

City of Gainesville

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



Meeting Minutes

Thursday, September 15, 2005

9:00 AM

City Hall, Ground Floor, Room 16

Public Safety Committee

*Commissioner Ed Braddy, Chair
Commissioner Jack Donovan, Member*

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

CALL TO ORDER

Commissioner Braddy called the meeting to order at 9:15 a.m.

Present: Edward Braddy and Jack Donovan

ADOPTION OF THE AGENDA

Commissioner Braddy moved and Commissioner Donovan seconded adoption of the agenda.

APPROVAL OF MINUTES

Commissioner Donovan asked that page 7, last sentence of the first paragraph of the minutes, under Security Cameras in Public Places, be amended for clarification. With no further changes, Commissioner Braddy moved and Commissioner Donovan seconded approval of the minutes with the amendment.

Approved as Amended

DISCUSSION OF PENDING REFERRALS

050217 GFR Fire Fighter Staffing and Equipment Policies

Chief Northcutt began the discussions by first answering C/Donovan's question from the August meeting on what it would take for GFR to be #1 in the ISO rating-(currently they are 11 out of 13). He advised that it would take an additional 154 firefighters for #1 or an additional 140 to achieve #2. He reminded that #1 Miami Beach has numerous differences, i.e., tax base, population, large number of high rise buildings, high tourism area, etc. Chief Northcutt met with Ralph Roberts, the inspector who did the initial ISO evaluation. If they make significant improvements and have an NFPA fully compliant paging system, they can get back to a Class 3 rating. He advised this would be a significant change to what they currently have with a cost of between \$200,000 to \$300,000. They could implement, post funding, in probably 8-9 months. The only requirement for the rating is that they have a reasonable plan and have made progress in that plan. Commissioner Donovan asked what standard the city wants to meet that would get the city to a better point of service. Chief Northcutt advised that a better system of paging would improve consistency and durability of the paging system itself, but doesn't necessarily do more for service delivery. He stated he would be leery to say that it guarantees delays in response won't be caused by the paging system itself.

Chief Northcutt continued discussing the report and stated that the addition of staffing to reduce overtime may have no effect on the ISO rating. It looks at what they would guarantee on shift and allows them to use average daily staffing for determining that. GFR's was 34 per shift with a minimum staff per day of 31. Additional staff, while increasing the average daily staffing, has an unknown effect on the ISO score. Commissioner Braddy asked if they found instances where personnel

are stretched too thin in some quadrants, and what does the current staffing do to overtime. Chief Northcutt stated that overtime has been pretty significant and absences for training and other demands increases that. They can offset a good portion of overtime with additional personnel. He pointed out that there a number of days where they are at or above minimum staffing. Projections have shown the need for 12 additional staff, at a cost of \$650,000 and the offset of overtime would be approximately \$400,000. There would still be a net cost excess of \$250,000.

Mr. Blackburn remarked that in his conversations with the Chief, it appears they have been under budgeting for some time. He has asked OMB staff to work with the Chief on a study to see what can be done to manage overtime and identify options. Continuing to pay overtime is always an option, but it can burn employees out. Floaters may be an option versus just paying. He advised that OMB will conduct an exhaustive review of how they are using overtime and the best alternatives. C/ Braddy asked if the reference on page 5, #2 in the back-up (...GFR ranked 7th out of 12 of our peer cities in personnel and overtime expenditures with overtime 5% of total personnel expenditures) was considered too much. Chief Northcutt advised that 5% in 2003 was very low when looking at peer cities, noting some used as much as 18-19%. In 2004, GFR had several department changes which caused the 5% to jump up. He added that sometimes it is cheaper to pay the overtime.

Chief Northcutt, continuing with the report review, stated that other ISO impacts they reviewed included the addition of a fire station (to include personnel, truck and engine) and would put them back to a 3 rating, and would reduce the divergent points. He recognized that it is also the most expensive to change the ISO score. The last area of the ISO score is the training infrastructure. GFR has never had a local burn building, however, a new school magnet program at Lofton High School was started this year and they will be working with the school board on a long range plan to have a tower and burn building constructed there. They will need to work with the City Manager on this and do not have a dollar figure at this point.

Comparisons on a national level show GFR in the lower tier and lower than regional averages from a 2003 ICMA study conducted by city OMB staff. Chief Northcutt advised that they have improved their GIS capabilities. The older software counted the number of parcels better served by road mile radius. The NFPA standards for four minute response times were used for response times that reflected 6% improvement in number of parcels for improved coverage. The software has since been updated and runs road miles which reflected a 12% increased coverage for a new station. The Chief emphasized the benefit of adding a new station at NW 34th Street and 39th Avenue where a number of parcels would be better served in that two mile road radius. He presented new color maps to the committee that showed the current 7 stations and the potential 8th station in the NW, and advised that adding that station could improve their overall compliance with the four minute response. Commissioner Braddy commented that the maps were compelling for the need for Station 8 in an area that is experiencing considerable growth. There was much discussion on the maps and the impact of service, response and the correlation with the Designated Assistance Agreement. Commissioner Donovan asked to see new maps that would include where the county stations coverage is in relation to the maps shown. The Designated Assistance Agreement provides that the closest vehicle responds and at the end of the year, a true up is completed and check written to either

the city or county for their responses into the city or into the county.

Chief Northcutt summarized the recommendations on page 13 of the report which included 1) a request to add 12 firefighters, which has been discussed as needed for the last five years 2) addition of a fire station with associated fire apparatus in the area of NW 34th Street and 39th Avenue, as discussed during merger discussions 3) increase the minimum staffing level for engine 7 to four. NFPA standards are recommended, but 2-in-2-out Florida Statutes are mandatory. 4) add the Supply and Equipment position back in the budget and an appropriate level of staff support, 5) add the Fire Inspection staffing back to the 1990 level (1 fire safety inspector and 1 investigative services officer, and 6) evaluate the inspection needs for consideration of additional inspection staff. Commissioner Braddy suggested they include a statement to improve or replace the paging system.

Mr. Blackburn advised that in the recent bond referendum discussed at the City Commission meeting, one of the elements was ISO compliance, so that is a potential funding source for the paging system. With regard to the first recommendation, the manager again mentioned he would like to work with the Chief and OMB to review the overtime issues and level of floaters so not to burn out their people. He advised he hopes to have that accomplished in 60 days at the most.

Chief Northcutt continued answering questions that were brought out during the last PSC meeting. He discussed the Designated Assistance Agreement and advised that all smaller municipalities have a fair share funding formula in place. In 2004 the county was responsible for the funding formula. GFR discovered that if they applied that formula to all of GFR's units and all the counties' units that the amount owed the city would have been in excess of \$300,000, and further that Gainesville recovers a significant amount less than it costs for the services provided. The city's agreement with the county has a 365-day notice provision if the city wants to change that agreement. If the city so desired, they would need to notice the county and work on negotiations for a different agreement for reimbursement response. C/Donovan asked what the risk would be. Mr. Blackburn advised that the county could choose not to renegotiate.

Commissioner Braddy recommended that the City Manager work with the fire department on the numbers analysis, look at the feasibility study and fair share agreement, add the paging system and present recommendations for the City Commission to consider. He suggested they look at all mechanisms to improve the ISO score and response time and how they measure up with other cities, keeping in mind the challenge to fund and implement these. Mr. Blackburn reiterated that his staff will be looking at the staffing levels and overtime and that will provide everyone with a better analysis. Staff will also cost out the paging system with the idea they would implement the upgrade in FY 06 based on the concept of funding out of some portion of the bond proceeds.

Commissioner Donovan discussed peer cities and the natural comparison of Tallahassee. Chief Northcutt advised that they could look at Tallahassee's statistics, however, reminded that they would need to pull the specific in-city stats as the city contracts with the county for services in Tallahassee.

The Public Safety Committee asked staff to work on a report out to the full City Commission and to bring that draft report back to the Public Safety Committee meeting on October 20, 2005 for final discussion/review. Staff will work with the City Manager on preparing the report.

RECOMMENDATION *The Public Safety Committee receive the Fire Department's report, continue discussions with staff, and take action as deemed appropriate.*

Discussed

050230 Homeland Security Issues

RECOMMENDATION *The Public Safety Committee begin discussions of this July 25, 2005 referral and take action as appropriate.*

Postponed

050224 Bank of America-Robert Pearce-Citizen Comment (B)

GPD Captain Ed Van Winkle presented a memo with attachments providing an historical perspective on the police department's response to Mr. Pearce's concerns, as well as boom box enforcement initiatives in general. He advised that boom box noise is a big issue along University Avenue and will likely continue due to the amount of traffic either driving by or stopping at the Bank of America on their way to the downtown area. GPD Traffic Unit and total detail statistics were provided. Since January 2005, there have been 11 special details conducted in the downtown area. GPD staff have approached the bank officials to discuss posting the property with signs to provide notice of enforcement of noise violations, however, at this point, they have not been amenable to that. A copy of that section of the ordinance was given to the committee for review.

Chief Botsford commented that enforcement is always a balancing act especially during the evening/weekend because there are a number of other issues needing police attention- DUI's, burglaries, fights, etc. He advised that this area receives a lot of attention, the penalties for boom box violations have increased and the distance from the violence has been decreased from 200 feet to 75 feet, which helps somewhat. Of interest, GPD just received an email from a citizen this week asking why we enforce boom box violations so much in this area.

C/Donovan asked about the history of the drive-thru ATM, questioning why the drive thru location wasn't part of the original building and what process allowed it next to a private residence. Mr. Pearce provided documents to the Committee members outlining his personal research on this, which in summary follows. Sometime in the early 1990's the bank rebuilt a freestanding drive thru that included 4 drive thru

lanes, all of which were to be teller operated M-F, 7 a.m. to 7 p.m. and Saturdays 8 a.m. to 1 p.m. In 1999, the City Commission adopted the concurrency management element of the comprehensive plan which specifies that a special use permit is required for freestanding drive thru facilities in this type location. Upon adoption of the plan, the 4 lane teller operated drive thru at this bank became a "legal non-conforming use". His document stated that both Section 30-346 of the Land Development Code and provisions of the Special Area Plan for Central Corridors (adopted in 1998) specify that non-conforming uses are to be discouraged from continuing and that the expansion of hours of operation, remodeling or altering of the structure of a non-conforming use is prohibited. In May 2000, Bank of America converted one of the teller operated drive thru lanes to a drive thru ATM, which operates 24 hours a day, 7 days a week. He commented his belief that a 24/7 drive thru ATM facility is not in compliance with the Code. He listed several policies and sections of the code in defense of this.

Mr. Pearce continued that he was not complaining about the lack of police response, but the issue that the 24 hour/day drive thru ATM is now creating a nuisance, while the boom box cars "thump" while in the lane, all hours of the day and night.

Kathy Daughtry, Bank of America representative, advised that she was present at the meeting to discuss the lighting concerns, was unaware of the ATM issue, and felt that bank officials higher up would need to address that.

Lawrence Calderon, Planning, advised that the bank permit was issued in 1992 and the special area plan was adopted after that, so this expansion was permitted. He added that they don't make a distinction between an ATM and teller drive-thru. C/Braddy commented that it appears that a change to the function of the drive thru could have made it non-conforming. Mr. Calderon advised that the permit for conversion for the ATM would have been handled through the building division. C/Braddy asked staff to look into the permit process. Ms. Daughtry mentioned that the bank has always had a 24 hour day night depository and 2 ATM's which are attached to the building. C/Donovan remarked that going from a deposit site to a withdrawal site is a significant change in function. He asked when the transition to the drive thru was permitted and was told that some indicate it was permitted in 1992, while others say 2000.

C/Braddy asked the Community Development Department (Building Division) to bring back their findings of fact about this and the permitting reference the overlays and special area plans.

C/Donovan advised that he went to the bank on a Tuesday night (8:30 to 9:30 p.m.) and could not see the effort made to control the lighting. He noted there were no boom boxes, however, constant engines revving and voices carrying from 50-75 feet away.

C/Braddy asked about the reference in GPD's report to the posting of noise ordinance violation signs at the bank. Ms. Daughtry indicated she was not aware of the request and did not know what the signs would say. A copy of the provision in the ordinance (Section 15-6(b)(3) referencing this was provided to her. In part, it states, that the city manager or designee may require a property to be posted if it is used for

commercial purposes, including as a parking lot for an adjacent business, and: b) two or more citations for violation of this chapter resulting in payment of a fine or adjudication of guilt ...are issued due to acts of patrons or visitors... The signs shall read, WARNING, Playing a stereo, radio or amplifier that can be heard 200 feet away is prohibited. City Ord. Sec. 15-3. C/Braddy asked Ms. Daughtry if she would take back this request/information to her officials advising that the Public Safety Committee is requesting they post their property. If the bank is not willing to do that, the committee would ask for an explanation as to why they would not. (Staff will prepare a letter to the bank)

Citizen Mary Anderson suggested the expansion of boom box enforcement into the Duck Pond area and also increase the education program with all property managers. Citizen Nancy Jordan, reported that she lives near the GHFC and the boom box issues are everywhere. Some enforcement efforts work and some don't.

Regarding the lighting issue, Mr. Pearce provided a demonstration with a lamp and black tape to show the effects of the bank lights that have no hoods to deflect where the light is streaming. He noted that the light has been turned off in the recent past, was back on shortly and is now back off. He indicated the problem at Wilhelmina Johnson Center is similar. Mr. Garrett and Mr. Cellon of Code Enforcement gave a brief power point presentation that showed photos of where the lights are located on the bank building and the distance to the homes and to Mr. Pearce's home. Bank representative Daughtry indicated that in June the bank contacted their lighting manager, and based on bank security, their lighting security survey revealed that they would have to rehook the light. The lighting company is looking to put up the lowest wattage available and she noted that the tape across the light was only a temporary fix to get the shield. For the short term, the bank had just disconnected it. C/Donovan advised that when he was there at night, his sense was that there was an enormous amount of light, much more than was needed and seemed to be outside of the ordinance. Ms. Daughtry added that the outside lighting is also for the security and safety of patrons and employees leaving the bank. Mr. Cellon stated that the bank has agreed to give Codes a copy of their lighting survey that will again be conducted in the fall. Code Enforcement will report back to the PSC.

The committee asked for the report from Community Development reference the permitting of the ATM.

C/Donovan had to leave the meeting. This item will be continued for discussion at the October 20th PSC meeting for any staff updates.

RECOMMENDATION

The Public Safety Committee begin discussions on this referral, hearing from citizen Mr. Pearce and staff, and take action as appropriate.

Discussed

MEMBER COMMENT

None.

CITIZEN COMMENT

None.

NEW BUSINESS

050322 Alachua County School Board Safety Reflectors Program from State LECFTF (NB)

The Public Safety Committee approved forwarding this item to the full City Commission.

RECOMMENDATION *The City Commission approve the appropriation and expenditure of \$5,000.00 from the State Law Enforcement Contraband Forfeiture Trust Fund to the School Board of Alachua County for the development and issuance of the backpack safety reflectors.*

Approved, as shown above

NEXT MEETING DATE

October 20, 2005, 9:00 a.m.

ADJOURNMENT

Adjourned at 11:15 a.m.