

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

December 17, 2015

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Harvey Budd (At Large)
Commissioner Helen Warren (At Large)
Commissioner Charles Goston (District 1)
Commissioner Todd Chase (District 2)
Mayor-Commissioner Pro Tem Craig Carter (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

MODIFIED AGENDA

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****ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)****CITY MANAGER, CONSENT AGENDA ITEMS**

[150592.](#)

Ratification of Agreement between the Communications Workers of America (CWA), Local 3170, Non-Supervisory Unit and the City of Gainesville for January 1, 2016 through December 31, 2018 (B)

This is a request for the City Commission to ratify a three-year successor agreement between the City and the CWA Non-Supervisory Bargaining Unit.

Explanation: This Agreement has been reached through negotiations between the Communications Workers of America (CWA), Local 3170, Non-Supervisory Unit and the City of Gainesville, and was ratified by the Communications Workers of America (CWA), Local 3170, Non-Supervisory Unit on December 15, 2015. This Agreement extends the current Collective Bargaining Agreement through December 31, 2018.

A copy of the Agreement is on file in the Office of the Clerk of the Commission. After December 17, 2015, the Agreement will be on file in the Human Resources Department.

Fiscal Note: The cost impact of the FY16 raises is included in the FY 16 budget.

Monies for the second and third year are consistent with the City's long term financial forecast.

RECOMMENDATION *The City Commission ratify the Agreement between the Communications Workers of America (CWA), Local 3170, Non-Supervisory Unit and the City of Gainesville, extending the Agreement through December 31, 2018.*

[150592A_CWA Non-Supervisory 2016-2018 \(clean\) 20151217.pdf](#)

[150592B_CWA Non-Supervisory 2016-2018 \(striketthrough\) 20151217.pdf](#)

[150592C_Changes to Non-Supervisory CWA Agreement \(2016-2018\) Final 20](#)

[150594.](#)

Ratification of Agreement between the Communications Workers of America (CWA), Local 3170, Supervisory Unit and the City of Gainesville for January 1, 2016 through December 31, 2018 (B)

This is a request for the City Commission to ratify a three-year successor agreement between the City and the CWA Supervisory Bargaining Unit.

Explanation: This Agreement has been reached through negotiations between the Communications Workers of America (CWA), Local 3170, Supervisory Unit and the City of Gainesville, and was ratified by the Communications Workers of America (CWA), Local 3170, Supervisory Unit on December 15, 2015. This Agreement extends the current Collective Bargaining Agreement through December 31, 2018.

A copy of the Agreement is on file in the Office of the Clerk of the Commission. After December 17, 2015, the Agreement will be on file in the Human Resources Department.

Fiscal Note: The cost impact of the FY 16 raises is included in the FY 16 budget. Monies for the second and third year are consistent with the City's long term financial forecast.

RECOMMENDATION *The City Commission ratify the Agreement between the Communications Workers of America (CWA), Local 3170, Supervisory Unit and the City of Gainesville, extending the Agreement through December 31, 2018.*

[150594A_CWA Supervisory 2016-2018 \(clean\) 20151217.pdf](#)

[150594B_CWA Supervisory 2016-2018 \(striketthrough\) 20151217.pdf](#)

[150594C_Changes to Supervisory CWA Agreement \(2016-2018\) Final 201512](#)

[150497.](#)

Regional Transit System (RTS) Spring 2016 Transit Service Changes (B)

This is a request for the City Commission to approve the proposed RTS spring 2016 service changes.

Explanation: RTS makes transit service changes three times a year. These changes coincide with the semester schedules for the University of Florida (UF) and Santa Fe College (SF). RTS presented these changes for feedback at an advertised public meeting on November 18, 2015 that was held in conjunction with the RTS Citizens Advisory Board (CAB) meeting. The RTS CAB approved the staff recommendations for the Spring 2016 changes as presented.

During the RTS CAB meeting, a request to realign the Route 1 downtown was heard from a resident of Union Street Station. The RTS CAB determined that they wanted more information and analysis done before they would be prepared to make a recommendation to the City Commission on the Route 1 downtown alignment. They scheduled the issue to be discussed at the next RTS CAB meeting on January 27, 2016.

Fiscal Note: In FY16, the City of Gainesville will receive approximately \$13.8M from UF and \$1.0M from SF, which is projected to cover the current and proposed service enhancements.

RECOMMENDATION The City Commission approve the proposed spring 2016 service changes effective January 4, 2016.

[150497 RTS Spring 16 Proposed Changes 20151217.pdf](#)

[150602.](#)

Appropriation of Unobligated Fund Balance of the Gainesville Police Department's Federal Law Enforcement Contraband Forfeiture Trust Fund (NB)

This item requests that the City Commission approve the appropriation of \$120,000 of the unobligated fund balance in the Gainesville Police Department's (GPD) Federal Law Enforcement Contraband Forfeiture Trust Fund to bring the Banks Building, located at 635 NW 6th Street and purchased with forfeiture funds, back into compliance. The request for forfeiture is to secure the roof, plumbing, electrical, HVAC and fire alarms. Project Youth Build will complete the project.

Explanation: The Institute for Workforce Innovation (IWI) has operated Project YouthBuild since 2009 through a grant directly from the U.S. Department of Labor. Project YouthBuild is an intensive, 7-month academic and occupational and leadership skills program that serves low-income young people, ages 16 -24, who have dropped out of school. While in Project YouthBuild, students have access to an innovative alternative education program that provides individualized instruction as they work towards earning their high school diploma, earn multiple

nationally-recognized construction credentials, participate in a rigorous leadership development program, volunteer in their community, and rehabilitate affordable housing. Project YouthBuild is an AmeriCorps program; students that complete 450 impact hours through volunteerism earn a Seagle Education Award valued at nearly \$1,500 to be used towards post-secondary education. Project YouthBuild is also an affiliated member of the YouthBuild USA Network.

Project YouthBuild is proposing to collaborate with the Gainesville Police Department to strengthen its impact with local youth. Collaborative activities would include, but not be limited to:

- All eligible Project YouthBuild students will co-enroll in the Brave Overt Leaders of Distinction (BOLD) Program*
- All Project YouthBuild students will participate in police dialogue series*
- All Project YouthBuild students will participate in "You and the Law" series*
- Creation of formalized mentoring program in which Gainesville Police Department staff will volunteer as mentors for Project YouthBuild students*
- Project YouthBuild students will participate in Moral Recognition Therapy provided by the Gainesville Police Department when appropriate*
- The Project YouthBuild and the Gainesville Police Department will have a shared position, Education Instructor, which will be fully or partially funded by the City of Gainesville Police Department. The education instructor will provide tutoring and coordination of tutoring services, Tests of Adult Basic Education (TABE) preparation, College Preparatory workshops, Basic Computer Training to BOLD and Project YouthBuild students.*

Fiscal Note: The Gainesville Police Department requests the City Commission appropriate \$120,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund. Working with the Institute for Workforce Innovation, almost half of the building's repairs will be paid for by Project YouthBuild.

RECOMMENDATION

The City Commission approve the appropriation of \$120,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund to renovate the Banks building to bring it back into compliance. The funds will be used for a new roof and improved plumbing, electrical, HVAC and fire alarms.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[150617.](#)

Contract for Distribution System Installation Services (B)

Explanation: The electric and gas distribution systems within Energy Delivery require installation of underground civil infrastructure such as foundations, conduits, vaults, manholes, enclosures and directional bores for new installations as well as repairs and restoration to existing infrastructure. This work is performed throughout the year on an as needed basis dependent upon specific project requirements. GRU uses a contractor to perform these services to augment its workforce and to derive the benefit of specialized equipment not owned by GRU. The contractor provides the labor and equipment to install materials furnished by GRU. The annual cost for these services is approximately \$1,000,000, but the actual cost can vary due to actual projects and unforeseen emergency requirements. For storm related work and other emergency needs, the contractor is required to assist GRU with its restoration efforts which enables GRU to comply with FEMA reimbursement requirements while reducing service down time to customers.

A contract with Infratech Corporation was awarded on August 21, 2014; however, the company was unable to meet GRU's performance requirements and the parties have mutually agreed to discontinue the contract. As a result, an Invitation to Bid was issued by Utilities Purchasing for these services. The solicitation was posted on the web and 20 prospective bidders were notified. Four bids were received, including two no bids. Pike Electric, LLC provided the best evaluated bid based on pricing, resources, account management and local preference. Due to the important nature of this contract, staff is requesting authorization to negotiate a contract with the second highest bidder if GRU is unable to negotiate a contract satisfactorily with the highest evaluated bidder or if the bidder cannot perform the work as required. A summary of the evaluation is attached for reference.

Fiscal Note: Funding is included in the proposed Energy Delivery budget for FY16 and will be requested in subsequent year budgets.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to execute a three year contract with Pike Electric, LLC to install distribution system infrastructure on an as needed basis, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services for each year of the contract in amounts not exceeding budgeting amounts, subject to the final appropriation of funds for each year of the contract.

[150617 ITB 2016-013 Recommended Award 20151217](#)

CITY ATTORNEY, CONSENT AGENDA ITEMS

[150591.](#)**ANTHONY ARSALI V. CITY OF GAINESVILLE D/B/A GAINESVILLE REGIONAL UTILITIES, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-3984 (B)**

Explanation: On November 23, 2015, the City was served with a Summons and Complaint filed by Anthony Arsali. Plaintiff alleges that the City was negligent in failing to use reasonable care after starting water service pursuant to a request submitted by Plaintiff. Plaintiff further alleges that the City was negligent in leaving the premises before confirming that water was not flowing through the meter, causing damage to the Plaintiff's property. Plaintiff claims to have suffered damages to the property in excess of \$15,000.00.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Anthony Arsali v. City of Gainesville d/b/a Gainesville Regional Utilities, a Political Subdivision of the State of Florida; Eighth Judicial Circuit, Case No. 2015-CA-3984.

[150591_Anythony_Arsali_Consent_20151217.pdf](#)

[150597.](#)**DUVAL AUTOMOTIVE GAINESVILLE, LLC D/B/A MERCEDES-BENZ OF GAINESVILLE VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 01-2015-CA-3947 (B)**

Explanation: On March 27, 2015, Lanard Isaac sued Duval Automotive Gainesville, LLC d/b/a Mercedes-Benz of Gainesville for breach of contract in case no. 01-2015-CA-1159 in Florida's Eighth Judicial Circuit. Mr. Isaac claimed that on November 8, 2014, he was a participant in a golf tournament hosted by the Twenty Pearls Foundation, Inc. that was held at Ironwood Golf Course. The golf tournament featured various "prize holes", including a hole-in-one hole in which a golfer could win a Mercedes-Benz CLA 250 courtesy of Duval Automotive Gainesville, LLC. Mr. Isaac hit a hole-in-one on hole 6, and sought to claim the prize. Duval Automotive, however, refused to award the car, arguing that its sponsored hole should have been set up at hole 4 rather than hole 6, and that it only procured insurance for a hole-in-one prize at hole 4.

On July 8, 2015, in the aforementioned lawsuit, Duval Automotive filed a third-party Complaint against the City of Gainesville seeking indemnification for any damages incurred by Mr. Isaac. In short, Duval Automotive argued that a City employee placed the car and sponsorship sign at hole 6 rather than hole 4, and, if they owe anything to Mr. Isaac, then the City should have to reimburse Duval Automotive. The City moved to dismiss Duval Automotive's claim against the City arguing that it was completely without merit in law or fact, and scheduled the motion

for hearing before the Circuit Court on September 17, 2015. Subsequently, Duval Automotive settled Mr. Isaac's claim with the payment of \$23,950.00. On September 16, 2015, Duval Automotive voluntarily dismissed its lawsuit against the City, and thus avoided a hearing on the City's Motion to Dismiss.

On November 23, 2015, the City was served with a Summons and Complaint filed by Duval Automotive Gainesville, LLC d/b/a Mercedes-Benz of Gainesville in the above-referenced lawsuit. Duval Automotive is again seeking indemnification, and attempting to state a cause of action for negligence arising from the same hole-in-one controversy. Once again, Duval Automotive has asserted this lawsuit against the City despite the fact that the City did not enter into any contract with Duval Automotive, Duval Automotive's insurance carrier, or Mr. Isaac. At no time did the City undertake any obligations, contractual or otherwise, to ensure that Duval Automotive's prize hole was set up in accordance with Duval Automotive's insurance coverage. Duval Automotive is seeking money damages in excess of \$15,000.00, the jurisdictional threshold of the Circuit Court.

RECOMMENDATION The City Commission authorize the City Attorney to represent the City in the case styled Duval Automotive Gainesville, LLC d/b/a Mercedes-Benz of Gainesville vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-3947.

[150597_Duval Automotive Consent_20151217.pdf](#)

[150628.](#)

ANNE HAISLEY AND PHILLIP HAISLEY VS. THE CITY OF GAINESVILLE, FL; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-4286 (B)

Explanation: On December 8, 2015, the City was served with a Summons and Complaint filed by Anne Haisley and her Husband, Phillip Haisley in the Circuit Court. Ms. Haisley claims that while exiting the Ironwood Country Club on December 3, 2012, she tripped and fell on the stairs. She claims to have been injured in and about her body and extremities, suffered pain therefrom, incurred medical expense in the treatment of the injuries, and suffered physical handicap, and her ability to ambulate has been impaired. She further claims that these injuries are either permanent or continuing in nature and that she will suffer losses and impairment in the future including, but not limited to, future pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, medical and nursing care and treatment. Mr. Haisley claims to have suffered loss of the services of and consortium with his wife. Mr. and Ms. Haisley seek money damages in excess of \$15,000.00.

RECOMMENDATION The City Commission authorize the City Attorney to represent the City in the case styled Anne Haisley and Phillip Haisley vs. The City of

Gainesville, FL; Eighth Judicial Circuit, Case No.
2015-CA-4286.

[150628 Anne Haisley Consent 20151217.pdf](#)

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

[150580.](#)

Amendment to Ordinance Regulating Non-Motorized Vehicles (NMVs) for Hire (NB)

This item is a request for the City Commission to authorize the City Attorney's Office to draft an ordinance that will eliminate the 4-passenger maximum limit that currently applies to NMVs for hire.

Explanation: Non-motorized vehicles (NMVs) for hire are vehicles propelled by human power for transporting passengers for compensation. The City's Code of Ordinances (Section 28-37(a)) currently limits NMVs for hire to no more than four (4) passengers. The Community Development Committee (CDC) is recommending to the City Commission that the current NMV ordinance be amended to eliminate that maximum passenger limit. The remainder of the current regulations that apply to NMVs for hire will still apply.

The CDC heard this request as a result of two separate small businesses interested in operating a "pedibus" (essentially a higher-occupancy pedicab where the passengers aid in the pedaling of the bike) in the City of Gainesville. The CDC heard an informational presentation about cycle pubs at its regular meeting on December 2, 2015. At a special meeting of the CDC on December 8, the CDC was able to gather more information about the business concept and its potential impacts on the community, and decided to recommend the proposed amendment to the current NMV for hire ordinance so the two vendors could begin services in Gainesville as soon as possible.

The proposed amendment would allow NMVs for hire with more than four passengers to operate within our city, subject to all applicable regulations in the City's NMVs for hire ordinance. The vendors want to provide various kinds of tours, including brewery tours, guided history tours, and visits to local eateries and pubs. The aim of the two businesses is to provide the "Gainesville Experience" and to showcase the uniqueness of this city. Both of the locally-owned and operated vendors would like to promote tourism and feed business directly into

other local businesses.

A future goal of the businesses is to allow adult customers to consume alcoholic beverages while enjoying their bike tour of Gainesville. However, that would require additional ordinance changes and the CDC would like further information and details on the possible alcoholic beverage component and also wants city staff and the vendors to engage other local stakeholders about the concept, so this element is being held in committee for the time being and is not part of this amendment request.

Fiscal Note: At this time, city staff does not see any costs to making the proposed amendment to the NMVs for hire ordinance. If any significant costs are identified, city staff will review the impacts during the budget process.

RECOMMENDATION

The Community Development Committee requests the City Commission to authorize the City Attorney's Office to amend the NMVs for hire ordinance to eliminate the 4-passenger maximum limit that currently applies to NMVs for hire.

[150580_Cycle Pub Presentation_20151202.pdf](#)

[150580_The Spins_20151208.pdf](#)

END OF CONSENT AGENDA

ADOPTION OF THE GENERAL GOVERNMENT REGULAR AGENDA (Read if any, each item added or modified)

GENERAL GOVERNMENT-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)

CLERK OF THE COMMISSION

CITY MANAGER

[140587.](#)

Design and Construction of Fire Station 1 (B)

This item recommends that the City Commission review and approve the preliminary design for Fire Station 1 at 525 South Main Street and authorize the development of construction drawings.

****ESTIMATED STAFF PRESENTATION 15 MINUTES****

Explanation: The existing Station 1 at 427 South Main was constructed in 1961, relocating the Station from SE 1st Street near the Post Office (current Hippodrome). The Station has been remodeled and renovated on several occasions during its 54 years of continuous emergency service.

Gainesville Fire Rescue has greatly expanded into an all-hazards

response agency. Station 1 currently houses Engine, Ladder and Squad Companies, a District Chief, and part-time radio, and supply technicians. The regional Task-Force 8 Urban Search and Rescue team trains and deploys from this location.

Current construction standards would ensure survivability from natural disasters and provide the capacity to meet the increased service demand from the anticipated growth and vertical expansion of downtown, UF's innovation campus, and the surrounding areas. The useful life of a new facility constructed with current standards could exceed 50 years.

A capital request submitted in FY 2010 received approval to start the project with \$6 million in FY 2015. A later modification advanced 10% for design and funding for land acquisition of \$1.2 million was added from SAFER Grant savings in FY 2013.

On August 15, 2013, the City Commission authorized the purchase of properties located in the 500 block of South Main Street for the purposes of constructing a new facility for Fire Station 1.

On June 5, 2014, the Commission approved the ranking for design services for Fire Station 1 and, on February 5, 2015, approved the ranking of firms for Construction Management at Risk.

Neighborhood and stakeholder meetings were held at the beginning of the project and to review the preliminary design. Key consideration for this design includes its presence and role as a signature building in the South Main Street redevelopment, the Depot Park, and as the gateway to the proposed Power District plan.

Bentley Architects & Engineers was chosen for the project with Commission direction regarding urban structure, fire rescue response and function, and a LEED building approach. Staff is ready to present the preliminary design and detailed design program for Commission review.

Fiscal Note: Funding for the design of Fire Station 1 is included in the current CIP. Additional funding may need to be considered as the project moves forward due to fluctuations in industry costs and unanticipated construction needs.

RECOMMENDATION

The Commission approve the preliminary design and authorize staff to work with the architect to develop construction drawings.

Legislative History

1/15/15	City Commission	Continued
2/5/15	City Commission	Approved as Recommended

[140587A Evaluation Ranking 20150115.pdf](#)

[140587B Email 20150205.pdf](#)

[140587A ST 1 Area Development Plan 20151217.pdf](#)

[140587B ST 1 Site Plan 20151217.pdf](#)

[140587C ST 1 Elevation Renderings-Border Update 20151217.pdf](#)

[140587D ST 1 First Floor Plan 20151217.pdf](#)

[140587E ST 1 Second Floor Plan 20151217.pdf](#)

[140587F ST 1 Design Presentation 20151217.pdf](#)

[150584](#)

Options for Addressing Issues in the Area of the Stephen Foster Neighborhood (B)

The City Commission is requested to consider options to identify and fund needed capital improvements in the Area of the Stephen Foster Neighborhood. **ESTIMATED STAFF PRESENTATION 15 MINUTES**

Explanation: On August 6, 2015, the City Commission considered creating a new Community Redevelopment Agency (CRA) Area in Northwest Gainesville. Attachment 1 is a map of the area considered. Although the City Commission voted 7-0 to forgo a new CRA Area, the Commission instructed staff to research and develop options to identify and fund needed capital improvements in the area.

Even though a Blight Finding Study indicated that the area met the State's definition of "blight", there has been some recent investment, both public and private, in the area. Most of the private sector investments can be placed into one of two categories: 1) environmental remediation and landscaping of residential properties between the Koppers Superfund Site and NW 6th Street; and 2) upgrades to the retail areas along NW 13th Street.

The City has also invested in this area. Attachment 2 is a matrix identifying recently completed (up to 3 to 5 years ago), in progress and planned City projects and initiatives within the area. For the planned projects, the matrix also gives information about the costs and availability of funds for the project.

In terms of identifying and prioritizing needed improvements, once the City has reviewed existing plans and reports, the City should gather information from all stakeholders within the area, including residents, property owners and business owners. There are several techniques such as neighborhood meetings, mailed surveys, in-person surveys and others, that are effective for gathering this information. In order to crosscheck the results, the City should use at least two of the techniques. City departments should then compile the information gathered into a clear implementation plan.

In the past, Staff and the Commission have discussed several funding strategies. The least complicated funding options include simply reprioritizing projects and General Fund spending; or annually “earmarking” a certain amount of money from the General Fund for capital improvements in the area. These options give the City Commission much flexibility in terms of spending decisions.

Options involving special districts and assessments are more complex and generally must be initiated by property owners. These strategies often require a formal election with a majority of the affected property owners approving.

Chapter 170 of the Florida Statutes governs Special Assessments in Florida and limits the levy of Special Assessments to “specially benefitted” real property. In some instances, Chapter 170 requires a vote of the affected property owners. Assessment for some types of projects is limited to “abutting, adjoining, contiguous, or other specially benefitted property.”

Special Assessments for districts (including Business Improvement Districts, which are operated like nonprofit organizations) must meet several criteria. As Chapter 170 states, “Any municipality, subject to the approval of a majority of the affected property owners, may levy and collect special assessments against property benefitted for the purpose of stabilizing and improving: (a) Retail business districts, (b) Wholesale business districts, or (c) Nationally recognized historic districts, or any combination of such districts, through promotion, management, marketing, and other similar services in such districts of the municipality. This subsection does not authorize a municipality to use bond proceeds to fund ongoing operations of these districts.”

Another infrastructure-funding tool is a Community Development District (CDD). This tool is designed to help fund infrastructure needed for new development. For that reason, it would not be appropriate for most of the study area. However, the actual Koppers site will soon be remediated to a level that safely allows new development. The State legislation governing CDD’s (Chapter 190 of the Florida Statutes) is designed to help bring infrastructure to large undeveloped sites, like Koppers, that are owned by one entity.

Essentially, Chapter 190 allows developers who wish to establish CDD’s, to assess themselves, and to borrow against future assessments, to build and maintain certain infrastructure. To ensure the long-term maintenance of the infrastructure, assessments on the property continue even after the property has been subdivided and transferred.

CDD’s can benefit the City in several ways, including: relieving the City of any on-going responsibilities to pay for maintenance of infrastructure owned by CDD, providing landowners with higher levels of public

facilities and services managed and financed through self-imposed assessments, and assuming many of the functions traditionally undertaken by Homeowners' Associations. For new development projects, CDD's are common in Florida. In unincorporated Alachua County, the proposed Celebration Point Development has formed a CDD.

Fiscal Note: Potential costs to identify and prioritize projects include postage, envelopes and stationary for mailed meeting notices to all stakeholders, and survey expenses. Staff estimates those cost are \$5,000. Implementation costs depend on the projects identified. No funding sources have been identified.

RECOMMENDATION

The City Commission authorize the City Manager or his designee to: 1) utilize existing plans and reports, neighborhood meetings, and surveys to identify and prioritize the infrastructure, beautification and other needs of the area; 2) assign an estimated cost to each project identified; and 3) develop a DRAFT Implementation Plan/Schedule for City Commission Review and Comment.

[150584 Project Matrix 20151217.pdf](#)

[150605](#)

Review of Greenspace Acquisition Fund (B)

This item involves a detailed review of the activities in the Greenspace Acquisition Fund. **ESTIMATED STAFF PRESENTATION 5 MINUTES**

MODIFICATION - ADDITIONAL BACK-UP

Explanation: During the November 19, 2015 City Commission meeting, the Commission requested an "audit" of the Greenspace Acquisition Fund detailing from the inception of the Fund the sources, uses and current unencumbered fund balance.

The Fund was created in 1981 for the purpose of setting aside monies to fund greenspace purchases. As detailed in the spreadsheet that serves as backup for this item, total sources over the life of the Fund to date are \$9,603,917. These are composed primarily of:

- Grants and contributions from external entities: \$4,800,000
- City appropriations: \$3,550,299
- Property exchange proceeds: \$560,000
- Interest earnings: \$531,618

Approximately twenty (20) properties have been purchased to date with Greenspace Acquisition Fund assets. Including the acquisition, and related costs such as appraisals, expenditures over the life of the Fund

to date total \$8,055,231. After taking into account \$63,920 in encumbrances for pending purchases, the current unencumbered fund balance is \$1,484,786.

Staff has also provided information on Wild Spaces Public Places funds used for land conservation as additional background information.

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

RECOMMENDATION The City Commission receive the report on the history of the Greenspace Acquisition Fund.

[150605A_Greenspace_Acq_Fund_History_Detail_20151217.pdf](#)

[150605B_WSPP_Land_Acq_Fund_History_Detail_20151217.pdf](#)

[150605_MOD_NCC_letter_re_GAF_20151217.pdf](#)

[150609.](#)

A Partnership to Provide Services for Homeless Veterans (B)

This item is a request for the City Commission to consider and approve the City of Gainesville to enter into partnership with Alachua County Coalition for the Homeless and Hungry (ACCHH) and the local Veteran’s Administration Office (VA) to provide services for homeless veterans in Gainesville-Alachua County.

*****STAFF PRESENTATION TIME: 5 MINUTES*****

Explanation: At the Empowerment Center Oversight Advisory Board meeting on January 14, 2015, City Commissioner Yvonne Hinson- Rawls requested that city staff explore funding and programing opportunities with the local VA to provide services for homeless veterans and their families within Gainesville and Alachua County. On June 18, 2015, Mayor Ed Braddy, Intergovernmental Affairs Coordinator Kelly Ferrel, and the Assistant City Manager Fred Murry met with local VA officials, Thomas Wisnieski, Director, Nancy Reissener, Deputy Director, and Vianne Marchese, Chief of Community Care Services, to discuss this subject. The VA officials expressed a need for supportive housing for veterans and asked if that need could be addressed at the Empowerment Center. The VA was interested in providing case management services but they did not have the mechanism to provide supportive housing. The City of Gainesville has the ability to provide buildings and construction funds for VA housing but not the other supportive services.

Recently, ACCHH entered into a contract to provide up to \$900,000 in emergency transitional residential services for homeless Veterans. These services are to be provided on per diem basis and include indoor shelter, meals, case management, showers, laundry, transportation and other services as may be needed while the Veteran is in residency. With this piece of the puzzle filled, the idea of a partnership between the ACCHH, the VA, and the City of Gainesville to provide support services to veterans and their families became a possibility.

In this partnership, ACCHH would be responsible for providing supportive services (shelter, meals, etc.) and would receive up to \$180,000 per year for next five (5) years from the VA toward those services on a per diem basis. The local VA would provide case management services to veterans, in the hopes of moving the veterans to permanent housing in the community. The City's role in the partnership would be to renovate one of the dorms at the Empowerment Center. The City already has designated funds for water and wastewater improvement through the Connect Free Program at the Empowerment Center. In addition, the City could use general funds to install an air conditioning system in the building. This partnership would create a place at the Empowerment Center that is specifically designated for veterans who are homeless.

Staff estimates that the necessary repair and construction activities would cost \$377,890. The ACCHH would be responsible for interior remodeling costs, and the VA would contribute up to \$900,000 in Federal funding for the provision of shelter and other services for homeless veterans, on a per diem basis. Additionally, the VA would provide case management services. The total cost of the project would be more than \$1.2 million, including case management. This agreement would be for five (5) years, which is the life for the ACCHH's grant, and subject to the availability of funding from the VA. ACCHH would be responsible for the management of the building and all expenses related to the building. There would be a separate agreement between the City and ACCHH for the use of the building.

In addition, City staff would request the City Commission consider naming the building/dormitory after a local veteran, on such terms as the Commission deems appropriate, as a way of recognizing that veteran's contribution to the community, as well as to the country. City staff would work with the local veterans' organizations to identify potential names for the building. City staff would present those names to the City Commission for their consideration and approval at a later date.

Fiscal Note: The City of Gainesville would be responsible for the construction portion of the project, which is estimated to be \$377,890. ACCHH would be responsible for providing supportive services to veterans valued at up to \$900,000, or \$180,000 per year for five years, as well as some additional interior construction costs. The VA would be responsible for the case management services.

RECOMMENDATION

The City Commission consider and authorize the City of Gainesville to enter an agreement with Alachua County Coalition for the Homeless and Hungry to lease one dormitory for five years, subject to the VA's provision of funding and case management; (2) authorize the City staff to utilize Connect Free Funds in the amount of \$247,223 for water and wastewater repairs for the building and utilize up to \$130,667 from general or bond funds for HVAC repairs for the dorm; and (3)

authorize the City Manager to execute the agreement between the City and ACCHH, subject to the City Attorney's review to legality and form; and (4) direct City staff to identify names for the dorm and bring the names back to the City Commission for consideration and approval on such terms as the Commission deems appropriate.

[150609_ACCHH - VA Per Diem agreement_20151217.pdf](#)

[150613.](#)

Third Amendment to Memorandum of Understanding for Cade Museum & Depot Park (B)

Explanation: In 2013 the CRA issued a Request for Proposal for the development of a museum at Depot Park. The Cade Museum Foundation submitted a proposal for the construction of a 45,000 sq ft building to house a museum. The museum will be located at the western edge of Depot Park along Main Street. Part of the Cade Museum Foundation's proposal included a request for a long-term ground lease from the City for the museum site. An additional portion of the Cade Museum Foundation's request was for CRA assistance with infrastructure costs. CRA staff and the Cade Museum representatives have been negotiating both a lease and a development agreement since the submission of the Cade Museum proposal.

A long term ground lease agreement was approved by the City Commission in July 2015. At the December 3, 2015 City Commission meeting the City Manager was authorized to execute lease amendments requested by the Cade Museum including amending the boundary area of the ground lease and extending the lease term from 50 years to 75 years and other requested changes to allow the Cade Museum to qualify for construction financing.

To demonstrate the parties' good faith in continuing to negotiate both the lease agreement and the development agreement, the parties entered into a Memorandum of Understanding dated October 2, 2012. One of the key provisions of the Memorandum of Understanding was for CRA staff to present the Cade Museum Foundation with a draft Development Agreement. An original Draft Development Agreement was presented in January 2013 but since that time, additional changes and negotiations have taken place.

The Cade Museum is now in the final stage of construction planning and staff and the Cade Museum are currently in discussions to determine areas where the Cade Museum may need further assistance with extraordinary infrastructure costs and how best the CRA can assist with any remaining needs. However, additional time is needed to finalize the draft development agreement for the Cade Museum's consideration.

In light of the ongoing discussions on the final element of the development agreement, staff is requesting a Third Amendment to the Memorandum of Understanding which, if approved, would move the date CRA staff must provide a draft Development Agreement to the Cade Museum Foundation from December 31, 2015 to May 31, 2016. This request will not impact the existing deadline to provide a final agreement by June 30, 2016.

Fiscal Note: The proposal received from the Cade Museum Foundation includes requests for infrastructure improvements at the site from the City and CRA and a \$150,000 landscape/hardscape allowance from the CRA. These requests are currently being negotiated and will be brought back to the CRA Board and City Commission.

RECOMMENDATION

City Manager to City Commission: Authorize the City Manager to execute the Third Amendment to Memorandum of Understanding, subject to approval by the City Attorney as to form and legality

[150613_AMENDMENT_20151217.pdf](#)

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS & PUBLIC WORKS COMMITTEE

GENERAL GOVERNMENT ADVISORY BOARD/COMMITTEE REPORTS. Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.

GENERAL GOVERNMENT-RELATED ITEMS FROM OUTSIDE AGENCIES. Must be submitted by a Charter Officer. Update limited to ten (10) minutes.

GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION

GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)

[150636.](#)

City Commissioner Todd Chase - City Manager Search Process (NB)

RECOMMENDATION

The City Commission discuss the City Manager Search Process and take action deemed appropriate.

GAINESVILLE REGIONAL UTILITIES items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.

[150627.](#)

Update on Fuel Levelization Balance and Reduction of Fuel Adjustment (B)

****Estimated Presentation Time 10 minutes****

****This item is informational.****

MODIFICATION - REVISED POWER POINT PRESENTATION

Explanation: The final fuel expenses and revenues have been posted for FY2015 and, as of September 30, 2015, the fuel levelization balance was approximately \$16.9 million, which exceeds 10% of the annual fuel budget. Additionally, fuel and purchased power cost projections for FY2016 have been revised due to GREC not running recently, as well as favorable movement in the natural gas market, which also reduces the cost of gas generated power available for purchase from the market. Given these revisions, the General Manager for Utilities has directed that the Fuel Adjustment be reduced beginning in January 2016. The current Fuel Adjustment is \$0.078 per kWh through December 2015 and will be lowered to \$0.073 per kWh in January 2016. Staff will continue to monitor the expenses and loads to determine if additional reductions will be appropriate at any time in the future.

RECOMMENDATION

Hear a brief presentation from staff to address the revisions to the fuel cost assumptions, the impact to the Fuel Levelization and the resulting customer bill reductions.

[150627 FA Reduction Presentation 20161217 Revised](#)

RECESS

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by Commissioner or Charter Officer

RECONVENE

CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as allows for 30 minutes of citizen comment)

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****ORDINANCES, 2ND READING- ROLL CALL REQUIRED**[150303.](#)**INCREASING THE MAXIMUM LIMIT FOR THE NUMBER OF PARKING SPACES FOR MULTI-FAMILY DEVELOPMENT WITHIN THE URBAN VILLAGE AREA OF THE UMU-2 ZONING DISTRICT (B)**

Ordinance No. 150303, Petition PB-15-72 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-65.2 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to increase the maximum limit for the number of parking spaces for multi-family development within the Urban Village area of the UMU-2 zoning district; 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 ordinance will amend the Land Development Code to increase the maximum limit for the number of parking spaces for multi-family development within the Urban Village area of the UMU-2 zoning district. Currently, the maximum number of residential surface parking spaces that may be provided for a development in the Urban Village is limited to one parking space per residential unit. The minimum is also set at one space per residential unit. As a result, sites must be designed to include the exact number of parking spaces mandated by the same minimum and maximum requirement.

This ordinance will change this maximum limit from one space per unit to one space per bedroom. This change will provide greater flexibility for site design and is consistent with how maximum parking limits are set in other zoning districts. This change will also be more appropriate for the current market conditions for student-oriented developments.

The City Plan Board on August 27, 2015, held a public hearing and recommended the City Commission approve this Petition.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption at second reading.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

12/3/15 City Commission Approved (Petition) and Adopted on First Reading (Ordinance)

[150303A_draftordinance_20151203.pdf](#)

[150303B_Staff report_20151203.pdf](#)

[150303C_ExhA-1_Proposed amendment to LDC Section 30-65_20151203.pdf](#)

[150303D_ExhA-2_Urban Mixed-Use UMU2 Zoning regulations_20151203.pdf](#)

[150303E_ExhB-1_Application_20151203.pdf](#)

[150303F_CPB minutes_20151203.pdf](#)

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

[100607.](#)

Northeast Neighborhood Veterans Memorial Park (B)

This item is a request for the City Commission to consider surplus of the United States Army Reserve property (minus the Reserve Park) and provide input on the parameters and evaluation criteria for a Request for Proposals for acquisition/use of the property.

****ESTIMATED STAFF PRESENTATION 10 MINUTES****

MODIFICATION - CHANGED TEXT FILE LANGUAGE

Explanation: On August 15, 2015, the City Commission approved the following recommendations for the United States Army Reserve Property based on recommendations from City staff and the Recreation, Cultural Affairs and Public Works Committee.

The City Commission: 1) hear a presentation with options for the proposed "Reserve Park", 2) approve the Committee's recommendation to name the park "Reserve Park" and dedicate the park as a memorial to the reserve/citizen soldier, 3) approve the Committee's proposed boundaries for the park, 4) provide input on the proposed park features, 5) direct staff to develop plans for cleaning and maintaining at least a portion of the proposed park area for FORP to hold veterans related events and potentially other limited public access, 6) direct City staff to prepare a CIP project request for "Reserve Park" for the next CIP

update, and 7) direct City staff to proceed with development of an RFP for use of the building returning to the Committee and City Commission for input before finalizing and releasing the RFP.

A number of entities have expressed interest in acquisition/use of the US Army Reserve building and remaining property. Staff is prepared to proceed with final development and release of a Request for Proposals (RFP) for the property. The Recreation, Cultural Affairs and Public Works Committee met on December 10, 2015 to receive an update and discuss parameters and evaluation criteria for the RFP. FORP and a number of interested entities attended and shared their ideas and perspectives, followed by committee discussion and recommendations to the City Commission.

Fiscal Note: Determined as part of the RFP process.

RECOMMENDATION

The Commission direct City staff to prepare a draft RFP that: 1) establishes criteria that include preferred uses of the building/property that respect the previous visioning process, 2) is open to any user/proposer, 3) is open to any proposed options for disposition of the property while retaining the property inclusive of the conceptual boundaries of the Reserve Park and the rear (southernmost) portion of the property and 4) return to the Recreation, Cultural Affairs and Public Works Committee and City Commission with the draft RFP parameters/requirements and evaluation criteria for final approval.

Legislative History

12/16/10	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
2/24/11	Recreation, Cultural Affairs and Public Works Committee	Discussed
7/7/11	City Commission	Approved as Recommended
9/24/12	Recreation, Cultural Affairs and Public Works Committee	Discussed
9/24/12	Recreation, Cultural Affairs and Public Works Committee	Discussed
11/13/14	Recreation, Cultural Affairs and Public Works Committee	Approved, as shown above - See Motion(s)
12/18/14	City Commission	Approved as Recommended
5/14/15	Recreation, Cultural Affairs and Public Works Committee	Approved by Consensus

8/13/15 Recreation, Cultural Affairs and Public Works Committee Approved as Recommended

8/20/15 City Commission Approved as Recommended

[100607_Draft Letter_20110224.pdf](#)

[100607A_Letter to Stearns-Brown NE Veterans Park_20110707.pdf](#)

[100607B_Letter to Secretary of Defense_20110707.pdf](#)

[100607C_Photo W Parking looking SE 9_20110707.pdf](#)

[100607D_Photo SW Portion looking SE 9_20110707.pdf](#)

[100607A_Site Map_20120924.pdf](#)

[100607B_ECP Report_20120924.pdf](#)

[100607C_Estimated Operation Costs Report_20120924.pdf](#)

[100607A_Army Reserve Property Action Plan_20141113.pdf](#)

[100607B_Oct 2012 Army Reserve PPT_20141113.pdf](#)

[100607C_Nov 2012 CHW Draft Report_20141113.pdf](#)

[100607A_Army Reserve Property Action Plan_20141218.pdf](#)

[100607B_Draft Nov 13 2014 RCAPW Minutes_20141218.pdf](#)

[100607C_USAR Action Plan PPT_20141218.pdf](#)

[100607_Army Reserve Property Action Plan_20150514.pdf](#)

[100607_Reserve Park Presentation_20150813.pdf](#)

[100607_Reserve Park Presentation_20150820.pdf](#)

[100607A_Real Property Policies_20151210.pdf](#)

[100607B_Visioning Session Report_20151210.pdf](#)

[100607C_Draft RFP Parameters_20151210.pdf](#)

[100607A_Real Property Policies_20151217.pdf](#)

[100607B_Visioning Session Report_20151217.pdf](#)

[100607C_Draft RFP Parameters_20151217.pdf](#)

[150568.](#)

Citizen-Centric Gainesville Implementation Plan (B)

This item is a request for the City Commission to hear a presentation on the implementation plan for the goals needed for the City of Gainesville to become the most citizen-centered city in the country.

Explanation: On December 3, 2015 the Blue Ribbon Advisory Committee on Economic Competitiveness presented its final report to the City Commission, which included changes needed for Gainesville to be successful in its mission of being the most citizen-centered city in America. The City Commission approved the report unanimously and directed staff to come back with an implementation plan.

The changes needed to turn Gainesville into the world's most

citizen-centric city are:

*Change 1: Our Commitment
Change 2: One Band, One Brand
Change 3: Our "Get It Done" Plan
Change 4: The Talent to Win
Change 5: Our Front Doors
Change 6: Policy-Making That Works
Change 7: The Citizen at the Center
Change 8: The Department of Doing
Change 9: The Department of Measuring*

Fiscal Note: There is no fiscal impact at this time.

RECOMMENDATION

The City Commission hear a presentation from staff and accept the implementation plan for the changes needed for a Citizen-Centric Gainesville.

Legislative History

12/3/15 City Commission Approved, as shown above

[150568A-MOD_Memo_20151203.pdf](#)

[150568B-MOD_Draft Report_20151203.pdf](#)

[150568-MOD_Citizen Centered Gainesville Roadmap PPT_20151217.pdf](#)

[150626.](#)

Power District Catalyst Project Lease Term Modifications (B)

This is a request for City Commission approval to modify a Power District Catalyst Project Lease. **ESTIMATED STAFF PRESENTATION 20 MINUTES**

MODIFICATION - CHANGED TEXT FILE AND REVISED POWER POINT

Explanation: In November 2011, the City received a letter of intent from Prioria Robotics expressing interest in the Catalyst Project warehouse site to house its operations. In response to this request, in December 2011, the Catalyst Project site was, per statutory requirement, advertised publicly to invite all interested parties to apply for the lease and/or purchase of an approximately 22,000 square foot building with loading docks and associated property for commercial, office, warehouse and/or light industrial uses in the Power District. The closing date for candidates' application submittal was January 25, 2012. The City received one proposal, from Prioria Robotics. Evaluation of the candidate submittal was based on the following factors/criteria: intended use for the site and its suitability for furthering Power District redevelopment goals, and the candidate's legal and financial ability to enter into a long term lease or purchase agreement. Based on these criteria, the City Commission requested staff move forward with negotiations with Prioria Robotics to occupy the project site. Negotiations were successful, and the City reached an agreement with Prioria to enter into a long-term lease for the project site. Building improvements required by the terms of the lease

were completed in early February 2013 and Prioria moved into the building on February 7, 2013 on the lease commencement date.

As negotiated, the lease with Prioria included: a single tenant lease; a seven year lease term; \$13.75/ft² - \$16.42/ft² triple net rental rate (Prioria is responsible for paying sales tax on the rental rate, property taxes, insurance, maintenance and utilities separately); and right of first refusal for purchase of the site. In 2013, the lease was amended to allow Prioria the ability to sublet up to 10,000 sq ft of the building for commercial, office, light industrial or clean technology uses consistent with the targeted vision for the Power District and consistent with the land use and zoning designations for the premises.

Prioria has approached the City requesting adjustments to the current lease due to short term financial difficulties that the company is facing. They have taken significant and immediate steps to reduce cash expenditures; however the company's largest expense is its building lease.

Prioria is currently using approximately half of the space and could significantly consolidate its space to reduce its rental expenses. Due to the difficulties it is facing, Prioria has fallen behind in its rental payments and is requesting that the City develop an appropriate agreement for the repayment of this amount over 3 years. Prioria is working hard to restructure its balance sheet, grow operations and become profitable. Prioria is asking for the City's assistance to achieve these goals and is committed to working with the City to repay past due amounts. City staff will present further details of Prioria's request and discuss potential solutions for the Commission's consideration.

Staff has been showing the space to prospective tenants and was approached by local company SharpSpring, LLC, which has requested to lease the upstairs floor of the building and to share common areas with Prioria. SharpSpring, was the first tenant at the CRA office building. After outgrowing the space they moved to the Firestone Building and now are in a position to need a larger location to accommodate their growing workforce which currently employs 80. They are requesting to occupy the building immediately.

Fiscal Note: Prioria's past due rental balance is \$179,307.72 as of December 1, 2015.

RECOMMENDATION

City Manager to City Commission: 1) authorize City Manager to negotiate and execute a modification to the lease agreement, reducing the rental area to approximately 11,000 sq ft for the remainder of the lease term, subject to approval as to form and legality by the City Attorney; 2) authorize City Manager to negotiate and execute an agreement for repayment of the back due rental amount, subject to approval as to form and legality by the City Attorney; and 3) authorize City Manager to negotiate and execute a lease

agreement with SharpSpring, LLC, subject to approval as to form and legality by the City Attorney .

[150626 Company Info 20151217.pdf](#)

[150626-MOD_Prioria Robotics PPT 20151217.pdf](#)

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time permits)

ADJOURNMENT