

# City of Gainesville

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



## **Meeting Agenda**

**April 19, 2012**

**1:00 PM**

**MODIFIED AGENDA**

**City Hall Auditorium**

## **City Commission**

***Mayor Craig Lowe (At Large)***

***Mayor-Commissioner Pro Tem Thomas Hawkins (At Large)***

***Commissioner Scherwin Henry (District 1)***

***Commissioner Todd Chase (District 2)***

***Commissioner Susan Bottcher (District 3)***

***Commissioner Randy Wells (District 4)***

***Commissioner Jeanna Mastrodicasa (At Large)***

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

## 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. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited."*

## ROLL CALL

## INVOCATION

## CONSENT AGENDA

## CITY MANAGER, CONSENT AGENDA ITEMS

### 110789.

#### **City Support for University of Florida Family Data Center (B)**

**This item involves a request to provide financial assistance to the University of Florida Family Data Center.**

*MODIFICATION: Request to move from the Consent Agenda and place on the Regular Agenda for discussion.*

*Explanation: During the February 16, 2012 Gainesville City Commission meeting, the City Commission expressed a desire to support the University of Florida Family Data Center to develop a Children/Families Report Card in partnership with the Alachua County School Board (School Board) and Alachua County (County). The partnership support will include the City, County and School Board each funding 1/3 of the \$40,000 cost of the program. The City Commission requested that City staff explore and identify alternative funding sources available to provide up to \$13,000 or match the County's contribution to support the University of Florida Family Data Center.*

*On July 14, 2011, the City Commission approved FY 2011-2012 Community Grant Program funding awards in the amount of \$101,440 to fund agency programs and services. Since that time, one agency was determined to be ineligible; and another agency withdrew due to operational issues. This left a remaining balance of \$15,860 unallocated in the Community Grant Program. Since a portion of the Community Grant Program funding was unallocated, the*

*City Commission has the authority to declare these funds as surplus, and assign them to other services. The Community Grant Program's unallocated funds are available for this fiscal year only, and would provide a one-time allocation of up to \$15,860 for other services.*

*Fiscal Note: Unallocated funds in the amount of \$15,860 are available in the FY 2011-2012 Community Grant Program budget.*

**RECOMMENDATION**

*The City Commission: 1) appropriate \$13,000 of unallocated FY 2011-2012 Community Grant Program funds to support the University of Florida Family Data Center program; and 2) authorize the City Manager or his designee to execute any and all necessary documents for the University of Florida Family Data Center program, subject to approval as to form and legality by the City Attorney.*

110789\_Legislative History\_20120419.pdf

**110845.**

**Florida Department of Environmental Protection Office of Greenways and Trails 2012 Grant Application (NB)**

**This item involves a request for the City to accept a grant from the Florida Department of Environmental Protection Office of Greenways and Trails, if awarded, to assist the City in constructing a 150 foot long trail boardwalk at Loblolly Woods Nature Park.**

*Explanation: In January 2012, City of Gainesville Parks, Recreation and Cultural Affairs staff was notified of a grant submittal announcement by the Florida Department of Environmental Protection (DEP), with a submittal deadline of March 30, 2012. Prior to the submittal deadline, staff prepared and submitted a grant application proposing the construction of a 150 foot long, 6 foot wide boardwalk, to be constructed on a trail through the Loblolly Woods Nature Park. The boardwalk is needed on this trail since the trail currently crosses a creek which drains into Hogtown Creek. Pedestrian and bicycle traffic on this trail is causing erosion along the creek bank, thereby contributing to poor water quality in Hogtown Creek. A boardwalk will allow the creek bank to re-vegetate, and will also assist in keeping trail visitors off of the sensitive wetland habitat.*

*Fiscal Note: The total estimated project cost for planning and construction of the proposed boardwalk is \$115,000. The Florida Department of Environmental Protection Office of Greenways and Trails grant would provide \$92,000 (80%) and the City would be obligated to contribute \$23,000 (20%). City funding is currently available in previous capital projects accounts, which can be used for this type of activity.*

**RECOMMENDATION**

*The City Commission: 1) approve the request to accept a grant, if awarded, from the Florida Department of Environmental Protection Office of Greenways and Trails for a proposed boardwalk at Loblolly Woods Nature Park; and 2) if awarded, authorize the City*

*Manager or designee to execute the grant award agreement and other grant-related documents, subject to approval by the City Attorney as to form and legality.*

**110862.****Legal Office Expenses From Federal Law Enforcement Contraband Forfeiture Trust Fund For Remainder of FY 2012 (NB)**

**This is a request for the use of funds from the Federal Law Enforcement Contraband Forfeiture Trust Fund for legal office expenses.**

*Explanation: The requested funding is needed to cover the Gainesville Police Department's Legal Office expenses related to case filing needs, publication requirements, and storage fees for seized property for the remainder of FY 2012. The \$15,000 expenses are necessary for the processing of forfeiture cases. If this request is not paid from the Federal Law Enforcement Contraband Forfeiture Trust Fund, it would need to come from the general fund.*

*Fiscal Note: Funds are currently available in the Federal Law Enforcement Contraband Forfeiture Trust Fund and is allowable under the Guide to Equitable Sharing for State and Local Law Enforcement Agencies. The unreserved fund balance is \$1,052,276 as of 3/20/2012.*

**RECOMMENDATION**

*The City Commission authorize the Gainesville Police Department to appropriate \$15,000 from the Federal Forfeiture Fund.*

**Alternative Recommendation A**

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

**110869.****The Florida Department of Transportation's Safety Office Statewide Nighttime Seatbelt Enforcement, Speed and Aggressive Driving, and Pedestrian High Visibility Enforcement Grants (B)**

**This is a request for City Commission approval to apply for three grants through the Florida Department of Transportation Safety Office.**

*Explanation: The Florida Department of Transportation's Safety Office is sponsoring the Statewide Nighttime Seatbelt Enforcement, Speed and Aggressive Driving and Pedestrian High Visibility Enforcement Grants. All three grant programs are overtime-only proactive traffic enforcement projects. The Nighttime Seatbelt Enforcement grant budget requests the purchase of a \$7,800 capital outlay Light Tower.*

*Fiscal Note: The amount requested through each grant application is as follows:*

*The Statewide Nighttime Seatbelt Enforcement Grant - \$37,800*

*The Speed and Aggressive Driving Grant - \$40,000*

*The Pedestrian High Visibility Enforcement Grant - 30,000*

*Total requested from the Florida Department of Transportation Safety - \$107,800*

**RECOMMENDATION**

*The City Commission authorize the City Manager to apply for, accept, and execute the grant awards subject to approval by the City Attorney as to form and legality and approve the expenditures as outlined in the approved grant awards.*

*Alternative Recommendation*

*The City Commission declines the three proposals in the total amount of \$107,800 and advise staff not to apply for and accept these funds.*

110869a\_NighttimeEnforProgram\_20120419.pdf

110869b\_Speed&AggresssiveDrivGrant\_20120419.pdf

110869c\_PedEnforceProgram\_20120419.pdf

**110875.**

**State Law Enforcement Forfeiture Funding Expenditure for Hiring Of One FTE for Reichert House Youth Academy (NB)**

**This is a request for authorization to use funds from the State Law Enforcement Forfeiture Fund for the hiring of one full-time employee (FTE) for the Reichert House Youth Academy.**

*Explanation: The Reichert House Youth Academy is requesting funding to continue staffing an additional Intervention Specialist position that was funded last year to assist with overall staffing levels for the program. Due to the increased dynamics, grant requirements and the level of maintaining the Reichert House Youth Academy, the Black on Black Crime Task Force requested the additional funding in the amount of \$ 28,000 to hire one Full-Time Employee (FTE). This staff member would serve as an Intervention Specialist at the Reichert House and assist in supervising over 90 youths on a daily basis.*

*Additional duties of this FTE would include working with youth during school hours, as well as after-school hours, home visits and weekend events. The FTE would also serve as a squad leader for a designated group of youth. In addition, this person would assist program participants in achieving the established standards, such as the F.C.A.T. preparation, prevention activities, sports and anger management.*

*Fiscal Note: Funds in the amount of \$28,000 for this expenditure are available in the State Law Enforcement Forfeiture Funding Expenditures and is allowable per the Florida State Statue 932.7055. The fund balance is \$29,349 unreserved balance as of 12/31/11.*

**RECOMMENDATION**

*The City Commission approve the appropriation in the amount of \$28,000 from the State Law Enforcement Contraband Forfeiture Trust Fund for the hiring of one FTE for the Reichert House Youth Academy.*

*Alternative Recommendation*

*The City Commission deny funding.*

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS****CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****110879.****City Commission Minutes (B)****RECOMMENDATION**

*The City Commission approve the minutes of March 12, 2012, March 15, 2012, March 19, 2012, March 26, 2012, March 29, 2012, and April 5, 2012, as circulated.*

110879\_march 12, 2012\_minutes\_20120419.pdf  
110879\_march 15, 2012\_minutes\_20120419.pdf  
110879\_march 19, 2012\_minutes\_20120419.pdf  
110879\_march 26, 2012\_minutes\_20120419.pdf  
110879\_march 29, 2012\_minutes\_20120419.pdf  
110879\_april 5, 2012\_minutes\_20120405.pdf

**110898.****2013 City Election (B)****RECOMMENDATION**

*The City Commission schedule the 2013 Election for March 19, 2013 and run-off (if needed) for April 16, 2013.*

110898\_Academic calendar\_20120419.pdf

**110907.****Appointments to City Commission Advisory Boards and Committees (NB)****RECOMMENDATION**

*The City Commission appoint:*

*Becky Rountree to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan for a term to expire 4/19/14.*

*Christopher Kodadek and Karen Woods to the Citizens*

*Advisory Committee for Community Development for a term to expire 11/1/15.*

*Lewis Brown to the Fire Safety Board of Adjustment for a term to expire 11/1/15.*

*Karen Woods to the Student Community Relations Advisory Board for a term to expire 2/26/14.*

*Christopher Kodadek to the Tree Advisory Board for a term to expire 1/1/15.*

## **EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

## **COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

## **EQUAL OPPORTUNITY COMMITTEE, CONSENT**

## **AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**

### **110498.**

#### **Re-establishment of an Economic Development Officer Position (B)**

*Explanation: On November 3, 2011, the City Commission referred the matter of reestablishing an Economic Development Officer Position to the Audit, Finance and Legislative Committee (AFLC) and the Economic Development University/Community Committee (EDUCC) for discussion.*

*On February 21, 2012, the EDUCC discussed the referral and heard staff information from the Planning and Development Services Director and the City Manager. Comments were provided by the Gainesville Area Chamber of Commerce and the University of Florida Development Corporation as well.*

*On March 15, 2012, the EDUCC presented a report to the City Commission recommending the City Commission direct the City Manager to add the reestablishment of an Economic Development Officer as an increment to the FY 13/14 budget, which was approved unanimously.*

*On April 3, 2012, the Audit, Finance and Legislative Committee (AFLC) discussed this referral and concurred with the actions previously taken and recommended this item be removed from the AFLC's referral list.*

#### **RECOMMENDATION**

*The City Commission remove this item from the Audit, Finance and Legislative Committee referral list.*

#### **Legislative History**

11/3/11	City Commission	Referred (7 - 0)	Audit, Finance and Legislative Committee
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11/3/11	City Commission	Referred	Economic Development/University Community Com
3/15/12	City Commission	Approved as Amended (6 - 0 - 1 Absent)	
4/3/12	Audit, Finance and Legislative Committee	Approved, as shown above	
110498_Memo to EDUCC Chair_20120221.pdf			
110498_Memo_City Manager To EDUCC _20120315.pdf			

**110780.****Regional Transit System (RTS) Driver-Operators Overtime (B)**

*Explanation: The City Commission referred the issue of staffing and overtime for RTS Driver-Operators to the Audit, Finance and Legislative Committee during the City Commission meeting on March 1, 2012.*

*On April 4, 2012, the Audit, Finance and Legislative Committee heard a presentation from RTS staff regarding this issue. Discussion centered upon RTS and Finance Department management working together to reduce overtime expenses through the addition of more budgeted driver-operator positions.*

**RECOMMENDATION**

*The City Commission authorize the City Manager to propose additional RTS Driver-Operator positions in the Fiscal Year 2012 operating budget with no overall increase in the RTS budget. Details on the implementation of this plan will be provided by the City Manager to the City Commission at a later date for formal approval.*

**Legislative History**

3/1/12	City Commission	Referred (7 - 0)	Audit, Finance and Legislative Committee
4/3/12	Audit, Finance and Legislative Committee	Recommended for Approval, as shown above	
110780 RTS Overtime Analysis.PDF			

**110850.****City of Gainesville Fiscal Year 2011 Comprehensive Annual Financial Report, Audited Financial Statements, Auditors' Reports, Auditors' Management Letters and Single Audit Reports, and Management's Written Response (B)**

*Explanation: In accordance with the City's contracts for external auditing services with Carr, Riggs & Ingram, LLC and Ernst and Young, Certified Public Accountants, the following reports are presented for review by the Audit, Finance and Legislative Committee:*

- 1. The Basic Financial Statements, Supplemental Information and Independent Auditors' Report, Management Letters and Single audit Reports of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2011; which are*



- presented in the attached Comprehensive Annual Financial Report;*
- 2. The Financial Statements, Supplemental Information and Independent Auditors' Report of Gainesville Regional Utilities for the Fiscal Year Ended September 30, 2011;*
  - 3. The Financial Statements and Independent Auditors' Report on the Wild Spaces and Public Places (WSP) Funds of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2011;*
  - 4. The Financial Statements and Independent Auditors' Report on the Employees' Pension Fund of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2011;*
  - 5. The Financial Statements and Independent Auditors' Report on the Consolidated Police Officers and Firefighters Retirement Plan of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2011;*
  - 6. The Financial Statements and Independent Auditors' Report on the Disability Pension Fund of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2011; and*
  - 7. The Financial Statements and Independent Auditors' Report on the Other Postemployment Benefits Fund of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2011.*

*In the opinion of the independent auditors, the financial statements referred to in items 1, 2 and 3 above present fairly, in all material respects, the financial position and changes in financial position of the City, GRU and the City's Wild Spaces and Public Places Funds for the year ended September 30, 2011, in conformity with generally accepted accounting principles.*

*In the independent auditors' opinion, the financial statements referred to in items 4, 5, 6 and 7 above present fairly, in all material respects, the net assets and changes in net assets held in trust for benefits for the year ended September 30, 2011, in conformity with generally accepted accounting principles.*

*As part of the audit process the independent auditors issue "management letter comments" along with several other reports related to internal control structure; compliance with certain provisions of laws, regulations, contracts and grants, and internal control structure and certain requirements applicable to federal and state financial assistance programs. These reports are presented within item 1 above under the heading of "Single Audit Section."*

*The auditors' management letter related to General Government and the auditors' management letter and internal control report over financial reporting related to Gainesville Regional Utilities both indicate that there were no recommendations in the current year. The auditors' reported two findings and associated recommendations related to their review of the City's federal grant programs, specifically related to RTS grants and the City's Community Development Block Grant and HOME investment Partnerships Programs. Management responded that they have already or will promptly implement the auditors' recommendations.*

*In accordance with Section 6(b) of Resolution 970187, City Auditor Responsibilities and Administrative Procedures, the City Auditor has reviewed*

*the attached statements and reports to ensure that contractual terms have been fulfilled and transmits these reports with a recommendation for City Commission acceptance.*

**RECOMMENDATION**

*The City Commission accept the subject financial report, financial statements, auditors' reports, management letters and single audit reports; and management's written response.*

**Legislative History**

4/3/12      Audit, Finance      Recommended for Approval (2 - 0)  
                  and Legislative  
                  Committee

110850-3 - Wild Space and Public Places Financial Statements - FY 2011.pdf  
110850-4 - Employees Pension Fund Financial Statements - FY 2011.pdf  
110850-5 - Consolidated Police Officers and Firefighters Pension Plan Financial Statement  
110850-6 - Disability Pension Fund Financial Statements - FY 2011.pdf  
110850-7 - Other Postemployment Benefits Fund Financial Statements - FY 2011.pdf  
110850-2 - GRU Financial Statements - FY2011.pdf  
110850 City Auditor's Transmittal of FY 2011 Audited Financial Statements.pdf  
110850 - A Summary of FY2011 GG Audit Results.pdf  
110850-1 Comprehensive Annual Financial Report (CAFR) - FY2011.pdf  
110850 - B Summary of FY2011 GRU Audit Results.pdf

**110851.****Review of GRU Information Technology Disaster Recovery (B)**

*Explanation: In accordance with our Annual Audit Plan, the City Auditor's Office has completed a Review of GRU Information Technology (IT) Disaster Recovery. The primary objective of our audit was to evaluate the adequacy of GRU policies, procedures and plans related to information technology disaster recovery and data backup. During our review, we interviewed key personnel, reviewed procedures manuals, inspected the data center and evaluated management controls.*

*Based on the results of our review, we believe the GRU IT Disaster Recovery process has strong internal controls in place and uses sound approaches to help ensure that GRU will be able to recover data and resume operations timely in the event of a disaster. We do have three recommendations regarding classroom or functional exercises, improved documentation regarding visitor activity in data centers and timely completion of incomplete Data Recovery Plan elements which we believe will help to strengthen management controls in this area.*

*We request that the Committee recommend the City Commission accept our report and the General Manager's response. Also, in accordance with City Commission Resolution 970187, Section 10, Responsibilities for Follow-up on Audits, we request that the Committee recommend the City Commission instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.*

**RECOMMENDATION**

*The City Commission: 1) Accept the City Auditor's*

*report and the response from the General Manager for Utilities; and 2) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.*

Legislative History

4/3/12      Audit, Finance      Recommended for Approval  
                 and Legislative  
                 Committee

110851 Review of GRU Information Technology Disaster Recovery.pdf

**110854.**

**External Quality Control Review of the City Auditor's Office for the period October 2008 through September 2011 (B)**

*Explanation: The City Auditor's Office conducts all audits in accordance with Government Auditing Standards issued by the Comptroller General of the United States. These standards are broad statements of auditors' responsibilities and provide an overall framework for ensuring that auditors have the competence, integrity, objectivity and independence in planning, conducting and reporting on their work. In order to maintain compliance with Government Auditing Standards, the City Auditor's Office is required to undergo an external quality assurance review every three years.*

*The Association of Local Government Auditors (ALGA) has an established peer review program intended to assist member organizations in their efforts to comply with Government Auditing Standards. ALGA assigned Brian Parks, CPA, from the City of Jacksonville, Florida Office of the Council Auditor and Jon Goodman, CPA, CFE, from the Miami-Dade County, Florida Public Schools Office of Management and Compliance Audit to conduct an external quality control review of the City Auditor's Office.*

*The review team began their work in late 2011, reviewing the operating policies and procedures of the City Auditor's Office and relevant background information. During the week of January 23rd, 2012, the team conducted a site visit in Gainesville, examining the internal quality control system and a sample of audit reports issued, including the audit workpapers supporting the reports. The primary objective of the examination was to determine whether audit work performed by the City Auditor's Office during the three year period from October 2008 through September 2011 complied with Government Auditing Standards issued by the Comptroller General of the United States.*

*Conclusion*

*We are pleased to report the review team found that the City Auditor's internal quality control system was suitably designed and operating effectively to provide reasonable assurance of compliance with Government Auditing Standards. The review team's report, as well as a written response from the City Auditor, is attached.*

**RECOMMENDATION**

*The City Commission accept the External Quality Control Review report prepared by the Association of Local Government Auditors Review Team and the City Auditor's response.*

**Legislative History**

4/3/12      Audit, Finance      Recommended for Approval  
                 and Legislative  
                 Committee

110854 Peer Review Report for 2008 through 2011.pdf

**110855.****Quarterly Financial Report - Gainesville Regional Utilities (B)****RECOMMENDATION**

*The City Commission receive the GRU Quarterly Financial Report as of December 31, 2011.*

**Legislative History**

4/3/12      Audit, Finance      Recommended for Approval  
                 and Legislative  
                 Committee

110855- GRU FY12 First Quarter Financial Report.pdf

**110857.****Fiscal Year 2012 Operating Funds Quarterly Monitoring Report - Quarter Ending December 31, 2011 (B)**

*Explanation: The City's General Government Budget Policy requires staff to prepare and submit a quarterly Budget compliance report in substantially the same form as the final budget document, for all major operating funds, including the status of General Fund fund balances to the Audit, Finance and Legislative Committee.*

**RECOMMENDATION**

*The City Commission receive the quarterly budget monitoring report for the quarter ended December 31, 2011.*

**Legislative History**

4/3/12      Audit, Finance      Recommended for Approval  
                 and Legislative  
                 Committee

110857 - GG FY12 First Quarter Monitoring Report.pdf

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**DISABILITY REVIEW COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA****CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION****CITY MANAGER****110519.****Design and Construction of the Gainesville Police Department Headquarters & Physical Training Facility (B)**

**This is a request for the City Commission to approve the Advanced Schematic Design (ASD) of the Gainesville Police Department (GPD) Headquarters & Physical Training Facility located at the intersection of NW 8th Avenue and NW 6th Street.**

*MODIFICATION: Revised ppt. submitted.*

*Explanation: On December 1, 2011, the City Commission directed the City Manager's office to begin contract negotiations with Mills Gilbane for the Design/Build Services. Since that date, Mills Gilbane has held numerous design meetings with staff and GPD personnel to ascertain the project's scope and to ensure that the City and GPD's expectations are met with the design of the new GPD headquarters facility. The design team held a neighborhood workshop on Thursday, March 15, 2012, with members of the community to gain input and to provide them with an understanding of what the project would entail and how it would affect the surrounding areas.*

*The project will consist of the construction of a new police headquarters facility, demolition of the existing facility located at 721 NW 6th Street, renovation of an existing warehouse for a new police training facility, and associated site infrastructure improvements.*

*Fiscal Note: This agenda item has no fiscal impact unless the City Commission recommends major changes to the building design. Funding for this project was approved by the City Commission on February 16, 2012.*

**RECOMMENDATION**

*The City Commission: 1) approve the Advanced Schematic Design; and 2) direct the Design/Build Firm to continue progress on the construction drawings.*

***Alternative Recommendation***

*The City Commission reject the recommendation and direct staff to obtain a new design plan.*

**Legislative History**

12/1/11 City Commission Approved as Recommended (5 - 0 - 2 Absent)  
 2/16/12 City Commission Approved as shown above (Divided Question) (7 - 0)

110519\_Ranking Recommendation\_20111201.pdf  
 110519\_Presentation\_20120216.pdf  
 110519A\_GPD PPT\_20120419.pdf  
 110519B\_Neighborhood Workshop Info\_20120419.pdf  
 110519A\_MOD GPD PPT\_20120419.pdf

## 110870.

### **Advanced Schematic Design (ASD) Approval of the RTS Bus Fleet Maintenance & Operations Facility (B)**

**This is a request for the City Commission to approve the ASD design documents for the design of the Regional Transit System (RTS) Bus Fleet Maintenance & Operations Facility located at the intersection of SE 1st St. and Veitch St. on Parcels #15702-000-000 (owned by the City) and Parcels #15702-004-000 and 15702-006-000 (Under Contract) and waive the future 30%, 60% and 100% design reviews for this project.**

*MODIFICATION: Revised ppt. submitted.*

*Explanation: On November 3, 2011, the City Commission directed the City Manager's office to begin contract negotiations with CPPI (Charles Perry Partners Inc.) for the Design/Build Services. Since that date, CPPI has held numerous design Charrettes and multiple meetings with staff and RTS personnel to ascertain the project's scope and to ensure that the City and RTS's expectations are met with the design of the new Bus Fleet Maintenance & Operations Facility. The Design Team held two neighborhood workshops (12/6/2012 & 12/13/2012) with members of the community to gain input and to provide them with an understanding of what the project would entail and how it would affect the surrounding areas.*

*The Design/Build Team and staff then conducted Benchmarking Trips to three other Transit Facilities [PSTA (Pinellas Suncoast Transit Authority, St. Petersburg), PalmTran (West Palm Beach), and Lynx (Orlando)] to ascertain the positives and negatives about each facility from the personnel who work there every day and to ensure that their mistakes are not repeated. The Benchmarking Trips also provided the Design/Build Team the opportunity to receive feedback and comments on RTS's conceptual plan from the various end users of each facility.*

*All of the input from the various consultants, the FTA, and the end users, has gone through a thorough and detailed analysis by the Design/Build Team. Each building individually and the site plan as a whole had to be evaluated to ensure that the most viable and functional site plan and building configurations could be ascertained. The Design/Build Team has strived to balance the estimated budget, to achieve LEED Silver for the Operation & Administration Building, comply with all of the FTA requirements and regulations, and still meet the needs of the end users. The Design/Build Team and staff will continue to work with the various City Departments, State, and Federal agencies as the project continues through the approval process.*

*The basis for the design of the RTS Bus Fleet Maintenance & Operations Facility was derived from the criteria outlined in the RFQ, which subsequently has been modified based on the information obtained from the design processes that have occurred to date.*

*The project will consist of the following: an Operations & Administration Building (29,650 SF), Maintenance Building (85,040 SF), Fuel Center (6,380 SF) & Fuel Tanks (3,200 SF), Bus Wash Center (12,728 SF), Parking Area for 200 Busses, Parking Spaces for 70 Non-revenue Vehicles, Parking Spaces for 292 Employee, and Parking Spaces for 10 Guests.*

*As part of a request by the FTA to utilize emerging clean fuels and advanced technologies into the project, staff and the Design/Build Team are researching how solar energy could positively affect the project long term.*

*Fiscal Note: This agenda item has no fiscal impact unless the City Commission recommends major changes to the building design. Funding for this project is from grants through the FTA Section 5309 discretionary grants (State of Good Repair and Livability grants).*

**RECOMMENDATION**

*The City Commission: 1) approve the ASD design; 2) direct the Design/Build Firm to continue progress on the construction drawings; and 3) waive the 30%, 60% and 100% design reviews by the Commission.*

*Alternative Recommendation*

*The City Commission rejects the recommendation and direct staff to obtain a new design plan.*

110870\_RTS PPT\_20120419.pdf

110870\_MOD RTS PPT\_20120419.pdf

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**EQUAL OPPORTUNITY COMMITTEE**

**100419.**

**Local and Minority Business Opportunities in City Projects (B)**

*MODIFICATION: Withdraw from the agenda.*

*Explanation: The Gainesville Charter mandates that the Equal Opportunity Director make an annual report pertaining to local minority business and local small business enterprise procurement program.*

**RECOMMENDATION**

*The City Commission: 1) hear a presentation from the Office of Equal Opportunity staff regarding spending performance with Small and minority firms for FY 11; 2) hear presentations from GRU and General Government staffs regarding outreach activities designed to increase spending performance with small and minority business firms; and 3 take appropriate action.*

**Legislative History**

10/7/10	City Commission	Referred (7 - 0)	Equal Opportunity Committee
11/2/10	Equal Opportunity Committee	Deferred	
12/6/10	Equal Opportunity Committee	Approved as shown above (See Motion) (3 - 0)	
3/23/11	Equal Opportunity Committee	Continued	
4/11/11	Equal Opportunity Committee	No Action Taken	
6/30/11	Equal Opportunity Committee	Approved as shown above (See Motion)	
11/8/11	Equal Opportunity Committee	Continued	
1/10/12	Equal Opportunity Committee	Continued	

100419\_study\_20101206.pdf

100419\_PPT\_20120410.pdf

100419\_SBEP Report\_20120410.pdf

100419\_SBPP Report\_20120410.pdf

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)****RECESS****RECONVENE**



**PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****110785.****City of Gainesville's Citizens' Academy Spring 2012 Graduates (NB)**

*Explanation: The City of Gainesville Communications Office offers the Citizens' Academy, dubbed "Gainesville 101," to educate Gainesville citizens on the diverse services their city government provides and inform them on how they can become more involved in their local government.*

*Participants in this session's Citizens' Academy went behind the scenes of city government operations, met with government officials, toured facilities and asked questions at six weekly sessions. The Citizens' Academy places an emphasis on sustainability, fiscal responsibility and increased interaction via the Citizens' Academy webpages. This is the eleventh graduating class of the City of Gainesville's Citizens' Academy.*

**RECOMMENDATION**

*The City Commission: 1) recognize accomplishments of Gainesville 101 Spring 2012 City of Gainesville Citizens' Academy graduates; and 2) hear brief comments from the class speaker on what they have learned.*

**110880.****Recognize local student water conservation poster contest winners.(NB)**

*MODIFICATION : ppt. submitted.*

*Explanation: The 2012 American Water Works Association (AWWA) Drop Savers Contest was sponsored by GRU to teach local youth about the importance of conserving our most precious resource - water. We were amazed by the creativity displayed by the participating students and had a difficult time choosing the winners. We selected 13 posters that have been made into a calendar and will be distributed to all the classes that participated. From those, we chose four posters to enter into the state-wide AWWA competition. GRU provided pizza parties to the winning classes. Staff will present certificates to the winners at the Commission meeting.*

*Fiscal Note: Fiscal impacts are estimates based on staff's analysis of the proposed legislation and therefore are subject to change.*

**RECOMMENDATION**

*The City Commission recognize local student winners from the Drop Savers water conservation poster contest.*

110880\_MOD\_GRU\_PPT\_20120419.PDF.Presentation for Item 110880.pdf

**110886.** 5th Avenue Arts Festival Days - April 21-22, 2012 (B)

**RECOMMENDATION**                      *Cultural Arts Coalition Executive Director NKwanda Jah and Board Chairman Dr. Anthony Greene to accept the proclamation.*

110886\_5thAveArts\_20120419.pdf

**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet****PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED****110856.** First Amendment to the FY2011-2012 General Government Financial and Operating Plan (B)

*Explanation: The purpose of this amendment is to accurately reflect and incorporate into the City's FY 2011-2012 General Government budget those transactions and activities that were not anticipated during the budget process.*

*Fiscal Note: All of the recommended changes are funded either by increases in revenue budgets, decreases in expenditure budgets, or decreases in appropriate fund balances.*

**RECOMMENDATION**                      *The City Commission adopt the proposed resolution.*

**Legislative History**

4/3/12	Audit, Finance and Legislative Committee	Recommended for Approval
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110856-1 FY12 1st Amendatory Budget Resolution.pdf

110856 - Attachment A From FY12 1st Amendatory Budget Resolution.pdf

**110889.** Approval of Resolution and Authorization of General Manager for Sale of GRU Real Property. (B)

**Staff is requesting approval of a Resolution and authorization of the General Manager to execute a Special Warranty Deed and all documents for closing the sale of real property.**

*MODIFICATION: Revised ppt. submitted.*

*Explanation: At the City Commission meeting held on February 19, 2009, the City Commission declared the GRU Rail Spur corridor property and the 95 acre Santa Fe River property as surplus property and authorized the General Manager to enter into a one year Option Agreement for the sale of the property.*

*Attached for reference are the agenda item from February 19, 2009 and a map of the property. An Option Agreement for Sale and Purchase between the City of Gainesville, Florida Communities Trust, and Alachua Conservation Trust, Inc. was negotiated by staff. On February 20, 2012, the fully executed agreement was received.*

*Florida Communities Trust is a non-regulatory agency within the State of Florida Department of Environmental Protection and is funding this project through a grant award to Alachua Conservation Trust, Inc. The grant project has been named the "Santa Fe River Creek Preserve" (FCT Project Number: 08-082-FF8) Approval of a resolution is a requirement of the Option Agreement and it must certify that the City of Gainesville, Florida is the record owner of the real property and has the authority to dispose of the real property in accordance with the provisions described in the Option Agreement and that no member of the Gainesville City Commission will receive monetary compensation from the proceeds of the sale nor does any Gainesville City Commission member have a personal interest in the transaction. In this regard, the Mayor and each commissioner has executed an affidavit. It is also necessary to acquire authorization for the General Manager to execute all closing documents necessary to complete the sale.*

*Fiscal Note: The total sale price of the property is \$800,000, less the City's closing costs and expenses as established in the Option Agreement for Sale and Purchase.*

**RECOMMENDATION**

*The City Commission: 1) adopt a resolution, subject to approval by the City Attorney as to form and legality, certifying to Alachua Conservation Trust, Inc., and the Florida Communities Trust that the City of Gainesville, Florida is the record owner and has the authority to dispose of the real property as described in an Option Agreement for Sale and Purchase dated February 20, 2012 between the City of Gainesville, the Florida Communities Trust, and the Alachua Conservation Trust, Inc., and that no member of the Gainesville City Commission will receive monetary compensation from the proceeds nor does any Gainesville City Commission member have a personal interest in the transaction; 2) authorize the General Manager, or his designee, to execute a Special Warranty Deed and all documents necessary to complete the closing for the City's sale of the real property in accordance with the Option Agreement for Sale and Purchase, subject to approval by the City Attorney as to form and legality.*

Rail Spur Resolution.pdf  
Affidavits for Rail Spur resolution.pdf  
110889\_Railspur power point\_20120419.pdf  
110889\_MOD\_REVISIED PPT\_2012\_0419.pdf

**ADOPTION READING-ROLL CALL REQUIRED**

## ORDINANCES, 1ST READING- ROLL CALL REQUIRED

### 110700.

#### PLUM CREEK TIME EXTENSION (B)

##### **Ordinance No. 110700**

**An ordinance of the City of Gainesville, Florida, amending Ordinance No. 070447 (as was subsequently amended by Ordinance No. 100189) related to Plum Creek Planned Use District (PUD); by providing an extension of time to adopt a Planned Development (PD) zoning ordinance; by deleting redundant Section 4 of both Ordinance No. 070447 and Ordinance No. 100189; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: This Ordinance extends the timeframe for which a Planned Development (PD) zoning ordinance must be adopted to implement the Plum Creek Planned Use Development (PUD) land use overlay.*

*The PUD land use overlay as adopted on January 27, 2009 in Ordinance No. 070447 was subsequently amended by the adoption of Ordinance No. 100189 on October 21, 2010. One of the amendments included a time extension for the adoption of the PD zoning ordinance until July 26, 2012.*

*On January 16, 2012, the Plum Creek Timber Company, Inc. (Applicant) requested a time extension for the deadline to adopt a PD zoning ordinance to implement the PUD land use overlay by an additional 48 months to July 26, 2016. On March 1, 2012, the City Commission considered the Applicant's request and authorized the City Attorney to draft an ordinance for consideration by the City Commission.*

#### CITY ATTORNEY MEMORANDUM

*This Ordinance requires two hearings. Should this Ordinance pass on first reading, second and final reading will be held on May 3, 2012.*

#### RECOMMENDATION

*The City Commission adopt the proposed Ordinance.*

#### Legislative History

3/1/12 City Commission Approved as Recommended (6 - 0 - 1 Absent)

110700A\_Plum Creek letter\_20120301.pdf

110700B\_Adopted Ord 100189\_20120301.pdf

110700A\_draftordinance\_20120419.pdf

### 110786.

#### TEXT AMENDMENT - AMEND THE LAND DEVELOPMENT CODE TO ADD RESEARCH AND DEVELOPMENT IN THE PHYSICAL, ENGINEERING AND LIFE SCIENCES AS A PERMITTED USE IN THE CCD ZONING DISTRICT (B)

**Ordinance No. 110786; Petition No. PB-11-150 TCH**

**An ordinance of the City of Gainesville, Florida, amending Section 30-66 Central city district (CCD) of the Land Development Code; by adding research and development in the physical, engineering and life sciences to the list of permitted uses by right; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This Petition and Ordinance amend Section 30-66 Central city district (CCD) of the Land Development Code by adding "research and development in the physical, engineering and life sciences" to the list of uses by right permitted in the Central city district (CCD) zoning district. This use is defined in Section 30-23 of the Land Development Code as "...establishments primarily engaged in conducting research and experimental development in the physical, engineering, or life sciences, such as agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forest, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary, and other allied subjects (NAICS 1997-541710)." This use is consistent with the stated purpose of the CCD zoning district to "provide a means to improve the physical, economic, social and cultural character of downtown Gainesville."*

*The proposed addition of research and development in the physical, engineering and life sciences to the list of uses permitted by right in the CCD zoning district is consistent with Future Land Use Element Goal 2 regarding redevelopment and with Objective 2.2 and implementing policies regarding the Innovation Zone. This proposed use is consistent with the Mixed-Use High-Intensity (MUH) future land use category, which is the land use category that corresponds with CCD zoning. MUH allows "a mixture of residential, office, business uses and light industrial uses."*

*Public notice was published in the Gainesville Sun on February 7, 2012. On February 23, 2012, the City Plan Board held a public hearing and, by a vote of 7-0, approved the Petition.*

*CITY ATTORNEY MEMORANDUM*

*This Ordinance requires two hearings. Should this Ordinance pass on first reading, second and final reading will be held on May 3, 2012.*

**RECOMMENDATION**

*The City Commission (1) approve Petition PB-11-150 TCH and (2) adopt the proposed Ordinance.*

110786A\_draftordinance\_20120419.pdf  
110786B\_staff report\_20120419.pdf  
110786C\_Exhibits A-1 - Exhibits A-3\_20120419.pdf  
110786D\_Comprehensive Plan GOPs\_20120419.pdf  
110786E\_Application\_20120419.pdf  
110786F\_citizen letter\_20120419.pdf  
110786G\_cpb minutes\_20120419.pdf  
110786H\_staff ppt\_20120419.pdf

**110788.****TEXT AMENDMENT - AMEND THE LAND DEVELOPMENT CODE TO CHANGE THE LIST OF PROHIBITED USES IN THE SOUTHEAST GAINESVILLE RENAISSANCE INITIATIVE AREA (B)****Ordinance No. 110788; Petition No. PB-11-156 TCH**

**An ordinance of the City of Gainesville, Florida, amending Appendix A. Special Area Plans Section 8. Special Area Plan Southeast Gainesville Renaissance Initiative Area of the Land Development Code; by deleting drive-throughs as a prohibited use; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This Petition and Ordinance amend the Southeast Gainesville Renaissance Initiative Area (SEGRI) special area plan by deleting drive-throughs as a prohibited use in this overlay zoning district. The prohibition on drive-through facilities was first established in the smaller (approximately 49 acres) 5-Points Special Area Plan overlay zoning district, which was repealed and replaced by the approximately 1,107-acre (1.7 square miles) SEGRI Special Area Plan overlay district upon adoption of Ordinance No. 090483 on April 7, 2011. Consideration of whether drive-through facilities should continue to be prohibited in the SEGRI overlay district was not formally examined when the SEGRI district was established.*

*The drive-through prohibition is a potential impediment to the promotion of non-residential development within the 1.7-square-mile SEGRI overlay district, and is inconsistent with the first objective of the SEGRI Special Area Plan to promote both residential and non-residential development.*

*If the drive-through prohibition is removed from the SEGRI Special Area Plan, any proposed drive-through facilities will be subject to the requirements of Policies 1.4.4 and 1.4.5 of the Concurrency Management Element, which include a Special Use Permit review.*

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

**CITY ATTORNEY MEMORANDUM**

*This Ordinance requires two hearings. Should this Ordinance pass on first reading, second and final reading will be held on May 3, 2012.*

**RECOMMENDATION**            *The City Commission (1) approve Petition PB-11-156 TCH and (2) adopt the proposed Ordinance.*

110788A\_draftordinance\_20120419.pdf  
 110788B\_staff report\_20120419.pdf  
 110788C\_Maps\_20120419.pdf  
 110788D\_Comp Plan GOPs\_20120419.pdf  
 110788E\_Application\_20120419.pdf  
 110788F\_cpb minutes\_20120419.pdf  
 110788G\_staff ppt\_20120419.pdf

## **ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

### **PLAN BOARD PETITIONS**

#### **110814.**

**Amend Future Land Use Map for Forest Park from AL County REC to City REC, CON & PF (B)**

**Petition PB-11-137 LUC. City Plan Board. Amend the City of Gainesville Future Land Use Map from Alachua County Recreation to Recreation, Conservation, and Public Facilities. Located at 2000 SW 43rd Street.**

*Explanation: This petition is a large-scale land use amendment to change the future land use map from Alachua County Recreation to the City of Gainesville Recreation (REC), Conservation (CON), and Public Facilities (PF) land use designations on the subject property. The approximately 26.4 acre property is located at 2000 SW 43rd Street, on the southwest corner of SW 43rd Street and SW 20th Avenue. The property includes Forest Park, a community park with active recreational facilities including basketball goals, soccer fields, sand volleyball courts, picnic shelters and an off-leash dog area. Also included is Alachua County Fire Rescue Station #19. If the proposed land use designations are approved, the zoning designations that will be proposed for the property would be PS (Public services and operations district) and Conservation, with the active recreation portion of the park and the fire rescue station under PS and the remainder under Conservation. This land use change is required to apply City land use on property annexed in 2009. This proposed land use amendment applies City land use designations that match the existing Alachua County land use with the exception of the portion of land that includes the fire rescue station and the area included in the Strategic Ecosystem. It was determined that a PF land use is more compatible and appropriate for the fire rescue station. It was also determined that the western area of the park adjacent to Hogtown Creek consists of environmentally sensitive lands that are constrained for development. Staff proposes to designate areas of the site impacted by the creek, wetlands, and the flood channel district as CON zoning.*

*Key Issues*

- \* City of Gainesville land use designations must be applied to annexed properties. This proposal promotes the stable continuation of the existing uses.*
- \* The REC land use designation was chosen for the active recreation portion of the site because it is compatible with the existing Alachua County Recreation land use, as well as with the active recreation uses at the site.*
- \* The PF land use designation is most appropriate for the fire rescue station portion of the site.*
- \* The CON land use designation is appropriate for portions of the site because of the environmental features present, including Hogtown Creek, the ten-year flood channel, mature hardwood forest, and wetlands. This proposal protects sensitive environmental features.*

*Planning Division staff recommended approval of Petition PB-11-137 LUC. The City Plan Board reviewed the petition and recommended approval, Plan Board vote 7-0.*

*Public notice was published in the Gainesville Sun on February 7, 2012. The Plan Board held a public hearing on February 23, 2012.*

*Fiscal Note: None.*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve Petition PB-11-137 LUC. Plan Board vote 7-0.*

*Staff to City Commission - The City Commission approve Petition PB-11-137 LUC.*

*Staff to City Plan Board - Approve Petition PB-11-137 LUC.*

110814A\_staff report\_20120419.pdf  
 110814B\_Comp Plan GOPs\_20120419.pdf  
 110814C\_Land Development Code\_20120419.pdf  
 110814D\_Supplemental Documents\_20120419.pdf  
 110814E\_Application\_20120419.pdf  
 110814F\_cpb minutes.pdf  
 110814G\_staff ppt\_20120419.pdf

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**



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