as restraining order hearings.*

*This grant application is due to the Department of Justice by January 11, 2006.*

*Fiscal Note: The grant requires no match and would fund a 24 month grant cycle consisting of FY2007 through FY2008. If funded, acceptance of the grant requires that the City of Gainesville agree to continue the project at least one budget cycle past the end of the grant at an anticipated cost of up to \$150,000. The City would be committing the appropriation of funds sometime in the future for the continuation of this program for an additional year. At the time the grant expires, the City Commission would have to: 1.) appropriate state or federal contraband funds if any were available; 2.) appropriate other general fund revenues, if available; 3.) reduce other expenditures in the Police Department; 4.) make available City Commission contingency funds, or 5.) any combination of these sources.*

**RECOMMENDATION**

*The City Commission authorize the City Manager to 1.) apply to the U.S. Department of Justice Office of Justice Programs for the grant in an amount up to \$400,000, and if awarded; 2.) execute any grant documents, subject to approval by the City Attorney.*

*Alternative Recommendation A: The City Commission decline the opportunity to apply for continued grant funding from the U.S. Department of Justice and continue to operate the programs it would have funded. The fiscal impact is that the City would need to provide an anticipated \$150,000 from an alternative source of funds described above to comply with the Terms and Assurances of the original grant awarded in 2003.*

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**050776****Bid Award for Site Work Improvements at the Regional Transit System Facility (B)**

**This item involves a request for the City Commission to award the Bid in the amount of \$801,750 and execute the contract for Site Work Improvements at the Regional Transit System (RTS) Facility to Anglin Construction.**

*Explanation: The City Commission approved the execution of the RTS Administrative and Operations Building Expansion project in two phases due to insufficient funds to complete the entire project. In order to complete Phase I, the Purchasing Division solicited proposals for the RTS Site Work Improvement on November 18, 2005, and one (1) bid was received. After evaluation, staff recommends award of the bid to Anglin Construction.*

*Fiscal Note: Funds are available in the RTS FY06 operating budget. Florida Department of Transportation (FDOT) Urban Capital funds, Local funds, and Federal Transit Administration (FTA) grant will be used to fund this project.*

**RECOMMENDATION**

*The City Commission: 1) approve the bid award to Anglin Construction; and 2) authorize the City Manager to execute a contract with Anglin Construction in the amount of \$801,750.*

*Alternative Recommendation A: The City Commission deny the bid award to Anglin Construction. This would require the City to prepare another Invitation to Bid. The fiscal impact includes the expiration of the FDOT grant, and RTS would have to identify new sources of funding for this project. Additionally, with the continued rising costs in construction projects, additional funding may be required to complete the project in the future.*

*Alternative Recommendation B: The City Commission deny the bid award and provide staff direction in identifying other funding sources for the project.*

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**050777**

**Letter Supporting Florida Public Transportation Association's Position on Medicaid/ADA Issue (B)**

**This item involves a request for the City Commission to authorize the City Manager to submit a letter in support of the Florida Public Transportation Association's (FPTA) position on the Medicaid/ADA issue.**

*Explanation: Some local Community Transportation Coordinators (CTC) are proposing to turn over Medicaid trips to local transit systems' ADA service. FPTA's Position Statement on the Medicaid/ADA Issue dated December 6, 2005, highlights the anticipated negative impact to transit systems if Medicaid and Transportation Disadvantaged (TD) trips are transferred to ADA systems. Both FPTA and RTS recommend the City Commission take a firm stand against shifting Medicaid trips to local ADA systems.*

*Fiscal Note: Currently, Medicaid allocates \$1,413,120 annually to Alachua County and TD allocates an additional \$456,000, for an annual total of \$1,869,120.*

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager to submit a letter to the Commission on Transportation Disadvantage (CTD) supporting the FPTA's position on the Medicaid/ADA Issue.*

*Alternative Recommendation A: The City Commission deny the request to submit the letter in support of FPTA's position on Medicaid/ADA Issue. This action could result in the turnover of Medicaid and TD trips to the City's ADA system if approved by the CTD. If the turnover is approved by the CTD, it would result in an increased financial burden on the City's ADA service.*

*Alternative Recommendation B: The City Commission deny the request.*

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**050778**

**Implementation of Employee Bus Pass Program for Shands Teaching Hospital and Clinics, Inc. (B)**

**This item involves a request for the City Commission to authorize the City Manager to execute an Interlocal Agreement with Shands Teaching Hospital (Shands) and Clinics, Inc., to implement an annual Employee Bus**

**Pass Program.**

*Explanation: The Employee Bus Pass Program was 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 to begin riding. Downtown City employees began riding on April 3, 2000, and Alachua County employees on July 24, 2000. North Florida/South Georgia Veterans Health System employees began riding May 1, 2005. Approximately 590,873 UF employees have ridden, and the combined total for City/County employee ridership was over 83,726 through November 30, 2005. North Florida/South Georgia employees have contributed to the ridership figure of 83,726 since May 1, 2005.*

*Shands recently contacted City of Gainesville's Regional Transit System (RTS) to discuss options to implement an employee bus pass program for their 7,949 employees. Shands desires to reduce employee parking demands to provide their employees with prepaid, unlimited access to the public transit system as a means of commuting to work.*

*RTS is proposing to implement an employee bus pass program similar to the program for the University of Florida, City, County, and North Florida/South Georgia Veterans Health System employees.*

*Fiscal Note: At the current rate of \$4.50 per rider, Shands shall pay the City of Gainesville \$35,770.50 for prepaid, unlimited transit access for 7,949 employees for the term of one (1) year from February 1, 2006 through January 31, 2007. Unlimited transit access does not include special service routes such as Gator Aider.*

**RECOMMENDATION**

*The City Commission: 1) approve the annual contract for implementation of the Employee Bus Pass Program for Shands Teaching Hospital and Clinics, Inc., employees through January 2007; and 2) authorize the City Manager to execute an Interlocal Agreement with Shands Teaching Hospital and Clinics, Inc., implementing the Employee Bus Pass Program.*

*Alternative Recommendation A: The City Commission deny the implementation of the annual contract and RTS will lose the \$35,770.50 generated by the Employee Bus Pass Program for Shands Teaching Hospital and Clinics, Inc., employees.*

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**050779****Bid Award for Low Sulfur - # 2 Diesel Fuel with Red Dye for the Regional Transit System (B)**

**This item involves a request for the City Commission to award the Bid in the amount of \$69,750 and execute the one-year contract for RTS diesel fuel purchase to Mansfield Oil Company.**



*Explanation: The City of Gainesville recently participated in a cooperative bid for diesel fuel where several local entities shared their requirements to obtain the best price possible. The anticipated usage for RTS is 900,000 gallons annually. Approximately 4.7 million gallons of diesel fuel was bid by the following entities: Marion County Board of County Commissioners, City of Ocala, Citrus County, Marion County Sheriff, Marion County School Board, Alachua County School Board, University of Florida, Central Florida Community College, City of Belleview, and the City of Gainesville. Proposals were received from five (5) bidders. After review of the proposals, RTS recommends award of bid for diesel fuel to Mansfield Oil Company. The initial contract will be for one (1) year with the option of four (4) one-year extensions.*

*Fiscal Note: Funds for diesel fuel have been budgeted in the amount of \$69,750 in the FY06 RTS operating budget.*

**RECOMMENDATION**

*The City Commission: 1) approve the bid award to Mansfield Oil Company; and 2) authorize the City Manager to execute a one-year contract with Mansfield Oil Company and any related documents.*

*Alternative Recommendation A: The City Commission deny the bid award to Mansfield Oil Company. This would require selecting another vendor or issuance of a new ITB. Fiscal impact cannot be determined due to the instability of the fuel market.*

*Alternative Recommendation B: The City Commission deny the bid award and provide staff direction in the procurement of Low Sulfur, #2 Diesel Fuel with Red Dye.*

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**050780**

**Continuation of Employee Bus Pass Program for Downtown City, County, and UF Employees (B)**

**This item involves a request for the City Commission to authorize the City Manager to execute Interlocal Agreements with the University of Florida (UF) and Alachua County for a continuation of the Employee Bus Pass Program.**

*Explanation: The Employee Bus Pass Program was 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 to begin riding. Downtown City employees began riding on April 3, 2000, and Alachua County employees on July 24, 2000. Approximately 590,873 UF employees have ridden, and the combined total for City/County employee ridership was over 83,726 through November 30, 2005.*

*Use of public transportation continues to increase by City, County, and*

*University of Florida employees. This program is available to 900 City (including 420 GRU employees), 1,000 County, and 13,000 UF employees. Employee ridership for the City and County averaged over 1,600 passengers monthly during 2005. UF employee ridership averaged over 9,200 passengers monthly during 2005.*

*Fiscal Note: At the current rate of \$4.50 per rider, funding in the total amount of \$67,050 will be necessary for the continuation of this program with the following contributions by each participating agency: University of Florida will provide \$58,500; the City will provide \$4,050, of which Gainesville Regional Utilities will fund \$1,890; and the County will provide \$4,500.*

**RECOMMENDATION**

*The City Commission: 1) approve the annual contract for continuation of the Employee Bus Pass Program for Downtown City Employees through January 2007; and 2) authorize the City Manager to execute Interlocal Agreements with University of Florida and Alachua County for a continuation of the Employee Bus Pass Program.*

*Alternative Recommendation A: The City Commission can deny continuation of the annual contract, and Regional Transit System will lose the \$67,050 generated by the Employee Bus Pass Program for Downtown City, County, and UF Employees.*

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**050781**

**Intergovernmental Coordination Review and Public Transportation Coordination Joint Participation Agreement (B)**

**This item involves a request to approve the Intergovernmental Coordination Review and Public Transportation Coordination Joint Participation Agreement between the Metropolitan Transportation Planning Organization, the Florida Department of Transportation, the North Central Florida Regional Planning Council, the Airport Authority, and the City of Gainesville.**

*Explanation: Chapter 339.175(9), Florida Statutes, requires the Metropolitan Transportation Planning Organization (MTPO) to execute an agreement with operators of public transportation systems, including transit systems. The purpose of the agreement is to: 1) describe the means by which activities will be coordinated; and 2) specify how public transit planning and programming will be part of the comprehensive planned development of the metropolitan area.*

*Fiscal Note: There is no fiscal impact of this agreement.*

**RECOMMENDATION**

*The City Commission authorize the Mayor to execute and the Clerk to attest the Intergovernmental Coordination Review and Public Transportation*

*Coordination Joint Participation Agreement, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation A:  
The City Commission take no action.*

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## GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

### 050793

#### **Quit-Claim Deed to Paolita Acres, Inc. for the extension of NW 124th Blvd. (B)**

**Staff is requesting that a Quit-Claim Deed transferring title to a portion of property owned by the City be executed by the Mayor to facilitate the extension of NW 124th Blvd.**

*Explanation: In 1985 a sanitary sewer lift station site at NW 124th Boulevard and Newberry Road was deeded to the City of Gainesville. This lift station was constructed to serve The Villas of West End development. Included in the property deeded to the City was an area of land needed for ingress and egress to the actual lift station. Since the lift station construction, NW 124th Boulevard has been constructed to serve surrounding development and abuts the south line of the ingress/egress area deeded to the City.*

*Recently Paolita Acres, Inc. submitted plans for the development of Villas of West End Unit B, Phases I and 2. This new development is planned to be located north and west of the City's lift station site. To facilitate the new development, Paolita Acres will be extending NW 124th Boulevard north and has requested that the City deed the area of the lift station parcel originally obtained for ingress/egress back to Paolita Acres to facilitate the road extension.*

*Staff has reviewed this request, and has no objection to the deeding of a portion of the parcel to Paolita Acres to facilitate to road extension. There are existing water and sewer utilities located within the area to be deeded to Paolita Acres, therefore a public utility easement will be retained in the deed transferring the property. Paolita Acres has been advised of this and has no objection to the reservation.*

*Fiscal Note: There is no fiscal impact to the City. The property was acquired in 1985 at no cost to the City.*

#### **RECOMMENDATION**

*The City Commission: 1) approve the transfer of property to Paolita Acres, Inc. to facilitate the extension of NW 124th Boulevard; and 2) authorize the Mayor and Clerk of the Commission to execute the Quit Claim Deed transferring the property to Paolita Acres, Inc., subject to approval as to form and legality by the City Attorney.*

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**050794**

**Underground Electric Distribution Installation Services Contract (NB)**

**Staff is requesting to execute an amendment to the contract with Pike Electric Inc. for installation of underground electric distribution facilities.**

*Explanation: The City Commission approved the award of a contract to Pike Electric Inc. for installation of underground electric distribution facilities for a two- (2) year term on March 24, 2003. The contract allows for three (3) twelve-month extensions of the contract upon mutual agreement of the parties and negotiation of contract prices. Pike Electric Inc. has agreed to extend the contract for the second twelve-month extension period with a 2.36 percent increase in labor units, a .81 percent increase in equipment units and 3.65 percent increase on the remaining contract units. Pike Electric's requested increases are based on the rise in labor, fuel, equipment and insurance cost.*

*The contract is required for the installation of underground related distribution construction assemblies, equipment foundations, electric cable, transformers, switchgear, and other related equipment within the underground electric distribution system in various locations of the GRU service area.*

*Pike Electric Inc. has provided satisfactory service over the last three (3) years. Contract pricing is also satisfactory, remaining competitive for the market. Therefore, staff does not believe that there would be any cost benefit by re-bidding the contract at this time.*

*Fiscal Note: Funds for these services are included in the FY 2006 Utilities Budget and will be requested in the Utilities budget in future fiscal years covered under the contract term.*

**RECOMMENDATION**

*The City Commission: 1) authorize the General Manager or his designee to execute an amendment to extend the contract with Pike Electric Inc. for the installation of underground electric distribution facilities for a period of one (1) year and 2) approve the issuance of a purchase order to Pike Electric Inc for a one (1) year term, not to exceed budgeted amounts.*

**050795**

**Contracts for Cellular Phone Services (B)**

**Authorize negotiation and execution of a two-year contract for cellular phone services and associated equipment with Alltel Communications and Sprint.**

*Explanation: Cellular phones are utilized by operational, engineering and support staff to*

*communicate with customers, contractors and the public when working outside of an office environment. These services are currently procured under cooperative purchasing agreements, which are expiring.*

*The Utility formed a team comprised of employees from various departments to review cellular phone requirements and develop a solicitation for the provision of cellular phone services and associated equipment. Purchasing issued a Request for Proposal (RFP) to six prospective suppliers, with all six responding. The proposals received were evaluated based on criteria established in the RFP, which included cost, service coverage, on-line ordering capabilities, billing method, local repair facility and local vendor preference. A tabulation of the evaluation is attached for your reference.*

*Alltel Communications, who submitted the highest ranked proposal, will be utilized for the majority of the services, while Sprint will be used for applications where the Sprint (Nextel) radio functionality is determined to be more cost effective.*

*Fiscal Note: Funds for these services are available in the FY 2006 budgets and will be requested in the FY 2007 budgets.*

**RECOMMENDATION**

*The City Commission authorize the General Manager, or his designee, to negotiate and execute a two-year contract for cellular phone services and equipment with Alltel Communications and Sprint, formerly Nextel, subject to approval of the City Attorney as to form and legality, in an amount not to exceed budgeted funds.*

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**050796**

**Gas/Electric Distribution Network Analysis Enhancement Project (NB)**

**Staff is requesting the purchase of MiddleLink, an Advantica, Inc. licensed extension to the base SynerGEE-Electric software, and associated customization/configuration services, that will enable the extraction of network information directly from the electric GIS network model.**

*Explanation: Energy Delivery currently uses the SynerGEE-Electric software application, provided by Advantica, Inc., for the analysis and modeling of the electric distribution network. Currently, the SynerGEE-Electric network model is maintained in parallel with the GIS network model, resulting in a duplication of model maintenance. The purchase of MiddleLink, an Advantica, Inc. licensed extension to the base SynerGEE-Electric software, and associated customization/configuration services, will enable the extraction of network information directly from the electric GIS network model.*

*Similar analysis/modeling functionality is required for analysis and modeling of the gas distribution network, which has experienced significant growth in the past several years. This functionality will be provided by the Advantica, Inc. SynerGEE-Gas software application. The gas distribution network has*

expanded to a size inconsistent with manual calculations. The purchase of Model Builder, an Advantica, Inc. licensed extension to the base SynerGEE-Gas software, and associated customization/configuration services, will perform a function similar to MiddleLink for the electric version, allowing extraction of network information directly from the gas GIS network model.

Although there are gas distribution analysis/modeling software systems available from other vendors, Energy Delivery staff have been very satisfied, for over twenty years, with the electric distribution system analysis/modeling software from Advantica, Inc. The gas software user interface has a similar 'look and feel' to the electric software; Energy Delivery Engineering staff, with minimal training, will immediately be able to commence analyzing the existing gas distribution system, and modeling competing rehabilitation/extension scenarios. Advantica, Inc. is also the most logical choice for providing the customization/configuration services necessary for the GIS network data extraction/conversion extensions. Staff feels that contracting with Advantica, Inc., will provide GRU with the most economical solution for procuring modeling/analysis software (with the required functionality, a proven record of accomplishment, and familiar user interface), and associated professional services.

*Fiscal Note: Funds for this project are available in the FY 2006 Utilities Capital Budget.*

**RECOMMENDATION**

The City Commission authorize the General Manager or his designee to negotiate and execute a contract(s) for the purchase of specific software licenses and associated customization and configuration with Advantica, Inc., subject to the approval of the City Attorney as to form and legality, in an amount not to exceed \$170,000.

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

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

**050784**

**City Commission Minutes (B)**

**RECOMMENDATION**

The City Commission approve the minutes of December 12, 2005 (Regular Meeting); December 15, 2005 and December 19, 2005 (Special Meetings); as circulated.

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**PUBLIC WORKS COMMITTEE, CONSENT****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****PUBLIC SAFETY COMMITTEE, CONSENT****050713****State LECFTF Funding for Polygraph Purchase and Training (B)**

**This item requests that the City Commission appropriate and expend funds from the State Law Enforcement Contraband Forfeiture Fund for the purchase of two polygraph instruments and the necessary training.**

*Explanation: Currently, the Gainesville Police Department has one computerized polygraph instrument that was purchased in 1996. The other polygraph instruments that we have in inventory are analog polygraph instruments and are no longer serviceable. With two polygraph examiners on staff and just one functioning polygraph instrument, it causes frequent scheduling conflicts as well as delays in criminal, internal and pre-employment exams. The polygraph instrument is used by the Criminal Investigations Bureau to verify the truthfulness of witnesses and suspects in criminal investigations. Likewise, the polygraph is used by the Internal Affairs Division to verify the truthfulness of complainants and witnesses during internal investigations. The Personnel Services Division utilizes the polygraph instrument during the conditional job offer phase to verify the truthfulness of information provided by our applicants during their background investigation. Polygraph also assists the agency in determining that the applicant has good moral character as specified by the Florida Department of Law Enforcement's Criminal Justice Standards and Training Commission in accordance with Florida State Statute 943.13.*

*A new computerized polygraph instrument has features that were not available when we purchased our current system in 1996. These features include the Piezo Electric Activity Sensor and the audio and video recording of the examination in sync with the polygraph exam. Both of these added features will assist the examiner in determining when a subject is employing countermeasures during a polygraph exam. In addition, having the sessions recorded on audio and video will aid the department in verifying admissions and/or confessions made by a suspect, witness, or applicant and protect the examiner and the City of Gainesville from false accusations of misconduct and potential civil liability. Our current system cannot be updated to add these features. As with most new technology, the new computerized polygraph instrument is a much more user-friendly program than the current system.*

*Also, during the Winter 2004 Florida Polygraph Seminar, it was stated that the American Polygraph Association (APA) will be mandating that all polygraphs require a motion sensor for every examination. At this time a target date for that requirement has not yet been established by the APA. Of note, the APA currently mandates that all polygraph examinations are recorded by video/audio, but, due to the age of our polygraph instrument, we are not in*

*compliance with this standard.*

*The purchase of the equipment (2 new systems, 2 laptops, and 2 printers) will not exceed \$13,500 and the required training for two new polygraphists will not exceed \$16,800. The total expenditure will not exceed \$30,300.*

*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 balance of the State Law Enforcement Contraband Forfeiture Trust Fund is \$58,511.*

**RECOMMENDATION**

*The City Commission authorize the appropriation of an amount not to exceed \$30,300 from the State Law Enforcement Contraband Forfeiture Trust Fund for the purchase of two polygraph systems and the appropriate training for two polygraphists.*

*Alternative Recommendation A: The City Commission decline the appropriation and advise staff to continue to utilize the current polygraph systems. There is no fiscal impact.*

*Alternative Recommendation B: The City Commission decline the appropriation and direct staff to no longer utilize polygraphs for the purpose stated in the explanation. There is no fiscal impact.*

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**050741**

**Distribution of Handbills Ordinance 0-03-92 Review (B)**

**Refer to Legislative #030785**

*Explanation: On November 8, 2004, the City Commission adopted the Handbill Ordinance on first reading. An additional motion was made and carried, to request that the Public Safety Committee Staff Assistant agenda this item on or before January 1, 2006.*

*On December 15, 2005, the Public Safety Committee heard from Gainesville Police Department staff who provided a one year review of the successful effectiveness of this ordinance. A synopsis of this review is included in the back-up.*

**RECOMMENDATION**

*The City Commission accept the Public Safety Committee's report out on the review of the effectiveness of the Handbill Ordinance, and remove this item from the pending referral list.*

**Legislative History**

12/15/05	Public Safety Committee	Discussed
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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

#### 050385

#### Master Calendar 2006 (B)

##### RECOMMENDATION

*The City Commission discuss and approve a draft master calendar for 2006.*

##### Legislative History

9/12/05 City Commission Withdrawn

12/12/05 City Commission No Action Taken

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#### 050790

#### City Commission Special Meeting - Santa Fe Community College and Tidewater Community College (NB)

##### RECOMMENDATION

*The City Commission schedule a special meeting regarding SFCC and Tidewater Community College on Monday, February 20, 2006 at 6:00 pm in the City Commission Auditorium.*

### CITY MANAGER

#### 050772

#### Future CDBG and HOME Allocation Process (B)

**Over the past few months, the Citizens Advisory Committee for Community Development (CACCD) has discussed using a modified request for proposals process with a more focused approach to allocating CDBG and HOME funds to outside agencies in the future. The CACCD supports**

**using a focused allocation process and has identified five funding priorities.**

*Explanation:* In September 2005, staff proposed that we begin focusing the City's CDBG and HOME competitive allocations on priorities that are established in advance by the City. While there is a wide range of projects and programs that are eligible for funding under CDBG and HOME, and the City has certainly funded many different kinds of projects over the years, staff believes there is sufficient interest in beginning a new approach to the City's allocation process. This is especially important as the amount of funding that the City can realistically make available to non-profit outside agencies becomes smaller each year, and HUD begins to emphasize performance and outcomes in the CDBG and HOME Programs.

The positive response that we had during the most recent CDBG and HOME allocation process in specifying that housing proposals be designed to promote the dispersal of affordable housing demonstrates that agencies will respond favorably to an RFP (request for proposal) approach. Therefore, staff is proposing that next year's (FY 2006-07) competitive allocation process for CDBG and HOME be handled in a modified RFP fashion. Certainly, CDBG and HOME basic income and other eligibility criteria are a must, and maximum leverage of other funding would continue to be a high priority. Beyond that, the City would specify in an RFP those kinds of projects or programs that it would consider for funding. Based on recent discussions with staff and the Citizens Advisory Committee for Community Development (CACCD), the recommended priorities for CDBG and HOME funding would be those projects or programs that address one or more of the following areas of need:

- Housing
- Homeless assistance
- Recreation programs, provided they supplement the City's own recreation programs
- Job Training/Employment Opportunities
- Nutritional support

Recognizing that this new approach may have an adverse effect on some organizations that have been receiving CDBG or HOME funds for a number of years, staff is proposing to phase in the RFP process over the next two years. Specifically, we propose that an agency that is currently CDBG- or HOME-funded but does not have a program that addresses one of the City's RFP priorities may be funded at 50 percent of its FY 2005-06 allocation in the first year and 25 percent of its FY 2005-06 allocation the next year. The following year, they might not receive any funding from the City. Of course, all funding is contingent upon CDBG and HOME funding being available to the City, success of the agencies in the competitive application process, satisfactory program performance, program eligibility, and being able to meet other CDBG and HOME Program requirements.

*Fiscal Note:* The level of CDBG and HOME funding that may be available to outside agencies in FY 2006-07 has not yet been determined due to HUD's budget not being finalized. In the City's current fiscal year budget, approximately \$322,000 in CDBG funds and approximately \$327,000 in HOME funds were allocated to outside agencies on a competitive basis.

**RECOMMENDATION**

*Recommended Motion: The City Commission approve the use of a modified request for proposals process for allocating CDBG and HOME funds to outside agencies beginning with the FY 2006-07 application cycle, and accept the funding priorities recommended by the CACCD.*

*Alternative Recommendation A: Defer implementation of a modified request for proposals allocation process and continue using the current open-ended application process to allocate CDBG and HOME funds to outside agencies.*

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**050788****Federal Legislative Agenda for 2007 (B)**

*Explanation: On December 5, 2005, the Mayor, Commissioners and staff held meetings with the City's Legislative Consultant, Marilyn Berry Thompson, and the Government Relations Team to develop an annual federal agenda. The annual federal agenda serves as the City's instrument for measuring specific outcomes and achievements at the end of each year. The agenda also helps the City and members of the Florida Congressional Delegation to focus their energies on a very specific set of Federal grant and legislative priorities and initiatives.*

*Staff is recommending six appropriations initiatives.*

- 1. \$9.5 million for the Downtown Revitalization Initiative (consisting of the Depot Regional Stormwater Project and Depot Avenue Reconstruction),*
- 2. \$23 million for the Public Transportation Enhancement Initiative (consisting of \$2 million for the Regional Transit System Facility Expansion, \$3 million for a Multimodal Transportation Center; and \$14 million for bus replacements; and \$16 million for the Traffic Signalization Initiative),*
- 3. \$7.8 million for the Joint Communications Initiative,*
- 4. \$8.3 million for the Southeast Gainesville Renaissance Initiative;*
- 5. \$2.5 million for the Public Infrastructure Initiative (consisting of \$1 million for Water and Wastewater Infrastructure Improvements and \$1.5 million for the Wellfield Monitoring Network), and*
- 6. \$2.8 million for the Homeless Housing and Services Initiative*

**RECOMMENDATION**

*The City Commission: 1) hear a report from staff; 2) prioritize the projects, and 3) approve the recommended 2007 Federal Agenda.*

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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****050723****Beer Keg Registration and Marketing of Alcoholic Beverages Legislation (B)**

*Explanation: On November 28, 2005 the City Commission referred the issues from the 2006 State Legislative Statement discussion on 1) Beer Keg Registration and 2) Marketing of Alcoholic Beverages to the Public Safety Committee. The Public Safety Committee discussed these items at the December 15, 2005 meeting, and concluded that in order to meet the Legislative Delegation deadline to submit initiatives (January 13, 2006), it was necessary to report this item out expeditiously. The committee heard from interested business owners, citizens and University of Florida representatives.*

*Beer Keg Registration: UF Dean of Students provided the history of this initiative and recommendation derived from the University of Florida Enforcement Subcommittee of the Community Alcohol Coalition. The Coalition brought together community leaders, city and county officials and businesses to address alcohol abuse and underage drinking. The Enforcement committee, one of several committees formed to study alcohol abuse, believes that keg registration would enable the state and local police agencies to hold adults who purchase kegs under their name, responsible for those to whom alcohol is offered, while making the industry part of the solution to underage drinking.*

*Members of the industry spoke to technical concerns with how to actually tag a keg that would be tamper-proof, when the manufacturers do not have identifying numbers imprinted on the cold, wet, steel kegs. They also addressed the question of setting up a system to track and monitor the purchase and suggested that unintended consequences of the legislation might include, among other things, students purchasing individual bottles of beer or liquor rather than a keg of beer.*

*The Public Safety Committee heard that it may be difficult, if possible at all, to make apartment complex owners and managers accountable for keg parties in their complex; if they are not sponsoring or fostering them. Law enforcement finds it virtually impossible, when responding to open house parties, to determine who is responsible for the keg and agree that keg registration could help relieve some enforcement issues. The Public Safety Committee feels the initiative is worthy of support, however, recognizes some of the challenges*

involved in seeking a balance between public safety concerns, (having accountability and control at parties and apartment complexes, noise and nuisance issues that are more and more consistently moving into single family neighborhoods); and the challenge of legitimate businesses selling alcohol.

*Prohibiting Pricing and Marketing of Alcoholic Beverages: This item was placed on the City's Legislative Priorities listing, has been maintained on that listing since 2003, and the Public Safety Committee continues its support for it as a City Legislative initiative. This initiative dates back to the City Commission and Public Safety Committee discussions on bar hours and Raves, and was the topic of over two years of meetings, including recommendations derived from the GAAP (Gainesville Alcohol Abuse Prevention) committee.*

**RECOMMENDATION**      *The City Commission support and approve the Beer Keg Registration and Marketing of Alcoholic Beverages legislation as items for the City's 2006 State Legislative initiatives, and retain this item on the Public Safety Committee referral list for at least one more meeting discussion.*

**Legislative History**

11/28/05	City Commission	Referred (5 - 2)	Public Safety Committee
12/15/05	Public Safety Committee	Discussed	

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## ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

### **050682**

#### **Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan (NB)**

**RECOMMENDATION**      *The City Commission make an appointment to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan*

**Legislative History**

11/28/05	City Commission	Approved, as shown above - See Motion(s) (7 - 0)
12/12/05	City Commission	Approved, as shown above - See Motion(s)

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## COMMUNITY REDEVELOPMENT AGENCY

### **050774**

#### **Proposed Expansion of Eastside Community Redevelopment Agency District (B)**

**This item involves the initial steps necessary to expand the Eastside**

**Community Redevelopment Agency District.**

*Explanation: There is significant potential for redevelopment in Southeast Gainesville. An area with particular need and potential is just south of, and adjacent to, the current southern boundary of the Community Redevelopment Agency's (CRA) Eastside District. Expanding the District to include this area may encourage redevelopment to occur at a faster pace and a higher level. The CRA can address blighted conditions by, among other steps, providing infrastructure, consolidating land, and marketing the area.*

*Working with a consultant to prepare Findings of Necessities (Blight Findings) would enable staff to determine the feasibility of such an expansion. The area proposed for study is approximately 405 acres in size and is shown on the attached map.*

*Fiscal Note: Approximately \$131,000 is available in the City Commission contingency fund, Account No. 001-990-9989-9110. The Findings of Necessity (Blight Findings) are not likely to exceed \$15,000. If the Findings of Necessity report indicates that the subject area meets state criteria for inclusion in the Eastside CRA District, staff estimates that the cost of updating the Eastside Redevelopment Plan would be approximately \$20,000, which the CRA could fund. The CRA could include the plan update in its February Amendatory Budget.*

**RECOMMENDATION**

*The City Commission: 1) authorize staff to disseminate a Request for Qualifications to hire a consultant to study the feasibility of expanding the Eastside CRA District, prepare a Finding of Necessity report for a southern expansion of the Eastside CRA District, and, if supported by the Finding of Necessity report, update the Eastside CRA District Redevelopment Plan to include the expansion area; and 2) provide an amount not to exceed \$15,000 from the City Commission contingency fund for the Findings of Necessity (Blight Findings).*

*Alternative Recommendation: The City Commission deny the request to study the expansion of the Eastside CRA District. There is no fiscal impact.*

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**OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****050746**

**Commissioner Edward Braddy - General Policy for Sewer Connections (NB)**

**RECOMMENDATION**

*The City Commission discuss the general policy for sewer connections and take appropriate action.*

Legislative History

12/12/05 City Commission No Action Taken

**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)**

**Gator Detachment Marine Corps League**

*Bob Gashe, Past Commandant*

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**050797**

**Florida Arbor Day - January 20, 2006 (B)**

**RECOMMENDATION**

*City Beautification Board Chair Anita Spring, City Horticulturist Steven Kabat, City Arborist Meg Niederhofer and Four Seasons Garden Club President Shirley Raimato to accept the proclamation.*

**050798**

**Non-Native Invasive Plant Awareness Week - January 23-29, 2006 (B)**

**RECOMMENDATION**

*Nature Operations Manager Ann Bigelow to accept the proclamation.*

**050799**

**Dr. Martin Luther King, Jr. Week - January 10-16, 2006 (B)**

**RECOMMENDATION**

*Dr. Martin Luther King, Jr. Week representative Rodney J. Long to accept the proclamation.*

**050802**

**Dr. Martin Luther King, Jr. Hall of Fame Day - January 15, 2006 (B)**

**RECOMMENDATION**

*Dr. Martin Luther King, Jr. Hall of Fame Day representative Rodney J. Long to accept the proclamation.*

**PUBLIC HEARINGS****GENERAL MANAGER FOR UTILITIES****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****050801****APPENDIX A AMENDMENT (B)****Ordinance No. 0-06-20**

**An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to fees; amending section (5), Traffic and Motor Vehicles, Appendix A; restoring the criminal justice assessment to a \$2 fee; providing 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 June 27, 2005, authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance to remove embedded fees from the text of the Code of Ordinances and place all fees in Appendix A. Additionally at the July 13, 2005 and August 15, 2005 budget workshops, the City Commission approved a fee increase of 5.0% and an ordinance was drafted and approved increasing all fees by 5%, rounded to the next quarter.*

*In that process, a statutorily allowed fee of \$2.00, for criminal justice education degree programs and training courses, was inadvertently increased by 5%. This ordinance restores the fee to the statutory maximum (\$2.00) and adds the statutory cross-reference for future use and reference. Since this action is merely corrective, this ordinance has an effective date of October 1, 2005.*

*This ordinance requires two readings. If approved on first reading the second and final reading will be January 23, 2006.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

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**050420****PUBLIC RECREATION BOARD NAME CHANGE (B)****Ordinance No. 0-06-19**

**An ordinance of the City of Gainesville, Florida, amending Article III,**



**Chapter 18, City of Gainesville Code of Ordinances, changing the name of the Public Recreation Board to the Public Recreation and Parks Board; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: At its meeting on December 12, 2005, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance changing the name of the Public Recreation Board to Public Recreation and Parks Board.*

*This ordinance requires two public hearings. Should the Commission adopt the ordinance on first reading, the second and final reading will be held on Monday, January 23, 2006.*

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

**Legislative History**

9/26/05      City Commission    Approved as Recommended (6 - 0 - 1 Absent)

12/12/05    City Commission    Approved as Recommended (5 - 0 - 2 Absent)

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**050530**

**BOOTING FEES FOR UNPAID PARKING TICKETS (B)**

**Ordinance No. 0-06-15**

**An ordinance of the City of Gainesville, Florida, amending section 26-53 of the Code of Ordinances, to assess an administrative fee for the costs associated with booting unpaid parking ticket violators; amending the Traffic and Motor Vehicle section of Appendix A, Schedule of Fees, Rates and Charges to specify an administrative fee for booting unpaid parking ticket violators; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date**

*Explanation: On October 24, 2005, the City Commission authorized the City Attorney to draft, and the Clerk of the Commission to advertise an ordinance amending Section 26-53 and Appendix A of the Gainesville Code of Ordinances to set a specific fee of \$25.00 for booting a vehicle in which violators have three or more unpaid parking tickets.*

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

**Legislative History**

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

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

**041138****HOGTOWN CREEK CHARTER AMENDMENT (B)****Ordinance No. 0-06-12**

**An ordinance of the City of Gainesville, Florida; approving an amendment to the Charter Laws of the City of Gainesville; amending Article V of the Charter Laws, entitled "Special Provisions" to allow paving for parking and recreational facilities on Recreation areas while continuing to prohibit paving for trails or transportation corridors on City-owned land in Conservation areas; providing a map of the Hogtown Creek Watershed area (1998); providing for submission of the charter amendment to the voters for approval or disapproval at the March 7, 2006 regular municipal election; approving the ballot title and summary to be placed on the ballot; providing that this charter amendment shall become effective immediately; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: On November 14, 2005, the City Commission authorized the City Attorney to prepare an ordinance amending the city charter. The ordinance proposes an amendment to Section 5.06 of the City Charter.*

*The ordinance must also contain the ballot language. By law, the number of words cannot exceed 75.*

*After adoption of the ordinance by the City Commission on second reading (January 9, 2006), the charter amendment is subject to approval or rejection by the voters at the municipal election to be held on Tuesday, March 7, 2006.*

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

**Legislative History**

6/16/05	Recreation and Cultural Affairs Committee	Discussed
11/8/05	Recreation and Cultural Affairs Committee	Approved as Recommended
11/14/05	City Commission	Approved as Recommended (7 - 0)
12/19/05	City Commission	Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

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**RESOLUTIONS- ROLL CALL REQUIRED****050759**

**Single Lot Replat, Portofino Cluster Development Phase I, Lot 27. Petition No. 147SUB-05 CC (B)**

**This petition is for a single lot replat of Lot 27, Portofino Cluster Development Phase I, according to the plat thereof recorded in Plat Book 25, pages 58-60 as amended by Surveyor's Affidavit recorded in Official Records Book 2004, page 715, of the public records of Alachua County, Florida. This subdivision recently has been annexed into the City of Gainesville. It is located at 1645 Southwest 66th Drive.**

*Explanation: This is a request for a single lot replat of Lot 27 of the Portofino Cluster Subdivision, Phase I, which is located in the 1500 Block of Southwest 24th Avenue, south side, between Interstate 75 and Southwest 75th Street. Lot 27 is currently developed with a single-story wood frame single-family residence, which is subject to the following setbacks, as approved by the Portofino Cluster Subdivision: front, 15 feet; street side, 10 feet; interior side, five feet, and rear, 15 feet.*

*After construction, it became evident that the front portion of the building encroached into the front setback by 1.7 feet, reducing the front setback to 13.3 feet. In order to correct this encroachment, and remove any encumbrances on the title, the property owner is requesting a single lot replat to change the front setback for Lot 27 from 15 feet as listed on the Cluster Subdivision to 13 feet. The building will be in conformance with all other setbacks of the Cluster Subdivision. All required documents and consent to replat have been reviewed and found to be in compliance with the Land Development Regulations and subdivision requirements.*

*Fiscal Note: None*

**RECOMMENDATION**

*Planning staff to City Commission: The City Commission adopt the following resolution: "A Resolution approving the final, single lot replat of "Portofino Cluster Development Phase I, Lot 27 Replat", located at 1645 Southwest 66th Drive; providing directions to the Clerk of the Commission; and providing an immediate effective date.*

*Alternative Recommendation A: The City Commission deny Petition 147SUB-05 CC.*

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## **PLAN BOARD PETITIONS**

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

### **050783**

### **Gainesville Urban Reserve Area Update (B)**

**This item is in relation to the ongoing update of the Gainesville Urban**

**Reserve Area, the status of negotiations with the County and other municipalities and the results from neighborhood meetings.**

*Explanation: On June 28, 2005, the Alachua County Board of County Commissioners held a public hearing to address the 5-year update of the urban reserve areas for the municipalities in Alachua County. The County staff presented the recommended changes to the reserve areas submitted by each municipality, and the County staff's proposed modifications to urban reserve areas. In addition, each municipality made statements in regards to requests for changes in the urban reserve areas. It was determined that there still existed some areas of conflict between the municipalities, and/or the County staff's proposal.*

*A provision in the Boundary Adjustment Act allows for a 120-day informal negotiation period to resolve any remaining conflicts. The County Commission asked the County staff and the municipalities to use the 120 day period, which expired on October 26, 2005, to continue to work on resolutions to the areas of conflict.*

*On September 12, 2005, staff presented the progress of those negotiations to the City Commission. The Commission concurred with staff's direction and indicated a specific desire to obtain all of Newnan's Lake in Gainesville's URA. City staff, along with the City Attorney's Office, has been working with the municipalities affected by Gainesville's proposed urban reserve expansion in an attempt to resolve any remaining conflicts. In addition, staff held neighborhood meetings with the residents in the NW 93rd Avenue area and the community of Rochelle.*

*Currently, the area adjacent to NW 93rd Avenue is in Gainesville's Urban Reserve Area. The City of Alachua also requested this area for inclusion in their Urban Reserve. In addition, Gainesville requested areas north of the Deerhaven Power Plant that are currently in Alachua's Extra Territorial Area. Gainesville staff, Alachua staff, and Alachua County staff began meeting to resolve these conflicts. Gainesville staff analyzed the area and recommended that the City not pursue annexation at this time. NW 93rd Avenue is an unpaved road. The City does not own the type of equipment necessary to maintain the road, and paving the road is cost prohibitive. Furthermore, potential new development along the corridor is located in the City of Alachua. In exchange for this area, the City of Alachua and Alachua County are willing to place land located north of the Deerhaven Power Plant into Gainesville's Urban Reserve (see map in backup materials). A neighborhood meeting was held on November 30, 2005 to advise and inform the residents of this proposed change. Several residents voiced their concerns. These residents did not express a desire to annex into either Gainesville or Alachua. Other residents in attendance did not voice any concerns with the proposal. Staff instructed all residents to contact their County Commissioners or attend the public hearing scheduled for January 10, 2006 to voice their concerns and desires.*

*The proposed boundaries do not include all of Newnan's Lake as requested by the City Commission. Staff has requested justification from the County regarding this area. However, the proposal does include expansion of Gainesville's URA to include the community of Rochelle and land to the north of*

the lake. A neighborhood meeting was held in Rochelle on December 6, 2005 to advise and inform the residents of this proposed change. There was an overwhelming desire to remain in the unincorporated area and not be included in Gainesville's Urban Reserve Area. Staff instructed all residents to contact their County Commissioners or attend the public hearing scheduled for January 10, 2006 to voice their concerns and desires. The residents of Rochelle plan to deliver a petition to the County Commission expressing their desire to remain outside Gainesville's Urban Reserve Area.

Currently, LaCrosse provides fire suppression and EMS services to the area to the north of the City limits, east of Deer Haven Power Plant and south of LaCrosse through an interlocal agreement with Alachua County. A portion of this area is proposed to be included in the modified Gainesville Urban Reserve being proposed by Alachua County. The City is working with the Town of LaCrosse to address the provision of EMS and fire suppression services in the area in the event the area is added to the Gainesville URA, and subsequently annexed into the City limits.

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) review the draft language for the "Letter of Intent", which commits to negotiating the provision of fire /EMS services with LaCrosse subsequent to annexation, and authorize the City Manager to submit the letter to the Town of Lacrosse with a copy being forwarded to the Alachua County; 2) provide direction to staff on the City's position regarding Newnan's Lake; 3) provide direction to staff on the City's position regarding the NW 93rd Avenue area; and 4) appoint a Commission member or designee to attend the County's public hearing on January 10, 2006.*

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**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**

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