

City of Gainesville

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



Meeting Agenda

April 23, 2007

1:00 PM

City Hall Auditorium

City Commission

***Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Craig Lowe (District 4)
Commissioner Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)***

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

CALL TO ORDER

AGENDA STATEMENT

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

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

060711.

FY 2007 Youth Summer Camp Registration Fee (B)

This item requests the City Commission to fund the difference in revenue between the proposed city-resident summer camp rate of \$41 per week and the approved city-resident summer camp rate of \$31 per week from the City Commissioner Contingency Fund.

Explanation: The Parks, Recreation and Cultural Affairs Department made a presentation to the City Commission on Monday, February 12, 2007 regarding the proposed increase in summer camp fees from \$21.00 per week for city-residents to \$41.00 per week for city-residents. The proposed rate increase would allow the Recreation Division to offset annual increases in program supply costs, reduce the staff/child supervision ratio from 20 to 1 down to 15 to 1, allow early camp drop off at no additional cost and most importantly allow staff to continue to offer program scholarships to those families who have been unable to afford the full registration. Last year these scholarships were paid for by CDBG in the amount of \$13,000.

After much discussion, the City Commission approved to keep the programs as proposed but to only raise the rates to \$31 this fiscal year, and raise the rates to \$41 for fiscal year 2008. Staff was also asked to come back for Fiscal Year 2008 with a review of the formula to include higher levels of subsidy for those with the greatest needs. Lastly, the City Manager was requested to provide what the financial loss to the Department would be due to the newly adopted rate versus the proposed rate for possible recovery of the lost funds from the City Commission Contingency Fund.

Fiscal Note: The difference in projected revenues based on the approved city-resident rate of \$31.00 per week versus the proposed city-resident rate of \$41.00 per week is \$19,225 for the 2007 Summer Youth Camp.

RECOMMENDATION

Recommended Motion: The City Commission fund the difference in revenue in the amount of \$19,225 from the City Commission Contingency Fund.

Alternative Recommendation: The City Commission not fund the difference in revenue from the City Commission Contingency Fund and direct staff to absorb the loss in their current budget.

Legislative History

11/27/06	City Commission	Approved as Recommended (7 - 0)	
11/27/06	City Commission	Referred	Recreation, Cultural Affairs and Public Works Committee
1/16/07	Recreation, Cultural Affairs and Public Works Committee	Approved as Amended	
2/12/07	City Commission	Approved as shown above (See Motion) (7 - 0)	

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061075.

Request to Declare as Surplus and Dispose of City Owned Property (B)

Request to declare as surplus and dispose of City owned property - a portion of Tax Parcel 11344-000-000 located at Hawthorne Road and Southeast 8th Avenue Extension.

Explanation: The City acquired the vacant property known as Tax Parcel 11344-000-000, located at 750 Southeast 23rd Street by Warranty Deed on May 4, 1993 from A. Nicholas Gatti and Ruby E. Gatti, for the purpose of building and maintaining the Southeast 8th Avenue extension to Hawthorne Road. The Southeast 8th Avenue extension severs Tax Parcel 11344-000-000 creating an approximately 0.18 acre remnant on the west side.

The City has received a request from the adjoining property owner to purchase the 0.18 acre remnant portion of Tax Parcel 11344-000-000 to combine with their existing property to the west for the purpose of expanding their proposed development. City guidelines allow 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. Staff believes the value of the land is \$5,000 and that it is in the best interest of the City, to declare this remnant property as surplus and return the property to the tax roll. The adjacent property owner is willing to pay \$6,000 for this 0.18 acre remnant parcel and all associated costs connected with the boundary survey establishing the legal description, documentary stamps, and recording fees.

Fiscal Note: The administrative cost to complete this transaction are estimated to be \$200 and should be taken from the sale price of \$6,000.

RECOMMENDATION

The City Commission: 1) declare the remnant of Tax Parcel 11344-000-000 located at 750 Southeast 23rd Street as surplus; 2) authorize the City Manager to execute a Purchase and Sale Agreement for the remnant of Tax Parcel 11344-000-000; 3) authorize the Mayor to execute, and the Clerk to attest, a Special Warranty Deed, subject to approval by the City Attorney as to form and legality, to convey the property located at 750 Southeast 23rd Street, the remnant of Tax Parcel 11344-000-000 to the adjacent property owner; and 4) authorize the City Manager to execute any other documents associated with the sale of this surplus property.

Alternative Recommendation: The City Commission denies this request and the City retains maintenance and other associated liabilities.

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061113.

New Banking Services Agreement for General Government and GRU (NB)

This item presents the firm rankings from the Request for Proposals (RFP) for General Banking Services for both General Government and GRU, a joint process.

Explanation: The City's current contract for General Banking Services expires September 30, 2007. On January 10, 2007 the City issued a Request for Proposals for General Banking Services for both General Government and GRU. The RFP was a work product of both staffs. The City held a non-mandatory pre-bid meeting on January 30, 2007. The proposal deadline was February 28; six proposals were received. Staff made preliminary rankings on March 7. Three firms were closely spaced at the top of the list of six, and those were invited to make oral presentations on March 12, 2007. They included SunTrust, the City's current banking partner, Wachovia and Bank of America. All three firms were present on March 19 for oral presentations. General Banking Services encompass account balances and maintenance; custodial services for certain City investments; electronic funds transfers for both employees and vendors; depository services, both cash and electronic; wire transfers; and many other daily banking services both routine and non-routine. The evaluative factors led to the following ranking of the three finalists:

- SunTrust*
- Wachovia*
- Bank of America*

All are sophisticated national banks who could serve the purposes of both General Government and GRU. In addition, certain elements regarding

personnel and contact points will have to be negotiated in order for the City to develop a satisfactory contract, but staff does not envision any difficulties in such negotiations.

Fiscal Note: The fiscal effects of the contract were evaluated based on net cost to the City which, in the case of our banking partner, is actually a net benefit. Staff tallied the costs enumerated by vendors based on our average monthly activity (which was enumerated in the RFP), and then added back the potential investment income for overnight and similar deposits based on the estimated average cash on hand (also enumerated in the RFP). This net benefit/cost had been approved by the City Manager as a 20% ranking factor, because reliability was deemed to be a more important aspect of a banking partner, in that timely wire transfers of debt payments are the most important fiscal activity of the City.

RECOMMENDATION

The City Commission approve the rankings of the final three proposers as listed above and authorize the City Manager and General Manager or designees to: 1) negotiate with the top-ranked firm to develop a final contract or, if the City and the top-ranked proposer cannot agree on contractual elements, then to negotiate with the second-ranked firm for a final contract, and so on, subject to approval by the City Attorney; and 2) execute the contract.

061119.

Prohibition on Social Service Uses in the Five Points Area (NB)

This is a request by a citizen, Doris Edwards, asking the City Commission to amend the Five Points Special Area Plan to prohibit social service uses.

Explanation: On February 12, 2007, Doris Edwards appeared before the City Commission and expressed concerns about a proposal to place a social service use at 1604 Southeast 3rd Avenue (formerly occupied by a food stamp service). Following Ms. Edwards' comments, the City Commission asked staff to review the potential to amend the Five Points Special Area Plan to prohibit or restrict social service use in the Five Points Area. Staff's review of the Special Area Plan indicated that the Plan can be amended to prohibit social service and rehabilitation service uses. Section (f)(9), Prohibited Uses, could be amended to add rehabilitation centers and social service homes (half-way houses) as a use that would not be allowed in the area.

Fiscal Note: None

RECOMMENDATION

The City Commission initiate a petition to the City Plan Board to prohibit social service uses in the Five Points Area.

061146.

Release of Mineral Rights within Tax Parcels: 0859-010-001;

**10859-010-002; 10859-010-003; 10859 010-004, 10859-010-006;
10859-010-007 (Wal-Mart) (B)**

This item involves Mayor authorization to execute a Release of mineral rights for Tax Parcels: 0859-010-001; 10859-010-002; 10859-010-003; 10859 010-004, 10859-010-006; 10859-010-007 (Wal-Mart), that exist over previously released easement areas.

Explanation: In 1997, State of Florida Department of Transportation conveyed onto the City of Gainesville various lateral ditches, including one which the State acquired in 1951. In 1999, the City abandoned the use of the various lateral ditches and conveyed them onto the property owner, Camp and Fillmer, by Quit-claim Deed, with the exception of that one acquired in 1951. The City retained the mineral rights to all the lateral ditches in the Quit-claim Deeds. Camp and Fillmer have their property, including the areas of the lateral ditches, under contract to Wal-Mart for construction of the new Super Wal-Mart, east of Waldo Road. On February 16th, 2007, the Mayor executed a Release of Easement for that lateral ditch, acquired in 1951, Tax Parcels: 0859-010-001; 10859-010-002; 10859-010-003; 10859 010-004, 10859-010-006; 10859-010-007 for construction of a Super Wal-Mart. Their title company is requesting a release of mineral rights, expressly, for all the areas of lateral ditches. This conveyance will clear a cloud on the title of the property released by the City. The Release document was prepared by Wal-Mart's attorney.

Fiscal Note: Funding in the amount of \$200 for administrative costs is available in the Public Works FY 07 operating budget.

RECOMMENDATION

The City Commission: 1) approve the Release of mineral rights for Tax Parcels: 0859-010-001; 10859-010-002; 10859-010-003; 10859 010-004, 10859-010-006; 10859-010-007 (Wal-Mart) for the abandoned lateral ditches and; 2) authorize the Mayor to execute the Release of mineral rights, subject to approval by the City Attorney, as to form and legality.

Alternative Recommendation: The City Commission denies this request and the City retains the mineral rights, resulting in a clouded title to the property.

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061149.

Third Extension to the Contract for Cellular Phone Service with Alltel Communications, Inc. (B)

This item involves a request for the City Commission to extend the term of the Contract for one (1) year with Alltel Communications, Inc.

Explanation: The City of Gainesville entered into a two-year Contract with Alltel Communications, Inc. on November 19, 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 is the third one-year extension to the term of the Contract.

Fiscal Note: Funds are budgeted in each department's budget for cellular phone service. The estimated annual cost is \$80,000.

RECOMMENDATION

The City Commission authorize the City Manager or designee to execute the Third Extension to the Contract with Alltel Communications, Inc. for cellular phone service, extending the term of the Contract from October 1, 2007 to September 30, 2008.

Alternative Recommendation A:

The City Commission decline to execute the Third Extension to the Contract with Alltel Communications, Inc., and direct staff to issue a Request for Proposals (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 Third Extension to the Contract 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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061150.

Request for City Commission Contingency Funds for the Second Annual Conference on Best Practices in Building University/City Relations (B)

This item is a request from the Administrative Service Department, Office of Strategic Planning on behalf of the Conference Planning Committee for City Commission Contingency Funds for the Second Annual Conference on Best Practices in Building University/City Relations.

Explanation: The City of Gainesville, University of Florida and Santa Fe Community College are co-hosting the Second Annual Conference on Best Practices in Building University/City Relations that will be held on June 7-10, 2007 in Gainesville, Florida. The theme of this year's conference is "Living and Learning Together to Unite Our Communities". The mission of this conference is to provide higher education and local government officials from throughout the U.S. and Canada with an opportunity to come together and learn from one another about city and university practices that build positive relationships and address Town Gown concerns. The topics to be covered at this conference include law enforcement, city and university planning, transportation, neighborhood relations, community rights and responsibilities, code enforcement, student advocacy, student involvement and civic engagement.

On behalf of the Conference Planning Committee, the Department is requesting \$4,000 to offset conference expenses, which would cover \$2,000 for printing materials, \$1,500 for conference presenter discounts (\$100 discount per

presenter), and \$500 for keynote speaker honorarium and travel expenses.

Fiscal Note: The Department is requesting a total of \$4,000 from the City Commission Contingency Fund. As of March 30, 2007, the City Commission Contingency Fund had a balance of \$99,208.

RECOMMENDATION

The City Commission approve an allocation of \$4,000 from the City Commission Contingency Fund for co-sponsorship of the Second Annual Conference on Best Practices in Building University/City Relations.

Alternative Recommendation A:

The City Commission approve an allocation of \$_____ from the City Commission Contingency Fund for co-sponsorship of the Second Annual Conference on Best Practices in Building University/City Relations.

Alternative Recommendation B:

The City Commission not approve an allocation from the City Commission Contingency Fund for co-sponsorship of the Second Annual Conference on Best Practices in Building University/City Relations.

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061151.

Request to apply for a Tony Hawk Foundation grant for equipment installation at a proposed skate park facility (NB)

This item involves a request for the City Commission to authorize the Department of Parks, Recreation and Cultural Affairs to seek a grant from the Tony Hawk Foundation for equipment installation at a proposed skate park near the Martin Luther King, Jr. Multi-purpose facility.

Explanation: As part of a Community Redevelopment project, the City of Gainesville's Department of Parks, Recreation and Cultural Affairs has applied for a grant from the Tony Hawk Foundation. The request for \$20,000, if granted, will be used to assist in the acquisition and installation of equipment at a proposed skate park behind the Martin Luther King, Jr. Multi-purpose facility near the Northeast pool.

The Tony Hawk Foundation seeks to foster lasting improvements in society, with an emphasis on supporting and empowering youth. Through special events, grants, and technical assistance, the Foundation supports recreational programs with a focus on the creation of public skateboard parks in low-income communities.

In order to meet the deadline for the grant application, which was in March 2007, the agenda item is coming before the Commission after the fact.

Fiscal Note: Matching funds in the amount \$80,000 for this grant are available in the 2005 CIRB allocation.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the request to apply for the Tony Hawk Foundation grant; and if awarded; 2) authorize the City Manager to execute the grant award contract and other necessary documents, pending approval by the City Attorney as to form and legality; and 3) approve the required payments process for expending the grant funds.

Alternative Recommendation: The City Commission deny the request to apply for the Tony Hawk Foundation grant and request staff pull the grant application.

061165.**U.S. Department of Justice Bulletproof Vest Partnership (NB)**

Explanation: The U.S. Department of Justice, Bureau of Justice Assistance, invited the City of Gainesville to apply for \$46,680.40 in grant funding through the Bulletproof Vest Partnership Program. The program reimburses law enforcement agencies for up to fifty percent (50%) of the total costs of purchasing bulletproof vests to replace zylon bulletproof vests. The amount the City of Gainesville was eligible to apply for was established by the U.S. Department of Justice. The City submitted an application to the U.S. Department of Justice for the designated amount of grant funding.

The U.S. Department of Justice approved the application on January 1, 2006. This will allow the City of Gainesville to purchase up to \$93,360.80 in bulletproof vests and be reimbursed for fifty percent (50%) of the cost, up to a maximum of \$46,680.40.

Fiscal Note: The City of Gainesville will be able to purchase up to \$93,360.80 in bulletproof vests and be reimbursed for fifty percent (50%) of the cost, up to a maximum of \$46,680.40. The fifty percent (50%) of funding from the Gainesville Police Department will come from the General Fund, Uniform and Equipment Account.

RECOMMENDATION

The City Commission authorize the City Manager to: 1) accept the \$46,680.40 in grant funds, and 2) execute any other necessary documents, pending review by the City Attorney as to form and legality.

061176.**U.S. Department of Justice COPS Secure Our Schools Grant - Project Modification (NB)**

This item requests City Commission to approve a project modification for the COPS Secure Our Schools Grant.

Explanation: This grant award involves a partnership between the City of Gainesville, Gainesville Police Department and the School Board of Alachua County. The primary focus of the project was to limit access to school campuses by unauthorized persons. Both agencies were attempting to accomplish this through the installation of a visitor identification and tracking system known as Lobby Track ®. After reviewing implementation costs, it was determined that the cost of the system and expenses required to support continued use of the equipment exceeded available resources. The Gainesville Police Department and the School Board of Alachua County have worked together to request a modification to the scope of the project. The new project will consist of installation of additional fencing at four schools, which will reconfigure the pedestrian flow. The fencing will require pedestrians to pass through the office area to be cleared for admittance to the campus. The fencing projects will be implemented at Alachua Elementary, Duval Elementary, Newberry Elementary, and High Springs Elementary School. Only funds from the grant award and funds from the School Board of Alachua County are being used for this project.

Fiscal Note: The grant award will remain at \$25,000 and requires a \$25,000 match of local funds. The \$25,000 in matching funds have been allocated by the School Board of Alachua County and will not require any matching funds from the City of Gainesville.

RECOMMENDATION

Recommended Motion: The City Commission approve the modification to the COPS Secure Our Schools Grant and authorize the City Manager to execute any necessary documents, pending review by the City Attorney as to form and legality.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

061177.

Natural Gas Trench and Casing Installation (NB)

Staff recommends approval to enter into multiple contracts with site preparation contractors to provide trench work, install casings for natural gas pipe under roadways, and place gas distribution pipe within numerous developer-related projects.

Explanation: The Gas Transmission and Distribution Division desires to use numerous site development contractors to place casings under development roadways for the gas distribution system, to develop a joint trench system to accommodate the electric and gas distribution systems, and to assist in the placement of gas pipe within the trench system. The practice of installing both distribution systems within a common trench has proven to be cost effective for both utilities and is developer friendly. Generally, the developer's site preparation contractor can perform these services in the most cost effective and timely manner. The site contractor installs the water and wastewater systems, develops the trench system for the electric system, and constructs the roadway system. Engaging one contractor to construct all civil and utility infrastructure facilitates the coordination of all site development construction activities. In that the site

contractors vary from one development to the next, contracts with numerous contractors are required to satisfy the needs of the gas utility.

The amount paid to each contractor will be based on quoted pricing or negotiated pricing based on the size and requirements of the development which will result in lower overall costs.

Fiscal Note: Funding for this project is included in the FY 2007 budget and will be requested in future budgets throughout the term of these contracts. The projected cumulative annual cost for these services is \$250,000 per year.

RECOMMENDATION

The City Commission: 1) authorize the General Manager or her designee, to execute three-year contracts with various contractors to provide joint use trenches, install road crossings, and place gas distribution pipe on an as-needed basis, subject to approval by the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not to exceed budgeted amounts for these services, subject to the final appropriation of funds for each year of the contracts.

061178.

Purchase and Sale of Real Property (NB)

Authorization for the General Manager to purchase real property or land rights necessary or desirable for utility purposes as defined herein and to sell property or land rights declared surplus by the Utility in amounts of \$100,000 or less.

Explanation: On September 21, 1992, the City Commission authorized the General Manager to make real property or land rights purchases as defined in the recommendation in amounts costing \$25,000 or less. Based on the increased value of property and land rights, staff is requesting the authorization amount be increased to \$100,000. In 2005, the City Commission authorized an amendment to the property appraisal ordinance increasing the value of property requiring an appraisal to \$100,000. The recommended increase in authority for the purchase and sale of real property or land rights will make the thresholds for appraisals, acquisitions and sales of real property and land rights consistent.

Staff will continue to report to the City Commission all purchases and sales of real property and land rights for which prior approval of the City Commission is not required.

Fiscal Note: All purchases made under the above authorization will be subject to funds having been budgeted within the appropriate budget categories.

RECOMMENDATION

The City Commission: 1) authorize the General Manager to sell real property or land rights declared surplus by the Utility in amounts of \$100,000 or less and to make purchases of real property or land rights necessary or desirable for utility purposes as follows:

a) Property or land rights costing \$100,000 or less; b) settlement of any action in eminent domain for an amount not in excess of \$100,000 or 20% of the appraised value, whichever is more, for the property to be acquired plus reasonable attorneys fees and costs, provided the City Attorney shall have approved such settlement; c) purchase of fee simple title or easement which is required for a construction project approved by the City Commission provided that funds are available within the project amount approved in the budget; and 2) authorize the General Manager or his designee to execute any and all documents necessary to effect such purchases or sales, subject to the approval of the City Attorney as to form and legality; and 3) Authorize the Clerk of the Commission to record in the public records of Alachua County any and all documents for the sale, purchase or acquisition of real property land rights that may be necessary to conduct the day to day business of the City.

061179.**Release of Easements in the 1400 Block NW 9th Avenue (B)****Release of Easements in the 1400 Block NW 9th Avenue to serve Schlegel Minor Subdivision**

Explanation: In February 2006, a 20-foot wide easement was granted to the City of Gainesville for the construction, operation and maintenance of potable water and sanitary sewer utilities to serve the Schlegel Minor Subdivision, located in the 1400 block of NW 9th Avenue. An additional 5-foot wide easement was granted to the City of Gainesville in January 2007, for the same.

The property owner has since decided to privately maintain the water and sanitary sewer utility facilities located within the subdivision. Therefore, the owner has requested that the City release both easements established for this purpose.

Staff has reviewed this request and confirmed that there are no electric, water, sewer, or gas utilities to be maintained by the City, located within the area to be released. Therefore, staff has no objection to the City releasing these easements.

RECOMMENDATION

The City Commission: 1) approve the release of two easements located in the 1400 Block of NW 9th Avenue; and 2) authorize the Mayor to execute the Release of Easement document subject to approval by the City Attorney as to form and legality.

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061180.**Purchase of Buffer Property (B)**

Staff is requesting approval of the purchase of 10 acres of buffer property from Terrapointe, LLC, for wellfield protection.

Explanation: In March 2006, the City was contacted by a representative of the Rayonier Timber Company (dba Terrapointe, LLC). They informed staff they were selling 241 acres of land located east of the Murphree Water Plant facility and inquired whether the City would have an interest in purchasing the property. After careful consideration by staff, it was determined the City would not be interested in the entire 241 acre parcel. However, staff has recommended that it would be highly desirable to acquire a portion of the property to provide a buffer to three of the City's existing water wells located along City owned right-of-way north of NW 53rd Avenue and east of the Murphree Water Plant. The City's existing right-of-way which the wells are located in is 90' wide and does not provide adequate buffer from development to the north. It was determined that the purchase of a 150' wide strip north of the City's right-of-way will provide a buffer adequate to protect the City's wells from future development that will ultimately occur on the Rayonier property that is for sale. Fire protection is another reason to acquire this buffer. In the year 2001, wildfires threatened several wells at Murphree. In the aftermath, a meeting was held with Gainesville Fire and Rescue and Alachua County Fire Rescue staff to identify steps that could be taken to reduce the vulnerability of the wellfield. A larger cleared buffer was recommended to reduce the proximity of fuel sources to the wells.

Staff has negotiated the purchase of a strip of land 150' wide X 3000' which consists of approximately 10 acres at a purchase price of \$5,000.00 per acre. Also included in the special conditions of the negotiated purchase and sale agreement is the agreement of the City to grant the seller, or their successors and assigns, two perpetual ingress/egress easements for access to their property through the City's 90' wide right-of-way located between NW 53rd Avenue and their property.

Fiscal Note: The total purchase price of the property will depend on the results of a boundary survey. The current estimate is \$50,000.00, plus closing costs. Funds are available in the Water Wastewater FY 2007 Capital Budget.

RECOMMENDATION

The City Commission: 1) approve the purchase of property from Terrapointe, LLC, as negotiated by staff; and 2) authorize the General Manager, or her designee, to execute a Special Warranty Deed to Terrapointe, LLC, and to execute any documents necessary to complete the closing subject to approval by the City Attorney as to form and legality.

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061181.**Self Loading Reel Trailer (B)**

Staff recommends the purchase of a Self Loading Reel Trailer from Terex Utilities to be used when installing electric transmission and distribution overhead and underground conductor.

Explanation: A Self Loading Reel Trailer is used by the Electric Transmission and Distribution Division (T&D) to properly and safely install large overhead and underground electrical conductors. Currently the Utility has only one such unit which is shared by the two T&D operating centers located on opposite sides of Gainesville. Since this equipment is typically used by multiple crews, delays can result due to scheduling conflicts. In addition, scheduled maintenance or repair of the unit prevents staff from installing conductors since this work can only be performed with the equipment. This Self Loading Reel Trailer will be an addition to the fleet and will be used primarily by the T&D crews, who operate from the Springhills Service Center.

An Invitation to Bid was sent by Utilities Purchasing to eleven prospective bidders. Six companies responded which included three no bids. One bid was deemed non-responsive due to lack of information. The bids were evaluated based on price, references, delivery time, parts availability, past performance, deviations, local vendor and pre-bid meeting attendance. Bidders provided pricing for new units and comparable demonstration units with minimal use. Staff recommends awarding the bid to Terex Utilities based on pricing submitted for a demonstration unit. The bid tabulation is attached for your reference.

Fiscal Note: Funds are available for this purchase in the Electric Transmission and Distribution Division's General Plant budget for FY 2007.

RECOMMENDATION

The City Commission approve the issuance of a purchase order to Terex Utilities for a Self Loading Reel Trailer in the amount of \$88,957.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

061183.

Special City Commission Meetings (NB)

RECOMMENDATION

The City Commission schedule special meetings as follows:

May 7 - Joint City/County Meeting; Re: Gas Tax - Jack Durrance Auditorium @ 6:00 PM

May 21 - Capital Improvements Plan @ 6:00 PM - City Hall Auditorium

June 18 - Energy Supply Plan/Conservation Issues; Election Issues @ 6:00 PM - City Hall Auditorium

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****061078.****Reclassification of GRUCom Director to Director of Sales and New Services (B)**

Change the GRUCom Director's job title and job description to better reflect changes to the job responsibilities.

Explanation: In continuing efforts to improve internal efficiencies and customer service delivery, some reporting changes involving GRUCom took place about a year ago. A number of staff in the operational area of GRUCom was transferred to the Information Technology (IT) Department. The GRUCom Director retained the "business" and "sales" aspects of GRUCom which includes the supervision of four employees - one manager and three professionals. In turn, seven employees in News Services and Gas Marketing and Sales were moved to the supervision of the GRUCom Director to better coordinate sales opportunities. These employees previously reported to the Marketing Director. Because of the changes in the GRUCom Director's supervisory responsibility, this position is recommended to be reclassified and the title and job description changed to Director of Sales and New Services. The primary focus of this new position will be to develop and implement strategic sales initiatives to acquire new customers and retain existing customers; monitor the financial and business plans for GRUCom and Gas; and plan, direct, coordinate and administer sales and business activities in accordance with all applicable laws, rules, and regulations.

Fiscal Note: This is a title change only and has no fiscal impact.

RECOMMENDATION

The City Commission approve reclassifying the GRUCom Director (Pay Grade M-12) to Director of Sales and New Services (Pay Grade M-12) and adding this job title to the Occupational Index.

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061081.**Addition of Systems Integration Supervisor (B)**

A reorganization of GRU's Information Technology (IT) Division created the need for a supervisory position to coordinate the daily support operations and manage project workload for Systems Integration. Systems Integration has a staff of 11, including analysts and programmers.

Explanation: In May 2006, the Information Technology Department underwent a reorganization that aligned existing resources, creating three service units; Infrastructure Services, Application and Customer Support Service and Network Services. This was done to accommodate the staff absorbed into the IT department due to merger of the GRUCom operating unit.

The Systems Integration group has eleven employees which currently report directly to the unit Manager. Due to the complexity of duties this group performs (software testing, configuration, training and support), a supervisor is needed to coordinate the internal and external operational activities surrounding technology support as well as coordinating project functions.

Fiscal Note: The fiscal impact of this recommendation is approximately \$15,388. Adequate funding has been included in the FY 07 budget.

RECOMMENDATION

The City Commission approve deleting a vacant Systems Integration Analyst position (Pay Grade C11) and adding a Systems Integration Supervisor position (Pay Grade M8) to the Occupational Index.

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061082.

Addition of a Power Plant Operations Manager and Power Plant Maintenance Manager to the Occupational Index (B)

Split the Power Plant Operations Manager and Power Plant Maintenance Manager into two separate positions based on operational needs.

Explanation: Currently, the J.R. Kelly Generating Station has a combined classification for a Power Plant Operations/Maintenance Manager. The Deerhaven Generating Station has also had this combined classification; however, there have always been functional differences. Namely, one position at Deerhaven has functioned as an Operations Manager and another position has functioned as the Maintenance Manager.

Deerhaven manages a diverse type of generating equipment which is more complex to operate than the Kelly Plant. Deerhaven also manages ash handling and coal handling equipment which has to be maintained along with a water treatment process plant. In addition, Deerhaven currently employs 102 employees compared to 34 at the Kelly Plant. Management has decided to split the Power Plant Operations/Maintenance Manager classification at Deerhaven into two distinct classifications: Power Plant Operations Manager and Power Plant Maintenance Manager. The split of positions at Deerhaven simply formalizes the practice, but also provides a mechanism for management to expand the Operations Manager responsibilities to improve efficiencies in the plant and assist with recruiting efforts.

Fiscal Note: The combined Power Plant Operations/Maintenance Manager and the Power Plant Maintenance Manager are in the same Pay Grade; therefore, there is no fiscal impact. The fiscal impact of the Power Plant Operations Manager is approximately \$10,311.

RECOMMENDATION

The City Commission approve adding the Power Plant Operations Manager and Power Plant Maintenance Manager job titles to the Occupational Index at Pay Grades M-12 and M-11 respectively.

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061085.**Reclassification of the Power Plant Maintenance Supervisor to Power Plant Materials Handling Supervisor, Deerhaven Generating Station (B)**

Change the Power Plant Maintenance Supervisor job description to better reflect changes to the job responsibilities.

Explanation: Maintenance at the Deerhaven facility has historically been performed in several different plant areas including Process Plant Maintenance, Facilities Maintenance and General Plant Maintenance. In an effort to streamline the maintenance function, reduce the overall cost of plant maintenance, and increase the application of resources to more plant areas, management is consolidating all maintenance activities into one area. The Power Plant Materials Handling Supervisor will have the responsibility for daily operation and maintenance of the power plant coal inventories, coal train unloading facilities, secure landfill complexes, and fly ash operation systems. The new focus for this position will be materials handling, building and site maintenance activities.

Fiscal Note: The Pay Grade of the Power Plant Maintenance Supervisor and the Power Plant Materials Handling Supervisor are the same; therefore, there is no fiscal impact.

RECOMMENDATION

The City Commission approve reclassifying the Power Plant Maintenance Supervisor (Pay Grade C12) to the Power Plant Materials Handling Supervisor (C12) and adding this job title to the Occupational Index.

061085_200704231300.pdf

061088.**Addition of an Applications Security Analyst Position to the Occupational Index (B)**

A new job description is needed to delineate a particular role within the Information Technology (IT) function of GRU. Software systems are becoming more complex causing the need for a separation of duties for security and auditing concerns from other IT positions.

Explanation: The needs for IT and solutions for GRU continue to increase in complexity such that a specialist is needed to administer the security of these applications. Many of these applications are used by numerous people, each of which has a particular role and usage of the applications which requires a specific security profile. Applications such as Ellipse (GRU's financial system) and the new SAP CIS (billing system) have very complex application security and proper

definition and maintenance of user security profiles is essential to proper operations, security and auditing of these systems. Auditors recommend that applications with financial implications be kept up to date with respect to users' security profiles such that they have access only to what their job functions require and that persons no longer working for GRU no longer have access to the applications. Auditors also recommend that a proper separation of duties from other IT employees be maintained. For example, the Applications Security Analyst should be a different person from someone who can change the software code. This provides an IT control to mitigate against abuses.

Fiscal Note: With the deletion of a Computer Programmer Analyst position and the addition of an Applications Security Analyst position, both at Pay Grade M5, there is no fiscal impact.

RECOMMENDATION

The City Commission approve deleting a vacant Computer Programmer Analyst position (Pay Grade M5); and adding the Applications Security Analyst position (Pay Grade M5) to the Occupational Index.

061088_200704231300.pdf

061089.

Reclassification of the Gas and Electric Measurement Manager to the Energy Measurement and Regulation Manager in the Energy Delivery Department, GRU (B)

Change the Gas and Electric Measurement Manager's job title, job description and pay grade to better reflect changes to the job responsibilities

Explanation: In May 2005, the Gas and Electric Measurement Division and Substation and Relay Division were combined with the current Gas and Electric Measurement Manager assuming managerial responsibilities of the Substation and Relay Division on an interim basis. Combining these two divisions has proven to be extremely effective and deemed to be an appropriate long-term solution for the management of both operational divisions. To formalize the two divisions under one manager, a new job description for an Energy Measurement and Regulation Manager has been created to accurately reflect the managerial duties and responsibilities for both operational areas.

Fiscal Note: An anticipated adjustment of the new position to Pay Grade M13 (from M11 for the current Gas and Electric Measurement Manager position and M12 for the current Substation and Relay Manager position) and resulting 5% adjustment to the current salary of the incumbent will result in an annualized fiscal impact of approximately \$6,665, including benefits. Adequate funding is included in the FY 07 budget.

RECOMMENDATION

The City Commission approve reclassifying the Gas and Electric Measurement Manager (Pay Grade M11) to the Energy Measurement and Regulation Manager (Pay Grade M13) and adding this job title to the Occupational Index.

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061090.**Addition of a Systems Operation Manager in the Energy Delivery Department, GRU (B)**

A Systems Operation Manager is needed due to the increase scope and responsibilities within the department such that this position now includes managerial functions associated with the day-to-operation, control and restoration of the utility's electric systems.

Explanation: The position of Systems Operation Supervisor in the Systems Control Division of GRU Energy Delivery was vacated by retirement in August 2005. The position was temporarily underfilled with a Systems Control Operator to prepare for pending personnel separations. This vacancy provided management with the opportunity to thoroughly review the scope and responsibilities of the Supervisor position relative to the changing needs of the utility and the division. The primary focus of the Systems Operation Supervisor is the direct supervision of the Systems Operators and Operations Assistants and their respective job functions. It has been determined that the need exists to increase the scope and responsibilities of this position to include managerial functions associated with: the day-to-day operation, control, and restoration of the utility's electric systems; electric systems performance monitoring, analysis, and reporting; oversight and coordination of all Systems Control personnel engaged in system performance; initiation of system studies and performance improvements; and coordination of resources to accomplish such work by the Energy Delivery operating divisions and others throughout the utility. The new job classification would provide for the direct supervision of a Systems Engineer as well as hourly employees and associated management responsibilities.

Fiscal Note: The incumbents within the Systems Operator II (SysOpr2) classification have historically been direct reports to the Systems Operation Supervisor and they would be direct reports to the Systems Operation Manager. This relationship establishes the effective minimum compensation for either position. A fully qualified SysOpr2 (Pay Grade C15) can be expected to earn a top wage of \$84,041 annualized, exclusive of overtime. Promotion of a SysOpr2 to either the Supervisor or Manager position would result in a base salary (annualized) of \$88,243 (\$84,041 + 5%). It is reasonable to project that by working in the capacity of the Systems Operation Supervisor that the incumbent would earn an additional \$4,848 in overtime (a very conservative estimate of 80 hours OT over the course of one year). Therefore the total projected annual compensation for the Systems Operation Supervisor would be \$93,091 (\$88,243 + \$4,848). The midpoint of the proposed Systems Operation Manager (recommended Pay Grade M11) is \$93,741. Therefore, the calculated annual fiscal impact would be \$650.

RECOMMENDATION

The City Commission approve adding a Systems Operation Manager (Pay in the Energy Delivery Department - Grade M11) and add this position to the Occupational Index.

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COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

040912

Transportation Concurrency Exception Area (TCEA) Review (NB)

The City Commission referred this issue to the Community Development Committee, which has discussed the issue a number of times and recommends that it be removed from the referral list.

Explanation: The City Commission referred to the Community Development Committee the issue of review of the City's Transportation Concurrency Exception Area (TCEA). The Committee heard reports from staff and discussed policy issues associated with the TCEA a number of times. Staff and the Committee reviewed the intents of the TCEA, including encouraging multi-modal development, and encouraging development closest to the community's center where most jobs and trip destinations are located, and where automobile trips are likely to be shortest. Staff and the Committee also reviewed the TCEA's standards and requirements, which generally become more expensive to developers as development moves outward from Zone A to Zone B and C.

Fiscal Note: None

RECOMMENDATION

Community Development Committee to the City Commission - remove this item from the referral list, and staff to continue to monitor Alachua County's impact fees in relation to the City's TCEA standards.

Legislative History

1/24/05	City Commission	Referred (6 - 0 - 1 Absent)	Community Development Committee
5/2/05	Community Development Committee	Approved as Recommended	
9/15/05	Community Development Committee	Continued	
10/6/05	Community Development Committee	Approved as Recommended	
4/6/06	Community Development Committee	Postponed	
12/12/06	Community Development Committee	Approved as Recommended	
1/23/07	Community Development Committee	Continued	
3/1/07	Community Development Committee	Approved as Recommended	

- 040912_200712121700.pdf
- 040912_20070123.pdf
- 040912_20070301.pdf

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA****CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION****CITY MANAGER****061118.****Certificate of Achievement for Excellence in Financial Reporting (B)**

The City was awarded GFOA's Certificate of Achievement for Excellence in Financial Reporting for its 2005 Comprehensive Annual Financial Report (CAFR). The 2006 CAFR is hereby presented to the Commission and will be also submitted to GFOA for the award.

Explanation: The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Gainesville for its Comprehensive Annual Financial Report for the fiscal year ended September 30, 2005. The Certificate of Achievement is a prestigious national award recognizing conformance with the highest standards for preparation of state and local government financial reports.

In order to be awarded a Certificate of Achievement, a governmental unit must publish an easily readable and efficiently organized Comprehensive Annual Financial Report, whose contents conform to program standards. The report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. The City of Gainesville has received a Certificate of Achievement in each year in which it has been eligible since the inception of the program in 1951. The City believes that its current report for the fiscal year ended September 30, 2006 continues to comply with Certificate of Achievement program requirements, and is submitting it to the GFOA for review and consideration.

Fiscal Note: There is no fiscal impact associated with this item.

RECOMMENDATION

The City Commission: 1) accept the Certificate of Achievement for Excellence in Financial Reporting for fiscal year 2005; 2) receive the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2006; and 3) endorse submittal of the FY2006 report to the GFOA.

NOTE: Document is available for viewing in the Clerk's Office.

060927.

Legislative Update (B)

The City Commission will receive a report from staff regarding legislative affairs.

Explanation: On April 12, 2007, the Florida Senate released the details of a Property Tax Reform Plan. Staff will present the plan and provide an overview of potential impacts to the City of Gainesville if the plan is adopted.

Fiscal Note: None

RECOMMENDATION

The City Commission receive the legislative update and take action as appropriate.

Legislative History

2/12/07	City Commission	Heard
2/26/07	City Commission	Approved as shown above (See Motion) (6 - 0 - 1 Absent)
3/12/07	City Commission	Approved as shown above (See Motion) (5 - 0 - 2 Absent)
3/26/07	City Commission	Approved as Recommended (5 - 0 - 2 Absent)
4/9/07	City Commission	Approved as shown above (See Motion) (5 - 0 - 2 Absent)

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061107.

Roadway Median Solicitations and Panhandling (NB)

Staff will update the City Commission on issues related to solicitation of funds and panhandling from City medians and right of ways.

Explanation: Gainesville Police Department staff will a make presentation on solicitation of funds and panhandling from City medians and right of ways. Commission comment of February 26, 2007 expressed concern regarding this behavior and referenced the numerous solicitors and panhandlers which have seemed to increase greatly within the last few months. The presentation will focus on efforts to combat this trend in the past, recent history leading to escalation of this behavior, current legal restrictions prohibiting GPD enforcement, and options for resolution.

Fiscal Note: None

RECOMMENDATION

The City Commission hear a presentation from Gainesville Police Department staff on solicitation of funds and panhandling from City medians and right of

ways and options to resolve. The City Commission request the City Attorney to amend the ordinance to ban solicitation of funds and panhandling in the median.

Alternative Recommendation A: None

Alternative Recommendation B: None

Legislative History

4/9/07 City Commission Withdrawn

061108.

Presentation On the GPD Master Building Plan, the Community Policing and Training Center, Program Development and the Building Funding Initiative (NB)

Staff will update the City Commission on the Master Plan and associated issues and program development regarding the Community Policing and Training Center.

Explanation: Staff from the Gainesville Police Department will make a presentation on the overall Department building Master Plan inclusive of the Community Policing and Training Center. The presentation will focus on the overall plan for our complex and the innovative strategies, planning and program development targeted for our Community Policing and Training facility. This Center will enhance our Community Policing mission and serve as an innovative collaboration between community, government and police. In addition, staff will report on our building funding initiative.

Fiscal Note: None

RECOMMENDATION

The City Commission hear a presentation from Gainesville Police Department staff on the building Master Plan, the Community Policing and Training Center and the building funding initiative.

Alternative Recommendation A: None

Alternative Recommendation B: None

061120.

Gainesville Greens Revised Option Request (B)

This is a request from the developer of the proposed Gainesville Greens development that the option on City parking lot 10 be extended for six months.

Explanation: On March 15, 2006 the developer of the Gainesville Greens project requested an extension of the option on City Lot 10.

As background on the development and RFP process to date, Section 163.380(2) of Florida Statutes provides that interests in real property acquired by a Community Redevelopment Agency (CRA) may be disposed of in accordance with reasonable disposal procedures. Section 163.380(3), Florida Statutes, provides that prior to disposing of interests in real property, notice shall be published soliciting proposals from developers, which are to be submitted within 30 days after publication. Thereafter the CRA shall consider any such submitted proposals and accept such proposals as it deems to be in the public interest.

The City has optioned lot 10 to the CRA, which, pursuant to the authority provided by that statute, issued a Request for Proposal on June 17, 2005. On September 19, 2005, the CRA considered four proposals that had been submitted in accordance with the above procedures and ranked as highest the proposal submitted by Gainesville Greens, a mixed-use residential development proposal.

Gainesville Greens has taken a number of steps toward the development of the lot including the opening of a sales office this month.

Fiscal Note: None

RECOMMENDATION

City Manager to the City Commission: approve extension of the option on Lot 10 for a period not to exceed six months, ending December 17, 2007, and authorize the City Manager to execute all appropriate documents.

Alternative Recommendation A: City Manager to the City Commission: approve extension of the option on Lot 10 for a period not to exceed 12 months, ending June 17, 2008, and authorize the City Manager to execute all appropriate documents.

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061152.

Request for City Commission Contingency Funds for the Kiwanis Club of the University City (B)

This item is a request for City Commission Contingency Funds for the Kiwanis Club of the University City in support of the annual World's Greatest Baby Shower .

Explanation: The Kiwanis Club of the University City is hosting the annual World's Greatest Baby Shower that will be held on May 12, 2007. The Kiwanis Club is requesting \$2,500 to help expecting mothers raise their children in a healthy manner and to better educate them. The Club will use the money to purchase gift certificates for the families; provide them "goodie bags"; provide them with a lunch; and to advertise the event. The City Commission contributed \$2,000 in 2006 in support of this special event.

Fiscal Note: The Kiwanis Club of the University City is requesting a total of \$2,500 from the City Commission Contingency Fund.

RECOMMENDATION

The City Commission consider the request for funds and take action as appropriate

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GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****COMMUNITY DEVELOPMENT COMMITTEE****060987.****Transition Policies for Mobile Home Parks (B)**

The City Commission referred this item to the Community Development Committee. The Community Development has discussed the issues, including a proposed housing assistance program for citizens relocated from mobile home parks, and is forwarding the proposed program to the City Commission.

Explanation: The City Commission has recently heard two petitions involving existing mobile home parks, and the City Plan Board has heard a third, which was later withdrawn. The City Commission referred the issue of transition policies for mobile homes to the Community Development Committee. The Committee has discussed a range of issues, including a presentation on state laws and local opportunities regarding assistance to mobile home owners, staff's survey of Buck Bay residents and their housing goals and needs, and a proposed funding program for mobile home residents.

Staff has reviewed State laws and opportunities for local programs, including the approaches other communities have taken, and has compiled a written summary report. Staff has been in frequent communication with state officials as laws have changed recently in these areas.

Staff also has undertaken an extensive survey of Buck Bay residents. The survey provides useful information about the level of needs of the residents. Staff is providing the survey questions and results with this agenda item.

Partly as a result of the survey information, staff is proposing to the City Commission that a program be created, using State Housing Initiatives Partnership (SHIP) funds for citizens who are eligible, based on financial need, for funding assistance for relocation from mobile home parks under certain circumstances. Staff proposes that the program would provide up to \$3,000 in

additional funds above and beyond any provided by the existing state relocation program and by the developer of a former mobile home park. The state program provides up to \$3,000 for relocation of single-wides, \$6,000 for relocation of double-wides, \$1,750 for retirement of single-wides, and \$2,750 for retirement of double-wides. In the instance of Buck Bay, our understanding is that the owner is reimbursing the State, as required, for those amounts, and is providing an additional \$1,000 for each owner.

This additional proposed \$3,000 would be made available in a flexible manner, in order to try to assist both owners and tenants of mobile homes who may have a range of different financial needs. The program is proposed to provide funds for costs such as transportation of the relocated mobile home, fees for utility connections, reinstallation of equipment such as skirting, decks or steps, storage fees during relocation (not to exceed 30 days), temporary rental expenses during relocation (not to exceed 30 days), security deposit, first and last months' rent, costs of licenses or permits, and down payment assistance for various different situations involving land purchase or unit purchase. The City program would be limited to new locations within City limits. State laws were just amended during the past year to allow such programs with SHIP funds, and City staff is working closely with the State as the proposed program is developed, as our community will be one of the first such programs in the State.

Staff has also met a number of times with the previous and current owners of Buck Bay to very strongly encourage those developers to offer a replacement location for mobile homes and/or substantial financial assistance. City staff wishes to bring forward the City's proposed assistance program as staff continues to meet with the previous owners' representatives to encourage additional assistance or an alternate location for mobile homes. It is staff's hope that the present and previous owners will announce additional assistance or an alternate mobile home park location by the time of the April 23, 2007 City Commission meeting.

Fiscal Note: Staff recommends that the proposed program be funded with \$100,000 in SHIP funds, and if the conceptual approval for the program is approved, will return to the City Commission with a resolution making the appropriate amendments to the City's Local Housing Assistance Plan (LHAP) to adopt the funding level and program terms. State approval will be required for the LHAP amendment.

RECOMMENDATION

Community Development Committee to the City Commission: Approve the proposed Displaced Mobile Homeowner/Tenant Assistance Program, with consideration to ensuring responsibility on the part of the developer.

Legislative History

2/12/07	City Commission	Referred (7 - 0)	Community Development Committee
4/10/07	Community Development Committee	Approved as Recommended	

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060987b_200704231300.pdf

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

061190.

Crime Victim Rights Week - April 22-28, 2007 (B)

RECOMMENDATION *Peaceful Paths Victim Advocate Molly McGowan to accept the proclamation.*

061190_200704231300.pdf

061193.

Suicide Prevention Day - April 25, 2007 (B)

RECOMMENDATION *Alachua County Crisis Center Director Marshall Knudson and Citizen Judy Bousquet to accept the proclamation.*

061193_200704231300.pdf

061194.

Building America Day - April 25, 2007 (B)

RECOMMENDATION *Program Director Buildings Research Division of the Florida Solar Energy Center (FSEC) of the University of Central Florida (UCF).Dr. Subarto Chandra to accept the proclamation.*

061194_200704231300.pdf

061195. Administrative Professionals Week - April 23-29, 2007 (B)

RECOMMENDATION Gainesville Chapter of International Association of Administrative Professionals President Chris Ross CPS/CAP to accept the proclamation.

061195_200704231300.pdf

061196. Storm Robert's Day - April 23, 2007 (B)

RECOMMENDATION Gainesville Radio KTK 98.5FM Morning Show Host Storm Roberts to accept the proclamation.

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CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**PUBLIC HEARINGS****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****060856.** STREET VACATION - VICINITY OF NE 8TH PLACE AND N.E. 20TH STREET (B)**Ordinance No. 0-07-24, Petition 195SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a certain portion of the right-of-way located at the westerly 100 feet of Northeast 8th Place, west of Northeast 20th Street, as more specifically described in this Ordinance; reserving a public utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF REPORT

The purpose of this request is to vacate a portion of the right-of-way of Northeast 8th Place, west of Northeast 20th Street. The right-of-way to be vacated is approximately the westerly 100 feet of Northeast 8th Place, running between Lots 5 and 6 of Block "A," and Lots 1 and 2 of Block "D" of the plat of the Thomas and Steenburg Subdivision, Plat Book "B", page 91 of the Public Records of Alachua County, Florida. The right-of-way is not paved, is not open for public use, and is surrounded by other lots owned by the Bartley Temple. Upon vacation of the right-of-way, Bartley Temple would be responsible for maintenance and liability. The right-of-way is an unimproved "paper street."

The Plan Board heard the petition and recommended approval with the staff condition.

Public notice was published in the Gainesville Sun on January 30, 2007. Letters were mailed to surrounding property owners on January 31, 2007. The Plan Board held a public hearing February 15, 2007.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of March 26, 2006, directed the City Attorney's Office to prepare and the Clerk of the Commission to advertise the proposed ordinance. If the ordinance is adopted on first reading, it will be heard on May 14, 2007 on Second Reading.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

3/26/07 City Commission Approved (Petition) with Conditions (5 - 0 - 2 Absent)

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050255

AMENDMENT TO CLUSTER SUBDIVISION REQUIREMENTS (B)

Ordinance No. 0-05-95; Petition 121TCH-05 PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to cluster subdivisions; amending section 30-190, establishing criteria for classifying cluster subdivisions as either environmental or infill, establishing lot sizes, clarifying the cluster open space requirement, and modifying the criteria for the review of cluster subdivisions; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

This petition is proposed in order to update the cluster subdivision ordinance and ensure that cluster subdivisions result in better site planning than would normally occur through conventional subdivision procedures. Staff's review found that the current cluster subdivision process was adopted long before many of the regulations the City has in place today to protect environmental features, such as wetlands and creeks. Since all developments are required to protect environmental resources, such as creeks and wetlands, the cluster subdivision ordinance is being updated so that the cluster open space being provided is above and beyond those already-protected environmental features.

Staff has amended the cluster subdivision provisions to establish minimum lot sizes (no minimum existed previously), to increase compatibility with existing surrounding neighborhoods. The amended chapter also requires cluster open space to be more than already protected environmental areas, and classifies cluster subdivisions as either environmental or infill, so that the objectives of any given cluster subdivision are clearer. The Plan Board reviewed the petition and recommended several changes. The Community Development Committee

also provided input and direction.

Public notice was published in the Gainesville Sun on August 2, 2005. The Plan Board held a public hearing August 18, 2005. The Plan Board, by a vote of 5-0, approved the Petition with modifications.

The City Commission heard and approved this Petition, with further modifications on September 26, 2005. The ordinance was put on hold by staff while they finalized Petition 122TCH-05 PB, relating to approval of design plans and modifying requirements for subdivision approval.

CITY ATTORNEY MEMORANDUM

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, May 14, 2007.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

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

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060899.

URBAN SERVICES REPORT OF CITY-OWNED PROPERTY - AIRPORT AREA (B)

Ordinance No. 0-07-13

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of City-owned parcels 17752-004-000 and 17731-002-000. Parcel 17752-004-000 is generally located south of the City limits and Tax Parcel 17752-001-000, north of Tax Parcel 17729-000-000 and east of NE 39th Avenue. Parcel 17731-002-000 is generally located south of the City limits, west of the City limits, north of Tax Parcel 17732-000-000 and east of the City limits and Tax Parcels 08180-000-000 and 08178-000-000, as more specifically described in this report; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

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

The report must generally include the following information:

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

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

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

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

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

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

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

It is common practice for the City to annex city-owned property as soon as possible once it meets the requirements for annexation.

If adopted on first reading, this ordinance shall be heard on second reading on May 14, 2007. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

2/12/07 City Commission Approved as Recommended (6 - 0 - 1 Absent)

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060972.**VOLUNTARY ANNEXATION - CHILI'S RESTAURANT (B)****Ordinance No. 0-07-09**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of Tax Parcel 06810-001-008, as more specifically described in this ordinance, generally located in the vicinity of 3530 SW Archer Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

Explanation: The adoption of an annexation ordinance is the final stage in the annexation process under the provisions of the Alachua County Boundary Adjustment Act. On Monday, November 13, 2006, at a regular City Commission meeting, the City Commission received and accepted the petition for annexation, and determined that the petition bore the signature of the owner of the property that is the subject of this annexation. On January 22, 2007 and February 12, 2007, the City Commission held advertised public hearings and adopted the Urban Services Report as mandated by the Boundary Adjustment Act.

ANNEXATION ORDINANCE

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

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

If adopted on first reading, the second and final reading of this ordinance will be May 14, 2007. Pursuant to the Boundary Adjustment Act, notice of adoption of this ordinance was published for two consecutive weeks prior to first reading.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

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061147.**VOLUNTARY ANNEXATION - CITY-OWNED PROPERTY -**

KANAPAHA AREA 1 (B)**Ordinance No. 0-07-23**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of City-owned Tax Parcels, 06842-001-000, 06844-000-001, 06846-000-000, 06847-000-000, 06848-000-000, a portion of 06845-000-000, and a portion of 06837-000-000, generally located south of the City Limits and the vicinity of SW 24th Avenue, west of Kanapaha Lake and the vicinity of Interstate 75, north of the vicinity of SW Archer Road and east of the vicinity of SW 75th Street/Tower Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

Explanation: The adoption of an annexation ordinance is the final stage in the annexation process under the provisions of the Alachua County Boundary Adjustment Act. On Monday, September 11, 2006, at a regular City Commission meeting, the City Commission received and accepted the petition for annexation, and determined that the petition bore the signatures of the Mayor and Clerk of the Commission, on behalf of the City, which owns the properties that are the subject of this annexation. On January 22, 2007 and February 12, 2007, the City Commission held advertised public hearings and adopted the Urban Services Report as mandated by the Boundary Adjustment Act.

ANNEXATION ORDINANCE

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

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

If adopted on first reading, the second and final reading of this ordinance will be May 14, 2007. Pursuant to the Boundary Adjustment Act, notice of adoption of this ordinance was published for two consecutive weeks prior to first reading.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

061147_200704231300.pdf

060980.**VOLUNTARY ANNEXATION - CITY-OWNED PROPERTY -
KANAPAHA AREA 2 (B)****Ordinance No. 0-07-11**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of City-owned Tax Parcel 06909-000-000, generally located south of the City Limits, Kanapaha Lake and the vicinity of SW 24th Avenue, west of the vicinity of Interstate 75, north of the vicinity of SW Archer Road and east of the vicinity of SW 75th Street/Tower Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

Explanation: The adoption of an annexation ordinance is the final stage in the annexation process under the provisions of the Alachua County Boundary Adjustment Act. On Monday, September 11, 2006, at a regular City Commission meeting, the City Commission received and accepted the petition for annexation, and determined that the petition bore the signatures of the Mayor and Clerk of the Commission, on behalf of the City, which owns the property that is the subject of this annexation. On January 22, 2007 and February 12, 2007, the City Commission held advertised public hearings and adopted the Urban Services Report as mandated by the Boundary Adjustment Act.

ANNEXATION ORDINANCE

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

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

If adopted on first reading, the second and final reading of this ordinance will be May 14, 2007. Pursuant to the Boundary Adjustment Act, notice of adoption of this ordinance was published for two consecutive weeks prior to first reading.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

060980_200704231300.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060108.**LAND DEVELOPMENT CODE CHANGE - AIRPORT FACILITY DISTRICT (B)****Ordinance No. 0-06-76, Petition No. 56TCH-06PB**

An ordinance of the City of Gainesville, Florida, amending the "Airport facility district (AF)" regulations and requirements; amending section 30-76 of the Land Development Code by adopting a list of uses permitted by right and related development requirements; adopting limitations and conditions on development on the Airport; providing revised requirements for rezonings and the airport facility zoning map; providing requirements for a Development of Regional Impact; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

This petition proposes various amendments to the provisions of the Airport Facility (AF) zoning district (Section 30-76 of the Land Development Code). This section currently does not list what uses are permitted in the district and instead refers to an airport layout zoning map that has not been established. The changes proposed by this petition and the airport facility zoning map proposed in related Petition 55ZON-06 PB, will provide a codified standard for review by the City staff of future development plans at the airport. The text changes that are proposed in this petition (and the separately proposed airport facility zoning map) were developed by the applicant with input from the Planning Division, which consulted with the City Attorney's office during the drafting of the proposed ordinance(s).

The amendments to Section 30-76 include a table that describes the type of development, infrastructure or facility that can occur within identified sub-areas (Airport Development Area, Airport Infrastructure Area, and Non-Development Area as shown on the proposed airport facility zoning map) of the AF zoning district. The sub-area entitled Airport Development Area lists the amount of existing and proposed development, and specifies the Standard Industrial Code (SIC) classification for each listed use. The SIC list proposed at the time of the July 24, 2006 public hearing was in a separate table of permitted uses applicable to the entire AF district. Since that public hearing, the SIC list has been refined and has been limited to the distinct use categories within the Airport Development Area. Other post-July 24th revisions to the proposed Airport Development Area include: a decrease of 5,000 square feet (from 20,000 square feet of development) for the proposed Air Traffic Control Tower; addition of 10,000 square feet of miscellaneous development (e.g., membership sports & recreation clubs); increase in proposed fuel storage from 250,000 to 350,000 gallons; increase in proposed aviation-related development from 300,000 to 325,000 square feet; and, specification of the previously proposed 500,000 square feet of Revenue Support into 100,000 square feet of office development, 100,000 square feet of retail, service and wholesale development, 50 acres of limited industrial development (motor freight transportation and warehousing), and 100 hotel rooms. The current code requirement for principal or accessory buildings and their approximate square footages to be shown on an adopted zoning map, is proposed for deletion and replacement with the

provisions described above.

Other proposed revisions to the AF zoning district requirements include establishing required minimum building setbacks, deleting the requirement to show taxiways and aprons on the zoning map (due to the occasional need to reconfigure them, which would require rezoning as now codified), dropping redundant provisions pertaining to parking and landscaping exemptions, updating the objectives subsection of Section 30-76, and revising the development plan approval subsection to specify that wireless communications facilities, in accord with Article VI, are subject to review and approval by the Development Review Board or by the City Plan Board. Wireless communications facilities that are to be used exclusively for aeronautical purposes to serve the Airport are subject to development plan approval by the Airport Authority.

The proposed changes, if approved, will establish fundamental parameters for what has been an insufficiently defined zoning district, and will result in more substantiated review of airport development projects by City staff.

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

Public notice was published in the Gainesville Sun on May 31, 2006. Letters were mailed to surrounding property owners on May 30, 2006. The Plan Board held a public hearing June 15, 2006. The City Commission held a public hearing on July 24, 2006 and directed the City Attorney to prepare an ordinance.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of July 24, 2006, directed the City Attorney's Office to prepare and the Clerk of the Commission to advertise the proposed ordinance. If the ordinance is adopted on first reading, it will be heard on April 23, 2007 on Second Reading.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

7/24/06	City Commission	Approved (Petition) (7 - 0)
4/9/07	City Commission	Adopted on First Reading (Ordinance) (4 - 0 - 3 Absent)

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061128.

ADOPTION OF AIRPORT FACILITY ZONING MAP (B)

Ordinance No. 0-06-77, Petition No. 55ZON-06PB

An ordinance of the City of Gainesville, Florida, relating to the Gainesville Regional Airport; adopting a new Airport Facility Zoning Map that delineates and establishes the various development and non-development areas of the airport, as shown on the map; providing directions to the City

Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

This petition, if approved, will meet a previously unmet land development code requirement for a zoning map pertaining to the Airport Facilities (AF) zoning district. The 1,346-acre AF district comprises the majority of the land that is occupied by the Gainesville Regional Airport, and is used for commercial and general aviation, airport-related support services (including car rentals), other aviation-related businesses, and open space.

Except for a relatively small portion of the AF zoning district that is located on the west side of Waldo Road directly across from the airport, this zoning district is located north of Northeast 39th Avenue and east of Waldo Road, south of the Airport Industrial Park, and west of Gum Root Swamp.

The majority of the subject property is within the Tertiary and Secondary Zones of the Murphree Wellfield Protection Area. The subject property is within Zone A of the Transportation Currency Exception Area. Transportation and all other applicable concurrency requirements will have to be met at the time of development plan approvals for the subject property.

The Land Development Code currently requires an airport layout zoning map that shows buildings and their approximate square footages. The proposed Airport Facility Zoning Map instead identifies sub-areas in which the type of allowable development, infrastructure or facility that can occur in each sub-area is described in the section of the Land Development Code that pertains to the Airport Facility zoning district. The proposed Airport Facility Zoning Map plus the text changes in related Petition 56TCH-06 PB will, if approved, provide a codified standard for review by City staff of future development plans at the airport. The map and the related text changes to the Land Development Code were developed by the applicant with input from the Planning Division, which consulted with the City Attorney's office during the drafting of the proposed ordinance(s).

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

Public notice was published in the Gainesville Sun on May 30, 2006. Letters were mailed to surrounding property owners on May 31, 2006. The Plan Board held a public hearing on June 15, 2006. The City Commission held a public hearing on July 24, 2006 and directed the City Attorney to prepare an ordinance.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of July 24, 2006, directed the City Attorney's Office to prepare and the Clerk of the Commission to advertise the proposed ordinance. If the ordinance is adopted on first reading, it will be heard on April 23, 2007 on Second Reading.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

4/9/07 City Commission Adopted on First Reading (Ordinance) (5 - 0 - 2 Absent)
061128_200704091300.pdf

050256.**AMENDMENT TO DEVELOPMENT REVIEW PROCESS AND STANDARDS FOR SUBDIVISION APPROVAL (B)****Ordinance No. 0-06-63; Petition 122TCH-05 PB**

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to approval of design plats and modifying the requirements and procedures for subdivision approval; amending sections 30-180 through 30-185 and sections 30-187(b), 30-189, and 30-192(b), of Division 2, Subdivisions and Street Vacation, of Article VII, Development Review Process by amending the procedure for the approval of a final plat; amending design standards and the criteria relating to a street vacation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

Recently, the Plan Board reviewed a petition that amended the development review process. In order to be consistent with those proposed changes, staff is recommending that the subdivision of land process be amended to comply with the recommended provisions. The current process requires that all design plats of more than five lots to be reviewed by the Development Review Board. The proposed amendment would have allowed staff to approve design plats of 5-19 lots, instead of the Development Review Board. The City Commission would retain final approval authority of all plats, except for minor subdivisions.

During the review of this petition, the Plan Board considered how much flexibility the developers should be allowed to change a design plat after it has been approved. The local Builder's Association has proposed that the design plat should be flexible enough to allow the layout of the subdivision to change, as long as the number of lots proposed in the design plat does not increase. The Plan Board did not recommend any changes to the flexibility of a design plat after it was approved.

The Plan Board heard the petition and voted 5-0 to recommend approval of the petition. This petition was put on hold to allow staff to develop infill policies for development in single-family neighborhoods. Staff developed language that would allow new parcels to be created that are at least 75 percent of the average width of the existing abutting lots. Smaller lots would be considered incompatible.

Public notice was published in the Gainesville Sun on August 30, 2005. The Plan Board held a public hearing September 15, 2005.

The City Commission approved Petition 122TCH-05 PB on May 22, 2006, to include the staff amendment for infill lots, remove the provision to allow staff to

approve design plats of 5-19 lots, and staff was asked to continue to develop waiver language to the infill lot policy, which has been done and included in the ordinance.

CITY ATTORNEY MEMORANDUM

Should the Commission adopt the ordinance on first reading; the second and final reading will be held on Monday, April 23, 2007.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

5/22/06	City Commission	Approved (Petition) as Modified (6 - 0 - 1 Absent)
4/9/07	City Commission	Adopted on First Reading (Ordinance) (5 - 0 - 2 Absent)
		050256_200605221300.pdf
		050256a_200704091300.pdf
		050256b_200704091300.pdf

RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

061042.

Wellfield Special Use Permit for an Automotive Dealership - Quasi-Judicial (B)

Petition 166WSU-06CC. Causseaux & Ellington, agent for All Pro Auto Group, LLC-Bryan Myers. Development plan review for the construction of an automotive dealership located on 12 acres. Zoned: I-1(Industrial.) Located at 2810 North Main Street.

Explanation: The subject property is located at 2810 North Main Street, just north of Northwest 23rd Avenue. This petition is a request to construct an automobile dealership and associated carwash. The main building is 40,426 square feet, and the carwash is approximately 1,643 square feet. The property is located within the tertiary zone of the Wellfield Protection Zone and is within the City's Special Environmental Concern area (SECA). Because the property is located within the city's SECA, the proposed development must be reviewed by several outside agencies. An application for development review and a wellfield special use permit pursuant to sections 30-203 and 30-204 of the Land Development Code is required. Both the SECA and the Wellfield protection special use permit will be reviewed by the City Plan Board and City Commission.

The property is currently undeveloped. The proposed development will be accessible to North Main Street and to Northeast 28th Place. The new development will address environmental concerns, stormwater, traffic circulation, access, landscaping and the overall orientation of the development to the road network.

The property is approximately 12.11 acres and is zoned I-1 (limited industrial district). The land use is Industrial. The property is on a major street (Main

Street) and is bounded on the north and south by existing automobile dealerships, zoned BA (automotive-oriented business district) I-2 (general industrial district) zoned property exists adjacent to the west, and BA (automotive-oriented business district) exists to the east, directly across Main Street.

The Plan Board heard the petition and recommended that it be approved, with staff conditions and recommendations. Both staff and the Plan Board agreed with the applicant that the Health and Safety Plan had to be reviewed by OSHA.

Public notice was published in the Gainesville Sun on February 28, 2007. Letters were mailed to surrounding property owners on February 28, 2007. The Plan Board held a public hearing March 15, 2007.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 166WSU-06 CC with staff conditions as modified and recommendations. Plan Board vote 5-0

Staff to Plan Board - The Wellfield Special Use Permit and development plan be approved with staff conditions.

Alternative Recommendation A: The City Commission deny the Wellfield Special Use Permit.

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060497.

Add Electronic Signs to List of Prohibited Signs (including digital and LED signs); add Definition of "Electronic Signs." (B)

Petition 139TCH-06 PB. City Plan Board. Amend the City of Gainesville Land Development Code to add electronic signs to list of prohibited signs (includes digital and LED signs) and add a definition of Electronic Signs.

Explanation: Electronic, digital, light-emitting-diode (LED) signs are a recent technological innovation rapidly being adopted for use by businesses for signage. The attractiveness of these signs to many businesses is due to their unusually strong and effervescent light intensity, their ease of being programmed to change messages and animate, and their low power consumption.

This issue has been the subject of several public hearings. The City Plan Board held public hearings on this petition on October 19, 2006, January 30, 2007 and on March 15, 2007. Additionally, on December 7, 2006, staff held a public workshop regarding electronic signs. Approximately 25-30 citizens attended, including Plan Board members, representatives from several local sign companies and businesses now using electronic signs and other interested citizens.

As a compromise to total prohibition of electronic signs, staff recommended that

the City could allow staff to approve electronic signs where the electronic portion of the sign does not exceed 20 square feet. An applicant could install a wall-mounted electronic sign up to 25 percent of the maximum sign allowed or 20 square feet, whichever is less. For monument signs that are at least partly electronic, the applicant would be allowed up to 50 percent of the maximum sign allowed or 20 square feet, whichever is less. To qualify for this new sign all nonconforming signs would have to be removed or made to conform, and the brightness of the sign would also be regulated.

The Plan Board recommended that electronic signs (including time and temperature devices) be prohibited, and that existing electronic signs be amortized for a legitimate period of time before being removed. The Plan Board also recommended the addition of an electronic signs definition, amendment of animated signs (in 30-23, definitions, and in prohibited signs 30-316(b) (8)), and deletion of "changing message device" from definitions, and from prohibited signs. Staff supports the Plan Board's recommendation.

Public notice was published in the Gainesville Sun on February 28, 2007. Letters were mailed to surrounding property owners on February 28, 2007. The Plan Board held a public hearing on March 15, 2007.

Since this petition was initiated, the City Attorney's office has recommended that the sign code also be reviewed for consistency of regulations in different sections of the code applying to different uses.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 139TCH-06 PB. The Plan Board recommended that electronic signs (including time and temperature devices) be prohibited, that existing electronic signs be amortized for a legitimate period of time before being removed, and recommended the addition of an electronic signs definition, amendment of animated signs (in 30-23 definitions, and in prohibited signs 30-316 (b) (8)), and deletion of changing message device from definitions, and from prohibited signs. Plan Board vote 5-0.

Alternative Recommendation A: City Staff to Plan Board --Allow electronic portions of signs up to 20 square feet with staff recommendations outlined in the staff report to the Plan Board.

City Manager to City Commission - The City Commission also direct staff to initiate a separate petition to the City Plan Board to achieve greater consistency of regulation within the sign code to ensure equal treatment of different use types.

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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)