

City of Gainesville

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



Meeting Agenda - Final

January 3, 2013

1:00 PM

Modified Agenda

City Hall Auditorium

City Commission

***Mayor Craig Lowe (At Large)
Mayor-Commissioner Pro-Tem Lauren Poe (At Large)
Commissioner Thomas Hawkins (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Commissioner Todd Chase (District 2)
Commissioner Susan Bottcher (District 3)
Commissioner Randy Wells (District 4)***

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

CALL TO ORDER**AGENDA STATEMENT****ROLL CALL****INVOCATION****Prophet George Young****CONSENT AGENDA****CITY MANAGER, CONSENT AGENDA ITEMS**[120625.](#)**Air Card Services With Verizon Wireless For GPD Laptops (B)**

This item requests City Commission approval of an expenditure for air card services.

Explanation: Verizon Wireless provides Gainesville Police Department (GPD) with wireless connection (air cards) for laptops. GPD has approximately 300 air cards. The price is \$39.99 plus surcharge of \$.02 for a total of \$40.01 per card per month. Verizon is the only provider that can give GPD the coverage it needs to function. The Computer Aided Dispatch/Records Management System program can be displayed on the laptop and the coverage, speed, and connectivity is vital with these programs. We are requesting using them as a sole source provider for FY 2013 for a total not to exceed \$146,000.

Fiscal Note: Funding in the amount of \$146,000 is available for this service in the Department's Information Technology budget.

RECOMMENDATION

The City Commission approve the expenditure of \$146,000 for air card services for FY2013.

[120625_VerizonSoleSourceForms_20130103](#)

[120629.](#)**CRA Request for Qualification for General Engineering and Consulting Services (B)**

This item involves approval of the final ranking of engineering firms for the CRA's General Engineering and Consulting Services Request for Qualification (RFQ) No. CRAX130013-DH.

Explanation: In September 2012 the City of Gainesville Purchasing Department posted a Request for Qualification (RFQ) for General Engineering and Consulting Services. Statements of Qualification were requested from qualified professional engineering/consulting firms to provide professional services associated with civil, environmental, construction administration, assessments and studies, design, permitting, implementation and structural, mechanical, systems and electrical engineering for CRA projects.

Fifteen firms responded to the RFQ and on November 5, 2012 the selection committee met to evaluate and rank the written proposals. The top six ranked firms were invited for presentations to the selection committee on November 13, 2012. The selection committee heard the presentations and then met to rank the firms. The top three firms, in order of ranking, were Brown & Cullen, Inc. (Gainesville, FL), Chen Moore & Associates (Gainesville, FL) and Comprehensive Engineering Services, Inc. (Orlando, FL).

At the December 17, 2012 CRA Board meeting members discussed the possibility of including a fourth ranked firm in the final award. The item was continued to a Special Meeting of the CRA Board on January 3, 2013.

Upon further review of the Request for Qualification and the responses thereto with the City Attorney, the Community Redevelopment Attorney, and the Finance Director, the Community Redevelopment Agency staff believes that it is in the best interest of the Community Redevelopment Agency to reject any and all proposals at this time. The Community Redevelopment Agency staff bases its recommendation on the following factors:

- 1. The inclusion of more than three engineering firms as discussed at the December 17, 2012 CRA meeting, would cause staff to ask the Board to consider at least 5 engineering and consulting firms because of the closeness in points between the fourth and fifth bidders;*
- 2. Staff is concerned that awarding bids to more than 3 vendors would result in insufficient work for all vendors; and*
- 3. There is one potential vendor who made improper contact with the city during the blackout period.*
- 4. The CRA attorney recommends that CRA staff and attorneys use this time to revise its Request for Qualification pursuant to the Memorandum of Agreement between the City and the Community Redevelopment Agency. The Community Redevelopment Agency staff administers projects on behalf of the city when the city project is caused by or related to a CRA project. This Request for Qualification does not expressly include projects for which the City rather than the Community Redevelopment Agency may wish to use the services of the engineering and consulting firms.*

Fiscal Note: None at this time.

RECOMMENDATION

Staff to the CRA Board: 1) reject any and all proposals for RFQ No. CRAX130013-DH.

Staff to City Commission: 1) reject any and all proposals for RFQ No. CRAX130013-DH.

[RFQ - For General Engineering Consultants.pdf](#)

[120629 MOD Purchasing Letters 20130103.pdf](#)

[120629A MOD Request for Qualifications 20130103.pdf](#)

[120630.](#)

Annual Maintenance Fees and Licenses for Gainesville Police Department's Records Management System - Request for Purchase Order to SunGard Public Sector (B)

This item requests the City Commission to authorize the issuance of a purchase order not to exceed \$143,100.68 for annual maintenance fees and licenses for Gainesville Police Department's Records Management System.

Explanation: SunGard OSSI is the manufacturer of the Records Management System used throughout the Department. The annual maintenance fees allow GPD to maintain total integration of the current records management system data and also the integrity of the Master NameData Base.

Fiscal Note: Funds in the amount of \$143,100.68 are available from the general fund.

RECOMMENDATION

The City Commission authorize the City Manager to execute a purchase order to SunGard OSSI, a sole source vendor, in an amount not to exceed \$143,100.68 for payment of the annual maintenance fees and licenses.

[120630 SunGardSoleSource 20130103](#)

[120635.](#)

State LECFTF Funding for subscription of Crime Mapping Program (NB)

This item requests that the City Commission appropriate and expend an amount not to exceed \$6,000 from the State Law Enforcement Contraband Forfeiture Fund for the subscription purchase of Crime Reports.com an interactive crime mapping program.

Explanation: CrimeReports.com is an interactive crime mapping program that will allow the citizens of Gainesville to obtain information regarding crime statistics in their neighborhoods and provide them with the tools to prevent future crimes. The purchase of this service will allow the citizens

of Gainesville the ability to protect themselves and also allow future residents to access information regarding neighborhoods.

RECOMMENDATION

The City Commission approve the amount not to exceed \$6,000 for the subscription from February 2013 to January 2014 out of State Law Enforcement Contraband Forfeiture Trust Fund.

[120644.](#)

Memorandum of Agreement Combined Alachua Drug Enforcement Team (CADET) Initiative North Florida High Intensity Drug Trafficking Areas (B)

This is item is a request for City Commission approval of the Memorandum of Agreement for overtime reimbursement.

Explanation: This request is to approve reimbursement from the High Intensity Drug Trafficking Areas (HIDTA) Program to the Gainesville Police Department. This is subject to the availability of annually appropriated funds by the Office of National Drug Control Policy (ONDCP) for payment of personnel expenses (overtime). As a member of the Alachua County Combined Drug Taskforce Unit, the Gainesville Police Department is eligible for reimbursement of funds from the HIDTA program that are expended for overtime. The mission of the CADET Initiative shall be to pursue, disrupt and dismantle major drug organizations.

The HIDTA program provides financial assistance to assist law enforcement organizations with protracted multi-jurisdictional investigations. Reimbursement of overtime costs will be at the rate of 1 ½ times of the hourly rate of the state/local officers, up to a maximum rate per fiscal year of \$17,725. The agreement will be in effect from January 1, 2013 until December 31, 2016 or until funding is no longer available.

Fiscal Note: The City will receive overtime reimbursements associated with the aforementioned. This is for officers working on specific cases for HIDTA.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to enter into the agreement subject to approval of the City Attorney as to form and legality; and 2) approve GPD to seek overtime reimbursement.

[120644_HIDTAMOU_20130103](#)

[120645.](#)

Memorandum of Understanding Between the Alachua County Sheriff and the Gainesville Police Department for a Domestic Highway Enforcement Task Force (B)

This agreement would take effect January 1, 2013 and continue until December 31, 2016.

Explanation: The mission of the Domestic Highway Enforcement Task Force (DHETF) is to use collaborative intelligence to intercept contraband and drug trafficking operations that may impact Alachua County. DHETF will focus on reducing the amount of narcotics transported through and into the area, reducing drug-related crime and violence in Alachua County. This agreement would take effect January 1, 2013 and continue until December 31, 2016.

Fiscal Note: There will be a sharing of assets and forfeitures as indicated in the agreement.

RECOMMENDATION

The City Commission authorize the City Manager to enter into the Memorandum of Understanding (MOU) between the Gainesville Police Department and Alachua County Sheriff's office with review by the City Attorney's office for form and legality.

[120645 MOUDomesticHighwayEnforce 20130103](#)

[120647.](#)

Memorandum of Understanding between the Alachua County Sheriff and the Gainesville Police Department and University of Florida Police Department for a Combined Narcotics and Organized Crime Task Force (B)

This item requests City Commission authorization for the Gainesville Police Department to enter into Memorandum of Understanding for a Combined Narcotics and Organized Crime Task Force with Alachua County Sheriff, Gainesville Police Department and the University of Florida Police Department.

Explanation: The Gainesville Police Department has been a part of the Combined Narcotics and Organized Crime Task Force and desires to continue to participate in this endeavor. The Sheriff's Office, GPD, and UPD wish to assign personnel to the Combined Narcotics and Organized Crime Task Force for the purpose of investigating illegal narcotics and organized criminal activity. This agreement would take effect January 1, 2013 and continue until December 31, 2016.

Fiscal Note: The Combined Narcotics and Organized Crime Task Force shares costs and resources. The participating agencies shall provide officers on a full time basis for a minimum assignment period of one year. The Gainesville Police Department will have three personnel assigned. The HIDTA program will reimburse officers overtime for cases they work subject to funding from ONDCP. The reimbursement of overtime costs will be at the rate of 1 ½ times of the hourly rate of state/local officer, up to a maximum rate per fiscal year of \$17,725. Assets seized will be shared equitably among the agencies based upon the agency's contribution and participation.

RECOMMENDATION

The City Commission authorize the City Manager to enter into the Memorandum of Understanding between the Gainesville Police Department, Alachua County Sheriff's Office and University of Police Department's subject to approval by the City Attorney as to form and legality.

[120647_MOUCombineNarcoticsCrimeTaskForce_20130103](#)

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[120655.](#)

Contract for Janitorial Services at GRU Eastside Operations Center (B)

Explanation: As several GRU departments relocated to the new GRU Eastside Operations Center (EOC) over the past year, other GRU facilities were vacated and no longer required janitorial services. As a new facility, the EOC's service requirements were not completely known until the facility was fully occupied and functional. To transition to the new facility, GRU maintained its contract with the incumbent janitorial service contractor from the vacated facilities. Once relocation was complete, Facilities Maintenance staff developed a specification based on the actual janitorial service requirements for the new compound.

Janitorial services include the provision of labor, equipment and cleaning materials required to properly maintain the entire campus, including offices, restrooms, kitchens and conference rooms. The EOC's multipurpose facility accommodates large groups for training, large meetings and various City functions and is included under this contract. A janitorial day porter is on site each day to assist with clean up for such events and for unexpected cleaning needs. If needed, the janitorial service contractor is able to provide staffing during utility emergencies when staff may be working at the EOC around the clock in restoration efforts. Due to its Leed certification, the contractor is required to perform the service using compliant practices, products and equipment.

Invitations to Bid were sent to 19 prospective janitorial companies and the bid was posted on the GRU website. A mandatory pre-bid meeting and walk-through of the EOC was held with nine companies in attendance. Eight responses were received, including four no bids. One bid was deemed non-responsive because the pricing did not cover the full scope of covered services.

Bids were evaluated based on pricing, references, business experience, personnel, equipment and the Local Preference Ordinance. ISS C&S Building Maintenance Corp., a local business, provided the best evaluated bid. A tabulation of the bids received is attached for your reference. The not-to-exceed amount includes contingency funds of approximately \$20,000 to cover two hard floor cleaning/refinishings per

year. The contract's provisions maintain that, annual price adjustments, if requested and approved, will not exceed the Consumer's Price Index (CPI) for each year of the contract.

Fiscal Note: Funds are available in GRU's FY 2013 budget and will be requested in subsequent year budgets.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a three-year contract with ISS C&S for Janitorial Services at GRU Eastside Operations Center; and 2) approve the issuance of purchase orders for these services to ISS C&S in amount not to exceed \$167,500 per year, subject to the final appropriation of funds for these services in each fiscal year of the agreement.

[120655 bidtab 20130103.pdf](#)

[120660.](#)

Contract for Grounds Maintenance Services at GRU Eastside Operations Center (B)

Explanation: When GRU obtained its Certificate of Occupancy in August 2011 for the newly completed Eastside Operations Center (EOC), care of the recently installed sod, rooftop garden and landscaping plants and trees were turned over from the Construction Manager at Risk firm to GRU's Facilities Maintenance staff. As is customary with new plantings, a one-year warranty ensured that the plants were sustainable. If the plantings did not survive during the course of the year, the landscaping contractor would be required to replace the plants at no cost to GRU.

To perform grounds maintenance services at the EOC during this transitional period, GRU used its two incumbent grounds maintenance contractors from vacated facilities while GRU developed a specification for the new property. The new contract includes mowing, shrub and tree pruning, edging, string line trimming, hand weeding and maintaining flower beds, with special consideration of the wetland areas. Of the 118 acre parcel, approximately 60 acres are maintained under this contract.

Invitations to Bid were sent to 25 prospective grounds maintenance companies and the bid was posted on the GRU website. A mandatory pre-bid meeting and walk-through of the EOC was held with thirteen companies in attendance. Eleven responses were received, including one no bid.

One bid was deemed nonresponsive by Purchasing due to its unbalanced, low bid price which was approximately one half the cost of the next lowest bidder and two thirds less in cost than the other eight bidders. While a low bid may appear to offer monetary savings, an unreasonably low price may suggest a lack of understanding of the

requirements and the work quality may suffer, or the contractor may default on the contract. The bidder submitted a bid protest which was reviewed by the Purchasing Manager. Since the information contained in the bid protest did not change GRU's nonresponsive assessment, the request for a protest hearing was denied.

Bids were evaluated based on pricing, references, business experience, personnel, equipment, invoice sample and the Local Preference Ordinance. Sunshine State Lawn Service, a local women-owned business, provided the best evaluated bid. A tabulation of the bids received is attached for your reference. The contract's provisions maintain that annual price adjustments, if requested and approved by GRU, will not exceed the Consumer's Price Index (CPI) for each year of the contract.

Fiscal Note: Funds are available in GRU's FY 2013 budget and will be requested in subsequent year budgets.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a three-year contract with Sunshine State Lawn Service for grounds maintenance services at the GRU Eastside Operations Center; and 2) approve the issuance of purchase orders for these services to Sunshine State Lawn Service in amount not to exceed \$50,000 per year, subject to the final appropriation of funds for these services in each fiscal year of the agreement.

[120660_bidtab_20120103.pdf](#)

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[120662.](#)

Appointments to City Commission Advisory Boards and Committees (NB)

RECOMMENDATION

The City Commission appoint:

Seth Lane to the City Plan Board for a term to expire 11/1/15.

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**[120570.](#)**The City of Gainesville Strategic Plan for Fiscal Years 2013 & 2014
(B)**

This item seeks approval of the City of Gainesville Strategic Plan for Fiscal Years 2013 and 2014.

Explanation: The strategic planning and goal setting process for FYs 2013 and 2014 was initiated in August 2012 with the City Commission Strategic Planning Retreat at Bouleware Springs. During the retreat, the Commission reviewed input provided by citizens at two community forums held during the year. Commissioners then reviewed the internal and external factors that may impact the city in the next five to ten years and assessed the strengths, weaknesses, opportunities and threats facing the city. Drawing on this information, the Commission then developed a five-year roadmap for the City of Gainesville in a collaborative brainstorming process. Based on these discussions, the elected officials established a set of goals and initiatives for the upcoming years which are the foundation of the City of Gainesville Strategic Plan for Fiscal Years 2013 and 2014.

Using a ballot process, the Commission selected initiatives to sponsor. Each Commission member was asked to select and rank four initiatives for which they would like to sponsor. Each participating member was assigned their number one, number two and number three choices, with some initiatives having Co-Sponsors. During discussion, Commission members may elect to sponsor additional initiatives.

Staff has since collaborated to develop two-year action plans to accomplish the City Commission goals and initiatives through the most cost-efficient allocation of resources. Critical success measures have been developed to enable benchmarking and desired outcomes have been defined to set a vision for success.

Each of the strategic initiatives will be aligned with City Commission Standing Committees and the Community Redevelopment Agency through on-going referrals. Since many of the goals and initiatives were re-organized and re-worded, all existing referrals will be removed from

the referral lists this year and re-referred for Fiscal Years 2013 and 2014.

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

RECOMMENDATION

The City Commission: 1) receive a presentation on the City Commission strategic plan; 2) accept the assignment of initiatives to each member of the City Commission to sponsor; 3) remove all existing strategic initiative referrals from the committee referral lists; 4) refer all strategic initiatives to the aligned Committee; and 5) adopt the City of Gainesville Strategic Plan for Fiscal Years 2013 and 2014.

[120570A_FY13_14 StrategicPlan_20130103.pdf](#)

[120570B_PPT_20130103.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)

PROCLAMATIONS/SPECIAL RECOGNITIONS

RECOMMENDATION

City of Gainesville Equal Opportunity Director
Cecil Howard to accept the proclamation.

[120661_MentoringMonth_20130103.pdf](#)

CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED**

[120122](#)

Proposed Constitutional Amendment "Move to Amend" (B)

A Resolution of the City Commission of the City of Gainesville, Florida, supporting an amendment to the US Constitution to establish that only human beings, not corporations, are endowed with constitutional rights and that money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech; providing an effective date.

Explanation: This item was brought forward by Mayor-Commissioner Pro Tem Lauren Poe during Commission Comment on June 21, 2012. The City Commission approved a referral of this issue to the Audit, Finance and Legislative Committee for discussion. On September 20, 2012, a representative from a group of Alachua County citizens asked the City Commission to consider placing a non-binding referendum related to this issue on the March 2013 City of Gainesville Ballot.

"Move to Amend" is a citizen group dedicated to amending the U.S. Constitution in response to the Supreme Court's ruling in Citizens United v. Federal Election Commission. Move to amend believes that money is not speech, and that human beings, not corporations, are persons entitled to constitutional rights." (<<http://movetoamend.org>>)

During October 2012, the Audit, Finance and Legislative Committee discussed this referral, received input from several citizens supporting the placement of a non-binding referendum on the March 2013 City of Gainesville ballot and received input from the City Attorney regarding legal issues related to placing such a referendum on the ballot. As a result, the Committee recommended to the City Commission that the attorney draft a resolution, rather than a referendum.

On November 15, 2012, the City Commission directed the City Attorney to draft a Resolution similar to the Move to Amend model resolution with the inclusion of two additional provisions: 1) forwarding the Resolution to the County Commission and requesting the County Commission to place this issue on the next County election ballot as a non-binding referendum; and 2) forwarding the Resolution to the City's State and

Federal Legislative Delegation requesting their support of a Federal Constitutional Amendment consistent with the Resolution.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

[120122&120400_citizen_parkinson_20121002.pdf](#)

[120122a&120400a_citizen_parkinson_20120920.pdf](#)

[120122_draft_resolution_20130103.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[120309.](#)

REZONING - VICINITY OF 6600 BLOCK OF STATE ROAD 121 (B)

Ordinance No. 120309; Petition No. PB-12-74 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 41 acres of certain properties, as more specifically described in this ordinance, located in the vicinity of the 6600 block of State Road 121 from the zoning category of Limited industrial district (I-1) to Business industrial district (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning six tax parcels (approximately 41 acres) located in the vicinity of the 6600 block of State Road 121, as more specifically described in the ordinance, from Limited industrial district (I-1) to Business industrial district (BI). This rezoning is consistent with the Comprehensive Plan, as the parcels all have an Industrial Land Use classification, which allows BI zoning.

After public notice was published in the Gainesville Sun on July 10, 2012, the City Plan Board held a public hearing on July 26, 2012, and by a vote of 7-0, recommended approval of this petition. The City Commission held a public hearing on September 20, 2012 and approved the petition by a vote of 6-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/20/12 City Commission Approved (Petition)

[120309A_staff_report_20120920.pdf](#)

[120309B_Comp_Plan_GOPs_20120920.pdf](#)

[120309C_LDC_20120920.pdf](#)

[120309D_supplemental_docs_20120920.pdf](#)

[120309E_application_workshop_info_20120920.pdf](#)

[120309F_CPB_minutes_20120920.pdf](#)

[120309G_staff_ppt_20120920.pdf](#)

[120309_petition_20120920.pdf](#)

[120309A_draft_ordinance_20120103.pdf](#)

120313.**TEXT CHANGE - COLLEGE PARK SPECIAL AREA PLAN SIGNS (B)****Ordinance No. 120313; Petition No. PB-12-84 TCH**

An ordinance of the City of Gainesville, Florida, amending the Land Development Code Appendix A. Special Area Plans, Section 3. Special Area Plan for College Park, Exhibit B. College Park Special Area Plan by deleting obsolete zoning district references pertaining to sign regulations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This petition/ordinance amends the Land Development Code Appendix A, Section 3, Exhibit B. College Park Special Area Plan (SAP) by deleting obsolete zoning district references pertaining to sign regulations.

The College Park SAP regulates properties that are classified as Type I and Type II buildings. The Land Development Code previously regulated Type I and Type II buildings according to specified zoning districts, but Ordinance No. 110863, adopted on July 19, 2012, clarified that the allowable uses for Type I and Type II buildings are those permitted by the underlying zoning district. Consistent with that update recognizing a mix of zoning classifications on Type I and Type II properties, this petition/ordinance deletes obsolete references to the Mixed-use low intensity (MU-1) and Residential mixed-use (RMU) zoning classifications within the Type I and Type II sign regulations.

Public notice was published in the Gainesville Sun on August 7, 2012. On August 23, 2012, the City Plan Board held a public hearing and, by a vote of 6-0, recommended approval of the petition.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings.

RECOMMENDATION *The City Commission (1) approve Petition PB-12-84 TCH and (2) adopt the proposed ordinance.*

[120313B Staff Report 20130103.pdf](#)

[120313C College Park SAP sign regs 20130103.pdf](#)

[120313D Petition Application 20130103.pdf](#)

[120313E cpb minutes 20130103.pdf](#)

[120313F staff ppt 20130103.pdf](#)

[120313A draft ordinance 20130103.pdf](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[120314.](#)

TEXT CHANGE - RELATING TO NATURAL AND ARCHEOLOGICAL RESOURCES AND REGULATED SURFACE WATERS AND WETLANDS (B)

Ordinance No. 120314; Petition No. PB-12-88 TCH
An ordinance of the City of Gainesville, Florida, relating to regulated natural and archeological resources and regulated surface waters and wetlands; amending Section 30-182(c) Pre-application conference for concept review; amending Section 30-183(e) Design plat specifications; amending Section 30-190(c) and (i) Cluster subdivisions; amending Section 30-216 Requirements and evaluation of PD; amending Section 30-254(i) commercial tree removal permits; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: **PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

The purpose of this petition/ordinance is to amend sections of the Land Development Code for consistency with the updated definition of uplands, removal of the Significant Ecological Communities District, and other changes relating to the regulation of natural resources, archaeological resources, and surface waters and wetlands that were

adopted by Ordinance No. 110076 on August 2, 2012. The proposed text amendments are relatively minor and pertain to subdivision requirements, Planned development (PD) district evaluation requirements, and tree removal permits.

Public notice was published in the Gainesville Sun on August 7, 2012. On August 23, 2012, the City Plan Board held a public hearing and, by a vote of 6-0, recommended approval of the petition.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings.

RECOMMENDATION The City Commission adopt the proposed ordinance.

Legislative History

12/20/12 City Commission Adopted on First Reading and Approved the Recommendations

[120314A draft ordinance 20121220.pdf](#)

[120314B Staff report 20121220.pdf](#)

[120314C Comp Plan GOPs 20121220.pdf](#)

[120314D Application 20121220.pdf](#)

[120314E CPB minutes 20121220.pdf](#)

[120314F staff ppt 20121220.pdf](#)

[120175.](#)

TEXT CHANGE - UPDATE DENSITY REFERENCES IN UMU-1 & UMU-2 ZONING DISTRICTS (B)

Ordinance No. 120175; Petition No. PB-12-62 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code Section 30-41 Establishment of zoning districts and categories; by correcting the density references for Urban mixed-use district 1 (UMU-1) and Urban mixed-use district 2 (UMU-2); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This petition/ordinance amends the Land Development Code to update density references in the Urban mixed-use district 1 (UMU-1) and Urban mixed-use district 2 (UMU-2) zoning districts. The proposed text change will make Sec. 30-41 consistent with previous changes to the Urban Mixed-Use 1 and 2 future land use categories and zoning districts that

were adopted by Ordinance Nos. 100684, 110598, and 110642.

Public notice was published in the Gainesville Sun on June 12, 2012. On June 28, 2012, the City Plan Board held a public hearing and, by a vote of 5-0, recommended approval of the petition.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

12/20/12 City Commission Approved (Petition) and Adopted on First Reading
(Ordinance)

[120175A_draft ordinance\)20121220.pdf](#)

[120175B_staff report_20121220.pdf](#)

[120175C_Comp Plan GOPs_20121220.pdf](#)

[120175D_Application_20121220.pdf](#)

[120175E_CPB minutes_20121220.pdf](#)

[120175F_staff ppt_20121220.pdf](#)

120210.

REZONING - FOREST PARK - IN THE VICINITY OF 2000 SW 43RD STREET (B)

Ordinance No. 120210; Petition No. PB-12-38 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 24.7 acres of property located in the vicinity of 2000 SW 43rd Street, as more specifically described in this ordinance, from Alachua County Conservation district (C-1) to City of Gainesville Conservation district (CON) and Public service and operations district (PS); establishing uses permitted by right and minimum setbacks; excepting the requirement of a preliminary development plan for the portion of the property zoned Public services and operations district (PS); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This petition/ordinance rezones approximately 24.7 acres of property located in the vicinity of 2000 SW 43rd Street (on the southwest corner

of SW 43rd Street and SW 20th Avenue) from Alachua County Conservation district (C-1) to the City of Gainesville Conservation district (CON) and Public services operations district (PS). The property includes Forest Park, a community park with active recreational facilities and an off-leash dog area. Also included is Alachua County Fire Rescue Station #19 and approximately 8.6 acres of environmentally sensitive land.

This rezoning, which is necessary to apply City zoning designations to property annexed in 2009, promotes the stable continuation of existing uses, is consistent with the Comprehensive Plan, and implements the City land use classifications of Public Facilities, Recreation and Conservation. The environmentally sensitive western portion of the property will be zoned CON, while the active recreation portion and the fire rescue station will be zoned PS. In addition, and in accordance with Section 30-75 of the Land Development Code, this petition/ordinance establishes uses by right and minimum setbacks for the portion of the property proposed to be zoned PS.

After public notice was published in the Gainesville Sun on April 10, 2012, the City Plan Board held a public hearing on May 24, 2012, and by a vote of 5-0, recommended approval of this petition. This petition, as approved by the Plan Board, does not require a preliminary development plan in conjunction with this rezoning.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings.

RECOMMENDATION The City Commission adopt the proposed ordinance.

[120210A_draft ordinance_20121220.pdf](#)

[120210B_staff report_20121220.pdf](#)

[120210C_Comp Plan GOPs_20121220.pdf](#)

[120210D_Land Development Code_20121220.pdf](#)

[120210E_Supplemental Docs_20121220.pdf](#)

[120210F_Application_20121220.pdf](#)

[120210G_CPB minutes_20121220.pdf](#)

[120210H_staff ppt_20121220.pdf](#)

[120585](#)

MANAGEMENT EMPLOYMENT POLICIES OF GAINESVILLE REGIONAL UTILITIES (B)

Ordinance No. 120585

An ordinance of the City of Gainesville, Florida, amending Chapter 2 of the Code of Ordinances of the City of

Gainesville by amending Section 2-196 to designate additional Directors of Departments who the General Manager for Utilities may appoint and remove at will; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date and limited prospective application.

Explanation: The City Commission at its meeting on December 6, 2012 authorized the City Attorney to draft and the Clerk to advertise an ordinance designating certain job titles within Gainesville Regional Utilities as Directors of Departments.

This designation allows the General Manager for Utilities to appoint and remove such Directors at will; however, the at will status for any particular job title will not become effective until that job title/position becomes vacant and an appointment is made after the effective date of this ordinance.

If this ordinance passes on first reading, second and final reading will be held on January 3, 2013.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

12/6/12 City Commission Approved as Recommended

[120585A Management Employment Policies 20121220.pdf](#)

[120369.](#)

CHARTER LAW AMENDMENTS TO TRANSITION TO 4-YEAR CITY COMMISSION TERMS OF OFFICE AND TO HOLD ELECTIONS IN ODD-NUMBERED YEARS (B)

Ordinance No. 120369

An ordinance of the City of Gainesville, Florida; proposing an amendment to the Charter Laws of the City of Gainesville; amending Article II of the Charter Laws, entitled City Commission, by requiring regular municipal elections to be held every other year in odd-numbered years rather than every year, by changing the terms of office of the Mayor and City Commissioners from 3-year terms to 4-year terms, by providing transitional terms of office at specified lengths to achieve the changes; by specifying the commencement date of terms of office; providing for submission of the charter amendment to the voters for approval or disapproval at the March 19, 2013 regular municipal election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters;

providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: On November 1, 2012, the City Commission authorized the City Attorney to draft an ordinance to place the following charter amendments on the Spring 2013 City ballot: 1) move city elections to odd numbered years in the Fall; and 2) change the City Commission terms from 3 years to 4 years and retain the existing two consecutive term limit. On December 6, 2012, the City Commission provided further policy direction concerning the proposed charter amendments, specifically the plan to transition the terms of office for the Mayor and City Commissioner seats and establishing that the 4-year terms of office would commence with the first regular City Commission meeting in January of the calendar year following each election. These amendments are a cost savings measure for the City as they will reduce the number of regular and run-off municipal elections by one-half.

Per Section 5.01 of the City Charter, a charter amendment may be proposed by an ordinance adopted by a four-fifths vote of the City Commission (i.e., approved by 6 of the 7 Commissioners).

If this ordinance is so approved by the City Commission, the proposed charter amendment will be placed on the next City election ballot. Pursuant to State law, the amendment must be clearly stated in a ballot question. By law, the number of words for the ballot question cannot exceed 75. The ballot question is stated in Section 2 of this ordinance. The Charter Amendment will not be effective unless approved by affirmative vote of a majority of the votes cast at the regular municipal election to be held on Tuesday, March 19, 2013.

This ordinance requires two readings.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/24/12	City Commission	Completed
11/1/12	City Commission	Approved as shown above (See Motion)
12/6/12	City Commission	Continued
12/6/12	City Commission	Approved, as shown above - See Motion(s)
12/20/12	City Commission	Adopted on First Reading (Ordinance)

[120369 Election Town Hall 20120924.pdf](#)

[120369 PlanA&B 20121206.pdf](#)

[120369 draft ordinance 20121220.pdf](#)

PLAN BOARD PETITIONS

[120615.](#)**University Corners PD Amendment (B)**

Petition PB-12-125. C. David Coffey, Esq., agent for University Development of Gainesville, LLC. Melissa Murphy, Esq., agent for Gator Wesley Foundation, Inc. Planned Development amendment to modify the mix of uses, square footage and building height for University Corners. Located between West University Avenue on the south, NW 3rd Avenue on the north, NW 13th Street (US 441) on the east, and NW 14th Street on the west. Related to PB-12-124 PUD.

Explanation: This petition requests an amendment to the approved Planned Development (PD) ordinance (No. 060734) for the proposed mixed-use development known as University Corners. An associated amendment to the approved PUD ordinance was also submitted with this request. The property covered by these requests totals approximately 4.4 acres and is located between West University Avenue and Northwest 3rd Avenue and between Northwest 13th Street (US 441) and Northwest 14th Street. The PD describes the proposed development in terms of 'South Block' (between University and the current 1st Avenue), 'Middle Block' (between 1st Avenue and 2nd Avenue), and 'North Block' (between 2nd Avenue and 3rd Avenue). The recently constructed University United Methodist Church (Petition 78SPL-05DB), was an approved use and considered a phase of development within the original PUD and PD. As presented at the City Plan Board, this place of religious assembly will remain as part of the amended PUD and PD. The amendment proposes to make several substantive changes to the previously approved PD, as follows:

- *Increase the maximum number of building stories from 8 to 10, and the maximum building height from 95 feet to 110 feet*
- *Increase the number of stories for the parking garage from 9 to 10, and the maximum height of the parking garage from 95 feet to 110 feet*
- *Decrease the brick and stone materials used on the first floor retail along University Avenue and 13th Street, while increasing the amount of glazing in these areas*
- *Decrease the required amount of glazing on the upper floors of the South Block and the North Block facing 13th Street*
- *Specify that a brick veneer may be used in lieu of structural brick*
- *Allow for a 'modified bituminous' or 'single-ply' roof system instead of a cementitious tile roof*
- *Specify that the tower features will have sloped metal roofs*
- *Increase the required usable open space from 31% to 44% of the site area*
- *Remove requirements related to DRI (development of regional impact) thresholds*
- *Remove the requirement for remediation of onsite contamination, since this occurred with the construction of the first phase*
- *Clarify that the project will be developed in one phase*

- Reduce the maximum amount of allowed non-residential uses from 115,000 square feet to 100,000 square feet (not including the hotel)
- Increase the maximum allowed building square footage from 665,000 to 950,000
- Increase the maximum square footage for the parking garage from 350,000 to 380,000
- Increase the maximum number of residential units from 490 to 500
- Specify that no more than 250 hotel rooms are allowed

The purpose of the proposed rezoning is to enable the applicant to construct a mixed-use redevelopment project that would include multi-family residential, a hotel, and non-residential uses including retail, restaurant, and offices. The PD Report outlines the specific permitted uses within the development. The report also outlines the maximum allowed amounts for each type of use and defines a few basic zoning standards, such as maximum building coverage. A basic layout for the site is shown on the PD Layout Map, which shows the proposed buildings as well as vehicular and pedestrian circulation areas. The map distinguishes the locations of the proposed hotel from the general commercial and residential areas and also shows the location of the parking structure. Development standards are listed on the layout map, including the types and amounts of allowed uses, maximum building heights, building coverage, and minimum open space. Building elevations are also provided for the public street frontages and of the interior frontages along NW 2nd Avenue which show the design, colors and materials of the buildings.

Public notice for this petition was published in the Gainesville Sun on November 15, 2012. Letters were mailed to surrounding property owners on November 15, 2012. The City Plan Board considered Petition PB-12-125 at a public hearing held on December 3, 2012. By a vote of 6-0, the City Plan Board recommended approval of the petition with the recommended staff changes to the PD conditions, as found in the staff report.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - That the City Commission approve Petition PB-12-125 with staff recommendation.

Staff to City Commission - Approve Petition PB-12-125 with staff recommendation.

[120615A_staff report_20130103.pdf](#)
[120615B_Application Neighborhood info_20130103.pdf](#)
[120615C_Proposed revisions to PD Ordinance_20130103.pdf](#)
[120615D_Revised PD report_20130103.pdf](#)
[120615E_Revised PD Maps_20130103.pdf](#)
[120615F_Building Floor Plans_20130103.pdf](#)
[120615G_Color Building elevations_20130103.pdf](#)
[120615H_staff ppt_20130103.pdf](#)
[120615I_CPB minutes_20130103.pdf](#)
[120615_MOD University Corners Presentation_20130103.pdf](#)
[120615_quasi-judicial form_20130103.pdf](#)

[120616.](#)

University Corners PUD Amendment (B)

Petition PB-12-124. C. David Coffey, Esq., agent for University Development of Gainesville, LLC. Melissa Murphy, Esq., agent for Gator Wesley Foundation, Inc. Amend the text of the Planned Use District ordinance to modify the mix of uses, square footage and building height for University Corners. Located between West University Avenue on the south, NW 3rd Avenue on the north, NW 13th Street (US 441) on the east, and NW 14th Street on the west. Related to PB-12-125 PDA.

Explanation: This petition requests an amendment to the approved Planned Use District (PUD) ordinance (No. 060733) for the proposed mixed-use development known as University Corners. An associated amendment to the approved PD ordinance was also submitted with this request. The property covered by these requests totals approximately 4.4 acres and is located between West University Avenue and Northwest 3rd Avenue and between Northwest 13th Street (US 441) and Northwest 14th Street. The recently constructed University United Methodist Church (Petition 78SPL-05DB), was an approved use and considered a phase of development within the original PUD and PD. As presented at the City Plan Board, this place of religious assembly will remain as part of the amended PUD and PD. The amendment proposes to make several substantive changes to the previously approved PUD, as follows:

- *Remove the allowance for an underground parking structure*
- *Increase the maximum allowed building square footage from 665,000 to 950,000*
- *Increase the maximum square footage for the parking garage from 350,000 to 380,000*
- *Increase the maximum number of residential units from 490 to 500*
- *Specify that no more than 250 hotel rooms are allowed*
- *Increase the required usable open space from 31% to 44% of the site area*

- Increase the maximum number of building stories from 8 to 10, and the maximum building height from 95 feet to 110 feet
- Increase the number of stories for the parking garage from 9 to 10, and the maximum height of the parking garage from 95 feet to 110 feet
- Remove the requirement for remediation of onsite contamination, since this occurred with the construction of the first phase

The PUD land use category may be applied on any specific property in the City. The category was created to allow the consideration of unique, innovative or narrowly construed land use proposals that are specifically found to be compatible with the character of the surrounding land uses. The staff finds that the request meets the criteria for approval of for a land use amendment: Conformance with the Comprehensive Plan; Compatibility and surrounding land uses; Environmental impacts and constraints; Infill and redevelopment; Impacts on Affordable Housing; Transportation; Financial Feasibility.

Public notice for this petition was published in the Gainesville Sun on November 15, 2012. Letters were mailed to surrounding property owners on November 15, 2012. The City Plan Board considered Petition PB-12-124 at a public hearing held on December 3, 2012. By a vote of 6-0, the City Plan Board recommended approval of the petition.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - That the City Commission approve Petition PB-12-124.

Staff to City Commission - Approve Petition PB-12-124.

[120616A_staff report_20130103.pdf](#)

[120616B_Comp Plan GOPs_201300103.pdf](#)

[120616C_Application Neighborhood info_20130103.pdf](#)

[120616D_Proposed revisions to PUD Ordinance_20130103.pdf](#)

[120616E_staff ppt_20130103.pdf](#)

[120616F_CPB minutes_20130103.pdf](#)

[120616_MOD University Corners Presentation_20130103.pdf](#)

120638.

Amend the Permitted Uses in the Industrial and Public Facilities Future Land Use Categories (B)

Petition PB-12-134 CPA. City Plan Board. Amend the City of Gainesville Comprehensive Plan Future Land Use Element to change the permitted uses in the Industrial and Public Facilities land use categories.

Explanation: This petition amends the permitted uses in the Industrial and Public Facilities future land use categories described within the Future Land Use Element. These amendments are necessary to improve clarity and to allow more flexibility within these land use categories.

The proposed change to the Industrial land use category will provide clarity by clearly stating that non-industrial uses are allowed when implemented as part of an adopted Planned Development ordinance. The existing Industrial land use category allows non-industrial uses when they are sensitively designed. However, the term “sensitively designed” is not defined within the Comprehensive Plan or the Land Development Code. This creates a lack of clarity for developers and staff attempting to apply this standard to non-industrial uses within the Industrial land use category. The proposed amendment will allow non-industrial uses within the framework of the Planned Development ordinance process, which is intended to promote overall coordinated building and facility relationships and infill development while eliminating the negative impacts of unplanned and piecemeal development. The proposed changes will provide the flexibility for the City to address changing market conditions within the Industrial land use category. As the City continues to develop the Innovation Economy, flexibility will be needed to meet the challenges of an ever changing marketplace.

The proposed change to the Public Facilities land use category expands the category to include private cemeteries, private utilities, and legal arrangements such as a public-private partnership where the land title is vested in a government and the proposed use serves a public purpose. The existing Public Facilities land use category is limited to identifying land used for administrative and operational government functions and does not contemplate lands with private institutional uses such as cemeteries or private utilities. These changes are necessary to recognize existing public-serving uses such as private utilities and/or cemeteries and to provide opportunities and greater flexibility to pursue public-private partnerships which serve a public purpose.

Staff is also proposing amending the 80 percent lot coverage limitation for Public Facilities designated properties which are located within the urban core areas of the city. The urban core generally includes areas designated with the Mixed-Use High Intensity and Urban Mixed-Use 2 future land use categories and within the areas contemplated for Form Based Code T-zones. There are no lot coverage maximums within these core areas, and the proposed change is necessary to create a consistent urban form and ensure compatibility between public facilities that may be located in these areas and the surrounding urban uses.

Public notice was published in the Gainesville Sun on November 15, 2012. The Plan Board held a public hearing on December 3, 2012.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-12-134 CPA.

Plan Board vote 6-0.

Staff to City Commission - The City Commission approve Petition PB-12-134 CPA and include these changes as part of the Evaluation and Appraisal Update of the Comprehensive Plan.

Staff to the Plan Board - Approve Petition PB-12-134 CPA.

120638A_staff report_20130103.pdf

120638B_Industrial & Public Facilities location map_20130103.pdf

120638C_application_20130103.pdf

120638D_CPB minutes_20130103.pdf

120638E_staff ppt_20130103.pdf

120639.

Update the Future Land Use Element for the Evaluation and Appraisal Process (B)

Petition PB-12-112 CPA. City Plan Board. Amend the City of Gainesville Comprehensive Plan Future Land Use Element for the Evaluation and Appraisal process.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission: The City Commission approve Petition PB-12-112 CPA with inclusion of references to the TCEA Addendum executed on 11/29/12 in Policy 4.3.6. Plan Board vote 6-0.

Staff to City Commission: Approve Petition PB-12-112 CPA as recommended by the Plan Board.

Staff to the Plan Board: Approve Petition PB-12-112 CPA with inclusion of references to the TCEA Addendum executed on 11/29/12 in Policy 4.3.6.

120639A_staff report.pdf
120639B_FLU Element GOPs_20130103.pdf
120639C_FLU Element supplemental data analysis_20130103.pdf
120639D_Historic Preservation Map series_20130103.pdf
120639E_Special study area_Idylwild Sernola_20130103.pdf
120639F_Innovation Zone map_20130103.pdf
120639G_FLU Map_20130103.pdf
120639H_Petition application_20130103.pdf
120639I_121025_121203 cpb minutes_20130103.pdf
120639J_staff ppt_20130103.pdf

120642.

Amend Land Development Code Sec. 30-310 to Add an Optional Binding Determination of Natural Resources Process (B)

Petition PB-12-113 TCH. City Plan Board. Amend the Land Development Code Section 30-310 Natural and Archaeological Resources to add an optional, binding pre-application determination process for natural and archaeological resources and add an associated fee in the Code of Ordinances.

Explanation: On July 19, 2012, the City Commission made a motion to recommend that staff initiate a Plan Board petition to address the issue of predetermination of protections related to the Natural and Archaeological Resources Protection ordinance. This motion was included as part of the motion to approve the Natural and Archaeological Resources (NAR) Protection ordinance on first reading (Ordinance 110076). The City Commission discussion included topics such as a binding pre-determination of natural and archaeological resources to assist developers in knowing what resources might exist on a site and whether the binding pre-determination should be subject to some public hearing process so that the due process rights of impacted parties would be protected if a binding decision was made.

Staff has initiated Petition PB-12-113 TCH in response to the Commission recommendation. Exhibit A-1 in the backup includes the proposed amendment language to the NAR in Section 30-310 of the Land Development Code.

The proposed text provides for an optional, pre-application binding resource determination process. As indicated in the text, the process is intended to assist applicants in determining if and where regulated natural and archaeological resources may be located on a property. It is specifically not intended to include any review of proposed set aside areas or mitigation. That would occur at the time of development review.

The amendment language proposes the use of a binding agreement

letter to assure that the proper geographic area is being studied. The submitted study will be reviewed by staff and then submitted to a board for final review and approval as part of a public hearing process. Staff is recommending that the Plan Board be the reviewing board for these binding determination reviews. The approval period is not to exceed two years from the date of final board approval of the binding pre-application resource determination.

Staff has included required updates due to the extended period between the study and an application for development review of a development proposal. An update of regulated sinkholes and listed species is required with a development application. Sinkholes may occur at any time, and if they are regulated sinkholes, it will be important to have this updated information at development plan review to ensure proper buffers around the sinkhole. The update on the listed species is required because listed species may be added or de-listed during the interim period. In addition, changed conditions at the site may cause a species to move into or out of the site.

In the case of major change at the site (including flood, fire, major storm, or adjacent new development), an update of the study is required. These major change factors could cause natural resource changes even during the two-year period and need to be accounted for.

There are fees associated with this optional type of review and they are included in the backup as part of Exhibit A-1 as changes to the Code of Ordinances.

Public notice was published in the Gainesville Sun on November 15, 2012. The Plan Board held a public hearing on December 3, 2012. The Plan Board discussed the petition and gave direction to staff that the Plan Board should be the reviewing board for the optional, binding pre-application resource determinations. The Plan Board voted to approve the petition 6-0.

The recommended change by the Plan Board to be the reviewing board has been made in Exhibit A-1 (see backup) and is reflected in the backup materials provided to the City Commission.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission: The City Commission approve Petition PB-12-113 TCH with the Plan Board as the designated board to approve the optional, binding pre-application resource determinations. Plan Board vote 6-0.

Staff to City Commission: Approve Petition PB-12-113 TCH as recommended by the Plan Board and make the necessary modifications to the Functions, powers and duties of the Plan Board in Section 30-353 (f) of the Land

Development Code to add the review and approval of the optional, binding pre-application resource determinations.

Staff to the Plan Board: Approve Petition PB-12-113 TCH and provide direction to staff concerning which board should review and approve the optional, binding pre-application resource determinations.

120642A_staff report_20130103.pdf

120642B_Proposed pre-application binding_20130103.pdf

120642C_petition application_20130103.pdf

120642D_cpb minutes_20130103.pdf

120642E_staff ppt_20130103.pdf

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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