

City of Gainesville

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



Meeting Agenda

September 02, 2010

1:00 PM

City Hall Auditorium

City Commission

Mayor Craig Lowe (At Large)

Mayor-Commissioner Pro Tem Jeanna Mastrodicasa (At Large)

Commissioner Scherwin Henry (District 1)

Commissioner Lauren Poe (District 2)

Commissioner Jack Donovan (District 3)

Commissioner Randy Wells (District 4)

Commissioner Thomas Hawkins (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 - 1:03 PM

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

100241.

Fourth Extension to Contracts for Professional Civil Engineering Services for FY 2011 (B)

This item is a request for an extension to the Contract for Professional Civil Engineering Services with Causseaux, Hewett and Walpole, Inc.

Explanation: The contract dated November 9, 2006, first extension dated December 14, 2007, second extension dated August 13, 2008, and third extension dated May 10, 2010, with Causseaux, Hewett and Walpole, Inc. expires on September 30, 2010. The vendor has responded to the City's requests for services promptly and their services have been reliable and accurate.

The contract allows for five (5) one-year extensions. This is the fourth request for an extension to the contract.

Fiscal Note: Funding sources will be identified as needed in the Public Works Department FY 2011 operating budget and the City's Capital Improvement Plan capital project accounts.

RECOMMENDATION

The City Commission authorize the City Manager to execute the Fourth Extension to the contract with Causseaux, Hewett and Walpole, Inc., extending the term of the contract from October 1, 2010 to September 30, 2011.

100241_DraftAgreement_20100902.pdf

100245.**Contract for Inmate Work Crew for the Solid Waste Division (B)**

This item is a request for the City Commission to approve a contract between the City of Gainesville (City) and Florida Department of Corrections (FDOC) for Inmate Work Crew for Litter Clean-up for the term of December 16, 2010 through December 15, 2011.

Explanation: As part of the budget preparation process for FY 2010-2011, funds were identified in the Solid Waste Enterprise Fund budget for a contract inmate work crew with the Florida Department of Corrections (FDOC). The inmate work crew consists of an FDOC supervisor and five (5) inmates from their work camp.

This annual contract pays for the salary of the FDOC supervisor along with required tools and supplies in the amount of \$56,467. The major work focus of this crew will be litter cleanup along city roadways and assistance with graffiti removal. The inmate crew will be responsible for the cleanup of illegal dumpsites.

Fiscal Note: Funding in the amount of \$56,467 for the inmate work crew contract is provided in the FY 2010 and 2011 Solid Waste Enterprise Fund operating budgets.

RECOMMENDATION

The City Commission authorize the City Manager to execute the contract with Florida Department of Corrections for a contractual inmate work crew through December 15, 2011, subject to approval by the City Attorney as to form and legality.

100245_Contract_20100902.pdf

100246.**Agreement between the City of Gainesville and Keep Alachua County Beautiful for FY2011 (B)**

This item is a request for the City Commission to approve the execution of an agreement with Keep Alachua County Beautiful (KACB) in the amount of \$55,000.

Explanation: Keep Alachua County Beautiful (KACB) is the sponsor of "The Great American Cleanup," "Trash Troopers," and other anti-litter/beautification activities. The Great American Cleanup is held the second or third Saturday in April of each year and recruits over 10,000 volunteers to pick up litter, remove graffiti, paint run-down buildings, clean up illegal dump sites, and otherwise beautify Gainesville, the other cities in Alachua County and the unincorporated area of Alachua County. Over 8 tons of litter and debris were removed from public rights-of-way and other areas just within the City of Gainesville during the April 2010 events associated with the cleanup.

KACB was certified in 1995 as the local affiliate of Keep Florida Beautiful and

Keep America Beautiful. The City of Gainesville has been a KACB member since the certification of this non-profit organization and has supported KACB with an annual contribution of either \$15,000 or \$20,000 for the past [nine] years. The City of Gainesville has also provided in-kind services ranging in value from approximately \$12,000 to \$15,000 each year in support of the Great American Cleanup activities.

The Agreement provides:

- 1. Contribution of up to \$6,748.46 in in-kind services.*
- 2. Payment of \$15,000 to renew the City membership in Keep Alachua County Beautiful. In return, KACB will perform specified cleanup and beautification projects in coordination with the City Solid Waste and Parks Divisions. These projects include, but are not limited to: "The Great American Cleanup," graffiti removal, tree and shrub plantings, and public education programs for litter and graffiti prevention.*
- 3. Payment of \$10,000 for continued implementation of "The Beautiful Block Program." The Beautiful Block Program is necessary to recruit block captains from targeted neighborhoods and to provide guidance and tools to empower neighborhoods to keep their own blocks clean and beautiful.*
- 4. Payment of \$10,000 for the implementation of the "Gainesville Clean and Green Program." The Gainesville Clean and Green Program consist of the beautification improvements of specific medians to be designated by the City Manager through the Solid Waste Division Manager and other minor beautification projects as developed.*
- 5. Reimbursement up to \$20,000 for coordination of beautification services.*

Fiscal Note: Funding in the amount of \$55,000 is provided for in the Solid Waste Enterprise Fund FY 2011 operating budget.

RECOMMENDATION

The City Commission authorize the City Manager to execute the contract with Keep Alachua County Beautiful for the period of October 1, 2010 through September 30, 2011, subject to approval by the City Attorney as to form and legality.

100246_AgreementAmendment_20100902.PDF

100247.

Second Amendment to the License Agreement for Use of the SW Downtown Parking Garage (B)

This item is a request to amend the License Agreement for use of parking spaces at the SW Downtown Parking Garage.

Explanation: On July 12, 2007, Southwest Second Avenue, LLC., the Developer of the Palms, and the City of Gainesville entered into an agreement, allowing the Palms the use of 96 parking spaces and a cross walk space, connecting to the third floor of the garage. According to the agreement, the Developer was to pay the City, on or before the first day of January every year during the term of the Agreement (20 years), starting on January 1, 2009, an annual fee equal to eighty percent (80%) of the long term public rental rate in effect on January 1 of that year for

each space, to include any additional taxes or fees. The Developer has requested that the payments be made at the first day of each quarter of January, April, July and October of each year, a quarterly fee equal to eighty percent (80%) of the long term public rental rate in effect at the beginning of each quarter, of that year for each space, to include any additional taxes or fees. Staff believes it would be in the best interest of both parties to approve and authorize the request.

Fiscal Note: Based on the parking garage rates in effect on October 1, 2010, The Palms will pay the City for the next quarter for the 96 parking spaces and one pedestrian space in the Garage.

RECOMMENDATION

The City Commission: 1) approve the Second Amendment to the License Agreement for use of the SW Downtown Parking Garage; and 2) authorize the City Manager to execute the Second Amendment to the License Agreement for use of the SW Downtown Parking Garage between Southwest Second Avenue, LLC., the Developer of the Palms, and the City of Gainesville, subject to approval by the City Attorney as to form and legality.

100247_SecondAmendment_20100902.PDF

100248.

Purchase of Equipment Related to the Traffic Management System (B)

This item is a request to purchase equipment and services that will comprise the video wall of the Traffic Management Center from Technomedia Solutions LLC for the Traffic Operations Division of Public Works in the amount of \$86,206.

Explanation: The Public Works Department is in the process of implementing the Traffic Management System (TMS). The Traffic Management Center is currently under construction and will include a video wall for viewing the traffic surveillance cameras and signal system activities. Technomedia Solutions LLC is a vendor specializing in video wall solutions. After a competitive bid process, the Public Works Department seeks authorization to purchase equipment and services from Technomedia Solutions, LLC.

Fiscal Note: Funding for the total of the TMS project in the amount of \$18.2 million is available in multiple TMS project accounts including FDOT-TRIP Grant and Campus Development Agreement Capital Projects Fund.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the purchase of the equipment and services from Technomedia Solutions LLC; and 2) authorize the City Manager to execute all necessary documents, subject to approval by the City Attorney as to form and legality.

100248_Quotes_20100902.pdf

100249.**Legal Office Expenses from State Law Enforcement Contraband Forfeiture Trust Fund for FY 2011 (B)**

Explanation: The requested funding is needed to cover the Gainesville Police Department's Legal Office expenses related to case filing needs, publication requirements, and storage fees for seized property for FY 2011.

Fiscal Note: The \$15,000 expenses are necessary for the processing of forfeiture cases. If this request is not paid from the Law Enforcement Contraband Forfeiture Trust Fund, it would need to come from the general fund. Funds are currently available in the State Law Enforcement Contraband Forfeiture Trust Fund account and is allowable under F.S. 932.7055(4)(a). The balance in the account is \$69,057.

RECOMMENDATION

The City Commission authorize the Gainesville Police Department to appropriate \$15,000 from the State Forfeiture Fund balance account (108-2710) into line item 108 810 H105 5210 3910.

Alternative Recommendation A:

The City Commission appropriate funds from the General Fund for these expenses. The fiscal impact is \$15,000.

100249_FeesforLegalOfc_20100902.pdf

100250.**Purchase of Stormwater Pipe Inspection Camera Equipment (B)**

This item is a request to purchase camera equipment from Environmental Products of Florida for conducting pipe inspections of all stormwater infrastructure systems installed and maintained by the Public Works Department Operations Division. This vendor has been selected from competitively bid State of Florida contracts which the City of Gainesville will piggyback.

Explanation: This camera equipment is described as a rover/crawler camera that is operated by remote control, crawling with a rotating camera eye through the underground stormwater pipe system recording video inspection of the areas in the pipe that have failed or have potential to fail. The only camera equipment of this type in the City is owned by GRU. Public Works can schedule the camera for routine inspection or contact GRU in the event of an emergency, but this is not consistent due to the availability of the equipment and GRU crews.

Public Works performs routine maintenance inspections of stormwater infrastructure and is first responder to emergency road cave-in events. The current maintenance inspection method is performed manually by crews who are trained to crawl the pipes to detect and record potential failures. Using this method makes it difficult to record precise locations so they can only detect within a range. Not being able to isolate the exact location makes the repair

more difficult and costly for the City.

In emergency cave-in situations, Public Works must respond quickly for citizen safety. If GRU is not available, Operations crews must immediately excavate the area to uncover the pipe and make a visual inspection to determine the degree of pipe failure. This is more costly to the City and increases the amount of time the road is closed to moving traffic. Certain pipe failures can be repaired internally without destroying the road by identifying and isolating the failure in the structure and recording the exact location and extent of the failure.

Fiscal Note: Funding in the amount of \$74,647.23 is available in the FY 2010 Stormwater Management Utility Fund operating budget for machinery and equipment.

RECOMMENDATION

The City Commission: 1) approve the purchase of the stormwater pipe inspection camera equipment from Environmental Products of Florida; and 2) authorize the City Manager to execute all necessary documents for this purchase.

100250a_Contract_20100902.pdf

100250b_CameraQuote_20100902.pdf

100283.

Bid Award for Open-Close-Clean Services at City of Gainesville Parks (B)

This item is a request for the City Commission to authorize the bid award to Superglo Cleaning Services for the opening, closing, and cleaning of City of Gainesville parks in the amount of \$58,872.

Explanation: The Parks, Recreation and Cultural Affairs Department issued a request for bids for park opening, closing, and cleaning at thirteen (13) City-owned parks. Thirteen (13) vendors attended the mandatory pre-bid conference, with five (5) vendors submitting bids. This was a best-evaluated bid. Staff considered price, past performance of Bidder (references), and sufficient staff available, as well as the technical and written qualifications as described in the City of Gainesville's Professional and Other Services Evaluation Handbook. Based on these criteria, Superglo Cleaning Services was ranked number one at a price of \$58,872.

Fiscal Note: Funds in the amount of \$58,872 are available in the FY 2010-2011 Department of Parks, Recreation and Cultural Affairs Contractual Services budget.

RECOMMENDATION

The City Commission: 1) award the contract for park opening, closing, and cleaning to Superglo Cleaning Services for a one-year period from October 1, 2010 through September 30, 2011 with the option to execute two (2) one-year extensions; 2) authorize the City Manager or his designee to execute the contract; subject to approval by the City Attorney as to form and legality; and 3) approve the issuance of a purchase order in an amount not to exceed \$58,872 per fiscal year, subject to funding availability (for the initial

term and any subsequent extensions).

...Alternative Recommendation

The City Commission not award the contract for park opening, closing, and cleaning to Superglo Cleaning Services and direct staff to rebid the contract.

100283_Bid Tab_20100902.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

100314.

Reclaimed Water for the Gainesville Renewable Energy Center (GREC) (B)

Associated with the Water Consumptive Use Permit for GREC, a four way Memorandum of Understanding ("MOU") has been negotiated among GRU, the City of Alachua; GREC, LLC and the Suwannee River Water Management District which will enable reclaimed water from the City of Alachua's wastewater system to be used by the proposed biomass power plant to reduce groundwater use. The Utilities Attorney has approved the MOU for form and legality and the General Manager has executed the agreement subject to the approval of the Gainesville City Commission.

Explanation: The Suwannee River Water Management District has made the use of reclaimed water to minimize the use of potable groundwater for the proposed 100 megawatt biomass power plant (the Gainesville Renewable Energy Center, or "GREC") a condition of the consumptive use permit for the facility. GREC will require roughly 1.4 million gallons per day ("mgd") of water for cooling purposes. A four way Memorandum of Understanding ("MOU") has been negotiated which will enable reclaimed water from the City of Alachua's wastewater system to be used by GREC to offset groundwater use by roughly a third. The City of Alachua will initially be able to provide roughly 0.4 mgd of reclaimed water, which is expected to increase through time. The MOU assures that the funding for the pipeline extension will be made available, either through grants, direct funding by GRU, or by an adjustment to the cost of electricity from the facility. The Utilities Attorney has approved the MOU for form and legality and the General Manager has executed the agreement subject to the approval of the Gainesville City Commission. Should GRU eventually make reclaimed water available to GREC, the final water use agreements will be open for renegotiation. Although the City of Alachua does not currently charge for the use of reclaimed water, the MOU provides GREC with favored nation status with regard to usage fees for reclaimed water and GREC LLC has agreed to absorb any usage fees the City of Alachua may enact in the future.

Fiscal Note: Any necessary GRU fund contributions will not be expended until grant funding and other opportunities have been exhausted and a notice of commencement for GREC has been issued.

RECOMMENDATION

The City Commission approve the attached Memorandum of Understanding ("MOU") between the City of Gainesville, the Suwannee River Water

Management District, the City of Alachua, and Gainesville Renewable Energy Center LLC ("GREC LLC") and authorize the General Manager or his designee to negotiate and execute the final agreement(s) necessary to implement the MOU, subject to approval by the City Attorney as to form and legality.

100314_presentation_20100902 .pdf

CITY ATTORNEY, CONSENT AGENDA ITEMS

100285.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 2010-CC-3094 (B)

Explanation: On August 16, 2010, the City of Gainesville was served with a Summons and Complaint. The Plaintiff alleges that it is owed monies due to the payment of a PIP claim which resulted from an automobile accident occurring on August 15, 2008. Plaintiff claims that the City employee (their insured) and the GRU vehicle involved in the accident falls under commercial vehicle statutes, thus they are entitled to be reimbursed for the Personal Injury Protection benefits they paid out. Plaintiff is seeking money damages, interest, and attorney's fees and costs.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City of Gainesville in the State Farm Mutual Automobile Insurance Company vs. City Of Gainesville; Eighth Judicial Circuit, Court Case No. 2010-CC-3094.

100285_State Farm (Coleman)_20100902.pdf

100289.

DARREN MACKEY vs. CITY OF GAINESVILLE; CASE NO.: 09-CA-5202 (B)

Explanation: Mr. Mackey filed a lawsuit against the City of Gainesville alleging that on June 15, 2007, while driving westbound on SR 24 (SW Archer Road) west of the intersection with SW 34th Street, a Gainesville Regional Utilities tanker truck collided with his vehicle from behind. At the time, Mr. Mackey was driving a mid-sized box truck in the course of his employment with a contractor supply company, and was stopped two vehicles behind a City bus that was loading and unloading passengers.

Mr. Mackey asserts that he suffered permanent back and neck injuries. The injuries were non-surgical, but Mr. Mackey sought medical and chiropractic treatment and therapy resulting in approximately \$12,000.00 in billed expenses. In June, 2008, he settled a workers' compensation claim arising from this accident, with the final sum paid out to Mr. Mackey and his medical providers

totaling in excess of \$40,500. His previous employers' workers' compensation carrier retained a lien in that amount on the proceeds of any judgment or settlement that he may receive from the City or any other source related to the accident.

Initially, Mr. Mackey sought damages in excess of the statutory cap of \$100,000, for past and future medical expenses, pain and suffering, loss of capacity to enjoy life, loss of wages, and loss of capacity to earn wages. The parties engaged in Court-ordered mediation, and reached a negotiated settlement for all claims of Mr. Mackey in the amount of \$35,000, subject to the approval of the City Commission and a full and final release executed by Mr. Mackey. It is the recommendation of Risk Management and the City Attorney's Office that the case be settled for that amount.

RECOMMENDATION *The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the case styled Darren Mackey v. City of Gainesville, Case No. 09-CA-5202.*

100289_Darren Mackey Settlement_20100902.pdf

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

100284.

Resignation - Citizens' Advisory Committee for Community Development and Regional Transit System Advisory Board (B)

RECOMMENDATION *The City Commission accept the resignation of Armando Grundy, Dianna Kish and Sherry Wetzel from the Citizens' Advisory Committee for Community Development and the resignation of Armando Grundy from the Regional Transit System Advisory Board effective immediately.*

100284_resignation_20100902.pdf

100284_resignation_20100902.pdf

100290.

Resignation - Bicycle Pedestrian Advisory Board (B)

RECOMMENDATION *The City Commission accept the resignation of Justin Runac from the Bicycle Pedestrian Advisory Board effective July 22, 2010.*

100284_resignation_20100902.pdf

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****100266.****Appoint District III Seat (B)**

RECOMMENDATION *The City Commission adopt application and process.*

Legislative History

8/19/10 City Commission Approved as Modified (7 - 0)

100266_appointment_20100819.pdf

100266_appointment_20100902.pdf

100266_MOD_20100902.pdf

CITY MANAGER**100052.****Sister Cities Presentation (NB)**

Explanation: At their June, 3, 2010 meeting, the City Commission directed staff to arrange for an update on the Sister Cities Program. Steve Kalishman, Sister City Program of Gainesville, Inc. will provide a presentation.

RECOMMENDATION *The City Commission receive the presentation.*

Legislative History

6/3/10 City Commission Referred (7 - 0) City Manager

100052-MOD_PPT_20100902.pdf

100282.**Home Rule Dual Vote Charter Amendment (NB)**

The Alachua County Charter Review Commission approved placement of a Home Rule Dual Vote Charter Amendment on the November ballot for consideration by County voters. The Board of County Commissioners has taken formal action to place this charter amendment on the ballot. Staff is seeking guidance from the City Commission on efforts the City should undertake to inform residents about the proposed charter amendment.

Explanation: The Alachua County League of Cities adopted a resolution seeking to amend the Alachua County Charter through a Home Rule Dual Vote Charter Amendment.

This resolution was supported by Alachua County municipalities with many including Gainesville adopting their own resolutions of support. Municipal representatives attended numerous meetings of the Alachua County Charter Review Commission (CRC) which voted to add a Home Rule Dual Vote Charter Amendment to the November ballot at the CRC's meeting on June 9, 2010. Based on CRC approval, the Alachua County Commission approved placement of the Home Rule Dual Vote Charter Amendment on the November ballot on July 13, 2010.

The purpose of this agenda item is to allow for Commission discussion and guidance on efforts the City should undertake to inform City residents on the Home Rule Dual Vote Charter Amendment. Possible actions to inform residents about the proposed Charter Amendment include: 1) selection of the Mayor or member of the Commission as a point person, 2) adoption of a Commission resolution expressing the Commission's opinion, and 3) the creation of information that can be used to help inform residents.

Fiscal Note: The efforts identified in the agenda item would rely on existing resources, primarily staff time. Other potential efforts could require the identification of funding.

RECOMMENDATION

The City Commission approve efforts to inform residents about the Home Rule Dual Vote Charter Amendment by : 1) identifying the Mayor or a member of the Commission as a point person, 2) providing direction to the City Attorney to prepare a resolution for Commission adoption expressing the Commission's support for the Home Rule Dual Vote Charter Amendment, and 3) direct the City Manager to prepare information that can be shared with residents to inform them about the proposed Home Rule Dual Vote Charter Amendment.

Alternative Recommendation:

The City Commission do not approve efforts to inform residents about the Home Rule Dual Vote Charter Amendment.

100281.

Progress Report on Comprehensive Plan Evaluation and Appraisal Report (B)

Explanation: The purpose of this item is to provide the City Commission and the public with a brief update on the progress of the Evaluation and Appraisal Report (EAR) of the Comprehensive Plan. The Plan Board reviewed the Urban Design and Future Land Use Elements on August 4, 2010 and the Concurrency Management and Transportation Mobility Elements on August 18, 2010.

Staff finds that the goals, objective and policies of these four elements have substantially been met.

Upon review of the Urban Design Element, staff has concluded that a new approach is needed to help the City achieve its urban design goals. Therefore, staff recommends that this element be deleted, and that its policies be relocated to other elements (primarily Future Land Use and Transportation Mobility) as appropriate. Policies recommended for retention include those relating to the City's overall design vision and desire to limit sprawl and increase energy efficiency through compact, walkable urban design; those encouraging an interconnected grid of streets; those addressing livability and aesthetics; and those that address selected high-priority areas.

Review of the Future Land Use Element finds that new policies are needed to address several of the Major Issues, including clarification of activity center, mixed use, and urban design policies; greenhouse gas reduction; livable neighborhoods for people of all ages; and redevelopment in central and east Gainesville. Beyond the Major Issues, a new Goal is recommended to incorporate policies retained from the Urban Design Element. Other recommended changes include ongoing comprehensive plan amendments related to the 2010 activity centers update; clarification of vaguely-written policies; removal of policies that have been achieved; and removal of policies that are redundant.

Staff is providing an abbreviated EAR for the Concurrency Management Element because there were major changes made in 2009 related to 2009 Senate Bill 360. Therefore, a matrix is not provided for a policy-by-policy analysis. The major changes recommended to this element are related to three major issues. These changes are: strengthening the requirements for connectivity between developments; updating the list of TCEA standards in each zone as projects are completed or added or as annexations occur west of I-75; and adding a policy to create a special transportation concurrency trip credit area for the NW 6th Street corridor as an incentive for redevelopment in that area. There are several minor changes recommended for clarity or compliance with State law.

The major changes recommended in the EAR for the Transportation Mobility Element are: addition of a transit level of service standard; addition of a pedestrian level of service standard; rewrite/reorganization of the element that combines the SOV Travel, Pedestrians, Transit, and Bicycling sub-sections for clarity and to reduce redundancy; and inclusion of the Complete Streets principles (as defined by the Department of Community Affairs). There are several additional minor changes recommended for clarity, to update dates, and to reduce redundancy.

Fiscal Note: None

RECOMMENDATION

Staff to City Commission - the Commission hear a presentation by Planning staff on the draft EAR Report chapters on the following Elements: Urban Design, Future Land Use, Concurrency Management, and Transportation Mobility.

100281_urban design element_20100902.pdf
100281A_future land use element_20100902.pdf
100281B_staff ppt_20100902.pdf
100281C_concurrency mgmt element_20100902.pdf
100281E_transportation mobility element_20100902.pdf
100281D_Staff PPT Concurrency_20100902.pdf
100281F_Staff PPT TransMobile_20100902.pdf

GENERAL MANAGER FOR UTILITIES

100313.

Memorandum of Understanding for a Central Utility Plant to Support Innovation Square and UF Innovation Hub (B)

GRU has been selected by the University of Florida (“UF”) and Shands Teaching Hospital and Clinics, Inc. (“Shands”) to be the exclusive provider of utility services including electricity, gas, water, wastewater, reclaimed water, fiber optic connectivity, chilled water for space conditioning, and back-up power (“Utility Services”) to the proposed Innovation Square development project. This will require GRU to design, finance, construct, own and operate a central utility plant system to serve the entire Innovation Square site, which is located on the site of the former Alachua General Hospital (AGH). The central utility plant will be designed to incrementally serve the future phases of Innovation Square and adjoining properties as they are developed. The City Commission is being requested to authorize the General Manager to negotiate and execute the agreements necessary to allow design and equipment acquisition to proceed immediately for all phases of the project. It is anticipated that several contracts will be required in anticipation of project phasing and the different interests of UF and Shands.

Explanation: Shands in conjunction with UF is developing a new Innovation and Technology Transfer park known as Innovation Square at the site of the former Alachua General Hospital (“AGH”). Innovation Square is to be located in an area generally bounded on the north by S.W. 2nd Avenue, on the east by S.W. 7th Terrace, on the south by S.W. 4th Avenue, and on the west by S.W. 10th Street. The master plan for Innovation Square includes numerous buildings to be developed and owned by third parties and constructed over an extended period of years. UF has committed to build the first building, called the “Innovation Hub”, which will be located in the north-east corner of the Innovation Square development. The Innovation Hub is to be constructed in two phases with construction on the Phase I building to begin in the summer of 2010 with occupancy planned for June of 2011.

To aid in effective planning and development of Innovation Square, Shands desires to have GRU as the exclusive provider of utility services including electric, gas, water, wastewater, reclaimed water, fiber optic connectivity, chilled water for space conditioning, and back-up power at Innovation Square (“Utility Services”). The Utility Services need to be provided in a phased approach such that they are available to buildings as they are constructed at Innovation Square. Additionally, the delivery of chilled water requires the

construction of a chiller plant at or near Innovation Square that is also expandable to match the increasing demand for chilled water. Such chiller plant is expected to be constructed by GRU on property owned by Shands under a long term lease. GRU will finance, construct, own, operate, and maintain the chilled water and back-up power systems required to serve the Innovation Hub in a manner similar to GRU's South Energy Center serving the new Shands cancer hospital.

In order to meet this schedule, agreements and purchase orders will have to be executed in the very near future. No expenditures will be made unless a binding commitment which assures GRU recovery of investments has been executed in accordance with GRU purchasing procedures and subject to approval as to form and legality by the City Attorney. The Innovation Hub Phase 1 is a 50,000 SF building, and the ultimate build out of the Innovation Square development is projected to be approximately 1.3 million square feet.

Serving Innovation Square will further GRU's goal to promote the use of chilled water and back-up power systems in multi-tenant, commercial, institutional, and industrial properties throughout the Gainesville community on an enterprise basis as a way to promote and demonstrate energy efficient facility systems while benefiting all utility ratepayers and system subscribers. This agreement will also enable UF to take advantage of the potential economies of scale, organizational depth, regulatory experience, convenience of operation, and transparency of capital costs that GRU can provide.

Fiscal Note: The concept of providing innovative utility services to Innovation Square was described in the FY 2011-2012 Budget. The initial phase of design and construction is currently estimated at a cost not to exceed \$5,500,000. Contracts will be structured to manage and ameliorate financial and operating risks associated with the project and charges for services provided will be designed to recover all costs through time while providing benefits for all of GRU's ratepayers in the form of an appropriate return on the investments made.

RECOMMENDATION

The City Commission: 1) Receive a presentation from staff summarizing the proposed project; 2) Authorize the General Manager or his designee to negotiate and execute agreements between the City of Gainesville d/b/a Gainesville Regional Utilities ("GRU") and the University of Florida ("UF"), and between GRU and Shands Teaching Hospital and Clinics, Inc. ("Shands") to provide Utility Services to the Innovation Square on an enterprise basis to earn reasonable and customary rates of return on capital investment in accordance with GRU Purchasing Procedures and subject to approval as to form and legality by the City Attorney; and 3) Authorize the General Manager or his designee to negotiate and execute Contracts and Purchase Orders for the design, finance, equipment acquisition, construction, operation, maintenance and future expansion of the Central Utility Plant and associated infrastructure required to provide utility services to the Innovation

Hub and Innovation Square complex at an initial cost not to exceed \$5,500,000 in accordance with GRU Purchasing Procedures and subject to approval by the City Attorney as to form and legality.

100313_presentation_20100902.pdf

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

100312.

Commissioner Thomas Hawkins - Community Development Review Committee (B)

RECOMMENDATION

The City Commission hear a presentation on the Community Development Review Committee.

100312_presentation_20100902.pdf

COMMISSION COMMENTS (if time available)

RECESS - 5:08 PM

RECONVENE - 5:55 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS**100308.****Hispanic/Latino Film Festival Weeks (B)****RECOMMENDATION**

Latina Women's League President Victoria Condor-Williams, Vice President Pilar Paz, Treasurer Carmen Cuenca and Latino Film Festival Finance Coordinator Maria Quintana to accept the proclamation.

100308_proclamation_20100902.pdf

100318.**Interfaith Solidarity Day (B)****RECOMMENDATION**

Dr. Humeraa Qamar to accept the proclamation.

100318_Interfaith_20100902.pdf

CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**PUBLIC HEARINGS****100201.****TENTATIVE GRU BUDGET RESOLUTION FY 2011-2012 (B)**

A resolution of the City Commission of the City of Gainesville, Florida, Relating to the Tentative Budget for the City of Gainesville Regional Utilities for the Fiscal Year Beginning October 1, 2010 and Ending September 30, 2011; Projecting Revenues and Adopting a Tentative 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 tentative budget for the City of Gainesville Regional Utilities for the fiscal year beginning October 1, 2010 and ending September 30, 2011, 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.

RECOMMENDATION

The City Commission adopt the proposed resolution.

100201_Proposed GRU Budget_20100902.pdf

100201_resolution_20100902.pdf

RESOLUTIONS- ROLL CALL REQUIRED

100242.**Resolution for a Joint Participation Agreement - State Block Grant Funds for RTS Operating Assistance for FY 2010-2011 (B)**

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to accept the allocation for Gainesville of \$1,420,646 from the State Block Grant Funds for FY 2010-2011.

Explanation: FDOT allocates state block grant funds for public transit systems each year. The allocations are based on a three-part formula that includes population, ridership, and vehicle miles operated. For FY 2010-2011, the allocation for Gainesville is \$1,420,646 which represents an increase of \$48,040 from last year's allocation.

FDOT requires the governing board of each public transit system to adopt a resolution authorizing the acceptance of these funds.

Fiscal Note: The Operating Assistance Joint Participation Agreement requires the City of Gainesville to match the funding. Funds in the amount of \$1,420,646 for this match are available in the FY 2010-2011 RTS operating budget.

RECOMMENDATION

The City Commission adopt the Resolution.

100242_Resolution20100902.PDF

100242_resolution_20100904.pdf

TRANSMITTAL HEARING**100189.****LAND USE CHANGE - COMMONLY KNOWN AS PLUM CREEK (B)****Ordinance No. 100189, Petition PB-10-25CPA**

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element; amending Ordinance No. 070447 that adopted Policy 4.3.4 relating to the LandMar Development; generally located north of U.S. 441 and Northwest 74th Place lying east and west of SR 121 and CR 231, and south of Northwest 121st Avenue and consisting of approximately 1778 acres; providing for extension of rezoning time limitations; amending Policy 4.3.4; by renaming the Development; amending and revising certain environmental and transportation policies; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.

Explanation: STAFF REPORT

To be submitted as a modification to the agenda.

CITY ATTORNEY MEMORANDUM

To be submitted as a modification to the agenda.

RECOMMENDATION*To be submitted as a modification to the agenda.***Legislative History**

8/5/10 City Commission Approved (Petition) as Modified (6 - 0 - 1 Absent)

100189_staff letter_20100805.pdf

100189A_FLU element policy 4.1.1_20100805.pdf

100189B_applicant's proposed rev to policy 4.3.4 FLU_20100805.pdf

100189C_explanation proposed text admend_20100805.pdf

100189D_plum creek SR 121 site map_20100805.pdf

100189E_application for text admend_20100805.pdf

100189F_extension request_20100805.pdf

100189G_staff ppt_20100805.PDF

100189_Final_Plum Creek_MOD_20100805(revised).pdf

100189_draft ordinance_20100902.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**100023.****ELECTRIC GOLF CARTS (B)****Ordinance No. 100023; Petition No. PB-10-22TCH**

An ordinance of the City of Gainesville, Florida, amending Section 30-23 of the Land Development Code of the City of Gainesville, by defining "electric golf cart"; amending Section 30-61(c) of the Land Development Code, by adding "Retail sales of electric golf carts" to the list of permitted uses by special use permit in the General Business District (BUS); creating and adding Section 30-119 to the Land Development Code, by adding "Retail sales of electric golf carts" to the list of specially regulated uses and imposing conditions on the use; 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 and Ordinance will allow sales of electric golf carts in the General Business (BUS) zoning district, but only by special use permit as a specially regulated use. Currently automotive and other vehicle sales (which staff interprets to include golf carts) are classified under MG 55 - Automotive Dealers and Gasoline Service Stations, a use that is not permitted in the BUS district.

The Petitioner is seeking this amendment to the land development code in order that a retail store that sells batteries of all types (permitted by right in the BUS district as an IN533 - Auto and Home Supply Store) can also sell a limited number of electric golf carts.

This amendment defines electric golf carts to exclude low-speed vehicles (which can look similar to golf carts) that can be registered and legally operated on Florida streets where the posted speed is 35 miles per hour or less. This

exclusion is in accord with the Petitioner's request to limit the proposed use to the sale of electric golf carts. The specificity of the proposed definition also serves to prohibit the sales of other off-street vehicles, including but not limited to gas or electric-powered ATVs (all-terrain vehicles) or motor scooters in the BUS district. It is a stated concern of the Petitioner and it is a concern of staff that the proposed use be very specifically defined so that the addition of electric golf cart sales as a use by special use permit does not open the BUS district to other motor vehicle sales. Staff believes that the proposed definition sufficiently addresses this concern.

Requiring the proposed use to be a specially regulated use with conditions will further restrict the sales of electric golf carts in the BUS district, and signal the City's intent to limit the expansion of motor vehicle sales outside of the BA (Business automotive), BI (Business industrial), and I-1 (Limited industrial) districts where they are currently permitted by right. Requirements pertaining to the outdoor storage and display of electric golf carts and landscaping and buffering are needed, and were developed by staff, supported by the Petitioner, and recommended by the Plan Board.

Public notice was published in the Gainesville Sun on April 4, 2010. On April 22, 2010, the City Plan Board heard the Petition and, by a vote of 6-0, approved the Petition with amendments to the landscaping requirements.

CITY ATTORNEY MEMORANDUM

This ordinance requires two public hearings. If this ordinance is passed on first reading, second and final reading will be held on Thursday, September 16, 2010.

RECOMMENDATION *The City Commission (1) approve Petition PB-10-22 TCH and (2) adopt the proposed ordinance.*

100023_draft ordinance_20100902.pdf
 100023_staff report_20100902.pdf
 100023A_proposed text changes_20100902.pdf
 100023B_application and related info_20100902.pdf
 100023C_100422 cpb minutes_20100902.pdf
 100023D_staff ppt_20100902.PDF
 100023_ordinance_20100916.pdf

100244.

HARDSHIP ASSISTANCE PROGRAM (B)

Ordinance No. 100244

An Ordinance of the City of Gainesville, Florida, relating to the Fire Services Special Assessment; creating Section 11-39.1 by establishing a Hardship Assistance Program; authorizing the City Manager to establish guidelines and administer the Program; providing a severability clause; providing directions to the codifier; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of July 15, 2010, authorized the City

Attorney's Office to draft an ordinance by establishing a Hardship Assistance Program. The program is established to assist low income residential homeowners whose home ownership is at risk as a result of the fire services special assessment. The City Manager will establish the guidelines for and administer the Hardship Assistance Program.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

100244_Hardship Assistance Program_20100902.pdf
100244_ordinance_20100916.pdf

100097.

DEVELOPMENT ORDER AND BUILDING PERMIT EXTENSIONS (B)

Ordinance No. 100097

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 1752, now known as Chapter Law No. 2010-147, Laws of Florida; providing a severability clause; and providing an immediate effective date.

Explanation: On May 28, 2010, the Governor signed Senate Bill 1752 (now Chapter 2010-147, Laws of Florida) commonly referred to as the "Jobs Bill" into law ("SB 1752"). While SB 1752 covers many diverse economic development issues, this ordinance is limited to the section of SB 1752 that provides for another 2-year extension to local permits, in addition to the extension granted by 2009's Senate Bill 360 ("SB 360"). Under SB 1752, holders of permits with an expiration date of September 1, 2008 through January 1, 2012, have until December 31, 2010, to extend and renew their permits for a period of 2 years from its current date of expiration.

On July 1, 2010, the City Commission, by a vote of 6-0, directed the City Attorney to prepare an ordinance to establish procedures and fees to provide clarity in the processing, administration and documentation of the SB 1752 permit extensions, just as the City did with SB 360 last year. In addition, as the litigation challenging SB 360 is still pending, this ordinance attempts to address the effect of subsequent invalidation of SB 1752 and/or SB 360, particularly for projects that receive both extensions.

Should the City Commission pass this ordinance on first reading, second and final reading will be held on September 16, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

7/1/10 City Commission Approved as Recommended (6 - 0 - 1 Absent)

100097_Ch 2010-147 Laws of Florida_20100701.pdf
100097_draftordinance_20100902.pdf
100097_ordinance_20100916.pdf

100104.**FEED-IN TARIFF RATES AND CHARGES B)****ORDINANCE NO. 100104**

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY SUBSECTION i. OF THE GAINESVILLE CODE OF ORDINANCES BY DEFINING CLASSES OF FEED-IN TARIFF (FIT) SOLAR PHOTOVOLTAIC DISTRIBUTED RESOURCES (SPDR); AMENDING THE RATE SCHEDULE FOR FIT SPDR; AMENDING CUSTOMER CHARGES FOR FIT SPDR; ESTABLISHING PROCESSING FEES FOR FIT SPDR; ESTABLISHING CAPACITY RESERVATION FEES FOR FIT SPDR; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Explanation: In the July 1, 2010 City Commission meeting, staff recommended to create classes, update the rate schedule, update customer charges, create processing fees, and create capacity reservation fees for feed-in tariff solar-powered distributed resources.

The changes will be applied to bills rendered after 12:01 A.M., October 1, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

7/1/10 City Commission Approved as Recommended (6 - 0 - 1 Absent)

100104_solarfeedtariff_20100701.pdf

100104_feed-in tariff ordinance_20100902.pdf

100104_ordinance_20100916.pdf

100162.**ELECTRIC RATES AND CHARGES (B)****ORDINANCE NO. 100162**

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES; ADDING AND REMOVING PUBLIC STREETLIGHT AND RENTAL LIGHTING TYPES; CREATING A PROVISION FOR UNAPPROVED POLES AND LIGHTING FIXTURES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Explanation: In the Proposed Budget for the Combined Utilities System, the General

Manager made a recommendation to increase electric base rates and customer service charges.

The rate changes will be applied to bills rendered after 12:01 A.M., October 1, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

100162_electric base rate ordinance_20100902.pdf
100162_ordinance_20100916.pdf

100163.

WATER SERVICE RATES AND CHARGES (B)

ORDINANCE NO. 100163

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (3) WATER, OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING CUSTOMER SERVICE CHARGES; INCREASING INSPECTION FEES AND TAPPING CHARGES; INCREASING METER INSTALLATION CHARGES; INCREASING BASE RATES FOR WATER SERVICE; DECREASING THE UNIVERSITY OF FLORIDA BASE RATE FOR WATER SERVICE; INCREASING WATER TRANSMISSION, DISTRIBUTION AND PLANT CONNECTION CHARGES; INCREASING STANDBY FIRE SPRINKLER LINE CHARGES; INCREASING INSTALLATION, REMOVAL, AND DEPOSIT FEES FOR TEMPORARY SERVICE AND FIRE HYDRANT METERS; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

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

The rate changes will be applied to bills rendered after 12:01 A.M., October 1, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

100163_water service rate ordinance_20100902.pdf
100163_ordinance_20100916.pdf

100164.

WASTEWATER RATES AND CHARGES (B)

ORDINANCE NO. 100164

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

WASTEWATER BASE RATES; INCREASING CONNECTION AND INSPECTION CHARGES; ADDING CLARIFYING LANGUAGE FOR METERED WASTEWATER SERVICE; REMOVING TACACHALE-SPECIFIC RATES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

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.

Tacachale has agreed to move from customer specific wastewater rates to retail wastewater rates.

The rate changes will be applied to bills rendered after 12:01 A.M., October 1, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

100164_wastewater rate ordinance_20100902.pdf

100164_ordinance_20100916.pdf

100165.

NATURAL GAS RATES AND CHARGES (B)

ORDINANCE NO. 100165

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (5) NATURAL GAS OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING NATURAL GAS BASE RATES AND CUSTOMER SERVICE CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Explanation: In the Proposed Budget for the Combined Utilities System, the General Manager made a recommendation to increase natural gas base rates and customer service charges.

The rate changes will be applied to bills rendered after 12:01 A.M., October 1, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

100165_natural gas rate ordinance_20100902.pdf

100165_ordinance_20100916.pdf

100223.

STORMWATER MANAGEMENT UTILITY FEES (B)

Ordinance No. 100223

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to fees; amending the stormwater management section of Appendix A by increasing the fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date in accordance with the schedule provided herein.

Explanation: As part of its budget process, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending the rates and fees for stormwater management utilities

If approved on first reading, the second and final reading will be September 16, 2010. The new rate will be effective October 1, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

100223_Draft_Ordinance_20100902.pdf

100223_ordinance_20100916.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

100243.

Street Vacation Southwest 2nd Place Innovation Square at AGH (B)

Petition PB-10-69SVA, City Plan Board, agent for City of Gainesville. Quasi-Judicial. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that 158 foot portion of Southwest 2nd Place right-of-way lying between lots 6, 7, and 8 of Block 7, as shown on the plat of University Place. Located along Southwest 2nd Place between Southwest 10th Street and Southwest 7th Terrace.

Explanation: This is a request to vacate a portion of Southwest 2nd Place, east of Southwest 10th Street. The vacation of this right-of-way has a two fold purpose: 1) facilitate the redevelopment of the new Innovation Square (AGH) property; and 2) allow for a land swap of physical land area for the development of a roundabout at the intersection of Southwest 6th Street and Southwest 2nd Avenue.

The Innovation Square is a long-term economic development project that could support 500,000 -1,000,000 square feet of mixed-use development, including technology research, retail and residential development. Additional right-of-way is needed as part of the Southwest 6th Street and Southwest 2nd Avenue traffic roundabout. Approximately 1,400 square feet is needed on the southwest corner of this intersection. The property needed is a portion of Tax Parcel 13327-000-000, owned by Shands Teaching Hospital & Clinics, Inc. (Shands). As a portion of its redevelopment (Innovation Square) adjacent to Southwest 10th Street, Shands has requested public interest in a segment of Southwest 2nd Place be vacated in exchange for the deed of the portion of its

property needed for the roundabout. The portion of Southwest 2nd Place is approximately 20 feet wide by 157.2 feet deep and runs easterly from Southwest 10th Street along the south side of Lots 6, 7, and 8, and terminates at a portion of Southwest 2nd Place which was vacated in 1972 by Ordinance No. 1792.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following:

A PUE, Public Utilities Easement shall be retained over the entire right-of-way being closed, vacated and abandoned.

Public notice was published in the Gainesville Sun on July 6, 2010. The Plan Board held a public hearing July 22, 2010.

Fiscal Note: Based on an estimate by the City's Land Right's Coordinator the City will save \$40,000-\$50,000 with the land swap.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-10-69SVA, with the PUE condition. The Plan Board voted approval 5-0.

Alternative Recommendation A: The City Commission deny Petition PB-10-69SVA.

100243_staff report_20100902.pdf

100243A_agenda item_maps_20100902.pdf

100243B_100722_cpb draft minutes.pdf

100243C_staff ppt_20100902.PDF

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT

ADJOURNMENT - 7:38 PM