

City of Gainesville

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



Meeting Agenda

September 17, 2009

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Scherwin Henry (District 1)
Commissioner Lauren Poe (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)
Commissioner Thomas Hawkins (At Large)
Commissioner Jeanna Mastrodicasa (At Large)*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone

CALL TO ORDER

AGENDA STATEMENT

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

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

090324.

Agreement for Tactical Medic Services Between Alachua County Sheriff's Office and Gainesville Fire Rescue (B)

This item recommends that the City Commission authorize the City Manager to execute the Agreement Between the Alachua County Sheriff's Office and Gainesville Fire Rescue Department (GFR) for use of the GFR Tactical Medical Support Team.

Explanation: On February 16, 2009, Fire Chief William Northcutt notified the Gainesville Police Department (GPD) and the Alachua County Sheriff's Office (ACSO) that the City of Gainesville would not be able to continue to provide Tactical Medical Support Team (TMST) services without financial support from the law enforcement entities specifically relating to personnel services cost recovery. Gainesville Fire Rescue (GFR) staff worked with ACSO (staff) to develop an agreement that provides for the financial support of GFR TMST services provided to ACSO for training and tactical operations. The agreement allows GFR to bill ACSO for costs associated with deployment of both on-duty and off-duty personnel where costs in excess of normal operations are incurred.

Fiscal Note: There is no cost to the City of Gainesville.

RECOMMENDATION

The City Commission authorize the City Manager to execute the agreement, subject to the approval of the City Attorney as to form and legality.

090324_ACSO_GFR_TMST_Agreement_20090917.PDF

090339.**Bid Award for Evergreen Cemetery Grounds Maintenance (B)**

This item is a request for the City Commission to authorize the bid award to Oasis Landscape Services, Inc. for the grounds maintenance of Evergreen Cemetery in the amount of \$54,186.

Explanation: The Cultural Affairs Division issued a request for bids for grounds maintenance at Evergreen Cemetery. Twenty-four (24) vendors attended the mandatory pre-bid conference, with fourteen (14) vendors submitting bids. This was a best-evaluated bid. Staff considered price, past performance of Bidder (references), length of time in business, experience with cemetery grounds maintenance, equipment to be utilized, and location. Based on these criteria, Oasis Landscape Services, Inc. was ranked number one at a price of \$54,186. Grounds maintenance work at Evergreen Cemetery is complex, with 53 acres of graves, monuments, coping and irrigation that requires a high degree of expertise and sensitivity. Oasis Landscape Services, Inc. has seventeen years (17) of experience performing grounds maintenance at Evergreen Cemetery.

Fiscal Note: Funds in the amount of \$54,186 are available in the FY 2009-2010 Department of Parks, Recreation and Cultural Affairs, Cultural Affairs Division Contractual Services budget.

RECOMMENDATION

The City Commission: 1) award the contract for grounds maintenance at Evergreen Cemetery to Oasis Landscape Services, Inc. for a one-year period with the option to execute four (4) one-year extensions; 2) authorize the City Manager or his designee to execute the contract; and 3) approve the issuance of a purchase order in an amount not to exceed \$54,186 per fiscal year, subject to funding availability (for the initial term and any subsequent extensions).

090339_Bid Tabulation_20090917.pdf

090353.**Subrecipient Agreement with the Alachua County Housing Authority for the administration of the Homelessness Prevention and Rapid Re-Housing Program (B)**

This agenda item requests the City Commission to approve the execution of a Subrecipient Agreement for the Alachua County Housing Authority to administer the City's Homelessness Prevention and Rapid Re-Housing Program through the Office on Homelessness (HPRP).

Explanation: On May 7, 2009, the City Commission approved a second amendment to the FY 2008-2009 CDBG and HOME Program Annual Action Plan to incorporate the HPRP to provide financial assistance to reduce financial barriers preventing homeless individuals and families from obtaining permanent housing. These additional funds will be made available for continued financial assistance and other assistance to provide services such as rental assistance, security deposits,

utility payments, case management, outreach, and legal services to homeless individuals and families in the City of Gainesville and Alachua County.

Since October 2006, an Interlocal Agreement between the City of Gainesville, Alachua County, and the Alachua County Housing Authority has continued for the operation of a local Office on Homelessness under the direction of the Alachua County Housing Authority. This Interlocal Agreement provides for services related to implementation of the City of Gainesville-Alachua County 10-Year Plan to End Homelessness as jointly funded by the City of Gainesville and Alachua County. As a result of this partnership, City staff is recommending for the Alachua County Housing Authority via the Office on Homelessness to act as the Lead Agency for the purposes of administrating and implementing the HPRP funds as this will be the most efficient method to provide services as the main center for the HPRP. Additionally, prior to developing the HPRP plan, City staff initiated discussions with the Alachua County Housing Authority staff, Office on Homelessness staff, the GRACE Marketplace and local Continuum of Care agencies staff to obtain their input. It was agreed that a collaborative approach would allow the best use of HPRP funds. As a result, it was mutually agreed upon that using a standardized approach countywide would minimize confusion, streamline program administration, and enhance equity in program delivery.

As a result, through the Office on Homelessness, the Alachua County Housing Authority will collaborate with agencies that are a part of the GRACE Marketplace and the local Continuum of Care to expand services to accommodate homeless families and individuals facing housing barriers. Clients will be referred within the network to agencies to obtain one-time access to these funds to insure project sustainability and maximum benefit for the client and continuum agencies. The Alachua County Housing Authority will also coordinate with the Grace Marketplace and the local Continuum of Care agencies to use existing program guidelines established for housing assistance and temporary shelter and as required by the HPRP. This collaboration will maximize stability for homeless families and individuals. The combination of these agencies resources and HPRP funds will provide a significant programmatic foundation to address the increasing needs of the homeless in our community. The goal of the program is to serve approximately 100-150 homeless persons or families over the 3-year grant period with a maximum financial assistance not to exceed \$1,600 per household.

The City will receive a special allocation in the amount of \$567,404 from the U.S. Department of Housing & Urban Development (HUD) for the administration and implementation of the HPRP. At present, this is one time HUD funding allocation covering a maximum 3-year period. As required by HUD, the City must expend and draw down at least 60% of the funds within the first two years of the program and 100% within three years. To achieve this, the Alachua County Housing Authority has made the necessary arrangements to be ready to implement the HPRP at the time of contract execution. The HPRP Subrecipient Agreement will be for a two (2) year contract period with an option to renew up to one additional year to cover the duration of the HPRP to meet HUD expenditure requirements. The City will reserve the right to

reallocate the funds in the event that the Alachua County Housing Authority is not able to spend the funds according to schedule.

Fiscal Note: Under its direct allocation, the City plans to fund the following HPRP activities: \$191,660 in rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel or hotel vouchers; \$298,356 in relocation and stabilization services; \$50,369 for the data collection and evaluation information for the HPRP; and \$27,019 for administration (limited to 5% of allocation) for a total of \$567,404 during the grant period. These budget line items may be amended from time to time as may be necessary to administer the HPRP in accordance with HUD regulations.

RECOMMENDATION

The City Commission approve the HPRP Subrecipient Agreement between the City of Gainesville and the Alachua County Housing Authority in the amount of \$567,404 for a two year term with an option to renew up to one additional year to cover the duration of the HPRP to implement this program as set forth herein for the principal benefit of providing financial assistance, housing relocation and stabilization services to homeless individuals and families; and 2) authorize the City Manager to execute the agreement and other related agreements and documents for the expenditure of the HPRP funds, subject to review and approval by the City Attorney, as to form and legality.

090353_Agreement_20090917.pdf

090354.

Bid Award - Annual contract for Automotive Alignment, Wheel Balancing and Tire Repair (B)

This is a request for the City Commission to award the bid to Town Tire Commercial, Inc. for the annual contract for Automotive Alignment, Wheel Balancing and Tire Repair.

Explanation: The City of Gainesville's current contract for Automotive Alignment, Wheel Balancing and Tire Repair expires September 30, 2009. General Services Department staff felt it was in the City's best interest to re-bid the contract this year rather than exercise the extension clause for another year in the existing contract. On August 20, 2009, the City's Purchasing Division received (2) two bids in response to ITB # FMGT-100008-FB. Staff evaluated the bids, and the lowest/best evaluated bid meeting specifications was submitted by Town Tire Commercial, Inc. for \$223,600.

Fiscal Note: Funds in the amount of \$223,600 are available in the General Services Department FY2010 budget.

RECOMMENDATION

The City Commission: 1) award the bid to Town Tire Commercial, Inc.; 2) authorize the City Manager to execute the contract and any related documents, subject to approval by the City Attorney as to form and legality; and 3) issue a purchase order in an amount

not to exceed \$223,600.

090354_Bid Tab_20090917.pdf

090355.

Amend the Interlocal Agreement with Alachua County and Alachua County Housing Authority for Operation of the local Office on Homelessness (B)

This agenda item requests the City Commission to approve an amendment to the Interlocal Agreement with Alachua County and Alachua County Housing Authority to extend the Agreement for a two-year term for operation of the local Office on Homelessness.

Explanation: Since October 2006, the Interlocal Agreement between the City of Gainesville, Alachua County, and the Alachua County Housing Authority (Agreement) has continued for the operation of a local Office on Homelessness under the direction of the Alachua County Housing Authority. This amended Interlocal Agreement provides for services related to implementation of the City of Gainesville-Alachua County 10-Year Plan to End Homelessness to be funded by the City of Gainesville and Alachua County through September 30, 2011.

Fiscal Note: The City Commission has allocated \$36,000 from the City's FY 2009-2010 budget and \$36,000 is being proposed for the FY 2010-2011 budget for a total of \$72,000. The Board of County Commissioners has allocated \$36,000 from the County's FY 2009-2010 budget and \$36,000 FY 2010-2011 budget for a total of \$72,000. In accordance with the Agreement, the County will provide to the City \$36,000 within 30 days of the execution of the Interlocal Agreement for the Office on Homelessness for FY 2009-2010 and an additional \$36,000 by October 31, 2010 for FY 2010-2011. The total contribution is \$144,000 from the City and County towards this Agreement to fund the operation of the local Office on Homelessness during the next two years.

RECOMMENDATION

The City Commission approve the amended Interlocal Agreement between the City of Gainesville, Alachua County, and the Alachua County Housing Authority for operation of the Office on Homelessness; and 2) authorize the Mayor to execute the agreement on behalf of the City, subject to review and approval by the City Attorney, as to form and legality.

090355_Amendment_20090917.pdf

090356.

State Homeland Security Grant Program Sub-recipient Agreement (NB)

This item requests that the City Commission authorize the City Manager to enter into a contract with the State of Florida, Department of Financial Services, to support equipment maintenance and training for Gainesville Fire Rescue's Hazardous Materials Team.

Explanation: Gainesville Fire Rescue's Hazardous Materials Team has regional

responsibilities for eleven counties and is classified as a Type II Team providing a response capability of 15 personnel with testing equipment to unknown chemical incidents within one hour. Funding for certified equipment and training to support this capability is supplemented through a variety of homeland security and emergency services grants; one of these is the State Homeland Security Grant Program (SHSGP) offered through the Department of Financial Services. Reimbursement funding offered by the State of Florida for the agreement period ending May 31, 2010 includes up to \$33,600 for sustainment and maintenance of equipment previously purchased with Office of Domestic Preparedness funds, and up to \$21,285 for training in Office of Grants & Training approved courses. The funds are provided through a Subgrant Agreement between the Department of Financial Services and the Division of Emergency Services. Stringent requirements for training certifications and the frequent calibration of sensitive chemical and biological substance detection equipment justify the application of these subgrant funds.

Fiscal Note: The City will receive up to \$54,885. There is no match required.

RECOMMENDATION

The City Commission authorize the City Manager or designee to enter into a contract with the State of Florida, Department of Financial Services, subject to approval of the City Attorney as to form and legality.

Alternative Recommendation A: The City not enter into a contract resulting in a loss of up to \$54,885 of available reimbursement funds for equipment maintenance and training and requiring expenditures from the general fund.

090357.

Award of Contract for Group Life Insurance to Standard Life Insurance Company as Proposed by Gallagher Benefits Services (B)

This item involves a request for the City Commission to approve the selection of Standard Life Insurance Company as the provider for Group Life Insurance Benefit.

Explanation: The City of Gainesville provides employer paid life insurance to all regular employees who work twenty hours or more and all retirees. The benefit varies based on the employee's base salary. Most employees receive two times their annual base salary, up to a maximum benefit of \$50,000. For example, if an employee's base salary is equal to, or greater than \$25,000 per year, they will receive the maximum benefit of \$50,000.

The City issued a Request for Proposal (RFP) for Group Life Benefits in 2006 for a three year term, but was interested in rate guarantees beyond the initial three year term. As a result of this process, the City received twenty-six different options proposed by six different agents. The proposals were evaluated by staff based on the following criteria:

Cost - (Rate per \$1000 of benefit)	60%
Administrative Capabilities and Experience	20%
Financial Stability (AM Best rating)	20%
Total	100%

Using the above criteria, staff rated the proposal submitted by Standard Life Insurance Company through Gallagher Benefits Services as the lowest qualified proposal. The proposal of 12.2 cents per thousand was substantially less than any other proposal. The coverage offered is identical to the coverage currently provided and Standard agreed to cover all employees/retirees that are eligible whether actively at work or not. In addition, Standard Life Insurance Company has guaranteed the rate of 12.2 cents per thousand for three years and included a carrier option to extend the rate guarantee for an up to an additional two year period. Despite a negative loss history, the carrier has agreed to extend the rate guarantee for one additional plan year. To date, the total realized savings related to the group life has been approximately \$450,000 over the three year initial rate guarantee period. Accepting the carrier's offer to extend the rate guarantee for the additional year will bring the total reduction in the cost of this benefit to \$600,000. The current rate is still 50% lower than the previous rate and represents four consecutive fiscal years without an increase in the cost of this benefit.

Fiscal Note: Funds of approximately \$180,000 have been included in the proposed Fiscal Year 2010 Employee Health and Accident Benefits Fund operating budget.

RECOMMENDATION

The City Commission: authorize 1) to extend the contract for Group Life Insurance to Standard Life Insurance Company as proposed by Gallagher Benefit Services for one additional year beginning October 1, 2009; 2) the issuance of a Purchase Order in an amount sufficient to cover the applicable charges for Group Life Insurance; and 3) the City Manager or designee to negotiate and execute, subject to the approval of the City Attorney as to form and legality, a contract with Standard Life Insurance Company and Gallagher Benefits Services.

090357_Proposed RFP Award_20090917.pdf

090358.

Settlement of Worker's Compensation Claim - Elmer A. Strickland (NB)

This item involves the full and final settlement of Mr. Strickland's worker's compensation claim(s), which will include all future medical, indemnity and Medicare Set-Aside payments. The total settlement amount is \$350,000 and represents a significant cost advantage to the City.

Explanation: While employed by Gainesville Fire Rescue (GFR), in 1990 Mr. Strickland suffered a compensable heart attack and has received treatment for the condition since that time. As a result of his injury and subsequent permanent work restrictions imposed by his treating physicians, Mr. Strickland was accepted as permanently and totally disabled in December of 2000.

Recently, the City, Mr. Strickland and Safety National, our excess carrier, agreed to the settlement of his worker's compensation claim. Mr. Strickland and Safety National have agreed to the proposed settlement. The City Attorney's Office, the Risk Management Department, GFR, Special Counsel and our Worker's Compensation servicing agent all concur as to the full and final settlement of this claim. The total amount, \$350,000, includes all attorney fees, future medical costs, past and future indemnity payments, taxable costs and Medicare Set-Aside payments.

Fiscal Note: The settlement of this case in the amount of \$350,000 will be paid by the General Insurance Fund and reimbursed by Safety National, our excess carrier.

RECOMMENDATION

The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation Claim of Elmer A. Strickland in the amount of \$350,000.

090359.

Federal LECFTF Funding to Purchase 107 Tasers and Equipment from Taser International X 26E Advanced Tasers for the Gainesville Police Department (B)

This item requests that the City Commission appropriate and expend an amount not to exceed \$125,000 from the Federal Law Enforcement Contraband Forfeiture Fund for the purchase of 107 tasers from Taser International X 26E Advanced Tasers and associated holsters, cartridges, and replacement batteries for the Gainesville Police Department. This will outfit all of the remaining Gainesville Police Department with the exception of Administration

Explanation: The X 26E Advanced Tasers provides a safer, more effective tool for law enforcement officers facing situations that pose threats to their safety and the safety of others. The Tasers are reliable devices that utilize innovative technology to stop resistive suspects and provide effective alternatives to other types of force. The Gainesville Police Department already has some tasers in patrol and has assessed this to be an effective tool for law enforcement.

As of 2006, Florida State Statute 943.1717 mandates what use of force level a Taser must be placed and also mandates the Criminal Justice Standards and Training Committee (CJSTC) create specific training topics, hours and recertification requirements. The Gainesville Police Department will follow or exceed both the Florida State Statute and CJSTC requirements in both policy and training.

Fiscal Note: Funding is available from the Federal LECTFT for \$125,000. The balance of the account is \$2,097,539.04

RECOMMENDATION

The City Commission authorize the appropriation of an amount not to exceed \$125,000 from the Federal

Law Enforcement Contraband Forfeiture Trust Fund and issuance of a purchase order to DGG Taser Inc for the purchase of 107 tasers and associated equipment.

090359_TaserEst_20090917.pdf

090359_TaserSoleSource_20090917.pdf

090369.

2008 Actuarial Valuation Report for the City of Gainesville Consolidated Police Officers' and Firefighters' Retirement Plan (B)

This item involves the Consolidated Police Officers' and Firefighters' Retirement Plan actuarial valuation as of October 1, 2008.

Explanation: The Consolidated Police Officers' and Firefighters' Retirement Plan Actuarial Valuation Report presents a statement of the financial position of the Consolidated Police Officers' and Firefighters' Retirement Plan (the Plan) to the Board of Trustees for the Consolidated Police Officers' and Firefighters' Retirement Plan. The Board of Trustees for the Consolidated Police Officers' and Firefighters' Retirement Plan has approved the 2008 Actuarial Valuation Report, and it is now being submitted to the City Commission for approval of the City contribution rate. The actuarial valuation process assesses the fiscal status of the Plan, and is used to determine the annual contribution to the Plan which is expressed as a percentage of the covered payroll of Plan members.

The 2008 Actuarial Valuation Report indicates that the Plan was 99.1% funded as of October 1, 2008, with an actuarial value of assets of \$174,300,297 and an actuarial accrued liability of \$175,909,422. The 2008 valuation recommends that the required employer contribution rate for the Consolidated Police Officers' and Firefighters' Retirement Plan for Fiscal Year 2010 will be 6.10% of payroll, up from 5.15% for Fiscal Year 2009.

Fiscal Note: The Fiscal Year 2010 Consolidated Police Officers' and Firefighters' Retirement Plan contribution rates presented in the 2008 Actuarial Valuation Report have been included in the Fiscal Year 2010 Budget. At 6.10% of payroll, Fiscal Year 2010 contributions are projected at approximately \$1,525,000.

RECOMMENDATION

Recommended Motion. The City Commission: 1) accept the 2008 Actuarial Valuation Report for the City of Gainesville Consolidated Police Officers' and Firefighters' Retirement Plan; 2) approve the Fiscal Year 2010 Consolidated Police Officers' and Firefighters' Retirement Plan contribution rate of 6.10% presented in the 2008 Actuarial Valuation Report.

090369_Gvl Police & Fire Retirement Plan_20090917.pdf

090373.

Actuarial Services for the Disability Pension Plan (B)

This item involves the Actuarial Services contract for the Disability Pension Plan.

Explanation: On July 2, 2009, the City's Purchasing Division solicited request for proposals for Actuarial Services for the Disability Pension Plan. Eight (8) firms submitted responses on July 27, 2009. Staff reviewed and scored the proposals on August 14, 2009. The final rankings of the firms are as follows:

1st - Actuarial Concepts
2nd - Buck Consultants
3rd - Gabriel Roeder Smith & Co

Fiscal Note: Actuarial Services fees of \$10,500 for the Disability Pension Plan are included in the Fiscal Year 2010 budget.

RECOMMENDATION

Recommended Motion: The City Commission: 1) accept the selection in order of ranking; 2) authorize the City Staff to initiate contract negotiations with Actuarial Concepts, as the Actuarial Services provider for the Disability Pension Plan; and 3) authorize the City Manager as Trust Administrator to execute all related documents, including contract amendments and extensions.

090373_Summary for Disability Pension Plan_20090917.pdf

090391.

First Extension to the Annual Contract for Trash Pick Up and Disposal from City of Gainesville Regional Transit System Bus Stops FY 2009-2010 (B)

This item is a request for approval of a First Extension to the Annual Contract for Trash Pick Up and Disposal from City of Gainesville Regional Transit System Bus Stops.

Explanation: On August 13, 2008, the City of Gainesville entered into a contract with Waste Management, Inc. of Florida to furnish the labor, materials, and equipment to collect and dispose of trash from all City of Gainesville Regional Transit System bus stops. On December 23, 2008, the City of Gainesville accepted assignment of the contract to EWS Central Florida Hauling LLC. EWS Central Florida Hauling, LLC. has provided consistently good service and responded promptly when notified of any collection problems or special pickups. This contract expires on September 30, 2009, with the option to extend the term for a 12-month period with a maximum of three such extensions as described in Section 4 of the contract.

Fiscal Note: Funding in the amount of \$53,234.64 is available in the RTS FY2010 budget for the contract for trash pick-up and disposal from RTS bus stops.

RECOMMENDATION

Recommended Motion: The City Commission 1) approve the First Extension to the Annual Contract for Trash Pick Up and Disposal from City of Gainesville

Regional Transit System Bus Stops; and 2) authorize the City Manager to execute any necessary documents to extend the annual contract with EWS Central Florida Hauling, LLC., subject to approval by the City Attorney's office as to form and legality.

090391_Contract_20090917.pdf

090391_Extension_20090917.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

090386.

Sale of Kelly Plant Surplus Steam Turbine Generator Number 5 and its Associated Equipment (NB)

Staff recommends approval of the sale of one steam turbine generator and its associated equipment located at J.R. Kelly Generating Station.

Explanation: The J. R. Kelly Generating Station has steam generating units that have been long retired from service, are no longer part of the GRU generating portfolio and the assets have been removed from the Utility registry of property units. The subject generator and its associated equipment have no other residual value to the organization other than what it could be sold for as scrap or to another entity for its use.

In an effort to recover as much of the investment as possible staff recommends the sale of the subject generator and its associated equipment to another entity rather than dismantling and selling it for scrap.

Staff typically solicits bids for the sale of surplus goods, then requests City Commission approval for the sale with the list of bidders and their bid prices. However, due to the uniqueness of this equipment being sold and the likelihood that the buyer will have time considerations for completing the sale of the equipment, staff is requesting authorization in advance for the sale to the highest bidder(s). The bid will be issued by GRU Purchasing following City policy and procedures for surplus sales.

Fiscal Note: The sale of the generator and associated equipment will allow for recovery of funds for the items designated as surplus. GRU anticipates a minimum return of \$75,000.

RECOMMENDATION

The City Commission: 1) declare the subject City-owned generator and its associated equipment located at J.R. Kelly Generating Station as surplus; and 2) authorize the General Manager, or his designee, to negotiate and execute a contract for the sale of the generator, subject to approval by the City Attorney as to form and legality.

090387.**Amendment to Contract for Uniform Rental Services (NB)**

Staff recommends extending the contract with Riverside Manufacturing Co. for uniform rental, laundering and maintenance for various GRU and General Government departments.

Explanation: Approximately 160 Utility and General Government employees are engaged in work that results in work garments being soiled with contaminants which make home laundering inadvisable. For these employees, rental uniforms are provided by a company that is responsible for picking up the soiled garments from the department work sites, laundering them properly in a commercial cleaning facility and returning them to the designated departments on a weekly basis. This process adheres to the Department of Environmental Protection's recommendations for proper treatment of certain agents. The company is also responsible for maintaining the garments for minor repairs and replacing garments on an as needed basis. Departments which use this contract include staff from GRU's Water Distribution, Wastewater Collection and Water Reclamation Facilities and the City's Fleet and RTS mechanics. The annual cost of this contract is approximately \$77,000 for both GRU and General Government.

A three-year contract with Riverside Manufacturing Co. was approved by the City Commission on August 28, 2006. The contract provides for two (2) two-year extensions upon mutual agreement of the parties and negotiation of the contract pricing. Over the three-year contract, Riverside has maintained the same pricing and has agreed to retain its pricing for the first two-year extension. Throughout the term of the contract, Riverside has provided excellent service and has been responsive to the City's needs.

Staff recommends extending the contract for the first two-year period with authority to extend the contract for the remaining extension to reduce administrative costs for the last available extension. If, in the event the contract is no longer satisfactory or required by the City, contract provisions include early termination for nonperformance or funds unavailability. Any future price increase would be limited to the CPI.

Fiscal Note: Funds for these services have been included in the FY 2010 budgets and will be requested in subsequent year budgets.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute amendments to the contract with Riverside Manufacturing Co. for uniform rental services for City departments, subject to approval of the City attorney as to form and legality; and 2) approve the issuance of purchase orders to Riverside Manufacturing Co. for these services in amounts not exceeding budgeted amounts for each fiscal year, subject to the final appropriation of funds for these services for each fiscal year.

CITY ATTORNEY, CONSENT AGENDA ITEMS**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****090409.****Joint City/County Commission Meeting (NB)****RECOMMENDATION**

The City Commission schedule a joint meeting on October 29, 2009, at 5:00pm concerning Kopper's Superfund Site.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA****CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION****CITY MANAGER****080511.****Ironwood Golf Course: Report From National Golf Foundation Consulting (B)**

This is the presentation of a report including findings and recommendations for Ironwood Golf Course prepared by National Golf Foundation Consulting.

Explanation: At the May 21, 2009 City Commission meeting, staff introduced the Commission to representatives from National Golf Foundation Consulting (NGF). The City entered into an agreement with NGF to perform a review of Ironwood Golf Course and provide findings and recommendations. The scope of work included the following: 1) review golf course operations; 2) conduct golf customer survey; 3) perform a market and financial analysis and fee schedule review; 4) review proposed course improvements, projected costs and timeline; 5) provide

recommendations on marketing and promotional programs, including possible name change; 6) provide guidance/assistance with RFP; and 7) present findings and recommendations.

NGF has completed its report and is prepared to make a presentation to the City Commission. Staff on the Ironwood Golf Course Team believes the report provides extensive and valuable information that will benefit Ironwood Golf Course. The team generally concurs with NGF's findings and recommendations which focus on the areas of: 1) green fees; 2) operating structure; 3) food & beverage; 4) golf course improvements; and 5) operational recommendations.

Based on direction from the Commission, staff is proceeding with planning for implementation of Ironwood Golf Course capital improvements beginning in April 2010. In their report, NGF provides additional perspective on the need, prioritization and impact of capital improvements at Ironwood. Staff is proceeding with procuring the services of a golf course architect who will provide a hole by hole analysis that will be used to bid the capital improvement work.

Fiscal Note: NGF is projecting an annual increase in gross revenues at Ironwood of more than \$400,000 by FY 13 once play stabilizes at about 37,500 paid rounds per year after course improvements and fee increases have been implemented. Consistent with NGF recommendations, pre-renovation increases in green fees are being implemented effective October 1, 2009. If the City Commission approves NGF and staff recommendations, the main fiscal impact will be revenue generated from a post-renovation increase in green fees. The fiscal impact of a potential lease for food & beverage operations will not be known until proposals are received.

RECOMMENDATION

The City Commission: 1) hear the NGF presentation and provide questions and comments as appropriate; 2) approve recommended post-renovation green fees; 3) defer consideration of an RFP for lease of Ironwood until after the impact of course improvements can be gauged; 4) direct the City Manager to release an RFP for food & beverage service; 5) direct the City Manager to initiate a process to re-name and re-brand the golf course.

Legislative History

11/6/08	City Commission	Approved as shown above and Referred (7 - 0)	Recreation, Cultural Affairs and Public Works Committee
1/8/09	Recreation, Cultural Affairs and Public Works Committee	Approved as Amended	
2/19/09	City Commission	Approved as shown above (See Motion) (6 - 1)	
5/21/09	City Commission	Approved as Recommended (5 - 1 - 1 Absent)	

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080511_PPT_20090219.PDF
080511_IHA_LET_20090219.pdf
080511_MOD_PPT_20090521.PDF
080511_Report_20090917.pdf
080511_PPT_20090917.pdf

090360.**Internet Safety: Protecting Children from Online Predators (B)**

Explanation: Frank Williams, Assistant United States Attorney and Project Safe Childhood Coordinator for the Northern District of Florida, will make a presentation titled, "Internet Safety: Protecting Children from Online Predators."

Fiscal Note: None

RECOMMENDATION

The City Commission receive the presentation.

090360_InternSafetyPP_20090917.pdf

090370.**Update of Adopted City of Gainesville Strategic Plan for Fiscal Years 2009/2010 (B)****This item is to update the Adopted City of Gainesville Strategic Plan for Fiscal Years 2009/2010.**

Explanation: On July 28, 2008, the City Commission adopted the City of Gainesville Strategic Plan for Fiscal Years 2009/2010. The strategic plan is a living document which features a framework that can be adjusted based on the current needs of the community. To develop the City of Gainesville Strategic Plan for Fiscal Years 2009/2010, the City Commission held a retreat in December, 2007, a follow-up retreat in June, 2008, and a workshop in February, 2009.

During the workshop in February, 2009, two new strategic initiatives were proposed by the City Commission to improve the energy efficiency of low-income homes and develop creative ways to measure progress in code enforcement. Existing goals and initiatives were also re-examined and refined through presentations by members of the City Commission, roundtable discussion, and written comments. On May 21, 2009, the City Commission accepted a summary of the retreat and directed the City Manager to update the Adopted City of Gainesville Strategic Plan for Fiscal Years 2009/2010 to include the addition of two new initiatives and initiative changes as recommended by the Sponsoring Commissioner.

Since that time, the Office of Strategic Planning has been meeting with the champions and Sponsoring Commissioners that advocate for the City's Strategic Initiatives. It was through these meetings and feedback from the strategic planning workshop in February, 2009 that the Adopted City of Gainesville Strategic Plan for Fiscal Years 2009/2010 was updated. The revised document includes a summary of activity on each initiative during FY 2009 and minor

revisions to the strategy outlined by the champion to accomplish the initiative. Major modifications to the plan include the recommendation to sunset two strategic initiatives, the inclusion of two new initiatives, and the refinement of two existing initiatives based on guidance from the sponsoring commissioner.

Fiscal Note: The strategic planning and budgeting processes are linked to assure that the City's budget reflects the City Commission's strategic priorities.

RECOMMENDATION

The City Commission: 1) receive a presentation on the updates to the City Commission strategic goals and initiatives; and 2) adopt the updated City of Gainesville Strategic Plan for Fiscal Years 2009/2010.

Alternative Recommendation A:

The City Commission receive a presentation on the updates to the City Commission strategic goals and initiatives; recommend changes to the updated City of Gainesville Strategic Plan for Fiscal Years 2009/2010; and adopt the updated City of Gainesville Strategic Plan for Fiscal Years 2009/2010.

Alternative Recommendation B:

The City Commission receive a presentation on the updates to the City Commission strategic goals and initiatives, and does not adopt the updated City of Gainesville Strategic Plan for Fiscal Years 2009/2010 and suggests an alternative system/strategy.

090370_FY2010 Updated Strategic Plan_20090917.pdf

090370A_PPT FY2010 Updated Strategic Plan_20090917.pdf

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS**RECONVENE****PLEDGE OF ALLEGIANCE (5:30pm)****Ray Davis, Sons of the American Revolution and Heroes of '76****PROCLAMATIONS/SPECIAL RECOGNITIONS****090336.****Sons of the American Revolution Constitution Week - September 14-20, 2009 and Constitution Day - September 15, 2009 (B)****RECOMMENDATION***Gainesville Chapter Sons of the American Revolution
Past President Ray M. Davis, Jr. to accept the
proclamation.*

090336_Proc_20090917.pdf

CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**PUBLIC HEARINGS****090376.****MILLAGE RATE - FISCAL YEAR 2009 - 2010 (B)****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 2009-2010 FISCAL YEAR; ADOPTING THE FINAL MILLAGE RATE; DIRECTING THE TRANSMITTAL OF CERTIFIED COPIES; AUTHORIZING A SPECIFIED ADJUSTMENT TO THE FINAL MILLAGE RATE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.***Explanation: The City Commission is required by Florida Law to adopt a final millage rate to fund the budget for FY 2009 - 2010.***RECOMMENDATION***The City Commission adopt the proposed Resolution.*

090376_draft millage resolution_20090917.pdf

090377.**GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2009 - 2010 (B)****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING**

OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; ADOPTING THE GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: The proposed General Government Budget for Fiscal Year 2009 - 2010 as set forth in the Adopted Financial and Operating Plan Budget by Funds is hereby submitted as prepared by the Budget and Finance Department.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

090377_draft budget resolution_20090917.pdf

090257.

GAINESVILLE REGIONAL UTILITIES - FINAL BUDGET - FISCAL YEAR 2009-2010 (B)

RESOLUTION NO. 090257

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE FINAL BUDGET FOR THE CITY OF GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; PROJECTING REVENUES AND ADOPTING A FINAL BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES, FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: The proposed resolution adopts a final budget for the City of Gainesville Regional Utilities for the fiscal year beginning October 1, 2009 and ending September 30, 2010, to pay for personal services expenses, operating and maintenance expenses and other expenses, for capital outlay and for debt service requirements is submitted for adoption by the City Commission.

All changes will be effective October 1, 2009.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

090257_GRU FINAL BUDGET RESOLUTION_20090917.pdf

RESOLUTIONS- ROLL CALL REQUIRED

090380.

Resolution of the Gainesville City Commission Supporting an Alachua County Charter Amendment Preserving the Principles of Municipal Home Rule (B)

At the request of the Alachua County League of Cities, this agenda item provides a resolution for Commission consideration supporting an Alachua County Charter Amendment preserving the principals of municipal home

rule.

Explanation: At the August 26, 2009 meeting of the Alachua County League of Cities, the League approved a resolution supporting and endorsing the principles of home rule. The resolution resolves that "The Alachua County League of Cities believes that when issues are in conflict between the Alachua County Charter and a municipality or several municipalities, such conflict should be resolved by a majority of the electors within the County and a majority of the electors within the affected municipality or municipalities." The resolution also requests that "This resolution be forwarded to the Alachua Board of County Commissioners, the Charter Review Commission, and the State Senators and Representatives elected from the jurisdiction of the Alachua County League of Cities."

After the League approved the resolution, they requested that the governing body of each municipality approve similar resolutions to the one adopted by the League. The intent of these actions is to encourage the soon to be appointed Alachua County Charter Review Commission and the County Commission to support a County Charter Amendment that would preserve municipal home rule. This Charter amendment would provide that future County Charter amendments approved by County voters shall be effective in municipalities if a majority of a municipality's voters approve the Charter amendment.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

The City Commission approve the resolution.

090380_Resolution_20090917.PDF

090380_Sample_20090917.pdf

090404.

A resolution of the City of Gainesville, Florida electing to use the uniform method of collecting non-ad valorem special assessments levied within the incorporated area of the City; stating a need for such levy; providing for the mailing of this resolution; and providing for an immediate effective date. (B)

Explanation: Currently, all funds to provide fire rescue services are gathered through ad valorem taxes and other general fund revenues. On October 22, 2007, the City Commission heard a presentation from staff and representatives of Government Services Group, Inc. (GSG) for the development and implementation of a Special Assessment for Fire Services for the City of Gainesville. On November 12, 2007, the City Commission authorized the City Manager to execute a contract with Government Services Group, Inc. to develop and implement a Special Assessment for Fire Services. In 2008 the City Commission elected not to levy the special assessment. On July 27, 2009, the City Commission authorized the City Attorney to prepare the resolution that expresses the intent of the City Commission to utilize the uniform method of assessment for fire services for Fiscal Year 2010.

Resolution 090404 describes the City's intent to use the uniform method for collecting non-ad valorem special assessments annually for the cost of providing fire protection services to properties within the incorporated area of

the City commencing with the Fiscal Year beginning October 1, 2010. This resolution does not commit the City to levy a fire services special assessment in Fiscal Year 2010.

RECOMMENDATION *The City Commission adopt Resolution 090404 authorizing the implementation of a Special Assessment for Fire Services for the City of Gainesville.*

090404_resolution_20090917.pdf

ADOPTION READING - ROLL CALL REQUIRED

080351.

LAND USE CHANGE - EXPANSION OF GPD (B)

Ordinance No. 0-08-90, Petition 94LUC-08PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties within the City, as more specifically described in this ordinance, from the land use categories of "Mixed-Use Low-Intensity (8-30 units per acre)," "Residential Low-Density (up to 12 units per acre)," and "Office" to the City of Gainesville land use category of "Public Facilities"; located in the vicinity of the 400 Block of NW 8th Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

This is a request by the Gainesville Police Department to change the Future Land Use Map designation to Public Facilities for 2.56 acres that are owned by the City of Gainesville adjacent to the existing GPD Downtown Headquarters Campus. Policy 4.1.1 of the Future Land Use Element states that the Public Facilities land use category is intended for "administrative and operational functions such as government offices, utility facilities and storage facilities." The property that is the subject of this land use change currently includes a vacant warehouse building, vacant office building, a parking area, and a vacant lot. These properties were purchased by the City with the intent to allow for the expansion of the existing police department facility and redevelopment of the subject parcels. There are actually three separate areas that are the subject of the land use change: the site of the former Walker Building, which was recently renovated to offices for the Gainesville Police Department; the future site of a training center located to the east of the former Walker Building, at the corner of NW 8th Avenue and NW 4th Street; and the future site of an analysis center that is located to the south of the existing GPD campus, between NW 7th Avenue and NW 6th Place.

The City Plan Board considered Petition 94LUC-08PB at a public hearing held August 28, 2008. By a vote of 6 - 0, the City Plan Board approved the petition.

At the subsequent City Commission hearing on October 2, 2008, the petitioner

was directed to hold a public workshop with citizens and the Commission. The petition was deferred to the December 4, 2008 hearing.

Public notice for this petition was published in the Gainesville Sun on August 6, 2008. Letters were mailed to surrounding property owners on August 6, 2008.

CITY ATTORNEY MEMORANDUM

The proposed amendment to the Comprehensive Plan is treated as a small scale development activity. After the City Commission adopts the ordinance, it will be filed with the State Land Planning Agency. The state land planning agency does not review or issue a notice of intent for small scale development amendments. Any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of a small scale development amendment within 30 days following the City's adoption of the amendment.

Small scale development amendments do not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency or the Administration Commission issues a final order that the adopted small scale development amendment is in compliance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

10/2/08 City Commission Continued (Petition) (7 - 0)
12/4/08 City Commission Approved (Petition) (6 - 0 - 1 Absent)

080351_petition_20081002.pdf
080351A_staff ppt_20081002.pdf
080351B_Memo_20081204.pdf
080351_draft ordinance_20090917.pdf

080350.

REZONING - EXPANSION OF GPD (B)

Ordinance No. 0-08-91, Petition 17PSZ-08PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties within the City, as more specifically described in this ordinance, from the zoning categories of "MU-1: 8-30 units/acre mixed use low intensity," "RC: 12 units/acre residential conservation district," and "OF: General office district" to "PS: Public services and operations district" to permit by right a public safety administration and operations facility and certain other principal and accessory uses, as more specifically described in this ordinance, including an indoor shooting range, communications tower, outdoor storage, and a public bicycle and pedestrian path through a portion of the property; without the approval of a preliminary development plan; located in the vicinity of the 400 Block of Northwest 8th Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

This is a request by the Gainesville Police Department to change the zoning of a 2.56-acre property adjacent to the existing GPD Downtown Headquarters Campus to PS (Public services and operations district) zoning. These properties were purchased by the City with the intent of allowing for expansion of the existing police department facility and the establishment of a training center and analysis center at the site. Currently, the State of Florida owns a strip of land that runs through the middle of the proposed campus expansion. This land was previously part of a privately owned railroad right-of-way, and was purchased by the State for the establishment of the 6th Street Rail Trail. In conjunction with the rezoning of this site, there is a plan to exchange the right-of-way for an equivalent section of land that is currently owned by the City. As a result of this exchange, the location for the future rail trail would be shifted to the east. The general locations of buildings, parking areas, and the realigned trail were shown on the site plan that was originally included with the rezoning request. However, as a result of some specific concerns over the proposed layout of the site, the site plan is no longer included with this request to rezone the property.

Approval of a minor subdivision will be necessary to allow for the property exchange and the realignment of the rail-trail and to create the resulting new parcels. Condition 5, as originally proposed by staff, requires that this minor subdivision be approved and recorded prior to the adoption of this rezoning ordinance. However, there is no longer a site plan included with this request, and the exact configuration of the rail-trail and surrounding parcels has not been determined. Therefore, at this time, staff is recommending that this condition be removed from the zoning ordinance. The requirement for the minor subdivision will then be more appropriately handled as a condition of the preliminary development plan approval.

The City Plan Board considered Petition 17PSZ-08PB at a public hearing held August 28, 2008. By a vote of 6 - 0, the City Plan Board approved the petition with staff conditions.

At the subsequent City Commission hearing on October 2, 2008, the petitioner was directed to hold a public workshop with citizens and the Commission. The petition was deferred to the December 4, 2008 hearing.

Public notice for this petition was published in the Gainesville Sun on August 6, 2008. Letters were mailed to surrounding property owners on August 6, 2008.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of December 4, 2008 authorized the City Attorney's Office to prepare and the Clerk of the Commission to advertise the proposed ordinance. The passage of time leading up to the preparation of this ordinance is attributable to the preparation of accurate maps, legal descriptions, identifying the exact location and conditions of the realignment of the rail trail, and describing the appropriate permitted uses.

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

10/2/08 City Commission Continued (Petition) (7 - 0)
 12/4/08 City Commission Approved (Petition) with Staff Conditions (6 - 0 - 1 Absent)

080350_petition_20081002.pdf
 080350-1_psz master plan & lu map_20081002.pdf
 080350A_staff ppt_20081002.pdf
 080350B_MEMO_20081204.pdf
 080350_draft ordinance_20090917.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**090326.****OPEN AND OUTDOOR BURNING (B)****Ordinance No. 0-09-53**

An ordinance of the City of Gainesville relating to open and outdoor burning and pyrotechnic display; creating and adding a new Article VI titled Open and Outdoor Burning to Chapter 10 of the City of Gainesville Code of Ordinances, providing for purpose; providing for applicability and exceptions; providing for definitions; providing general prohibitions; providing for permits; providing for voiding permits; providing review process for voided permits; providing requirements to burn for fire suppression training; providing for permit fees; providing for liability; providing for inspections; providing for enforcement and civil penalties; providing a repealing clause and providing an immediate effective date.

Explanation: On July 28, 2009, the City Commission adopted Resolution No. 090208, to approve the Proposed Tentative General Government Financial and Operating Plan, and authorized staff to take appropriate actions to implement this new and increased program fee. This proposed ordinance establishes regulations and a fee structure for open and outdoor burning in the City of Gainesville.

This ordinance requires two hearings. Should the Commission adopt this ordinance on first reading, second and final reading of the ordinance will be October 1, 2009.

RECOMMENDATION*The City Commission adopt the proposed ordinance.*

090326_Draft Ordinance_20090917.pdf

090350.**AMENDMENTS TO SOLAR FEED-IN TARIFF ORDINANCE (B)****ORDINANCE NO. 0-09-57**

AN ORDINANCE AMENDING CHAPTER 27, APPENDIX A, SECTION UTILITIES (1) ELECTRICITY OF THE GAINESVILLE CODE OF ORDINANCES, PROVIDING FOR THE PURCHASE OF SOLAR

GENERATED ENERGY THROUGH A SOLAR ENERGY PURCHASE AGREEMENT FOR ALL CLASSES BY ADDING CLARIFYING LANGUAGE TO FEED-IN-TARIFF PROVISIONS; AMENDING NET METERING DISTRIBUTED RESOURCE(S) RATES FOR GENERAL SERVICE AND LARGE POWER CLASSES TO EXTEND NET METERING APPLICABILITY TO GENERAL SERVICE CUSTOMERS; ADDING A MONTHLY CUSTOMER SERVICE CHARGE FOR FEED-IN-TARIFF; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: Background:

City of Gainesville Ordinance No. 080566 established the GRU Solar Feed-In-Tariff program which commenced in March 2009. After several months of operation, it has been recognized by staff that clarifications and amendments to the original ordinance provisions will enhance the efficient operation of the program into the future.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

090350_draft ordinance_20090917.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

090228.

SB 360 DEVELOPMENT ORDER AND BUILDING PERMIT EXTENSIONS (B)

Ordinance No. 0-09-54

An Ordinance of the City of Gainesville, Florida, establishing administrative procedures, fees, requirements and limitations to carry out the development order and building permit extensions authorized by Senate Bill 360, now known as Chapter Law No. 2009-96; providing a severability clause; and providing an immediate effective date.

Explanation: On June 1, 2009, the Governor signed Senate Bill 360 entitled the "Community Renewal Act" ("SB360") into law. Among other things, SB360 provides for a two-year extension of City issued development orders and building permits that have an expiration date of September 1, 2008 through January 1, 2012, if the holder requests the extension on or before December 31, 2009.

Due to the broad and imprecise language of SB360, there is much debate throughout the state regarding the interpretation of many provisions within SB360, including the permit extension language. In addition, a lawsuit has been filed in Leon County, Florida, by a coalition of local governments challenging the constitutionality of SB360.

Given the differences of opinion and uncertain outcome of the litigation, City staff presented draft procedures and fees for the administration of the

extensions at a Special Meeting City Commission Meeting held on July 28, 2009, and recommended that the City Commission adopt same by ordinance. The City Commission approved the recommendation authorizing the City Attorney to draft and the Clerk of the Commission to advertise an ordinance.

Since that meeting, City staff has received and considered comments from the public on the draft procedures and fees. In addition, on August 12, 2009, City staff met with a representative of the building and business community and the mutually agreeable revisions were incorporated into this ordinance. A request was made to include GRU Utility Construction Permits, Preliminary Development Plans and Design Plats in the list of Development Orders that are eligible for extension. However, City staff does not support including those in the Ordinance for the following reasons. First, GRU Utility Construction Permits are issued by the City under the authority of FDEP pursuant to Chapter 403, Florida Statutes. As such, they are not contemplated within the language of SB360 (e.g., FDEP or WMD permits issued under Chapter 373, and local building permits and development orders).

In addition, City staff has now received the DEP staff interpretation of SB360. DEP staff has opined that SB360 "applies exclusively to certain permits issued under Part IV of Chapter 373, F.S." and "does not apply to any other part of Chapter 373 or any other law governing DEP or WMD programs."

Second, with respect to design plats and preliminary development plan approval, these are preliminary approvals and as such, they are subject to further review before receiving final approval. Staff is concerned that if extended for two years, the data and analysis supporting the preliminary approval may become stale and certainly not within the recent memory or recollection of the citizens, staff, Board and/or Commission charged with final review. Staff believes that SB360 was intended to provide relief to projects that had secured final approvals and were ready to proceed to construction, but for the lagging economy, real estate market or lack of financing available for construction.

This ordinance authorizes the Planning and Development Services Department to administer the extensions, defines development order and building permit for purpose of the extensions, establishes fees, sets forth the procedures and requirements for obtaining an extension, the limitations on approved extensions and addresses the effect of subsequent invalidation of SB360.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

7/28/09 City Commission Approved as Amended (6 - 0 - 1 Absent)
9/3/09 City Commission Adopted on First Reading (Ordinance) (7 - 0)

090228_SB360 Ordinance_20090903.pdf

090325.

APPENDIX A - SCHEDULE OF FEES, RATES AND CHARGES (B)

Ordinance No. 0-09-45

An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges by increasing fees and charges for Adult Performance Establishments, Escort Services, and Escort Licenses; Alcoholic Beverage bottle club licenses; Cable Franchises; Cemetery; Controlled Vehicular Parking Area Decals/Permits; Fire/Rescue false alarm, Prohibited devices, Fire alarm monitoring companies, Fire alarm system contractors and Fire inspections; Home Occupation Permits; Land Development Code petitions, applications, development services and zoning permits; Annual Spring Arts Festival permits; Burglar alarm operators, monitoring companies, systems, and systems contractors; Roam towing; Registered Domestic Partners; Secondhand Goods Dealers; Permits for use of and work in streets, sidewalks and other public places; Business tax receipt transfers; Traffic and Motor Vehicle parking violations and delinquency; Stormwater Management; Vehicles for Hire; and Vending booth and Itinerant food vendor permits; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: BUDGET AND FINANCE DEPARTMENT STAFF REPORT

On July 27, 2009, the City Commission adopted Resolution No. 090208, to approve the Proposed Tentative General Government Financial and Operating Plan, and authorized staff to take appropriate actions to implement new and increased fees, effective October 1, 2009.

CITY ATTORNEY MEMORANDUM

This ordinance increases certain existing fees and charges. There are additional new fees and charges authorized by the City Commission as part of the adoption of the Proposed Tentative General Government Financial and Operating Plan that are being processed as separate ordinances.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/3/09 City Commission Adopted on First Reading, as modified (Ordinance) (5 - 0 - 2 Absent)

090325_Draft Ordinance_20090903.pdf

090325_Appendix A Fees 2_20090903.pdf

090284.**GRU ELECTRIC RATES (B)****Ordinance No. 0-09-46**

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES; ADDING A RENTAL LIGHT CATEGORY AND RATE FOR LED LIGHTING; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY

CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

Explanation: In the Proposed Budget for the Combined Utilities System, the General Manager made a recommendation to increase electric base rates and customer services charges and add a lighting rate for LED lighting.

The rate changes will be applied to bills rendered after 12:01 A.M., October 1, 2009.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/3/09 City Commission Adopted on First Reading, as revised (Ordinance) (7 - 0)

090284_GRU RATE INCREASE_20090903.pdf

090285**GRU - WATER RATES (B)****Ordinance No. 0-09-47**

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (3) WATER, OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING INSPECTION FEES AND TAPPING CHARGES; INCREASING METER INSTALLATION CHARGES; INCREASING BASE RATES FOR SERVICE; INCREASING WATER TRANSMISSION, DISTRIBUTION AND PLANT CONNECTION CHARGES; INCREASING STANDBY FIRE SPRINKLER LINE CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

Explanation: In the Proposed Budget for the Combined Utilities System, the General Manager made a recommendation to increase water base rates and customer services charges, add a commercial irrigation rate, and connection, tapping, inspection and standby sprinkler line fees.

The rate changes will be applied to bills rendered after 12:01 A.M., October 1, 2009.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/3/09 City Commission Adopted on First Reading (Ordinance) (7 - 0)

090285_GRU RATE INCREASE_20090903.pdf

090286.**GRU - WASTEWATER BASE RATES (B)****Ordinance No. 0-09-48**

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES BY

INCREASING WASTEWATER BASE RATES; INCREASING CONNECTION AND INSPECTION CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

Explanation: In the Proposed Budget for the Combined Utilities System, the General Manager made a recommendation to increase wastewater base rates and connection, tapping, and inspection fees.

The rate changes will be applied to bills rendered after 12:01 A.M., October 1, 2009.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/3/09 City Commission Adopted on First Reading (Ordinance) (7 - 0)
090286_GRU RATE INCREASE_20090903.pdf

090287.

GRU - SERVICE CHARGES (B)

**Ordinance No. 0-09-49
AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (7) IN GENERAL OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING SERVICE CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.**

Explanation: In the Proposed Budget for the Combined Utilities System, the General Manager made a recommendation to amend the charges for lighting gas pilot lights and disconnecting electric service at the pole or transformer to charge cost appropriate fees for these services.

The rate changes will be applied to bills rendered after 12:01 A.M., October 1, 2009.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/3/09 City Commission Adopted on First Reading (Ordinance) (7 - 0)
090287_GRU RATE INCREASES_20090903.pdf

090288.

GRU - UTILITY SERVICES (B)

**Ordinance No. 0-09-50
AN ORDINANCE AMENDING CHAPTER 27 UTILITIES,**

GAINESVILLE CODE OF ORDINANCES; AMENDING SECTION 27-6, TERMS OF WITHHOLDING SERVICE; AMENDING SECTION 27-7, FREQUENCY OF CREDITS FOR UTILITY DEPOSITS; AMENDING SUBSECTION 27-15(d), AMENDING THE NORMAL BUSINESS HOURS; REPEALING SECTIONS 27-17 AND 27-18 RELATING TO ALACHUA COUNTY PRIVILEGE FEE; AMENDING SECTION 27-21, DEFINITIONS, BY ADDING AND MODIFYING DEFINITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

Explanation: In the Proposed Budget for the Combined Utilities System, the General Manager made a recommendation to make the following changes to Chapter 27.

It is recommended that language be added to Section 27-7 to incorporate misrepresentation on part of the applicant or customer to be cause for withholding or disconnecting service as identify theft has been recognized as a component of utility theft.

Current practice is to apply credit for interest on utility deposits to customer accounts on a monthly basis. The recommendation is to modify the existing text that states interest will be credited annually to state interest shall be credited monthly.

The specific hours of operation should be removed from 27-15(d) to allow the utility to adjust hours as needed without the necessity of an ordinance.

Both sections 27-17 and 27-18 have been deemed unconstitutional and therefore the general manager is recommending repealing both sections.

On August 6, 2009, the general manager made a recommendation to modify Section 27-21 by adding definitions of AC power and DC power as well as modifying existing definitions.

These changes will be effective upon adoption.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/3/09 City Commission Adopted on First Reading (Ordinance) (5 - 0 - 2 Absent)
090288_GRU RATE INCREASES_20090903.pdf

PLAN BOARD PETITIONS

090321.

Amend the Land Development Code to add Solar Farms as a Permitted Use in the Agriculture Zoning District (B)

Petition PB-09-77 TCH. City of Gainesville. Amend Sections 30-23 (Definitions) and 30-72 (Agriculture district (AGR)) of the Land

Development Code by defining "Solar Farm" and adding Solar Farms as a permitted use in the Agriculture district (AGR).

Explanation: This petition is in response to the Community Development Committee's recommendation to the City Commission to direct staff to generate a petition to the Plan Board allowing the development of solar fields by right within areas of the City designated Agricultural [Agriculture zoning district] with appropriate dimensional, environmental and life/safety/health requirements. The City Commission on May 7, 2009 approved this matter as recommended by the Community Development Committee.

Planning staff subsequently developed the petition with input from GRU Strategic Planning staff. Proposed changes to Sec. 30-23 (adding a definition of Solar farms) and to Sec. 30-72 (Agriculture district (AGR)) of the Land Development Code were presented in the petition to the City Plan Board. Proposed revisions to the AGR district include adding solar farms as a use by right, conditions regarding access restriction by fencing or/and walls, limitations on placement of solar devices in wetlands or surface waters and buffers, and establishment of a minimum distance between solar devices and lot lines.

The Plan Board voted 7-0 to approve the petition with correction in sub-section (g)(3) as read into the record, and with the request that staff work on the language to allow solar power generation as an accessory use to other uses in all districts.

Staff subsequently reviewed the Plan Board's request with staff from GRU and the Law Department regarding allowance of solar power generation as an accessory use in other districts, and concluded that the proposed definition will not impede the allowance of solar power generation as an accessory use in other zoning districts. Furthermore, solar power generation as a use in other zoning districts will be reviewed by the consultant the City has recently retained to review the Land Development Code. In accord with the City Commission's approval on May 7, 2009 of the Community Development Committee's recommendation on Legislative No. 070890, Solar Panels vs. Removing Tree Canopy, there will be a future petition to the Plan Board regarding solar development relative to other pertinent provisions of the Land Development Code.

Planning staff with concurrence from GRU Strategic Planning Staff recommends one change to the petition. The proposed additional use of Solar farm should be changed to Solar generation station because it is a more precise and familiar term that is broadly applicable.

Public notice was published in the Gainesville Sun on June 30, 2009. The Plan Board held a public hearing on July 23, 2009.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-09-77 TCH with correction in sub-section (g)(3) as read into the

record, and with the request that staff work on the language to allow solar power generation as an accessory use to other uses in all districts. The Plan Board voted 7-0.

Staff to City Commission - The City Commission approve Petition PB-09-77 TCH with the proposed terminology change from Solar farm to Solar generation plant.

Staff to City Plan Board - Approve Petition PB-09-77 TCH.

090321_staff revisions_20090917.pdf
 090321B_090507 ccom minutes_20090917.pdf
 090321C_maps_properties agrizoning dist_20090917.pdf
 090321D_solar projects_petitioner appl_20090917.pdf
 090321E_090723 cpb minutes draft_20090917.pdf
 090321F_staff ppt_20090917.PDF
 090321A_staff report_20090917.pdf

090211.

Villages at Lake Kanapaha Land Use Amendment (B)

Petition PZ-09-35 LUC. Causseaux, Hewett & Walpole, Inc., agent for Archer Road Development, LLC and Eaglesrock International, LLC

Amend the City of Gainesville 2000-2010 Future Land Use Map from Alachua County Low Density Residential (1-4 DU/acre) to City of Gainesville Residential Medium-Density (8-30 units per acre) and Conservation. Located at 4123 Southwest 50th Street. Tax parcel numbers: 06916-000-000, 06916-001-000, 06929-000-000, 06935-001-000, 06917-000-000, 06933-000-000. Related to Petition PZ-09-36 ZON.

Explanation: This petition is a large-scale land use amendment to change the Future Land Use category from Alachua County Low Density Residential (1-4 DU/acre) to City of Gainesville Residential Medium-Density (8-30 units per acre) and Conservation (CON) for property recently annexed in the southwest portion of the community near the SW Archer Road/I-75 interchange. The 6 combined parcels are approximately 31.6 (MOL) acres in size. The parcels were annexed into city limits on February 5, 2009. This petition is to bring the properties under City land use regulations.

The subject parcels are located west of I-75 (approximately 2,500 feet or .47 of a mile), on the north side of SW Archer Road between SW 47th Street and SW 50th Street. Both of those streets are private roads. SW 50th Street is an unpaved narrow road that accesses the northwestern portion of the site. A portion of the property fronts SW Archer Road.

The proposed area for Conservation land use is approximately 6.85 acres lying in the northwestern portion of the site. Most of this proposed Conservation area was located in the Alachua County Strategic Ecosystem designation. This

area abuts the Lake Kanapaha recreation/conservation area to the west, which is owned by Alachua County. The proposed area for Residential Medium Density is approximately 24.78 acres in size, and it is surrounded by properties in residential use (mobile homes to the north; condominiums to the east; and several older, single-family dwellings or vacant lots to the south).

Parcels to the north, east, south and west of this property are in unincorporated Alachua County and are controlled by the County's land use and zoning regulations. The property is also located near the SW Archer Road/Butler Plaza commercial area (approximately ½ mile distance), which provides both shopping and employment opportunities. The housing in this area is a mixture of condominiums, townhomes, mobile homes, and older single-family dwellings. The predominant housing types are condominiums and mobile homes.

The Plan Board discussed the petition and recommended that the requested land use change be denied by a vote of 3-2. Some of the Plan Board members were concerned about the disjointed nature of the annexation in the area west of I-75 because the area did not seem contiguous to city limits. There were other concerns about consistency with County transportation concurrency and whether the intent of the Comprehensive Plan is being met.

Public notice was published in the Gainesville Sun on June 9, 2009. The Plan Board held a public hearing on June 25, 2009.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission: The City Commission deny Petition PZ-09-35 LUC. Plan Board vote 3-2.

Staff to City Commission: Approve Petition PZ-09-35 LUC. Plan Board vote Deny 3-2.

Staff to the Plan Board: Approve Petition PZ-09-35 LUC.

Legislative History

8/6/09 City Commission Continued (Petition) (7 - 0)

8/20/09 City Commission Continued (Petition) (7 - 0)

090211 & 090209_MOD_LETTER.pdf

090211_staff report_20090917.pdf

090211A_comprehensive plan amend report_20090917.pdf

090211B_tree survey_20090917.pdf

090211C_staff ppt_20090917.PDF

090211D_petitioner ppt_20090917.PDF

090211E_cpb draft minutes_20090917.pdf

090209.

Villages at Lake Kanapaha Rezoning (B)

Petition PZ-09-36 ZON. Causseaux, Hewett & Walpole, Inc., agent for

Archer Road Development, LLC and Eaglesrock International, LLC.

Rezone property from Alachua County Single-family, low density (R-1a, R-1c) districts to City of Gainesville RMF-7 (8-21 units/acre multiple-family residential district) and Conservation district. Located at 4123 Southwest 50th Street. Tax parcel numbers: 06916-000-000, 06916-001-000, 06929-000-000, 06935-001-000, 06917-000-000, 06933-000-000. Related to Petition PZ-09-35 LUC.

Explanation: This petition is a rezoning to change the zoning from Alachua County R-1a, R-1c (1-4 DU/acre) to City of Gainesville RMF-7 (8-21 units per acre) and Conservation (CON) for six contiguous parcels recently annexed in the southwest portion of the community. The combined parcels are approximately 31.6 (MOL) acres in size. The parcels were annexed into city limits on 2/5/09. This petition is to bring the properties under City zoning regulations.

The subject parcels are located west of I-75 (approximately 2,500 feet or .47 of a mile), on the north side of SW Archer Road between SW 47th Street and SW 50th Street. Both of those streets are private roads. SW 50th Street is an unpaved narrow road that accesses the northwestern portion of the site. A portion of the property fronts SW Archer Road.

The proposed area for Conservation zoning is approximately 6.85 acres lying in the northwestern portion of the site. Most of this proposed Conservation area was located in the Alachua County Strategic Ecosystem designation. This area abuts the Lake Kanapaha recreation/conservation area to the west, which is owned by Alachua County. The proposed area for Residential Medium Density is approximately 24.78 acres in size, and it is surrounded by properties in residential use (mobile homes to the north; condominiums to the east; and several older, single-family dwellings or vacant lots to the south).

Most of the land area is vacant, however, there are a few abandoned single-family dwellings in very dilapidated condition (most have significant damage and are open to the elements).

Parcels to the north, east, south and west of this property are in unincorporated Alachua County and are controlled by the County's land use and zoning regulations. The property is also located near the SW Archer Road/Butler Plaza commercial area (approximately ½ mile distance), which provides both shopping and employment opportunities.

The housing in this area is a mixture of condominiums, townhomes, mobile homes, and older single-family dwellings. The predominant housing types are condominiums and mobile homes.

This petition is submitted concurrently with a land use amendment (see Petition PZ-09-35 LUC) for Residential Medium-Density (8-30 units/acre) and Conservation (CON).

The Plan Board discussed the petition and recommended that the requested zoning change be denied because it would be inconsistent with the land use.

Public notice was published in the Gainesville Sun on June 9, 2009. The Plan Board held a public hearing on June 25, 2009.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission: The City Commission deny Petition PZ-09-36 ZON. Plan Board vote 3-2.

Staff to City Commission: Approve Petition PZ-09-36 ZON. Plan Board vote Deny 3-2.

Staff to the Plan Board: Approve Petition PZ-09-36 ZON.

Legislative History

8/6/09 City Commission Continued (Petition) (7 - 0)

8/20/09 City Commission Continued (Petition) (7 - 0)

090209_petitionform_20090806.pdf

090211 & 090209_MOD_LETTER.pdf

090209_staff report_20090917.pdf

090209A_zoning map amendment report_20090917.pdf

090209B_tree survey_20090917.pdf

090209C_staff ppt_20090917.PDF

090209D_petitioner ppt_20090917.PDF

090209E_cpb draft minutes_20090917.pdf

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

080128.

Update on the Wild Spaces Public Places One-Half Cent Sales Tax Initiative's Implementation Plan for Capital Improvement Projects and Sensitive Lands Acquisition (B)

This item involves an update on the Wild Spaces Public Places One-Half Cent Sales Tax Initiative's implementation. It includes information on referral discussions at the July 9, 2009 Recreation, Cultural Affairs and Public Works Committee meeting, and requests approval of projects and creation of set-aside funding to cover operating costs.

Explanation: On February 19, 2009, the Department of Parks, Recreation and Cultural Affairs provided an update to the City Commission regarding development of an Implementation Plan for the Wild Spaces Public Places (WSPP) One-Half Cent Sales Tax. At that meeting, the City Commission approved funding for projects currently underway including full funding for the Senior Recreation Center and Smokey Bear Park and partial funding for the Thomas Center Renovations, NE & Westside Pool Renovations and Northeast Park Infrastructure. The Commission decided to hold off on a final decision on the possible set-aside of

\$1,150,000 for a five year period to cover operating expenses for projects with estimated annual operating costs of \$50,000 or less. Staff was asked to return to the Commission with updates on discussions with advocacy groups for: 1) Cone Park with track & multi-purpose fields, 2) NE Pool with heating and 3) NW Soccer Complex regarding whether these groups would be able to fund recurring operating costs associated with these projects.

At the May 21, 2009 meeting, the City Commission approved funding for the NE Pool with heating and directed the City Manager to draft agreements with the pool advocacy groups formalizing their commitments to the NE Pool heating project. The Commission took no further action other than to refer the City Commission's priority list of WSPP projects to the Recreation, Cultural Affairs and Public Works (RCAPW) Committee for further review. In addition, information was requested on what projects would be lost if the remaining unallocated funds were reprioritized to Cone Park.

On July 9, 2009 staff presented an update to the RCAPW Committee. Commissioners Donovan and Hawkins also attended. Staff presented the funding priority list, along with a series of five different options for Committee consideration in recommending Commission approval of additional projects based on projected revenue:

Option 1 included: 1) Approve full or remaining funding for projects 1 - 9, 11 (\$3,357,000); 2) Approve partial funding for project 13 (\$330,000) to replace the filter at Westside Pool (the filter may not last much longer and needs to be replaced); 3) Approve partial funding for project 12 (\$800,000). Total estimated cost of projects recommended for approval is \$4,487,000.

Option 2 included: 1) Approve funding for project 20 Cone Park original Master Site Plan Development (\$2,727,850 revised estimate); 2) Approve full funding for projects 1, 2, 4 & 5 (\$1,280,000); 3) Project 3 cost would be included in project 20 funding; 4) Approve partial funding for project 13 (\$330,000) to replace the filter at Westside Pool (the filter may not last much longer and needs to be replaced). Total estimated cost of projects recommended for approval is \$4,337,850.

Option 3 included: 1) Approve funding for project 20 Cone Park original Master Site Plan Development (\$2,727,850 revised estimate); 2) Approve funding for project 12 Depot Park (\$1,000,000); 3) Approve partial funding for project 1 (\$425,000); 4) Approve partial funding for project 13 (\$330,000) to replace the filter at Westside Pool (the filter may not last much longer and needs to be replaced); and 5) Total estimated cost of projects recommended for approval is \$4,482,850.

Option 4 included: 1) Fund all of the staff's recommended # 1 priority improvements for eligible parks/facilities; and 2) Based on the current list, all of the staff's high priorities portions of the projects is \$4,488,000.

Option 5 was: Committee may propose alternate priorities.

During the July 9th meeting there was much discussion of the options and the RCAPW Committee members expressed their preference for options 1 and 3, and they requested that their perspective be forwarded to the Commission. The Committee members were supportive of establishing an operating cost set-aside, and requested that the WSPP Citizen Oversight Committee look at this issue.

The first meeting of the WSPP Oversight Committee was held on August 5th and included Committee discussion of the possible creation of an operating cost set-aside. The Committee passed a motion stating "we recognize that the resolution passed by voters gives the City Commission authority to establish an operating cost set-aside". The Committee went beyond this acknowledgement in their discussions expressing an understanding of the City's interest in an operating cost set-aside and the Committee's support should the City decide to do so. Pamela Hightower, a Gainesville appointee to the Committee, will be present at the Commission meeting to share the Committee's perspective.

Staff Perspective:

There was not a consensus recommendation from the RCAPW Committee as shown below. Staff has the following perspective and guidance.

Option 4 allows some projects to be completed in all parks on the list based on a staff ranking of the itemized projects for each park. The primary advantage is that it allows all parks on the list to benefit from improvements so it spreads the benefits to the greatest degree. The primary disadvantage is that it creates a piecemeal approach so that some but not all of the identified improvements are implemented in each park.

Option 1 retains the prioritization of projects approved by the Commission and funds complete park projects based on their priority. The primary advantage is that it sticks with the existing prioritization. The primary disadvantage is that there would be inadequate funding to implement improvements in a number of parks.

Options 2 and 3 allow funding to be focused on new facilities to provide a big impact in selected parks. The primary advantage of these options is that they provide significant expansions of parks and recreation facilities. The primary disadvantage is that a smaller number of parks would see improvements.

If the City Commission is inclined towards options 2 or 3, staff recommends that Cone Park be funded with the exception of the track and splash pad. The track would be the single most expensive WSPP project and could have significant operating costs. Staff believes the track should be a future project if funding becomes available and advocates are able to address operating cost issues. Also, staff has concerns about building splash pads at sites other than City pools where they can operate during the same hours pools are open with existing pool staff. A stand-alone splash pad could have significant operating costs including treating water to pool standards, utilities and the need for staff to monitor splash pad operation during operating hours.

Staff is geared up and ready to proceed with implementation of additional Wild Spaces Public Places projects once funding for additional projects has been approved.

Fiscal Note: Funds are available through the WSPP Capital Improvement Projects One-Half Percent Infrastructure Sales Surtax. Based on additional receipts, staff is not modifying the March 2009 revenue projection of \$10,920,084 over the two year period that the surtax is in effect. Revenue amounts continue to fluctuate. It is likely that additional revenue could be collected. Any additional revenue received above and beyond the current estimate can be made available to complete additional projects upon Commission approval.

Staff is concerned about the operating cost impact of these projects especially if an operating cost set-aside is not established. It will be difficult to find general fund dollars to cover these new costs when revenue sources are expected to continue to decline. Without an operating cost set-aside, WSPP project operating costs will add to already large expected budget deficits for FY 11 and beyond.

RECOMMENDATION

RCAPW to City Commission: The City Commission: 1) review and approve the preferred project prioritization option for WSPP funding, the RCAPW Committee identified preferences for options 1 and 3; and 2) approve creation of an operating cost set-aside from WSPP funding to address recurring operating expenses for new surtax-funded capital projects for a 5-year period.

Staff to City Commission: The City Commission: 1) review and approve the preferred project prioritization option for WSPP funding, City staff recommends options 4 or 1 and 2) approve creation of an operating cost set-aside from WSPP funding to address recurring operating expenses for new surtax-funded capital projects for a 5-year period.

Alternative Recommendation: The City Commission provide other direction as appropriate.

Legislative History

7/14/08	City Commission	Approved as shown above (Divided Question) (7 - 0)	
7/28/08	City Commission	Approved as Recommended (5 - 0 - 2 Absent)	
2/19/09	City Commission	Approved as Amended (7 - 0)	
5/21/09	City Commission	Continued	
5/21/09	City Commission	Approved as shown above and Referred (6 - 0 - 1 Absent)	Recreation, Cultural Affairs and Public Works Committee
7/9/09	Recreation, Cultural Affairs and Public Works Committee	Approved, as shown above	

9/3/09 City Commission Continued (7 - 0)

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080128a_PPT_MOD_20080714.PDF
080128_Interlocal Agmt - land park_20080728.pdf
080128_interlocalagmnt_20080728.pdf
080128_PPT_20090219.PDF
080128b_CIP List_20090219.pdf
080128_WSPP presentation_20090521.PDF
080128_MemoPkt_20090709.pdf
080128_Memo Packet_20090903.pdf
080128_PPT_20090903.PDF
080128_MOD_PROJECTS_20090903.pdf
080128A_MOD-PPT_20090917.PDF
080128B_MOD-Matriix_20090917.PDF
080128C_MOD-Memo_20090917.PDF
080128D_MOD-Map_20090917.pdf

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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

MODIFICATIONS TO THE AGENDA

090421.

Modification Sheet for September 17, 2009 (B)

RECOMMENDATION *Please see attached modification sheet.*

September 17, 2009_MODS.PDF