

City of Gainesville

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



Meeting Agenda

September 25, 2006

1:00 PM

City Hall Auditorium

City Commission

***Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Craig Lowe (District 4)
Commissioner Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)***

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

CALL TO ORDER

AGENDA STATEMENT

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. 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. 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.)"

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

050849

Status of the Market Gainesville Partnership efforts to develop a Gainesville Community Brandprint™ (B)

This informational item is an update regarding the status of the Market Gainesville Partnership (MGP) efforts to develop a community-wide brand and marketing strategy for the Gainesville community.

Explanation: The City Commission joined with other community partners in forming the Market Gainesville Partnership (MGP) and allocated a \$20,000 contribution toward the development of a community-wide brand and marketing strategy for Gainesville. NorthStar Destinations, Inc. was hired to assist with the development of the brand and strategy. On August 30, 2006, Don McEachern, CEO of NorthStar, conducted a mid-point presentation on the research findings of the Gainesville market and made recommendations regarding the next phase of the development process. The research report and supporting data will be made available to MGP members after the marketing and branding strategy is complete.

At the conclusion of the mid-point presentation, MGP general membership accepted the research findings presented, gave approval to continue development of the Gainesville Community BrandPrint™ as recommended, and tentatively established November 1, 2006 as a working date to receive a

final marketing strategy and brand recommendation from NorthStar. MGP selected this date to enable a community-wide introduction of the Gainesville brand during the Welcome Reception for the 9th Annual BioFlorida Conference scheduled November 14, 2006 at the University of Florida Harn Museum of Art in Gainesville. Mayor Hanrahan is scheduled to give remarks on the occasion.

BioFlorida is the statewide industry organization representing life science industry in Florida. Conference attendees include dignitaries from throughout Florida and the nation, as well as many internationally-known participants, who will gather to explore the convergence and synergies between the key life-science sectors (biotech, pharmaceuticals, medical devices, diagnostics and ag-bio), as well as other topics of critical importance to both researchers and industry executives in all aspects of the life science field. MGP recognizes the BioFlorida Conference as an opportunity to unveil the Gainesville Community BrandPrint™ in the presence of researchers and industry leaders during a significant state-wide event, at one of the premiere venues within our community.

Fiscal Note: None

RECOMMENDATION

The City Commission receive the report.

Legislative History

1/23/06 City Commission Approved as Recommended (7 - 0)

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060458.

Paratransit Service Agreement Between the City of Gainesville and MV Transportation, Inc. (B)

This item involves a request for MV Transportation (MV) to provide ADA paratransit service for a period of one year beginning October 1, 2006.

This Agreement has a provision for one (1) one-year extension.

Explanation: The existing service Agreement between the Regional Transit System (RTS) and MV will expire September 30, 2006. RTS is part of the coordinated system in Alachua County and MV has contracts with the Metropolitan Transportation Planning Organization (MTPO), Medicaid, Developmental Services, Foster Grandparents and Transportation Disadvantaged (TD). The Agreement with the other agencies in the coordinated system expires in 2008. RTS recommends executing a new agreement with MV until 2008 to avoid breaking up the coordinated system which will adversely affect the other funding sources. If RTS pulls out of the coordinated system, MV would have to charge more per trip to the remaining system members which would mean less trips for the passengers using the other funding sources. Medicaid and TD are capitated funds and a higher per trip cost would reduce the number of trips provided. This would affect ADA clients who are the responsibility of the City of Gainesville when they wanted to travel to a destination outside the city limits. TD or Medicaid clients who reside outside the city limits and need to come into the city for doctor appointments, work or school would also be affected.

Fiscal Note: Funding for this Agreement in the amount of \$700,000 is available in the RTS FY 07 operating budget.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Agreement with MV Transportation, Inc., for the period of October 1, 2006 to September 30, 2007. This will allow RTS to align the renewal of the Agreement the city holds with MV to the Alachua County coordinated system dates; and 2) authorize the City Manager to execute any and all related documents, subject to approval by the City Attorney as to form and legality.

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060459.

Agreement Between the City of Gainesville and Keep Alachua County Beautiful for FY 2007 (B)

This item involves a request for the City Commission to approve the execution of an agreement with Keep Alachua County Beautiful 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 280 tons of litter and debris were removed from public right-of-ways and areas during the April 2005 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 seven 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. KACB currently returns \$42 of value for every \$1 of public funding in FY 2006.

The Agreement provides:

- 1. Contribution of up to \$6,756.92 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 consists 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 of up to \$20,000 for coordination of beautification services.

Fiscal Note: Funding in the amount of \$55,000 is available in the Solid Waste FY 2007 operating budget.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to renew the Agreement with Keep Alachua County Beautiful in the amount of \$55,000 for the period of October 1, 2006 through September 30, 2007, and execute any and all necessary documents subject to approval by the City Attorney as to form and legality.

Alternative Recommendation: The City Commission deny the request for this Agreement and direct City Solid Waste staff to perform the tasks of this Agreement. The resulting fiscal impact will be an increase in personal services overtime in the Solid Waste operating budget and a potential negative impact on daily work production and operations of the Solid Waste Division.

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060470.

Referral on the Number of Travel Lanes (NB)

This item requests the City Commission refer the issues of the number of travel lanes allowed by the Comprehensive Plan to the Community Development Committee for further action and discussion.

Explanation: On January 10, 2005, the City Commission removed Legislative Item 040261 from the Public Works Committee referral list, and approved authorization of a petition to amend the City's Transportation Mobility Element to state:

"The City shall minimize the number of vehicle travel lanes on new or widened streets within city limits. Travel lanes shall be limited to 4 lanes except for: I-75; streets with dedicated bus lanes; and/or streets with High-Occupancy Vehicle (HOV) lanes. There shall be an exception for MTPO-approved plan involving parallel or paired streets to maximize pedestrian/bicycle/transit operation and safety on one street and accommodate automobile mobility on the other street."

This recommendation was based on needing to amend the Comprehensive Plan for the then contemplated UF/Shands narrowing plan for Archer Road (between Southwest 16th Avenue and Southwest 13th Street). Staff has planned to include this in the twice-yearly land use amendments, but based on the November 11, 2005 MTPO meeting decision to leave Archer Road in front of Shands as a four-lane facility, it no longer is necessary to put forward this amendment to the Comprehensive Plan. If an amendment is made, the paired road language, related to Archer Road and Southwest 16th Avenue, would not have current applicability.

Fiscal Note: None

RECOMMENDATION

The City Commission refer this issue to the Community Development Committee for further action and discussion.

060471.

21st Century Community Learning Center Interlocal Agreement with School Board (NB)

This item involves receiving \$247,164 in Year 3 funds from the School Board for the City's 21st Century Learning Centers. One 21st Century Learning Center is located at the Eastside Park Community Center and the other at the Reichert House.

Explanation: In 2004, the Alachua County School Board received a five-year, \$2.9 million grant for after school and summer programs for children in the eastern part of the County. The award is from the State of Florida Department of Education under the 21st Century Community Learning Center Grant Program.

By way of Legislative File Number 040634, passed 11/8/04, the City Commission accepted the Year 1 funds from the School Board. By way of Legislative File Number 040634, passed 11/14/05, the City Commission accepted the Year 2 funds from the School Board.

For Year 3, the grant award provides \$247,146 for the City to provide programming for 21st Century Community Learning Centers at two City-owned facilities. The 21st Century Community Learning Centers have three objectives:

- To increase the number of students who meet the grade level expectations in reading for the Sunshine State Standards;*
- To provide students with enriching, supervised activities that promote their positive development, improve school attendance, and decrease youth crime; and*
- To increase the school involvement of the families of participating students.*

To meet these objectives, the City will provide after school and summer programs at the Eastside Park Community Center and the Reichert House.

Fiscal Note: Funds will be available to the City in the amount of \$247,146 upon execution of the Interlocal Agreement. There were no required matching funds in Years 1 and 2. In Year 3, the City is required to provide matching funds (cash or in-kind) in the amount of \$61,791. The Gainesville Police Department will provide \$37,037 in match with in-kind services. The Parks and Recreation Department will provide \$24,754 in cash from the City Manager's requested budget for the Parks and Recreation Department. In Year 4 and 5, matching funds will be required at an increasing rate.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager to: (1) execute an Interlocal Agreement with the School Board for these funds, (2) issue any program related purchase orders, and (3) execute any other program related contracts as necessary to expend the funds in accord with the approved budget, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A: The City Commission decline the 21st Century Community Learning Center Interlocal and continue to operate the programs it would have funded. The fiscal impact is that the City would need to provide \$247,146 from an alternative source of funds.

Alternative Recommendation B: The City Commission decline the 21st Century Community Learning Center Interlocal and cancel the programs it would have funded. There is no fiscal impact.

060473.

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

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

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

Recently, the City issued a Request for Proposal (RFP) for Group Life Benefits. As a result of this process, the City received twenty-six different options proposed by six different agents. The proposals were evaluated by staff based on the following criteria:

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

Using the above criteria, staff rated the proposal submitted by Standard Life Insurance Company through Gallagher Benefits Services as the lowest qualified proposal. The proposal of 12.2 cents per thousand was substantially less than any other proposal. The coverage offered is identical to the coverage currently provided and Standard agreed to cover all employees/retirees that are eligible whether actively at work or not. In addition, Standard Life Insurance Company has guaranteed the rate of 12.2 cents per thousand for three years. The annual savings (over current cost) of this proposal is approximately \$150,000. The total savings to the City over the life of the rate guarantee will be approximately \$450,000.

Fiscal Note: Funds of approximately \$180,000 have been included in the proposed Fiscal Year 2007 Employee Health and Accident Benefits Fund operating budget.

RECOMMENDATION

The City Commission authorize: 1) the award of the contract for Group Life Insurance to Standard Life Insurance Company as proposed by Gallagher Benefit Services for a period of three years beginning October 1, 2006; 2) the issuance of a Purchase Order in an amount sufficient to cover the applicable charges for Group Life Insurance; and, 3) the City Manager or designee to negotiate and execute, subject to the approval of the City Attorney as to form and legality, a contract with Standard Life Insurance Company and Gallagher Benefits Services.

Alternative Recommendation A:

The City could choose the next lowest bid received from Haught Financial. MetLife would be the carrier and if selected, there would be an additional \$98,000 per year in premium payments.

The City Commission authorize: 1) the award of the contract for Group Life Insurance to Metlife as proposed by Haught Financial Services for a period of three years beginning October 1, 2006; 2) the issuance of a Purchase Order in an amount sufficient to cover the applicable charges for Group Life Insurance; and, 3) the City Manager or designee to negotiate and execute, subject to the approval of the City Attorney as to form and legality, a contract with MetLife and Haught Financial Services.

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060476.**Bid Award - Contract for City-wide Records Storage Services (B)**

This item involves a request for the City Commission to authorize the bid award of a contract for city-wide records storage services to Iron Mountain Information Management, Inc.

Explanation: The City of Gainesville stores approximately 7041 boxes (9295 cubic feet) of files. On June 5, 2006, the City's Purchasing Division solicited bids for the annual contract for city-wide records storage services. One bid was received out of seven (7) plan holders. Iron Mountain Information Management, Inc. was the responsive bidder. The contract will be for a three (3) year period with the option to extend for an additional twelve (12) month period, up to two (2) such extensions, upon mutual consent.

Fiscal Note: Funds for record storage are budgeted and available annually in each individual departmental allocation. The estimated annual expenditure is \$40,000 based on 2006 storage activity and miscellaneous services.

RECOMMENDATION

The City Commission: 1) authorize the bid award contract to Iron Mountain Information Management, Inc. for city-wide records storage services; and, 2) authorize the City Manager to execute the contract and all related documents, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A:

The City Commission deny the request for the bid award to Iron Mountain Information Management, Inc. and direct the City Manager to rebid.

Alternative Recommendation B:

The City Commission deny the request for the bid award to Iron Mountain Information Management, Inc. and direct staff to provide their own storage facility and staff.

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060481.**Funding for Kennedy Homes Acquisition and Demolition (NB)**

This item relates to a recommendation to the City Commission to reallocate Capital Improvement Revenue Bonds Series 2005 proceeds and General Capital Projects funds to cover the cost of acquisition and demolition of the Kennedy Homes structure.

Explanation: In January of this year, the City Commission allocated \$3 million of its Capital Improvement Revenue Bonds, Series 2005 (CIRB 2005) tax exempt bond proceeds to the Southeast Gainesville Renaissance Initiative (SEGRI). The largest portion of this SEGRI appropriation was intended for the acquisition of

the Kennedy Homes property.

Initially staff was evaluating 3 alternatives for the acquisition and development of this property:

- Acquiring options on the property, evaluating and selecting a developer and then passing the property through to the selected developer. This option would not require a net significant upfront acquisition expense on the City's part;*
- Acquiring the property, maintaining City ownership and developing the property internally;*
- Acquiring and taking ownership of the property, issuing a request for proposals, and selling the property to a third party for development.*

The City settled on alternative 3 for development of the property. Under this scenario ownership of the property will pass to a private third party. IRS private use regulations governing the use of tax exempt debt restrict the amount of bond proceeds that can be used to acquire or construct a project that will be ultimately privately owned at 5% of the net proceeds of the issue. In the case of the CIRB 2005 this translates to \$1,120,083.

Acquisition cost alone of the Kennedy Homes property was initially estimated at \$1,980,178, to be funded through a combination of sources: CIRB 2005 proceeds -\$1,120,083; HOME funds - \$361,471; and, General Fund loan - \$498,624.

At this juncture in the process, staff is estimating an additional \$60,000 in closing and due diligence costs related to the transaction. In accordance with City Commission direction from March 27, 2006 that the balance of acquisition and due diligence expenses would be funded through a loan from the General Fund, staff is proposing that these additional due diligence and closing be funded by increasing the General Fund loan to \$558,624.

After the site is acquired, the existing structure must be demolished prior to marketing the property. Inspection of the property has revealed that it contains asbestos, which will drive the demolition cost upward. This cost is presently estimated in the \$800,000 to \$900,000 range. HOME Fund program income in the amount of \$213,529 has been identified as a potential funding source for part of this expense. Since the maximum tax exempt proceeds allowed given IRS restrictions have been utilized to acquire the property, other sources must be identified to fund the demolition.

Staff has identified a number of capital projects that are currently funded with sources other than CIRB 2005 monies that fall within the project categories authorized under the CIRB 2005 bond resolution. Staff's proposal involves funding these capital projects from CIRB 2005 funds originally allocated to SEGRI, and funding the demolition of Kennedy Homes by using the freed up sources that initially funded these other projects. These capital projects, and the amount of CIRB 2005 proceeds that staff proposes to utilize to fund them, are as follows: Traffic signal NW 8th/NW 22nd - \$223,254; Skateboard park -

\$205,909; Miscellaneous recreation projects - \$158,991; Sidewalk construction - \$158,339; Phoenix playground - \$98,357; Ballfield renovations - \$88,188; McPherson Center lighting - \$33,380; Cofrin Park project - \$50,000; Totaling \$1,016,418.

If the City Commission approves this proposal, the funding of the above projects will come from the \$3M allocation of the CIRB 2005 for SEGRI. This will leave \$863,499 of CIRB 2005 funds in the SEGRI allocation after the acquisition and demolition of the Kennedy Homes property.

Any difference between the actual demolition cost and the \$1,016,418 will be used to reduce the loan from the General Fund used for the acquisition of Kennedy Homes.

Fiscal Note: There is no net fiscal impact to this proposal. The reallocation of funds will provide a mechanism to cover the demolition cost for Kennedy Homes.

RECOMMENDATION

The City Commission: 1) reallocate the CIRB Series 2005 appropriation to SEGRI by \$1,016,418 to replace the original funding sources for the following projects: Traffic signal NW 8th/NW 22nd - \$223,254; Skateboard park - \$205,909; Miscellaneous recreation projects - \$158,991; Sidewalk construction - \$158,339; Phoenix playground - \$98,357; Ballfield renovations - \$88,188; McPherson Center lighting - \$33,380; Cofrin Park project - \$50,000; Totaling \$1,016,418; 2) utilize the freed up funding sources from the projects in 1. above to fund the demolition costs on the Kennedy Homes structure; 3) increase the General Fund loan from \$498,624 to \$558,624 to cover the incremental closing and due diligence costs related to the transaction; and, 4) utilize any difference between the \$1,016,418 and the actual cost of the Kennedy Homes demolition to reduce the loan from the General Fund that funded a portion of the Kennedy Homes acquisition.

060482.

Contract for Wilhelmina Johnson Resource Center (B)

This is a request to authorize staff to negotiate a contract with the top ranked agency for the annual operation of the Wilhelmina Johnson Resource Center.

Explanation: Over the past five years the Cultural Arts Coalition (CAC) Inc has had a contract with the City of Gainesville to manage and coordinate the Wilhelmina Johnson Resource Center (WJRC), a city owned facility. This current contract will expire on September 30, 2006.

The City recently requested Proposals for the management, operations and

programming of the center. Two proposals were received, one from the CAC to continue their existing program and one from the City of Gainesville Fire Department (GFR) for a Fire Museum and safety & educational services.

The initial term of the contract is for two years with an option by the City to negotiate and extend the contract for two additional one year periods.

A community panel of three reviewed the proposals and ranked CAC number one and the GFR number two. Staff is requesting authorization to begin negotiations with the CAC to finalize a contract for the management and operation of the WJRC.

If staff and the CAC are unable to come to a mutually acceptable agreement, then staff is requesting authorization to work with the City of Gainesville Fire Department to establish a fire museum and safety & educational services.

Fiscal Note: The City has budgeted \$50,000 in FY2007 and FY2008 for this Contract. CAC, Inc. has proposed a program that will utilize the entire \$50,000 budget each year while GFR has proposed a program that would utilize \$47,000 each year of the budgeted amount.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager or his designee to begin contract negotiations with the Cultural Arts Coalition, Inc, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A: The City Commission reject the proposal by the Cultural Arts Coalition, Inc. and direct staff to work with the City of Gainesville Fire Department to establish a Fire Museum and safety & educational services.

Alternative Recommendation B: The City Commission reject both proposals and direct staff to solicit additional proposals for the annual management and operation of the Wilhelmina Johnson Resource Center.

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060451.

Extension of the City of Gainesville General Employees' Pension Plan Contract for Actuarial Services with Actuarial Concepts, Inc. (B)

This contract extension will allow the City to retain Actuarial Concepts, Inc. for one (1) additional three (3) year period. Actuarial Concepts, Inc. will prepare actuarial valuation reports for the General, Disability and Retiree Health Plans and control valuations to track actuarial liability and gains and losses related to the Pension Obligation Bond Issues related to the General Employees' Pension Plan.

Explanation: Actuarial Concepts, Inc. has provided actuarial services for the City of

Gainesville General Employees' Pension Plan under the current contract since October 1, 2003 with an expiration date of September 30, 2006. The original contract allows for the extension of the contract by the City of Gainesville for one additional three (3) year period under the same terms and conditions.

Fiscal Note: Funds for actuarial services are budgeted in the General Employees' Pension Plan Trust Fund. The Contract fees total \$54,750 per year.

RECOMMENDATION

The General Employees' Pension Plan Board of Trustees approve the three (3) year extension to the City of Gainesville General Employees' Pension Plan Contract for actuarial services with Actuarial Concepts, Inc., and authorize the Trust Administrator to execute the requisite extension subject to the approval of the City Attorney as to form and legality.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

060514.

Wastewater Force Main Installation (NB)

Staff recommends installation of a wastewater force main segment as part of the Town of Tioga Phases 12 and 13 projects using the Owner's underground utility contractor to perform the work.

Explanation: Water/Wastewater Systems has completed construction drawings and is obtaining permits for the planned installation of a wastewater force main system improvement in conjunction with Phases 12 and 13, Town of Tioga project. W.G. Johnson and Son, Inc. is the project Owner's site and underground infrastructure contractor and is currently performing construction services at the site

Staff believes it is in the Utility's best interest to use the same underground utility contractor to install the wastewater force main that is already engaged on the construction site. The contractor is already mobilized on site which will eliminate any potential conflicts with more than one underground utilities contractor working on the same site. Savings can be derived from reduced mobilization costs, volume pricing for materials and lower administrative costs of supervision.

The consultant engineer designing the project for GRU obtained alternate pricing in order to advise GRU on a budget estimate. W.G. Johnson and Son, Inc. gave a written quotation that was lower than the consultant's estimate and \$27,417 lower than a second contractor's proposal. Purchasing has evaluated the proposals and believes the proposal from W.G. Johnson and Son, Inc. is competitive with similar work performed in the recent past.

Fiscal Note: Funds are available for this work in the FY 2007 Water/Wastewater Systems Capital Improvement Budget.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to negotiate and execute a contract with W.G. Johnson and Son, Inc. for the installation of a portion of a wastewater force main, subject to City Attorney approval as to form and legality, and 2) approve the issuance of a purchase order to W.G. Johnson and Son, Inc. in an amount \$119,845 to install a wastewater force main segment at the project known as Town of Tioga Phases 12 and 13.

060515.**Automated Mapping/Facilities Management (AM/FM) Software License (NB)**

Staff recommends purchasing software that enables field personnel to collect information in the field and synchronize that information with the utility's automated mapping and facilities management system.

Explanation: Utilities staff needs software for mobile computers that can capture and record information observed in the field and transfer that information to the network-based automated mapping/facilities management system (AM/FM). The field information collected will improve the accuracy of data within the AM/FM system and will facilitate both routine daily operations and the emergency restoration of services. The required software will provide several key operational features including the ability to "redline" digital maps for field data capture, and a means for collecting field data on pre-defined activity-specific forms. This software will be deployed by the Energy Delivery Department to improve digital maps of the electric and gas distribution systems.

Staff evaluated three software solutions to meet this need. Tadpole GO! Sync(r) offered the lowest cost solution providing the full range of software features required. Other products evaluated were Miner & Miner ArcFM Viewer at a cost of \$85,700 and a custom ArcEngine application at a cost of \$138,000. The cost of the required software licenses; including server, client, and extensions is \$55,380. Implementation services, including on-site software installation, configuration, training, and deployment support is \$12,250, for a total not to exceed amount of \$67,630.

Fiscal Note: Funds for this expense are available in the Energy Delivery FY2006 Utilities Capital Budget.

RECOMMENDATION

The City Commission: 1) authorize staff to negotiate and execute a software license agreement for one (1) GO! Sync(r) Mobile GIS Server and sixty (60) licenses for Mapbook Client and related software extensions with Tadpole Technology - Geospatial Solutions Division, subject to City Attorney approval as to form and legality, and 2) approve the issuance of a purchase order to Tadpole Technology - Geospatial

Solutions Division, for the purchase of these software licenses in an amount not to exceed \$67,630.

CITY ATTORNEY, CONSENT AGENDA ITEMS

060480.

WALTER L. BOOTH, SR. vs. the CITY OF GAINESVILLE; FCHR CHARGE NO. 200602160 AND EEOC CHARGE NO. 15D200603649 (B)

Explanation: On August 29, 2006, the City of Gainesville received a Notice of Charge of Discrimination from the Florida Commission on Human Relations (and sent for dual filing purposes to the U.S. Equal Employment Opportunity Commission). Mr. Booth alleges discrimination due to his race after he was suspended for five (5) days without pay.

RECOMMENDATION

The City Commission authorize the City Attorney, and/or special counsel if insurance coverage is available, to represent the City in the case styled Walter L. Booth, Sr. vs. the City of Gainesville; FCHR No. 200602160 and EEOC Charge No.: 15D200603649.

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CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

060524.

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of September 11, 2006, as circulated.

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060516.

Advisory Board/Committee Appointments to the Board of Adjustment (NB)

RECOMMENDATION

The City Commission reappoint Debra A. Neill-Mareci and Joseph A. Schmid to the Board of Adjustment for terms to expire November 1, 2009.

*Commissioner Braddy: Neill-Mareci and Schmid
Commissioner Bryant: Neill-Mareci and Schmid
Commissioner Donovan: Neill-Mareci and Schmid
Commissioner Henry: Neill-Mareci and Schmid
Commissioner Lowe: Neill-Mareci and Schmid
Commissioner Mastrodicasa: Neill-Mareci and Schmid*

Mayor Hanrahan: Neill-Mareci and Schmid

060517. Advisory Board/Committee Appointment to the City Beautification Board (NB)

RECOMMENDATION

The City Commission reappoint Nina B. Ring to the City Beautification Board for term to expire November 1, 2009.

*Commissioner Braddy: Ring
Commissioner Bryant: Ring
Commissioner Donovan: Ring
Commissioner Henry: Ring
Commissioner Lowe: Ring
Commissioner Mastrodicasa: Ring
Mayor Hanrahan: Ring*

060518. Advisory Board/Committee Appointments to the City Plan Board (NB)

RECOMMENDATION

The City Commission reappoint Robert S. Cohen and Peter M. Polshek to the City Plan Board for terms to expire November 1, 2009.

*Commissioner Braddy: Hawkins and Readvertise
Commissioner Bryant: Cohen and Hawkins
Commissioner Donovan: Cohen and Polshek
Commissioner Henry: Cohen and Polshek
Commissioner Lowe: Cohen and Polshek
Commissioner Mastrodicasa: Cohen and Polshek
Mayor Hanrahan: Cohen and Polshek*

060519. Advisory Board/Committee Appointments to the Development Review Board (NB)

RECOMMENDATION

The City Commission reappoint J.T. Frankenberger and Joshua W. Shatkin to the Development Review Board for terms to expire November 1, 2009.

*Commissioner Braddy: Frankenberger and Sweger
Commissioner Bryant: Frankenberger and Shatkin
Commissioner Donovan: Frankenberger and Sweger
Commissioner Henry: Frankenberger and Sweger*

*Commissioner Lowe: Frankenberger and Shatkin
Commissioner Mastrodicasa: Frankenberger and
Shatkin
Mayor Hanrahan: Frankenberger and Shatkin*

060520. Advisory Board/Committee Appointment to the Fire Safety Board of Adjustment (NB)

RECOMMENDATION

The City Commission reappoint Fred Vyverberg, to the Fire Safety Board of Adjustment for a term to expire November 1, 2007.

*Commissioner Braddy: Vyverberg
Commissioner Bryant: Vyverberg
Commissioner Donovan: Vyverberg
Commissioner Henry: Vyverberg
Commissioner Lowe: Vyverberg
Commissioner Mastrodicasa: Vyverberg
Mayor Hanrahan: Fred Vyverberg*

060522. Advisory Board/Committee Appointments to the Public Recreation and Parks Board (NB)

RECOMMENDATION

The City Commission reappoint Benjamin D. Fein, Evelyn T. Foxx, and Gina van Blokland to the Public Recreation and Parks Board for terms to expire June 1, 2009.

*Commissioner Braddy: Fein, Foxx and van Blokland
Commissioner Bryant: Fein, Foxx and van Blokland
Commissioner Donovan: Fein, Foxx and van Blokland
Commissioner Henry: Fein, Foxx and van Blokland
Commissioner Lowe: Fein, Foxx and van Blokland
Commissioner Mastrodicasa: Fein, Foxx and van
Blokland
Mayor Hanrahan: Fein, Foxx and Blokland*

060523. Advisory Board/Committee Appointment to the Water Management Committee (NB)

RECOMMENDATION

The City Commission reappoint Joseph J. Delfino, to the Water Management Committee for term to expire August 2009.

*Commissioner Braddy: Delfino
Commissioner Bryant: Delfino
Commissioner Donovan: Delfino
Commissioner Henry: Delfino
Commissioner Lowe: Delfino
Commissioner Mastrodicasa: Delfino
Mayor Hanrahan: Joseph J. Delfino*

060533. Appointment to the Gainesville Housing Authority (NB)

RECOMMENDATION

The City Commission confirm the Mayor's appointments of Anthony Gordon and Gordon H. Tremaine to the Gainesville Housing Authority for terms to expire August 1, 2010.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

060255. Single Family Neighborhood Issues - Landlord Permit Process (NB)

This item is related to file #050635, Over-Occupancy in Single Family Neighborhoods

Explanation: On November 14, 2005 the City Commission referred Over-Occupancy in Single Family Neighborhood issues to both the Community Development and Public Safety Committees. Several items have already been jointly reported out to the City Commission, however, each committee had remaining referrals to discuss. This item is one of the three referrals pending with Public Safety.

Permit Process/Penalty for Failure to Apply for a Landlord Permit: The joint committees heard numerous citizen comments regarding lack of penalties to the landlord who fails to apply for a landlord permit, as required by city ordinance. The Code Enforcement Manager, after discussion with City Attorney staff, is proposing the following procedural adjustments for enforcement of the

Landlord Permit:

- 1) *Landlords that fail to acquire a permit until discovered will be cited with a civil citation warning and provided an application for landlord permit. The warning would cite for renting without a permit and would provide a 10 day time frame for obtaining a permit. Failure to comply would result in a \$125 penalty for the first offense.*
- 2) *Continued failure to comply would result in the penalties prescribed in Appendix A of the Code of Ordinances being applied up to the maximum fee of \$336.*
- 3) *Failure to comply beyond the second civil citation would result in a mandatory court appearance which may result in a maximum \$500 fine.*

This change to the process is different in the use of civil citations versus utilizing the notice of violation process. Currently, the offender is provided the application and when the maximum fee of \$336 is accrued, a notice of violation is issued. Failure to comply with this notice results in a hearing before the Code Enforcement Board and the fines prescribed being assessed. By using the civil citation process when possible, it appears the time frame for compliance can be reduced.

This change does not require City Commission approval as it is a procedural, not policy change.

RECOMMENDATION

The City Commission accept the Public Safety Committee's report and request the City Manager consider the procedural change to the Landlord License Permit process in an effort to improve the compliance rate of landlord permits.

Legislative History

11/14/05	City Commission	Referred	Public Safety Committee
7/13/06	Public Safety Committee	Discussed	
8/17/06	Public Safety Committee	Discussed	

060255_200608171600.pdf

060255a_200608171600.pdf

060255b_200608171600.pdf

060450.**Single Family Neighborhood Issues - Underage Drinking (B)****This item is related to File #060255 and #050635**

Explanation: On November 14, 2005 the City Commission referred Over-Occupancy in Single Family Neighborhoods to both the Community Development and Public Safety Committees. Several items have already been jointly reported out to the City Commission, however, each committee had remaining referrals to discuss. This item is one of the three referrals pending with Public Safety.

Underage Drinking: The joint committees discussed the impact of open house parties on single family neighborhoods and heard from citizens the concerns

related to underage drinking. The Public Safety Committee asked police department staff to provide a report on underage drinking and their enforcement and prevention efforts.

The Public Safety Committee received the report from the Gainesville Police Department at their August 17, 2006 meeting and additionally heard from the University of Florida and Committee members on current alcohol initiatives. The University of Florida sponsors the University Community Alcohol Coalition and the Campus Committee on Alcohol and Drugs. Additionally, city and university staff attend meetings of the Gainesville Responsible Hospitality Partnership, geared toward educating the alcohol establishments and their employees on underage drinking, proper i.d. checks, etc.

RECOMMENDATION

The City Commission 1) accept the Public Safety Committee's informational report on underage drinking and alcohol enforcement and prevention and 2) remove this item from the pending referral list.

060255_200608171600.pdf

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

060475.

Compensation Study (NB)

The Wachovia Employer Solutions Group will present the results of their Compensation Review for Communications Workers of America (CWA) and Managerial, Administrative, and Professional (MAP) Employees.

Explanation: In September 2003, CWA Local 3170 and the Gainesville City Commission ratified a three-year labor contract. Addendum A of the contract requires the City to update pay lines with current market data and adjust the structure accordingly to be effective with the next contract (January 2007).

The Wachovia Employer Solutions Group was selected from a Request for Proposal (RFP) process to perform a compensation review of the CWA and MAP employee groups. Their methodology included gathering market data for 200 job classifications. These were then reviewed with Management and the CWA representatives.

Wachovia will present the recommended pay structure and implementation plan to the City Commission for discussion and approval.

Fiscal Note: The incremental cost of implementing the recommended pay structure is approximately 4.3% of payroll. The FY2007 budget includes increases of approximately 4.1% of payroll and contingency funds to bridge the gap. The FY2007 proposed budget is sufficient to cover the recommended implementation plan.

RECOMMENDATION

The City Commission: 1) hear a presentation from Wachovia Employer Solutions Group; and, 2) approve the recommended pay structure and implementation plan.

Alternative Recommendation A:

The City Commission: 1) hear a presentation from Wachovia Employer Solutions Group; and, 2) reject the recommended pay structure and implementation plan.

060341.

Presentation on the City's Performance Measurement and Benchmarking Program (NB)

Staff from the City's Strategic Planning Division will provide information on the City's Performance Measurement and Benchmarking efforts.

Explanation: In order to improve City services and organizational efficiencies, each department is required to participate in a performance measurement program. Some of these programs include benchmarking with other communities within the State of Florida and across the country. Strategic Planning staff will make a presentation on the City's programs and the type of information being produced.

Fiscal Note: None

RECOMMENDATION

The City Commission hear the presentation and take any appropriate action, if necessary.

Legislative History

8/28/06 City Commission Withdrawn

060432.

City of Gainesville -Council for Economic Outreach (CEO) - Gainesville Innovation Zone Agreement (B)

This item describes a proposed Agreement between the City of Gainesville

and Council for Economic Outreach regarding the provision of economic development services associated with the Gainesville Innovation Zone.

Explanation: On April 10, 2006, the City Commission directed staff to: 1) include an allocation of \$50,000 for the CEO Opportunity 2010 campaign in the FY 2007 and FY 2008 Economic Development Department budget; 2) formulate performance objectives associated with this allocation tied to implementation of the Innovation Zone to include marketing of the Zone to development interests and capturing of Innovative economy opportunities within the Zone; and, 3) bring forward a proposed agreement to the City Commission for review.

The proposed agreement is structured on a performance based, fee for service model and has as its focus: 1) marketing of the Gainesville Innovation Zone to prospective internal and external interested parties; 2) planning, management and execution of the 2007 Economic Development Summit focused on building the Innovation economy in the City of Gainesville; 3) promotion of capital investment in the Gainesville Innovation Zone; and, 4) job creation in the Gainesville Innovation Zone.

An attached Statement of Work itemizes each service broadly and the associated not to exceed figure and mechanics of payment. It should be noted that payment will occur only upon provision of a deliverable or achievement of a specified service backed up by associated documentation.

Fiscal Note: As mentioned, staff has been directed to include the \$50,000 allocation associated with this Agreement in the FY 2007 and FY 2008 budget submittal to be reviewed by the City Commission. A Resolution was adopted by the City Commission in October, 2004 directing that \$100,000 be transferred from GRU to the Economic Development Fund (114). Funds were to be allocated for projects to enhance economic development within the City of Gainesville that are not otherwise part of the normal budget for economic development activities and focused on tangible assets for the recruitment of new business and expansion of existing business; grants for utility connections; and, costs associated with marketing materials. It is proposed that this allocation be utilized to fund activities associated with the proposed City of Gainesville-CEO Agreement. The \$100,000 has been placed in a multi-year account and staff expects that CEO activities as outlined in the proposed Agreement will be consistent with the spirit of the Resolution.

RECOMMENDATION

Recommended Motion: The City Commission: 1) hear a brief presentation on the proposed City of Gainesville - CEO Agreement regarding economic development services associated with the Gainesville Innovation Zone; 2) approve the City of Gainesville - CEO Agreement regarding economic development services associated with the Gainesville Innovation Zone; and 3) authorize the City Manager to execute the City of Gainesville - CEO Agreement.

Alternative Recommendation: The City Commission: 1) approve the City of Gainesville - CEO Agreement regarding economic development services associated

with the Gainesville Innovation Zone with stated modifications.

Alternative Recommendation: The City Commission: 1) deny the City of Gainesville - CEO Agreement regarding economic development services associated with the Gainesville Innovation Zone.

060432A_200609251300.pdf

060432B_200609251300.pdf

060449.

City Commission Strategic Planning Workshop Results (NB)

This agenda item is to request establishment of a meeting date for the Annual City Commission Goal Setting Retreat.

Explanation: Each year the City Commission holds a strategic planning session to establish its goals and objectives. The items discussed formulate the City Commission's priority goals, objectives, and provide policy guidance to staff.

On December 2, 2005, Marilyn Crotty, Director of the University of Central Florida's Institute of Government, facilitated this retreat for Fiscal Year 2007 Goals and Objectives. This year's retreat will include an update of those goals and objectives.

Fiscal Note: None

RECOMMENDATION

The City Commission: 1) select Monday, December 4, 2006 for the Annual Strategic Planning Retreat, and 2) discuss the potential agenda.

Alternative Recommendation A: select Saturday, December 2, 2006 for the Annual Strategic Planning Retreat, and 2) discuss the potential agenda.

Alternative Recommendation B: select Saturday, November 4, 2006 for the Annual Strategic Planning Retreat, and 2) discuss the potential agenda.

GENERAL MANAGER FOR UTILITIES

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****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****060529.****Gainesville Code Enforcement Board (B)****RECOMMENDATION**

The City Commission consider appointment to the Gainesville Code Enforcement Board for a term to expire August 1, 2009.

060529_200609251300.pdf

060521.**Advisory Board/Committee Appointments to the Gainesville Energy Advisory Committee (B)****RECOMMENDATION**

The City Commission appoint Harald W. Kegelmann, Hal S. Knowles, and one additional member to the Gainesville Energy Advisory Committee for terms to expire September 30, 2009.

Commissioner Braddy: Kegelmann, Knowles, and Nelson

Commissioner Bryant: Davies, Knowles, and Porter

Commissioner Donovan: Kegelmann, Knowles, and Porter

Commissioner Henry: Kegelmann, Knowles and Saive

Commissioner Lowe: Davies, Kegelmann, and Saive

Commissioner Mastrodicasa: Kegelmann, Knowles and Saive

Mayor Hanrahan: Kegelmann, Knowles and Porter

060521_200609251300.pdf

OUTSIDE AGENCIES**MEMBERS OF THE CITY COMMISSION****060528.****Commissioner Ed Braddy - 5k Run at Ironwood Golf Course Subdivision (NB)**

RECOMMENDATION

The City Commission hear a presentation for referral to the Recreation, Cultural Affairs and Public Works Committee.

COMMISSION COMMENTS (if time available)

RECESS

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

Troop 315

Cindy Laukert - Troop Leader

PROCLAMATIONS/SPECIAL RECOGNITIONS

060525.

Leukemia & Lymphoma Awareness Month - October 2006 (B)

RECOMMENDATION

A representative from the Leukemia & Lymphoma Society to accept the proclamation.

060525_20060925.pdf

060526.

Race Equality and Inclusive Communities Week - September 25-29, 2006 (B)

RECOMMENDATION

City of Gainesville Equal Opportunity Director Jimmie Williams to accept the proclamation.

060526_20060925.pdf

060527.

National 4-H Week - October 1-7, 2006 (B)

RECOMMENDATION

Alachua County 4-H Council President Paul Eccelston, Council Delegates Tiffany Banner and Amber Yarborough, and Reporter Victoria Banner to accept the proclamation.

060527_20060925.pdf

CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet

PUBLIC HEARINGS**060453.****MILLAGE RATE - FISCAL YEAR 2007 (B)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 2006-2007 FISCAL YEAR; ADOPTING THE FINAL MILLAGE RATE; DIRECTING THE TRANSMITTAL OF CERTIFIED COPIES; AUTHORIZING A SPECIFIED ADJUSTMENT TO THE FINAL MILLAGE RATE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: The City Commission is required by Florida Law to adopt a final millage rate to fund the budget for Fiscal Year 2006-2007.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

060453_200609251300.pdf

060454.**GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2007 (B)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007; ADOPTING THE GENERAL OPERATING AND FINANCIAL PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: The General Government Budget for Fiscal Year 2006-2007 as set forth in the Financial and Operating Plan - Budget by Funds is hereby submitted as prepared by the Office of Management and Budget.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

060454_200609251300.pdf

060444.**GAINESVILLE REGIONAL UTILITIES BUDGET - FISCAL YEAR 2007 (B)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE FINAL BUDGET FOR THE CITY OF GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; PROJECTING REVENUES AND ADOPTING A FINAL BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER

EXPENSES, FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: The proposed resolution which adopts a final budget for the City of Gainesville Regional Utilities for the fiscal year beginning October 1, 2006 and ending September 30, 2007, to pay for personal services expenses, operating and maintenance expenses and other expenses, for capital outlay and for debt service requirements is submitted for adoption by the City Commission. All changes will be effective October 1, 2006.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

060444_200609251300.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

060113.

SOLICITATION ORDINANCE (B)

Ordinance No. 0-06-94

An ordinance of the City of Gainesville, Florida, amending Chapter 19 of the Gainesville Code of Ordinances entitled “Peddlers, Solicitors and Canvassers”; amending Article II, Section 19-17 to prohibit solicitation, peddling and canvassing in streets and right-of-way; prohibiting the knowing obstruction of pedestrian or vehicular traffic; adding a new subsection (c) of Article II, Section 19-17 limiting the scope of right-of-way; clarifying limitations on soliciting, peddling and canvassing; amending Article III, Section 19-54 to prohibit the knowing obstruction or interference with vehicular or pedestrian traffic; adding new section (k) of Article III, Section 19-17 limiting the scope of right-of-way; amending Article IIIA, Section 19-80 by adding a new Section 4 making it unlawful to remain in a traffic lane when a traffic control signal allows traffic to flow in that lane; changing the title of Chapter 19, Article V; amending Article V, Section 19-112 clarifying permit requirement when fundraising activity on a street or right-of-way within the city is on behalf of a nonprofit agency and limiting the scope of right-of-way; amending Section 19-113 by providing alternative methods of complying with insurance requirement; providing for waiver of insurance under certain circumstances; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

Explanation: On August 14, 2006, the City Commission approved the Public Safety Committee’s recommendation to authorize the City Attorney to prepare the necessary ordinance amendments to Chapter 19.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

6/12/06	City Commission	Approved as Recommended (7 - 0)	
6/12/06	City Commission	Referred	Public Safety Committee

7/13/06 Public Safety Discussed
Committee
8/14/06 City Commission Approved as Recommended (4 - 0 - 3 Absent)
060113_200609251300.pdf

060428.**SEXUAL PREDATOR/OFFENDER RESIDENCY RESTRICTIONS (B)****ORDINANCE 0-06-88 (B)**

An ordinance of the City of Gainesville relating to Section 17-32 by removing Wacahoota Archery Range and Park from and adding Spring Hill Park and Woodlawn Park to the list of parks within the city limits which prohibit child sexual offenders and predators from living within 2,500 feet of the park; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

Explanation: The City Commission on September 11, 2006 authorized the City Attorney to draft and the Clerk of the commission to advertise an ordinance amending section 17-32 by removing Wacahoota Archery Range and Park and adding Spring Hill Park and Woodlawn Park from the list of parks within the city limits which prohibit child sexual offenders and predators from living within 2,500 feet of the park.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/11/06 City Commission Approved as Recommended (4 - 0 - 3 Absent)
060428_200609261300.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED**060347.****BUILDING PERMIT FEES (B)****Ordinance No. 0-06-78**

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to fees; amending the Building and Building Regulation section of Appendix A by changing and increasing the fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: At its meeting on August 28, 2006, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending Appendix A of the Code of Ordinances relating to building and building regulation fees.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

8/28/06 City Commission Approved as Recommended (4 - 0 - 3 Absent)
 9/11/06 City Commission Adopted on First Reading (Ordinance) (7 - 0)
 060347_200609111300.pdf

060383.**STORMWATER MANAGEMENT FEES (B)****Ordinance No. 0-06-79**

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 effective date in accordance with the schedule provided herein.

Explanation: At its meeting on August 28, 2006, 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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

8/28/06 City Commission Approved as Recommended (5 - 0 - 2 Absent)
 9/11/06 City Commission Adopted on First Reading (Ordinance) (7 - 0)
 060383_200608281300.PDF
 060383_200609111300.pdf

060433.**CHAPTER 27 AND APPENDIX A - UTILITY SERVICES (B)****Ordinance No. 0-06-89**

AN ORDINANCE AMENDING CHAPTER 27, ARTICLE 1, SUBSECTION 27-15(a) OF THE CODE OF ORDINANCES OF GAINESVILLE, FLORIDA RELATING TO SAME DAY AND AFTER HOURS INSTALLATION OR TURN-ON OF UTILITY SERVICES; AND AMENDING APPENDIX A, UTILITIES SECTION (7), SUBSECTION b. SERVICE CHARGES BY INCREASING CERTAIN ADDITIONAL CHARGES FOR SAME DAY OR AFTER HOURS INSTALLATION OR TURN-ON OF SERVICE; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Explanation: Background:

In the Proposed Budget for the Combined Utilities System, the Interim General Manager made a recommendation to increase same day service and after hours fees from \$20 to \$40, to recoup the increased personal and operating costs associated with this service.

The change will be effective October 1, 2006.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/11/06 City Commission Adopted on First Reading (Ordinance) (6 - 1)

060433_200609111300.pdf

060434.

APPENDIX A - WATER INSPECTION SERVICE FEES, METER INSTALLATION CHARGES, CUSTOMER SERVICE CHARGES (B)

Ordinance No. 0-06-90

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (3) WATER OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING CERTAIN WATER INSPECTION SERVICE FEES, METER INSTALLATION CHARGES, CUSTOMER SERVICE CHARGES, BASE RATES FOR SERVICE, AND WATER TRANSMISSION, DISTRIBUTION AND PLANT CONNECTION CHARGES AND INSPECTION FEES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Explanation: In the Proposed Budget for the Combined Utilities System, the Interim General Manager made a recommendation to increase water base rates, water connection charges and water inspection fees for residential and non-residential customers. Connection charges changes include increased charges for water transmission, distribution and plant connection fees

All changes will be effective October 1, 2006.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/11/06 City Commission Adopted on First Reading (Ordinance) (7 - 0)

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060435.

APPENDIX A – WASTEWATER RATES, CUSTOMER SERVICE CHARGES (B)

Ordinance No. 0-06-91

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING WASTEWATER RATES, CUSTOMER SERVICE CHARGES, CONNECTION CHARGES AND INSPECTION FEES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO

THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Explanation: In the Proposed Budget for the Combined Utilities System, the Interim General Manager made a recommendation to increase wastewater base rates, customer charges, wastewater connection charges and wastewater inspection fees for residential and non-residential customers.

The changes will be effective October 1, 2006.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/11/06 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)
060435_200609111300.pdf

060436.

APPENDIX A – ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES (B)

Ordinance No. 0-06-92

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES; AMENDING RESIDENTIAL ELECTRIC RATE STRUCTURE; INCREASING STREET AND RENTAL LIGHTING RATES AND ADDING LIGHTING FIXTURES AND RATES; ELIMINATING THE BUSINESS PARTNER DISCOUNT; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Explanation: Background:

In the Proposed Budget for the Combined Utilities System, the Interim General Manager made a recommendation to increase electric base rates, and customer services charges, amend the residential electric rate structure to include a tier at 250 kWh. Street and rental light rate increases are proposed and Additional lighting fixture types and rates have been added.

All changes will be effective October 1, 2006.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/11/06 City Commission Adopted on First Reading (Ordinance) (5 - 2)
060436_200609111300.pdf

060198.**VEHICLES FOR HIRE ORDINANCE (B)****Ordinance No. 0-06-92**

An ordinance of the City of Gainesville amending Chapter 28 Vehicles for Hire by regulating taxi service within the City of Gainesville; amending Section 28-1 Occupational license required to reference municipal boundary; amending Section 28-2 definitions; amending Section 28-3 to make it unlawful for a company to engage in the vehicle for hire business without a franchise; making it unlawful to operate a vehicle for hire under the auspices of a company that does not have a valid franchise and amending the application process for franchise and franchise owner; creating a new Section 28-3.5 relating to service at the Gainesville Regional Airport and the setting of the rates and charges for airport decals; amending Section 28-4(g) to reference Gainesville Alachua County Regional Airport Rules and Regulations; amending Section 28-5 providing franchise duration, specifying annual report requirements and penalties; amending Section 28-6 by specifying time periods for franchise revocation; amending Section 28-8 by requiring unique franchise color scheme; permanently affixed signage, permanently affixed medallions and a lighted roof-top sign; creating a new Section 28-8.5 by providing vehicle for hire driver requirements; renaming Section 28-10; amending Section 28-11 related to insurance requirements; amending Section 28-12(e) relating to non-discrimination by adding sexual orientation; amending Section 28-14 by providing authority to the manager/designee to remove vehicles from service for safety reasons and delineating specific equipment requirements; creating a new Section 28-14.5 related to equipment and safety requirements; amending Section 28-20 related to soliciting passengers by deleting the reference to railway and adding airport facility; amending Appendix A fees and charges related to vehicles for hire; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an effective date.

Explanation: On April 11, 2005 the City Commission authorized the City Attorney to draft amendments to the Vehicles for Hire Ordinance and directed staff to refine the permitting process and recommendations that had come from the Public Safety Committee discussions that began in August 2004. As a result of this referral from the City Commission, Gainesville Police Department staff worked with the legal department and other city departments in reviewing and updating the Vehicle for Hire ordinance.

On August 14, 2006 the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending Section 28 and Appendix A of the Gainesville Code of Ordinances as recommended by the Public Safety Committee with the addition of sexual orientation to the non-discrimination section and to incorporate the changes into the permitting process, including education to the Vehicle for Hire owners and drivers.

Because of extensive modifications to the ordinance, coordination of language with the airport, and the delay in acquisition of the medallion and driver permit

documents, it is necessary to delay implementation of some provisions of the ordinance until the next registration cycle which is October 1, 2007. Additionally, the registration packets for the current year, October 1, 2006, have already gone out to the vehicle for hire companies.

RECOMMENDATION *The City Commission adopt the proposed ordinance as amended.*

Legislative History

7/10/06	City Commission	Referred	Public Safety Committee
7/10/06	City Commission	Approved as Recommended (7 - 0)	
7/13/06	Public Safety Committee	Discussed	
8/14/06	City Commission	Approved as Recommended (7 - 0)	
9/11/06	City Commission	Adopted on First Reading, as amended (Ordinance) (7 - 0)	

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RESOLUTIONS- ROLL CALL REQUIRED

060507.

SISTER CITY RELATIONSHIP BETWEEN THE CITY OF DUHOK, KURDISTAN REGION, IRAQ AND THE CITY OF GAINESVILLE (B)

A Resolution of the City Commission of the City of Gainesville, Florida recognizing the City of Duhok, Republic of Iraq, Kurdistan Region as a Sister City of the City of Gainesville, Florida, U.S.A.; and providing an immediate effective date.

Explanation: At its meeting on August 28, 2006, the City Commission referred to the City Attorney's Office a review of the Sister City resolution presented by a representative of the Gainesville/Duhok Sister City Program. The City Attorney's office prepared the attached Resolution and Agreement in collaboration with the Sister City Program of Gainesville, Inc.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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PLAN BOARD PETITIONS

060414.

Street Vacation for Jefferson 2nd Avenue, L.P. (B)

Petition 96SVA-06 PB, George F. Young, Inc., agent for Jefferson 2nd Avenue, L.P. Quasi-Judicial. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of Southwest 5th Terrace located between Southwest 2nd Avenue

and Southwest 3rd Avenue.

Explanation: The petitioner is proposing to develop a 4.55-acre site with a mixed-use development consisting of 275 apartments, 8,404 square feet of retail space, an approximately 4,000-square foot clubhouse and amenity center, and a six-story parking garage with 846 parking spaces. The site is located along the western edge of the Central City District, and is located within the Traditional City Special Area Plan. The subject property, consisting of seven parcels, is generally bounded by Southwest 2nd Avenue to the north, Southwest 4th Avenue to the south, Southwest 6th Street to the west and Southwest 5th Street to the east. The seven parcels, however, are currently divided by two local streets, Southwest 3rd Avenue and Southwest 5th Terrace. In an effort to combine the parcels into no more than two separated sites, the petitioner is requesting to vacate, abandon and close that portion of Southwest 5th Terrace located between Southwest 2nd Avenue and Southwest 3rd Avenue. Southwest 5th Terrace is considered a minor local street because it dead-ends into both Southwest 2nd Avenue and Southwest 3rd Avenue in that area and is only one block long (5th Terrace is off-set north of Southwest 2nd Avenue), and functions more as an access/service drive than a local street.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following: 1) the site plan for the Jefferson on 2nd Avenue multi-family development must be approved by the City; 2) the second reading of the ordinance approving the street vacation of Southwest 5th Terrace shall be coordinated with the final sign-off of the site plan for Jefferson on 2nd Avenue; 3) the petitioner shall not remove Southwest 5th Street or its infrastructure until the petitioner has received a building permit for Jefferson on 2nd Avenue and begun actual construction of the multi-family development; and 4) in the event Jefferson on 2nd Avenue is not constructed and completed within five years of sign-off of the finalized site plan by planning staff, then the street vacation ordinance may be repealed and the vacation, abandonment and closure of the right-of-way shall be of no further force and effect. At this point the Development Review Board has approved the preliminary site plan.

Public notice was published in the Gainesville Sun on August 1, 2006. Letters were mailed to surrounding property owners on August 2, 2006. The Plan Board held a public hearing August 17, 2006.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 96SVA-06 PB, with conditions. Plan Board vote 4-0.

Alternative Recommendation A: The City Commission deny Petition 96SVA-06 PB.

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060415.

MetroCorp Planned Development Amendment (B)

Petition No. 102PDA-06PB, Causseaux & Ellington, Inc., agent for Howe Development Corporation. Quasi-Judicial. Planned Development amendment to add Financial Institution use to an existing Planned Development. Located at 4130 Northwest 39th Avenue.

Explanation: The MetroCorp development is located at the southeast corner of Northwest 43rd Street and Northwest 39th Avenue. The development was initially approved on October 17, 1983 to establish an office development on 5.035 acres (219,357 square feet). Lots 1, 2, 3 and 4 were platted and subsequently developed in phases. The Planned Development ordinance regulating the development was revised in 1992, and again in 2003 to revalidate the Planned Development. A sizeable portion of MetroCorp development Lot 4 fronting Northwest 39th Avenue has not been developed. The current petition is a request to amend the Planned Development to add Financial Institution as an allowed use, to extend the deadline for development of Lots 3 and 4 and to extend Ordinance 030130 for a period of two years from the current expiration date of December 31, 2006.

The Plan Board heard the petition and recommended that it be approved, with staff conditions as listed in the report. Staff addressed the criteria for approving a Planned Development and presented findings and recommendations as included in the Plan Board report.

Public notice was published in the Gainesville Sun on August 1, 2006. Letters were mailed to surrounding property owners on August 2, 2006. The Plan Board held a public hearing August 17, 2006.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 102PDA-06 PB, with staff conditions. Plan Board vote 5-0.

Staff to Plan Board - Approve, with staff conditions.

Alternative Recommendation A: The City Commission deny Petition 102PDA-06 PB.

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060416.

Street Vacation for Shands Hospital (1 of 6) (B)

Petition 111SVA-06 PB, J. David Knapp, agent for Shands Hospital. Quasi-Judicial. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of Southwest 14th Terrace located between the south right-of-way line of Railroad Street, as shown on Little Gandy Subdivision, to a point 10 feet north of and parallel to the south property line of Lot 3 of Block 7 of Little Gandy Subdivision. Related to Petition 110SUP-06PB.

Explanation: This is a request to vacate a portion of Southwest 14th Terrace to facilitate the

development of a cancer hospital and associated facilities.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following: 1) the Special Use Permit and Site Plan for the Shands Cancer Hospital development must be approved by the City and; 2) the second reading of the ordinance approving the street vacation of a portion of Southwest 14th Terrace located between the south right-of-way line of Railroad Street, as shown on Little Gandy subdivision, to a point 10 feet north of and parallel to the south property line of Lot 3 of Block 7 of Little Gandy Subdivision shall be coordinated with the final sign-off of the site plans for Shands Cancer Hospital. The Plan Board has at this point approved the Special Use Permit for a height of eight stories for the hospital, along with preliminary development plan approval.

Public notice was published in the Gainesville Sun on August 1, 2006. Letters were mailed to surrounding property owners on August 2, 2006. The Plan Board held a public hearing on August 17, 2006.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 111SVA-06 PB, with conditions. Plan Board vote 4-0.

Alternative Recommendation A: The City Commission deny Petition 111SVA-06 PB.

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060417.

Street Vacation for Shands Hospital (2 of 6) (B)

Petition 112SVA-06 PB, J. David Knapp, agent for Shands Hospital. Quasi-Judicial. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of Southwest 14th Street located between Southwest 12th Avenue and Southwest 13th Avenue. Related to Petition 110SUP-06PB.

This is a request to vacate a portion of Southwest 14th Street to facilitate the development of a cancer hospital and associated facilities.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following: 1) the Special Use Permit and Site Plan for the Shands Cancer Hospital development must be approved by the City; and 2) the second reading of the ordinance approving the street vacation of a portion of Southwest 14th Street located between Southwest 12th Avenue and Southwest 13th Avenue shall be coordinated with the final sign-off of the site plans for Shands Cancer Hospital. The Plan Board at this point approved the Special Use Permit for a height of eight stories for the hospital, along with preliminary development plan approval.

**Public notice was published in the Gainesville Sun on August 1, 2006.
Letters were mailed to surrounding property owners on August 2, 2006.
The Plan Board held a public hearing on August 17, 2006.**

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 112SVA-06 PB, with conditions. Plan Board vote 4-0.

Alternative Recommendation A: The City Commission deny Petition 112SVA-06 PB.

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060418.

Street Vacation for Shands Hospital (3 of 6) (B)

Petition 113SVA-06 PB, J. David Knapp, agent for Shands Hospital. Quasi-Judicial. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of the Block B 3 alley located between Southwest 13th Avenue and Southwest 14th Avenue. Related to Petition 110SUP-06PB.

This is a request to vacate a portion of the Block B 3 alley located between Southwest 13th Avenue and Southwest 14th Avenue to facilitate the development of a cancer hospital and associated facilities.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following: 1) the Special Use Permit and Site Plan for the Shands Cancer Hospital development must be approved by the City; and 2) the second reading of the ordinance approving the street vacation of a portion of Block B 3 alley located between Southwest 13th Avenue and Southwest 14th Avenue shall be coordinated with the final sign-off of the site plans for Shands Cancer Hospital. The Plan Board at this point approved the Special Use Permit for a height of eight stories for the hospital, along with preliminary development plan approval.

**Public notice was published in the Gainesville Sun on August 1, 2006.
Letters were mailed to surrounding property owners on August 2, 2006.
The Plan Board held a public hearing August 17, 2006.**

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 113SVA-06 PB, with conditions. Plan Board vote 4-0.

Alternative recommendation A: The City Commission deny Petition 113SVA-06 PB.

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060419.

Street Vacation for Shands Hospital (4 of 6) (B)

Petition 114SVA-06 PB, J. David Knapp, agent for Shands Hospital. Quasi-Judicial. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of the Block B 5 alley located between Southwest 12th Avenue and Southwest 13th Avenue. Related to Petition 110SUP-06PB.

This is a request to vacate a portion of the Block B 5 alley located between Southwest 12th Avenue and Southwest 13th Avenue to facilitate the development of a cancer hospital and associated facilities.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following: 1) the Special Use Permit and Site Plan for the Shands Cancer Hospital development must be approved by the City; and 2) the second reading of the ordinance approving the street vacation of a portion of the Block B 5 alley located between Southwest 12th Avenue and Southwest 13th Avenue shall be coordinated with the final sign-off of the site plans for the Shands Cancer Hospital.

Public notice was published in the Gainesville Sun on August 1, 2006. Letters were mailed to surrounding property owners on August 2, 2006. The Plan Board held a public hearing on August 17, 2006.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 114SVA-06 PB, with conditions. Plan Board vote 4-0.

Alternative Recommendation A: The City Commission deny Petition 114SVA-06 PB.

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060420.

Street Vacation for Shands Hospital (5 of 6) (B)

Petition 115SVA-06 PB, J. David Knapp, agent for Shands Hospital. Quasi-Judicial. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of the Block B 2 alley located between Southwest 12th Avenue and Southwest 13th Avenue. Related to Petition 110SUP-06PB.

This is a request to vacate a portion of the Block B 2 alley located between Southwest 12th Avenue and Southwest 13th Avenue to facilitate the development of a cancer hospital and associated facilities.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following: 1) the Special Use Permit and Site Plan for the Shands Cancer Hospital development must be approved by the City; and 2) the second reading of the ordinance approving the street vacation of a portion of the Block B 2 alley located between Southwest 12th Avenue and Southwest 13th Avenue shall be coordinated with the final sign-off of the site plans for the Shands Cancer Hospital. The Plan Board at this point approved the Special Use Permit for a height of eight stories for the hospital, along with preliminary development plan approval.

Public notice was published in the Gainesville Sun on August 1, 2006. Letters were mailed to surrounding property owners on August 2, 2006. The Plan Board held a public hearing August 17, 2006.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 115SVA-06 PB, with conditions. Plan Board vote 4-0.

Alternative Recommendation A: The City Commission deny Petition 115SVA-06 PB.

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060421.

Street Vacation for Shands Hospital (6 of 6) (B)

Petition 116SVA-06 PB, J. David Knapp, agent for Shands Hospital. Quasi-Judicial. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of Southwest 12th Avenue located between Southwest 14th Street and the southern right-of-way line of Railroad Street, as shown on the Little Gandy subdivision. Related to Petition 110SUP-06PB.

This is a request to vacate a portion of Southwest 12th Avenue, located between Southwest 14th Street and the southern right-of-way line of Railroad Street, to facilitate the development of a cancer hospital and associated facilities.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following: 1) the Special Use Permit and Site Plan for the Shands Cancer Hospital development must be approved by the City; and 2) the second reading of the ordinance approving the street vacation of a portion of Southwest 12th Avenue located between Southwest 14th Street and the southern right-of-way line of Railroad Street, as shown on the Little Gandy subdivision, shall be coordinated with the final sign-off of the site plans for Shands Cancer Hospital. The Plan Board has at this point approved the Special Use Permit for a height of eight stories for the hospital, along with preliminary development plan approval.

**Public notice was published in the Gainesville Sun on August 1, 2006.
 Letters were mailed to surrounding property owners on August 2, 2006.
 The Plan Board held a public hearing August 17, 2006.**

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 116SVA-06 PB, with conditions. Plan Board vote 4-0.

Alternative Recommendation A: The City Commission deny Petition 116SVA-06 PB.

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DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

060487.

Downtown Redevelopment Advisory Board Recommendations regarding Homeless Services and the Downtown Plaza Sleep Out (B)

Explanation: At the August 27, 2006 Downtown Redevelopment Advisory Board meeting the Advisory Board discussed concerns with the upcoming sleep out planned for the plaza and the concentration of homeless services. The Downtown Redevelopment Advisory Board discussed the impact of these issues on downtown, including difficulty attracting and retaining new businesses and patrons. The Downtown Redevelopment Advisory Board recommended the CRA recommend the City Commission not approve the upcoming sleep out on the plaza and that homeless services currently provided in the downtown area be spread out throughout the city in accordance with the City's Comprehensive Plan.

Fiscal Note: None

RECOMMENDATION

The City Commission hear a presentation regarding the Downtown Redevelopment Advisory Board's recommendation to: 1) Not approve the upcoming sleep out on the plaza; 2) spread out the homeless services currently provided in the downtown area throughout the city in accordance with the City's Comprehensive Plan; and take appropriate action.

Legislative History

9/18/06	Community Redevelopment Agency	Forwarded to (6 - 0 - 1 Absent)	City Commission
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UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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