

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

June 19, 2014

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Lauren Poe (At Large)
Commissioner Helen Warren (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Mayor-Commissioner Pro Tem Todd Chase (District 2)
Commissioner Craig Carter (District 3)
Commissioner Randy Wells (District 4)

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

CALL TO ORDER**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**

[140003.](#)

Grant Applications for Hoggetowne Medieval Faire and The Downtown Cultural Series (this includes Jest Fest, "Free Fridays" Concert Series, The Downtown Festival and Art Show, Downtown Countdown New Year's Eve Celebration and Holiday Tree Lighting Celebration) (NB)

This item involves a request to authorize submission of two applications by the Parks, Recreation and Cultural Affairs Department for grants from the Alachua County Tourist Product Development Program for funds to provide marketing and production support for the Hoggetowne Medieval Faire and the Downtown Cultural Series.

Explanation: The Parks, Recreation and Cultural Affairs Department wishes to submit grant applications to the Alachua County Tourist Product Development Program for funds to provide marketing and production support for the 2015 Hoggetowne Medieval Faire and the 2015 Downtown Cultural Series. Two separate grant applications will be submitted. The grant request for the Hoggetowne Medieval Faire is for the sum of \$50,000 and the grant request for the Downtown Cultural Series is for the sum of \$50,000. The intent of the Tourist Product Development Program is to stimulate and encourage the development of new experiences for

visitors to Alachua County. A condition of the grant funding is that a percentage of funds is to be spent on marketing outside of Alachua County. The grants will pay for advertising and promotion in daily and monthly print publications, and will include radio and television broadcasts. The remaining balance will be spent on entertainment and production. The Department has successfully applied for grant funding from the Alachua County Tourist Product Development Fund to support its events since FY 2008.

Fiscal Note: No matching funds are required.

RECOMMENDATION

The City Commission: 1) approve the submission of two grant applications to Alachua County Tourist Product Development Program; 2) authorize the City Manager to execute the applications; and 3) if awarded, authorize the City Manager to execute the grant agreement(s) and other grant-related documents subject to approval by the City Attorney as to form and legality.

[140016.](#)

Application for Disability Retirement for James C. Thiboult (B)

Retirement application for James C. Thiboult, Vehicle Service Attendant with Regional Transit System (RTS) for 15 years, who has been under the care of a physician.

Explanation: A meeting of the Disability Review Committee was conducted on Tuesday, May 20, 2014 to review the application for disability retirement of James C. Thiboult. In reviewing the application and supporting information from his physicians, it is the recommendation of the Disability Review Committee that the City Commission approve the application.

James Thiboult, Vehicle Service Attendant with the Regional Transit System (RTS) for 15 years, has been under the care of a physician for medical reasons. Information provided to the Committee from his physicians and the City of Gainesville's third party administrator, American General Life Companies, states that Mr. Thiboult is totally disabled and wholly and continuously unable to perform any and every duty of his employment or of a position to which he may be assigned.

Fiscal Note: The current monthly salary, final average earnings of the employee's 36 highest consecutive months of earnings, and the estimated benefit for this employee has been determined to be: current monthly salary - \$00.00 (employee no longer able to work); final average monthly earnings - \$2,752.98; unadjusted monthly disability benefit - \$825.89. Offset for General Plan Early Retirement of approximately \$763.79 will be applied decreasing the monthly disability benefit to \$62.10. Social Security Offset has yet to be determined. Benefit shall become effective July 1, 2014, upon the City Commission's approval and would be paid from the Disability Pension Fund.

RECOMMENDATION

The City Commission approve the submitted application for disability retirement for James C. Thiboult, Vehicle Service Attendant, Regional Transit System.

[140016_Thiboult_Documentation_20140619.pdf](#)

[140039.](#)

Maintenance and Inspection Services for General Government Elevators (B)

This is a request for the City Commission to ratify and approve a two (2) year nine (9) month contract and amendment with Thyssen Krupp Elevator Corporation for Maintenance and Inspection Services for General Government Elevators.

Explanation: During a self-audit, staff discovered that while the annual amount of this contract was below the \$50,000 purchasing limit, the total for the two (2) year nine (9) month contract exceeded the purchasing limits and therefore required City Commission approval. This request for ratification and approval is to correct that oversight.

Elevators are required in many General Government buildings in order to keep the City in compliance with ADA requirements. On December 13, 2012, the Facilities Division piggybacked a publicly solicited RFP issued by National Joint Powers Alliance; the RFP was awarded to Thyssen Krupp Elevator Corporation to provide maintenance and inspection services. The contract for the City of Gainesville General Government elevators started on January 1, 2013 and terminates on September 30, 2015 with an annual amount of \$22,380.

The First Amendment was executed on May 6, 2014 to include the Gainesville Police Departments Elevators for a total contract amount of \$24,270 annually.

Fiscal Note: Funds are available in the FY15 General Fund Facilities Management Mechanical budget for Maintenance and Inspection Services for General Government Elevators and additional routine repairs.

RECOMMENDATION

The City Commission: 1) ratify and approve the contract and first amendment to Thyssen Krupp Elevator Corporation for the Maintenance and Inspection Services, and 2) authorize the City Manager, or designee, to execute the contract and any necessary documents, subject to approval by the City Attorney as to form and legality.

[140039_Elevator_Contract_Amendment_20140619.pdf](#)

[140042.](#)

City Facilities Fire Alarm Monitoring and Maintenance Services (B)

This is a request for the City Commission to approve a two (2) year contract and amendments with W.W. Gay Fire Protection, Inc. for Fire Alarm Monitoring and Maintenance Services.

Explanation: During a self-audit, staff discovered that while the annual amount of this contract was below the \$50,000 purchasing limit, the total for the initial two (2) year contract period exceeded the purchasing limits and required City Commission approval. This request for approval is to correct that oversight.

On June 18, 2013, W. W. Gay Fire Protection, Inc. was awarded the service contract, through City of Gainesville Purchasing Division, to provide monitoring, annual inspections and maintenance services to all related fire alarm equipment for all City of Gainesville General Government facilities for an annual contract value of \$45,000. The contract period started on October 1, 2013, and terminates on September 30, 2015, with an option for up to three (3) annual extensions.

On January 15, 2014, the First Amendment added the Centralized Fleet Garage to the contract at a cost of \$323.40, for an annual contract amount of \$45,323.40.

On February 27, 2014, the Second Amendment added the Gainesville Empowerment Center, Gainesville Police Department Headquarters, and the Gainesville Police Department Training Facility to the contract for a cost of \$1,976.60, for an annual contract amount of \$47,300.

Fiscal Note: Funds are available in the FY15 General Fund Facilities Management Mechanical budget for this contract.

RECOMMENDATION

The City Commission: 1) approve the contract and amendments with W.W. Gay Fire Protection, Inc. for the Fire Alarm Monitoring and Maintenance Services; and 2) authorize the City Manager, or designee, to execute the contract and any necessary documents, subject to approval by the City Attorney as to form and legality.

[140042_WW Gay Contract & Amendments_20140619.pdf](#)

[140057.](#)

Human Resources Policy E-1, Employment (B)

This item is to amend HR Policy E-1 to conform to the Motion adopted by the City Commission during its April 17, 2014 discussion regarding recruitment processes.

Explanation: Human Resources Policy E-1, Employment, is amended to include Recruitment and Selection guidance; to require hiring departments to

interview a minimum number of eligible internal candidates for internal and external recruitments; and to require diverse interview panels when panels are used during selection processes for regular appointments.

Fiscal Note: There is no direct fiscal impact for the changes to Policy E-1.

RECOMMENDATION

The City Commission approve revisions to Human Resources Policy E-1, Employment.

[140057A E-1 Employment Policy Revised 6-19-14 \(clean\) 20140619.pdf](#)

[140057B E-1 Employment Policy Revised 6-19-14 \(strikethrough\) 20140619.pdf](#)

[140068.](#)

Cade Museum License Agreement and Second Amendment to Memorandum of Understanding for Cade Museum & Depot Park (NB)

Explanation: The Cade Museum was selected to site a new 45,000 sq ft building at the western edge of the Depot Park site along Main Street. CRA staff has been working with Cade Museum representatives to develop terms for a long term agreement for the site. At the December 19, 2013 City Commission meeting, a request to extend the deadline for an agreement with the Cade Museum was approved until June 30, 2014. This additional time requested was due to the on-going stormwater pond construction and a request from the Cade Museum Foundation to change the development and disposition agreement from a sale of the land to a lease agreement. Completion of the stormwater pond construction and regulatory verification of the remediation of the boundary area for the museum are critical milestones to achieve prior to negotiating and finalizing the lease agreement between the City of Gainesville and the Cade Museum for long-term occupancy of the site. As these milestones are still in progress and not yet completed, CRA staff and Cade Museum representatives are requesting a license agreement which would allow the Cade Museum to maintain momentum on the planning for the museum, and to conduct further investigation, testing and surveying of the site to inform further stages of design work. While the license agreement is in effect, the CRA, City and Cade Museum will negotiate a long-term agreement which will outline lease terms and address any assistance for any extraordinary infrastructure costs that are identified as the project is further developed.

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

RECOMMENDATION

CRA Board to City Commission: 1) Authorize the City Manager to negotiate and execute a license agreement with the Cade Museum, subject to approval by the City Attorney as to form and legality; and 2) Authorize an extension of the

deadline for execution of a final development and disposition agreement until June 30, 2015, subject to approval by the City Attorney as to form and legality.

[140078.](#)

FY 2014 Internet Crimes Against Children Task Force Program Continuation (NB)

This is a request for City Commission approval to apply for funding under the FY 2014 Internet Crimes Against Children Task Force Program Continuation.

Explanation: The United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention requests that the City of Gainesville apply for funding under the FY 2014 Internet Crimes Against Children Task Force Program Continuation. This funding will allow the continuation of the Gainesville Police Department's North Florida ICAC Task Force which provides equipment, training, and investigative support to agencies investigating crimes involving the victimization of children through the use of technology. The Task Force serves 38 counties in the State of Florida and the US Virgin Islands.

Fiscal Note: The City is eligible to receive grant funding up to a maximum of \$375,805. No matching funds are required. The effective dates of the grant are July 1, 2014 - June 30, 2015.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to apply for these funds, and 2) execute any additional documents that may be required, pending review of the City Attorney as to form and legality.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

[140033.](#)

LISA MELTON, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JARED MELTON, DECEASED V. CITY OF GAINESVILLE D/B/A GAINESVILLE REGIONAL UTILITIES, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, COURT CASE NO. 2012-CA-4494 (NB)

Explanation: On August 22, 2011, Jared Melton ("Melton") was working at the Tuscan Bend Apartments performing boring samples on the premises. His employers had previously contacted Sunshine State One Call to have underground utilities located on the property. Gainesville Regional Utilities (GRU) performed a series of locates on the property.

One of the requests was to locate utility infrastructure within 10 feet of the perimeter of Building B. The GRU Underground Utilities Technician located utilities in that area using both maps and a transmitter/receiver locating tool. No utilities were located in the area eventually excavated by Melton. However, while excavating in the area with a metal hand auger, Melton contacted an energized wire which resulted in his death by electrocution.

An investigation by GRU after the incident revealed that the map illustrating the location of its utilities in the area was spatially inaccurate. Instead of the underground electric wire being 35 feet off Building B as shown in the map, the wire was physically located 7 feet off the building, within the area GRU had been asked to perform a locate. In addition, the transformer which was the energy source for that underground wire was remotely located and adjacent to a different building within the complex. That transformer, according to the map, had no relation to Building B. Therefore, the technician hooked up his transmitter/receiver locating tool to the transformer that was in closest proximity to and supplying power to Building B. The underground infrastructure associated with that transformer was located.

At the time of his death, Melton had two children, a one-year old son and a six-year old daughter. Melton's mother, the Personal Representative of his estate, brought a wrongful death action against the City on behalf of the Estate and his two children. The lawsuit alleges that the City was negligent in that it failed to properly locate the area, maintained inaccurate maps, and failed to warn of the underlying utility line. The lawsuit requests damages to include a) loss of net accumulations Melton would have left as part of his estate had he lived his normal life expectancy; b) medical and funeral expenses; c) the loss of support and services for each survivor; and d) for his two minor children the loss of parental companionship, instruction, guidance and mental pain, and suffering.

The City has a commercial general liability insurance policy with an umbrella policy that covers GRU operations. Under the policies, the City is responsible for the first \$100,000, Liberty Mutual for the next \$900,000, the City for the next \$10,000 and AIG for any excess amount up to a limit of 10 million dollars. Counsel for the insurance carriers and the City Attorney's Office engaged in discovery and eventually participated in mediation. The recommended settlement is a result of discussions continued after the mediation.

Section 768.28, Florida Statutes, waives sovereign immunity for the State and its political subdivisions for torts, but only to the extent provided for in the statutes. At the time this incident occurred, liability was waived to settle claims up to \$100,000 per person and \$200,000 per incident absent a claims bill being presented to the legislature. An exception to the requirement of a claims bill exists when a settlement is negotiated within the limits of insurance coverage.

The Personal Representative for the Estate, the City and the Insurance companies have reached a recommended negotiated settlement in this case for 1.2 million dollars. The settlement amount will provide current support for the children, establish an annuity for both children and pay the attorney's fees and costs of the case. After approval by the City Commission, the settlement will be presented to the Court which will appoint a Guardian to review the settlement on behalf of the children and if recommended by the Guardian, approve the settlement.

RECOMMENDATION *The City Commission: 1) approve the terms of the negotiated settlement; and 2) authorize the City Attorney to settle the claim of Lisa Melton, as Personal Representative of the Estate of Jared Melton, resulting from an incident that occurred on August 22, 2011.*

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[140065.](#)

City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of May 15, and May 22, 2014.*

[140065_minutes_20140619.pdf](#)

[140063.](#)

Resignation of Kate Preston from Nature Centers Commission Advisory Board (B)

RECOMMENDATION *The City Commission accepts the resignation of Kate Preston, effective immediately.*

[140063_Resignation_20140619.pdf](#)

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

[140067.](#)

Amendments to the HRB Rules of Procedure (B)

Explanation: Amendments to the attendance section of the rules are required for them to be consistent with Ordinance No. 110658 relating to requirements for members of quasi-judicial, administrative, and advisory boards. At its May 22, 2014 meeting the Human Rights Board approved the amendments to the Rules of Procedure and asked that they be put on a City Commission agenda for approval.

RECOMMENDATION *The City Commission approve the amendments to the Gainesville Human Rights Board Rules of Procedure.*

[140067_HRB Rules of Procedure_20140619.pdf](#)

[140067a_HRB Rules of Procedure_20140619.pdf](#)

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

[110259.](#)

Historic Structure Protection (B)

This is a request for the City Commission to approve the Historic Stabilization Fund program.

Explanation: Following the demolition of Jack's Bar, on August 4, 2011, a motion was made by Commissioner Mastrodicasa to refer to the Community Development Committee a program to protect historic structures. On October 25, 2011, the Community Development Committee made a motion to create an interdepartmental process that would identify and manage the neglect of historic structures and identify paths of stabilization and financing.

Updates were provided to the Community Development Committee on August 27, 2012 and November 27, 2012.

On May 29, 2013, the Community Development Committee (CDC) recommended, as a part of the budget process, to set \$30,000 aside for gap financing and to address stabilization issues of historic structures as a pilot program to start in 2014. This will be known as the Historic Stabilization Fund (HSF) program.

The CDC asked that the following recommendations be incorporated into the Historic Stabilization Fund (HSF) program. The program will be limited to houses in the Pleasant Street Historic District that are on the Code Enforcement violation map. Properties with code violations should be a priority for the stabilization funds. Additional properties may be identified and included on the map by Code Enforcement as violations occur. Eligibility should prioritize owner occupants and investors with occupants/tenants. The HSF program will provide loan funding of up to

\$5,000 for a period of up to 10 years. The program allows for forgiveness of the funding. The house would need to be occupied for 8 years (of the 10) for full forgiveness. This allows for up to 2 years for construction and/or rehabilitation. Anything less than 8 years would be forgiven on a prorated basis.

The date of the Historic Stabilization Fund (HSF) is anticipated to be July 1, 2014 and will end on September 30, 2014.

A further recommendation included: Currently, the Housing & Community Development Rehabilitation programs normally require that the house be owner-occupied for 5 years in advance of application. Consider adding a waiver to the existing Housing & Community Development Rehabilitation programs allowing applicants to use both programs, contiguously.

Fiscal Note: \$30,000.00 for one year.

RECOMMENDATION

Community Development Committee recommended to the City Commission to approve the Historic Stabilization Fund (HSF) program with recommendations incorporated as follows:

- Focus on pilot program on houses in Pleasant Street that are on the Code Enforcement violation map.
- Properties with code violations should be a priority.
- Eligibility should prioritize owner occupants and investors with occupants/tenants.
- Matching loan funding of up to \$5,000 for a period of up to 10 years.
- Forgiveness of full funding if the house is occupied for 8 years of the 10 years.
- Prorated forgiveness of funding if occupied less than 8 years.
- Consider adding a waiver to the existing HCD Rehabilitation programs allowing applicants to use both programs; the rehabilitation programs normally require that the house be owner-occupied for 5 years in advance.

Alternative Recommendation
Staff to City Commission - The City Commission refer the item back to the Community Development Committee for further consideration.

Legislative History

8/4/11	City Commission	Referred to the Community Development Committee
10/25/11	Community Development Committee	Approved as shown above (See Motion)

8/27/12	Community Development Committee	Approved as shown above (See Motion)
11/27/12	Community Development Committee	Approved as shown above (See Motion)
4/29/13	Community Development Committee	Approved as Recommended
4/9/14	Community Development Committee	Approved as shown above (See Motion)
5/14/14	Community Development Committee	Approved, as shown above - See Motion(s)

[110259A Memo to CDC 20111025.pdf](#)
[110259B August 4 2011 CC Minutes 20111025.pdf](#)
[110259C PPT on Demo By Neglect 20111025.pdf](#)
[110259D NTHP Info 20111025.pdf](#)
[110259E Final Dem by Neglect and Min Maintenance Ordinance 20111025.pdf](#)
[110259F Ordinance Flow Chart 20111025.pdf](#)
[110259G A Model for Other Cities 20111025.pdf](#)
[110259H Tallahassee HPGL 20111025.pdf](#)
[110259 Demo by Neglect Memo 20120827.pdf](#)
[110259 HP Update Memo 20121127.pdf](#)
[110259 Memo Historical Structures 20130429.pdf](#)
[110259A Rehab Program CDC Back-Up 20140409.pdf](#)
[110259B MAP and LIST 20140409.pdf](#)
[110259C Brochure 20140409.pdf](#)
[110259D Application 20140409.pdf](#)
[110259A Historic Stabilization Fund Matrix 20140514.pdf](#)
[110259B HSF Application 20140514.pdf](#)
[110259C Brochure for Rehab Assistance Program 20140514.pdf](#)
[110259D City of Gainesville Rehab Program 20140514.pdf](#)
[110259E Pleasant-St-Violations \(4\) 20140514.pdf](#)
[110259F Dangerous Violation List 20140514 .pdf](#)
[110259A Historic Stabilization Fund Matrix 20140619.pdf](#)
[110259B City of Gainesville Rehab Program. 20140619.pdf](#)
[110259C Brochure for Rehab Assistance Program 20140619.pdf](#)
[110259D HSF Application 20140619.pdf](#)
[110259E Pleasant-St-Violations 20140619.pdf](#)
[110259F Dangerous & Violation List 20140619.pdf](#)
[110259G Draft CDC 5-14-14 Minutes.pdf](#)
[110259H staff ppt 20140619.pdf](#)

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER[130814.](#)**Interlocal Agreement between the City of Gainesville and Alachua County for the Empowerment Center (B)**

This item involves a request for City Commission approval to enter into an Interlocal Agreement for the development of an Oversight Board at the Empowerment Center.

Explanation: This item supports the City Commission Strategic Initiative 3.1: Continue Implementation of the 10 Year Plan to End Homelessness.

On March 24, 2014, at a joint meeting of the City and County Commissions, staff received direction to develop an Interlocal Agreement between the City and County to establish a 5 member Governance or "Oversight" Board (hereinafter referred to as "Board"). The Board was to be comprised of 2 City Commissioners, 2 County Commissioners, and a 5th member chosen by the 4 other members.

Based on the discussion, staff felt that the intent of the City Commission and County Commission was that the Board would identify and make recommendations on future services for the Empowerment Center. The Board will have no authority to commit the City or County to future funding needs of the Empowerment Center. However, the Board could review potential grant applications and funding opportunities for the Empowerment Center and make recommendations to the City Commission and/or County Commission as appropriate.

The Board would work with the City of Gainesville, Alachua County, and other Community partners in developing a Master Plan for the Empowerment Center as well as develop a seamless system to provide services to the Homeless and all residents of the City and the County. The Board would monitor the progress of the providers and other community partners in meeting the goals and vision for the Empowerment Center.

Once in place, the Interlocal Agreement would make the Board responsible for developing the remainder of the campus and vacant buildings to ensure that future services are compatible with the vision for the Empowerment Center. The Interlocal Agreement between the City and the County also outlines the financial responsibility envisioned by both parties which is subject to annual appropriations. Additionally, City and County staff would provide administrative and staff support to the Board.

In order to expedite the creation of the Board, staff is recommending that the City Commission appoint two members from the City Commission to serve as the City's representatives on the Governance

Board upon the approval of the Interlocal Agreement between the City of Gainesville and the Alachua County Board of County Commissioners.

Fiscal Note: There are no financial impacts with this item with the exception of minimal City and County staff time associated with providing administrative and staff support to the Board. The item confirms the financial commitment in the amount of \$154,000 annually from the County for the operation of the Empowerment Center through FY14; future funding is subject to the annual budget process.

RECOMMENDATION

The City Commission: 1) approve the Interlocal Agreement between the City of Gainesville and Alachua County for the Empowerment Center; 2) authorize the Mayor to execute the Interlocal Agreement and any related documents necessary on behalf of the City, subject to approval by the City Attorney as to form and legality; and 3) appoint two members from the City Commission to serve as the City representatives on the Oversight Board upon the approval of the Interlocal Agreement between the City of Gainesville and the Alachua County Board of County Commissioners.

Legislative History

3/24/14 City Commission Approved, as shown above
6/5/14 City Commission Approved, as shown above - See Motion(s)

[130814A Forum Summary Report 20140324.pdf](#)

[130814B Governance Structure Suggestions 20140324.pdf](#)

[130814C Staff Presentation 20140324.pdf](#)

[130814A Empowerment Center Project PPT 20140605.pdf](#)

[130814B MOD Budget Update 20140605.pdf](#)

[130814 MOD GRACE 20140605.pdf](#)

[130814 Interlocal Aqmt with County 20140619.pdf](#)

[140034.](#)

FY 2014-2015 Funding Recommendations and Annual Action Plan (Application) for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) Funds (B)

The City Commission is asked to consider recommendations for allocating CDBG and HOME funds for FY 2014-2015; and to authorize the submission of an Annual Action Plan (Application) to the U.S. Department of Housing and Urban Development (HUD) based on the funding allocations that are approved by the City Commission. **ESTIMATED STAFF PRESENTATION 15 MINUTES**

Explanation: Each year the City of Gainesville receives an allocation of CDBG and HOME Program funds from HUD for local community development, housing activities, and public services. The total estimated CDBG and HOME program expenditures for FY 2014-2015 is \$1,850,064, which includes \$1,304,889 CDBG Program funding and \$545,175 HOME Program funding. The FY 2014 HUD CDBG and HOME Grant Award letter is attached for reference (Attachment A). The City's Housing & Community Development Division (HCD) administers the CDBG and HOME funds allocated to outside agencies and City projects.

In FY 2014-2015, a portion of the CDBG and HOME funds are set-aside for the City projects: City Housing Programs; Block Grant Administration; Code Enforcement; and Cold Weather Shelter for the homeless. In addition, a portion of the CDBG and HOME funds are made available to non-profit outside organizations and other public agencies through a competitive process that involves review and recommendations by the Citizens Advisory Committee for Community Development (CACCD). The FY 2014-2015 CDBG and HOME funding set-asides are outlined in Attachment B.

On May 20, 2014, the CACCD formulated its recommendations on allocating the CDBG and HOME "competitive" set-aside for non-profit outside organizations and other public agencies. The CACCD's recommendations total \$214,685 for CDBG and \$110,947 for HOME. Copies of the CDBG and HOME applications that were reviewed by the CACCD are on file in the Office of the Clerk of the Commission. The CACCD's funding recommendations for the CDBG and HOME Programs are included on Attachment C.

The Annual Action Plan (Application) that is submitted to HUD outlines the specific agencies and activities to be funded through CDBG and HOME in the next fiscal year. The Application will be based on the City Commission's approval of the FY 2014-2015 CDBG and HOME funding allocations. The City's Annual Action Plan must be submitted to HUD by August 15, 2014.

Fiscal Note: The total projected CDBG and HOME program expenditures for FY 2014-2015 is \$1,850,064. Sources of funding for each program are as follows: CDBG - \$1,304,889; and HOME - \$545,175.

RECOMMENDATION

The City Commission: 1) consider recommendations from the CACCD for the outside agencies that are designated to receive FY 2014-2015 CDBG and HOME funds ; 2) approve the FY 2014-2015 CDBG and HOME set-aside funding for City projects: City Housing Programs; Block Grant Administration; Code Enforcement; and Cold Weather Shelter for the homeless; 3) authorize the City Manager or designee to prepare and submit the FY 2014-2015 Annual Action Plan (Application), including all understandings and assurances contained therein, to the U.S. Department of Housing and Urban Development

for financial assistance under the Community Development Block Grant Program and HOME Investment Partnerships Program and to act on behalf of the City of Gainesville in all matters pertaining to the CDBG and HOME Programs; 4) authorize the City Manager or designee to take actions as appropriate to allocate the FY 2014-2015 CDBG and HOME funds; and 5) authorize the City Manager to execute subrecipient agreements with those outside agencies that are designated to receive FY 2014-2015 CDBG and HOME funding, subject to approval by the City Attorney as to form and legality.

[140034A HUD CDBG HOME Grant Award Letter 20140619.pdf](#)

[140034B CDBG HOME Set-Asides 20140619.pdf](#)

[140034C FY14-15 CACCD CDBG HOME Funding Recommendations 201406](#)

[140034D FY14-15 CDBG HOME PPT 20140619.pdf](#)

[140036.](#)

FY 2014-2015 Funding Recommendations for the Community Grant Program (B)

The City Commission is requested to consider approval of the City's State Housing Initiatives Partnership Program Affordable Housing Advisory Committee (AHAC) funding recommendations for allocating the FY 2014-2015 Community Grant Program funds.

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

Explanation: The City Commission approved the Community Grant Program (CGP) in FY2010-2011. The purpose of the CGP is to provide small amounts of funding to non-profit organizations performing community services that advance City goals to support activities that serve a public purpose and improve the quality of life for Gainesville residents. The City Commission has indicated a desire to allocate \$125,000 per year for the CGP, with 10% set aside for program administration. The maximum annual grant award is \$3,000 per eligible non-profit organization. The City Commission developed and adopted guidelines describing eligible organizations, reimbursable activities, and program requirements and procedures. The Commission expressed a desire to keep the CGP application process simple for both the applicants and staff. The Commission also indicated that it would like to fund as many eligible programs as possible within the approved program budget.

Starting with the FY 2014-2015 CGP funding year, the City partnered with The United Way to offer organizations the opportunity to apply for CGP funding via an online application system. The City also invited all interested organizations to attend a training workshop to assist them with the new online application process. The City also received positive

feedback from the organizations to continue the online application process in the future.

The City received forty (40) agency funding requests totaling \$115,620. As required by the CGP guidelines, the AHAC reviewed all of the applications and made funding recommendations at its May 21, 2014 public meeting. The total allocation available to fund agency programs and services is \$112,500. Based on the application information submitted, two organizations did not meet the CGP eligibility requirements. Because the AHAC determined that all the other applicant organizations were eligible and met the program's funding criteria, the AHAC recommended that each organization receive their funding amount requested. The total of all eligible organization's funding requests equaled \$110,920, leaving a remaining balance of \$1,580 CGP funding unallocated. The AHAC's FY 2014-2015 CGP funding recommendations for each agency are attached for reference (Attachment A).

Fiscal Note: The City Commission is expected to allocate \$125,000 for the FY 2014-2015 Community Grant Program, with \$112,500 available for program awards and a 10% set aside for program administration.

RECOMMENDATION

The City Commission: 1) consider approval of the AHAC's funding recommendations for the FY 2014-2015 Community Grant Program; and 2) authorize the City Manager or his designee to execute the funding agreements and other related documents with the approved organizations to disburse the grant funds, subject to approval by the City Attorney as to form and legality.

[140036A_FY_14-15_AHAC_CGP_Funding_Recommendations_20140619.pdf](#)

[140036B_CGP_FY14-15_PPT_20140619.pdf](#)

[130805.](#)

Traffic Management System (B)

This item is to request authorization to purchase traffic management system equipment and service from TrafficCast, Temple, Miovision, and Rhythm Engineering. *ESTIMATED STAFF PRESENTATION 20 MINUTES*

Explanation: The Public Works Department is nearing final completion of the Traffic Management System (TMS) installation. During implementation several value engineering strategies were utilized including selection of newer, less expensive equipment and technologies and utilizing in-house staff in lieu of contractors when possible. These strategies have resulted in cost savings over estimated costs.

A component of the TMS as originally envisioned is the ability to evaluate and monitor performance of existing signal timings along

corridors to ensure we are optimizing travel times. Newer technology provides real time arterial travel time systems to monitor corridor performance and adaptive traffic signal control systems. Through various methods, vehicles can now be tracked using roadway sensors with travel times reported to the traffic management system operators as well as the public.

TrafficCast is a Bluetooth based system. The TrafficCast system collects wireless Bluetooth signatures from passing vehicles. In addition, small roadway type signs would be installed to alert motorists of current travel times as detected using the TrafficCast system. These signs are distributed by Temple, Inc.

The Adaptive Traffic Signal Control (ATSC) system utilized by the TMS has the ability to collect data in real time and make adjustments to traffic signal timings using advanced algorithms. In addition to the current traffic signal vendor, Naztec, Inc, staff would like to pilot two additional ATSC systems. The InSync System from Rhythm Engineering attempts to provide two-way arterial coordination as well as minimize side street delay. Most of the complaints that the TMS receives today are regarding side street delay. The Miovision "Spectrum" system is another up and coming adaptive system that staff would like to pilot. If the testing for both pilot projects proves successful, Public Works will likely seek to expand ATSC systems to other locations in the City deemed to justify ATSC. The Rhythm Engineering system will be procured via a competitively bid state contract and the Miovision Spectrum system with a sole source.

Fiscal Note: Funding is available from the appropriation for the Traffic Management System (TMS) in the CIRB of the 2005 Capital Project Fund, FDOT - TRIP Grant account, Campus Development funds, and 8051 and 8052 annual operating budgets in the amount of approximately \$1,500,000. Following the initial purchase at an estimated cost of \$320,000, additional items will be purchased over multiple years as equipment replacements are needed throughout the Traffic Management System.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff; 2) approve the purchase of the equipment and/or services from the above vendors; and 3) authorize the City Manager to execute all necessary documents, subject to approval by the City Attorney as to form and legality.

Legislative History

6/5/14 City Commission Continued

[130805_TMS Presentation_20140605.pdf](#)

[140022.](#)

Fire Station 19 Negotiations Update (B)

This item requests that the City Commission hear an update from City Staff on the progress of City-County negotiations regarding the transition of fire services for the Fire Station 19 service area.

ESTIMATED STAFF PRESENTATION 20 MINUTES

Explanation: Subsequent to a meeting of the Alachua County Board of County Commissioners regarding Fire Station 19 on February 4, 2014, BOCC Chair Lee Pinkoson sent a letter to City of Gainesville Mayor Ed Braddy which authorized County staff to negotiate with the City of Gainesville regarding Fire Station 19. City and County staff have been meeting on a regular basis to develop a proposal for transition of fire services in the Fire Station 19 service area. City staff will provide an update to the City Commission.

Fiscal Note: City provision of services in the Station 19 area would result in a more favorable fiscal impact than the current service provision.

RECOMMENDATION

The City Commission hear an update on City-County negotiations regarding the transition of fire services for the Fire Station 19 service area.

[140022-MOD Proposal 20140619.pdf](#)

[140024.](#)

Status Report - Economic Development and Innovation Department (B)

This is the requested status report regarding the direction and activities of the Economic Development and Innovation Department.

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

Explanation: At the May 15th City Commission meeting, it was requested that a City Commission item be placed on a future agenda to review the direction and activities of the Economic Development Director.

The Director has been on the job full time since mid-October, 2013. The Director's focus is on job creation and development of the City's tax base Citywide and activities are generally governed by the City Commission's Strategic Plan, the ED Strategic Action Plan and more concretely the following six (6) activities:

- 1) Development and Redevelopment Facilitator (Citywide);
- 2) Collaboration with Community Economic Development Partners on various policy matters;
- 3) Marketing of Airport Industrial Park and projects on Airport lands;
- 4) Facilitation of the Innovation Economy (Citywide);
- 5) Role as Development Ombudsman; and
- 6) Staff to the City's Economic Development University Community Committee (EDUCC) and Gainesville Alachua County Regional Airport Authority (GACRAA).

Fiscal Note: The budget for the Department is approximately \$195,000 annually and

the Director receives part time administrative support from the City Manager's office.

RECOMMENDATION

The City Commission hear a presentation on the status of the Economic Development and Innovation Department and provide feedback as deemed appropriate.

[140024A_EDI Status_20140619.pdf](#)

[140024B_Economic Dev & Innovation Dept_20140619.pdf](#)

[140040.](#)

Staff Recommendations for Telephone Town Hall Meeting (B)

This item provides staff recommendations on specific parameters of holding a Telephone Town Hall Meeting. **ESTIMATED STAFF PRESENTATION 15 MINUTES**

Explanation: On May 1, 2014, the City Commission heard a presentation on Telephone Town Hall meetings and gave staff direction to come back with a set of recommendations on how a meeting should be conducted in Gainesville. A Telephone Town Hall meeting has been scheduled for August 13th and staff has developed a set of recommendations for the Commission to consider.

Fiscal Note: The cost of a Telephone Town Hall meeting is approximately \$4,500 for a one-hour call.

RECOMMENDATION

The City Commission: 1) receive a presentation from staff with specific recommendations for holding a Telephone Town Hall; and 2) provide direction to the City Manager on the preferred recommendations of a Telephone Town Hall for the City of Gainesville.

[140040_Telephone Town Hall Ppt_20140619.pdf](#)

GENERAL MANAGER FOR UTILITIES

[140011.](#)

Financial Opportunities to Mitigate Upward Rate Pressure and/or Reduce Rates (B)

Explanation: GRU Staff has investigated several alternatives for providing utility rate reduction, many of which are related to GRU's financial transactions. Staff will present the following options with potential for rate reductions for the City Commission's consideration:

1. Options for converting the index on three swap transactions to lock in or obtain savings due to currently favorable financial conditions. Collectively, these transactions have the potential to ensure savings to

GRU customers of more than \$1.7 million per year; and

2. 2. A proposal to Gainesville Renewable Energy Corporation (GREC) for GRU to prepay one year of fixed charges in exchange for a discount on those charges. This option would only be executed if savings to customers are realized and the Commission approves the terms of any agreement. The magnitude of savings would be based on any negotiated discount; and

3. 3. Options for issuing new debt and/or restructuring existing debt. These options have the potential to reduce costs to customers by as much as \$18 million per year in the five year horizon, but result in higher debt service payments in years beyond the five year horizon.

Each alternative for rate reduction has some element of risk based on future financial market conditions, counterparty risk, and operating risk in some cases.

Fiscal Note: Each option presented would involve savings, some in the current fiscal year and most in future fiscal years for which budgets have not yet been adopted. The cost to pursue the short term prepay option with GREC, if they are interested, would involve expenditures of up to \$100,000. Funds are available in the current FY14 budget.

RECOMMENDATION

The City Commission receive a presentation from staff and take appropriate action.

Legislative History

6/5/14 City Commission Continued

[140011 Financial Opportunities 2014.06.05](#)

[140011 Financial Opportunities - Part 2 2014.06.19](#)

CITY ATTORNEY

CITY AUDITOR

[130547.](#)

Proposed Ranking of Requests for Proposals for an External Investigative Review of Gainesville Regional Utilities (B)

Explanation: On December 5, 2013, the City Commission referred the issue of a special audit of GRU to the Audit, Finance and Legislative Committee (AFLC). On January 29, 2014 the AFLC met and discussed this item. The Committee received extensive public input focused on numerous issues of concern related to past management practices and business decisions primarily related to the multi-year development and implementation of the Power Purchase Agreement (PPA) between Gainesville Renewable Energy Center (GREC), LLC and the City of Gainesville d/b/a Gainesville Regional Utilities (GRU) dated April 29, 2009 and approved by the City Commission on May 7, 2009. There

was also considerable discussion regarding the background and financial impact of the "Equitable Adjustment for Change of Law" agreement dated March 16, 2011. Committee discussions focused on possible actions that could be taken from a management, legal, financial, policy and control perspective to prevent reoccurrence of the actions involved in implementing the GREC PPA and to positively affect the financial outlook of GRU, especially in the area of energy supply and energy delivery.

Committee members reported to the City Commission on February 6, 2014 a joint recommendation for the City to move forward with an external review focusing primarily on GRU past management practices and business decisions related to the implementation and any amendments to the GREC PPA, and including a forward focus on recommendations having positive financial impacts on GRU energy supply and delivery. After Commission discussion and additional citizen input, the City Commission authorized the City Auditor to prepare a Request for Proposals (RFP) for an external review to address:

- 1) Opportunities for financial and operational benefit to GRU related, but not limited to the GREC PPA; and
- 2) Recommendations of institutional controls that can be implemented that would help avoid the management discrepancies of the past and help strengthen the working relationship between GRU management and the City Commission.

On March 5, 2014, the AFLC discussed proposed RFP language, received extensive public input, provided detailed input to the City Auditor regarding desired clarifications in RFP language, and recommended the City Commission approve the modified RFP language and recommended process. This recommendation was adopted by the City Commission on April 3, 2014 after being continued from the March 20, 2014 City Commission meeting.

On April 10, 2014, an RFP for an External Investigative Review of GRU was issued by the General Government Purchasing Department. The City received three proposals by the due date of May 8, 2014, which were then evaluated according to the City's standard practice for professional services proposals. Based on the evaluated technical qualifications, written proposals, fees related to each proposal and oral presentations from the three proposers, proposals have been ranked first, second and third, as provided in the attached proposal evaluation.

Accordingly, it is recommended that the City Commission approve the ranking of the proposals received, identify funding and establish a budget for the investigative review, authorize the City Auditor to execute a professional services contract with the top ranked firm, subject to approval of the City Attorney as to form and legality, and direct all charter officers and their staff to participate fully with the firm selected and to provide immediate and full access to all relevant records at their

disposal. If, for any reason, an agreement with the selected proposer cannot be reached, the City Auditor will initiate negotiations with the second ranked firm, continuing through the rankings until an agreement is reached or all proposals are rejected.

RECOMMENDATION

The City Commission:

- 1) Approve the ranking of the proposals received for an external investigative review of Gainesville Regional Utilities (GRU),*
- 2) Identify funding and establish a budget for the investigative review,*
- 3) Authorize the City Auditor to execute a professional services contract with the top ranked firm, subject to approval of the City Attorney as to form and legality, and*
- 4) Direct all charter officers and their staff to participate fully with the firm selected and to provide immediate and full access to all relevant records at their disposal.*

Legislative History

12/5/13	City Commission	Referred to the Audit, Finance and Legislative Committee
1/29/14	Audit, Finance and Legislative Committee	Recommended for Approval, as amended
2/6/14	City Commission	Approved, as shown above
3/5/14	Audit, Finance and Legislative Committee	Recommended for Approval, as amended
3/20/14	City Commission	Continued
4/3/14	City Commission	Approved as Recommended

[130547-A-Equitable Adjustment for Change of Law of the Power Purchase Agree](#)
[130547-B-GREC LLC Dispute - Equitable Adjustment Analysis-Outside Attorney](#)
[130547-C-RFP-External Investigative Review of GRU-Agenda Item.PDF](#)
[130547-D-Draft RFP External Investigative Review of GRU.PDF](#)
[130547-E-AFLC REVISED DRAFT RFP EXTERNAL INVESTIGATIVE REVIEW](#)
[130547-F - Memo from Godshalk to Commission.pdf](#)
[130547-G -Proposal Evaluation Summary 6-19-14.pdf](#)
[130547 MOD H Powerpoint Presentation 20140619.pdf](#)
[130547I MOD Navigant Proposal 20140619.pdf](#)
[130547J MOD Navigant Cost Proposal 20140619.pdf](#)
[130547L MOD Windham Brannon Proposal 20140619.pdf](#)
[130547M MOD Windham Brannon Cost Proposal 20140619.pdf](#)

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

[140070.](#)

Commissioner Yvonne Hinson-Rawls - Proposal for Affordable Housing (B)

RECOMMENDATION

The City Commission hear a presentation and take appropriate action.

[140070 City of Gainesville proposal for Affordable Housing 20140619.pdf](#)

[140070 Proposal for homeless shelter powerpoint 20140619.pdf](#)

COMMISSION COMMENTS (if time available)

RECESS**RECONVENE****PLEDGE OF ALLEGIANCE (5:30pm)****Bob Gasche****PROCLAMATIONS/SPECIAL RECOGNITIONS**[140058.](#)**Recognize Local Student Water Conservation Poster Contest
Winners (NB)**

Recognize local student winners (K - 4th Grade) that participated in the GRU sponsored Florida Section of the American Water Works Association (FSAWWA) Water Conservation Poster Contest.

Explanation: The annual Florida Section of the American Water Works Association (FSAWWA) Drop Savers Poster Contest is sponsored by GRU to help teach local youth about the importance of conserving our most precious resource - water. This year over 100 elementary school students participated. Amazed by the creativity displayed by the participating students, the selection committee had a difficult time choosing this year's winners. First, second and third place winners were selected from each class division:

1st Place:

Division 1: Portia Espinosa (1st Grade) - Glen Springs Elementary

Division 2: Savannah Wroath (3rd Grade) - Talbot Elementary

Division 3: David Farrant (4th Grade)- Meadow Brook Elementary

2nd Place:

Division 1: Yulee Zimmerman (Kindergarten) - Glen Springs Elementary

Division 2: Neo Geiger (4th Grade) - Meadow Brook Elementary

Division 3: Keira Lee (3rd Grade) - Talbot Elementary

3rd Place:

Division 1: Audrey Quirk (1st Grade) - Glen Springs Elementary

Division 2: Lily Giunta (3rd Grade) - Talbot Elementary

Division 3: Rainer Delos Santos (4th Grade) - Meadow Brook Elementary

From those winners, the four first place posters were entered into the state-wide FSAWWA competition.

In support and recognition of the winning poster contributors, GRU provided pizza parties to the winning classes and recognized the

teachers involved in helping educate the students in the value of water conservation. We are very proud to announce that one of our local students, Portia Espinosa, won 3rd place for the State in Division 1.

Fiscal Note: Funds for this event were budgeted for Water Conservation Programs within Water & Wastewater Systems FY 2014 Operations & Maintenance Budget.

RECOMMENDATION

The City Commission recognize local student winners from the Drop Savers Water Conservation Poster Contest.

[140071.](#)

NASA Florida Space Grant Consortium Students (B)

RECOMMENDATION

The City Commission recognize the students and Dr. Karen Cole-Smith to present certificates of completion to NASA Florida Space Grant Consortium students.

[140071_MOD NASA_20140619.pdf](#)

[140072.](#)

Gainesville High School NJROTC (NB)

RECOMMENDATION

The City Commission recognized the Gainesville High School NJROTC for being named a Distinguished Unit, the highest honor a high school NJROTC can receive, for the second straight year.

[140075.](#)

The Cornerstone Robotics Team (NB)

RECOMMENDATION

The City Commission recognize the Cornerstone Robotics Team. (NB)

[140060.](#)

Independence Day - July 4, 2014 (B)

RECOMMENDATION

Gator Detachment of the Marine Corp League Bob Gasche to accept the proclamation.

[140060_IndependenceDay_20140619.pdf](#)

[140061.](#)

Jones Edmunds Day - June 19, 2014 (B)

RECOMMENDATION

Jones Edmunds CEO Rick Ferreira to accept the proclamation.

[140061_JonesEdmunds_20140619.pdf](#)

[140062.](#)

Dan Mixon Day- June 19, 2014 (B)

RECOMMENDATION

Belk Manager Dan Mixon to accept the proclamation.

[140062_DanMixon_20140619.pdf](#)

CITIZEN COMMENT (6:00pm)

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[140026.](#)

CITY COMMISSION RULES AMENDMENT (B)

RESOLUTION NO. 140026

A RESOLUTION AMENDING AND RESTATING IN ITS ENTIRETY THE CITY COMMISSION RULES OF THE CITY OF GAINESVILLE, FLORIDA; AMENDING RULES REGARDING CITIZEN COMMENT; PROVIDING A REPEALING CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Explanation: The City Commission, at its meeting of June 5, 2014, directed the City Attorney to draft this proposed Resolution amending the Rules of the City Commission regarding citizen comment.

RECOMMENDATION

The City Commission adopt the proposed Resolution.

Legislative History

6/5/14 City Commission No Action Taken

[140026_CityCommissionRules_20140605.pdf](#)

[140026_draft resolution_20140619.pdf](#)

[140026_CCOM Rules Changes_20140605.pdf](#)

CLERK'S NOTE: THE CITY COMMISSION WAIVE THE RULES AND HEAR FILE #120063 AFTER FILE #120206

[120063.](#)

TOWING FEES (B)

Resolution No. 120063

A resolution of the City Commission of the City of Gainesville, Florida, establishing the maximum trespass towing fees in accordance with section 14.5-30 of the City Code of Ordinances, providing a repealing clause, and providing an effective date.

Explanation: The City Commission at its meeting on April 18, 2013, authorized the City Attorney to prepare a resolution to increase the allowable fee charged by towing companies for class 1 through 2 light duty vehicles to \$100.00 for trespass towing. Pursuant to Section 14.5-30, of the Code of Ordinances, the City Commission has the sole authority of establishing maximum allowable trespass towing fees. The current maximum trespass towing fees are:

Class 1 through 2 Light-Duty vehicles	\$ 76.00
Class 3 through 6 Medium Duty vehicles	\$133.00
Class 7 through 8 Heavy Duty	\$288.00

The City Commission had also discussed including a fee to cover the cost of implementing towing management software by the towing administrator. As of this date, the towing administrator has not finalized the search process for towing management software. Therefore, there is not an amount covering that cost included in the newly adopted maximum trespass towing fees. When the towing administrator finalizes his search for the software, the Commission may consider whether to increase the maximum towing fee in order to offset the required use of the software by the towing services.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

Legislative History

6/21/12	City Commission	Approved as Recommended
6/21/12	City Commission	Referred to the Public Safety Committee
8/28/12	Public Safety Committee	Discussed
9/20/12	City Commission	Continued
10/4/12	City Commission	Approved as shown above (See Motion)
4/18/13	City Commission	Approved, as shown above - See Motion(s)

[120063 TowingRateEmail 20120621.pdf](#)
[120063a BrevardCoTowOrd 20120828.pdf](#)
[120063b OsceolaCoTowRes 20120828.pdf](#)
[120063c VolusiaCoTwoOrd 20120828.pdf](#)
[120063d MOD AddTowRatesBackup 20120920.pdf](#)
[120063 Peer City Review 20130307.pdf](#)
[120063 PeerCityTowingRateComparison 20130418](#)
[120063 MOD Trespass Towing Rates 20130418.pdf](#)
[120063 TowingSoftwareSummary 20130425](#)
[120063a TowingSoftwareSummary 20130425](#)
[120063b TowingSoftwareLetterofSupportParkingSolutions 20130425](#)
[120063c TowingSoftwareLetterofSupportSuperior 20130425](#)
[120063A Towing Resolution.pdf](#)
[120063B Towing Resolution 20140619.pdf](#)
[120063 MOD UF student government 20140619.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[140043.](#)

TEXT CHANGE - LANDLORD PERMITS - CLARIFICATION OF LANGUAGE (B)

Ordinance 140043

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to clarify the language in Section 14.5-1. Landlord Permits regarding the application for permit and issuance of permit; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance clarifies language in Section 14.5-1. Landlord permits. The purpose of this ordinance is to clarify the definition of dwelling unit and clarify that any owner of a dwelling unit, as defined in Section 30-23, that is located within certain designated zoning districts shall annually apply to receive a landlord permit for each such dwelling unit under his/her ownership.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION

The City Commission adopt the proposed ordinance.

[140043A draft ordinance 20140619.pdf](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED[120206.](#)**Towing and Immobilization (B)**

Ordinance No. 120206

An ordinance of the City of Gainesville, Florida, amending Chapter 14.5, Article III of the Code of Ordinances of the City of Gainesville relating to towing and immobilization of vehicles on private property and amending Appendix A - Schedule of Fees, Rates and Charges relating to towing and immobilization; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: On July 7, 2011 the City Commission directed the City Attorney's Office to prepare draft amendments to the towing ordinance to prevent successor businesses from being able to assume the business operations of a suspended towing company. The City Attorney's Office drafted Ordinance No. 110209, which was adopted on first reading, but was then stricken from the agenda at second reading and the entire "Towing or Immobilizing Vehicles from Private Property" Article, including the transfer of ownership to circumvent penalties issues was referred to the Public Safety Committee for a comprehensive re-write of the City of Gainesville Towing Ordinance, Chapter 14.5.

The Public Safety Committee held public meetings on the matter on September 27, 2012 and November 29, 2012. Staff also held meetings with various tow and immobilization companies, as well as representatives from the University of Florida Student Government.

On May 1, 2014, the Ordinance came before the Commission for First Reading. At that time the Commission received comments from the public regarding the proposed Ordinance. The Commission adopted the ordinance as presented, but continued Second Reading to a date certain of June 19, 2014 to allow staff time to consider the comments that had been received and to make appropriate changes, if any, to the Ordinance. Staff evaluated the comments and incorporated some of the suggestions in the Ordinance presented for Second Reading. The changes made to the Ordinance since First Reading are indicated with additions being double underlined and deletions being double stricken.

RECOMMENDATION

The City Commission adopt the proposed Ordinance.

Legislative History

7/19/12	City Commission	Referred to the Public Safety Committee
9/27/12	Public Safety Committee	Discussed

11/29/12	Public Safety Committee	Discussed
12/20/12	City Commission	Approved as Amended
5/1/14	City Commission	Adopted on First Reading, as amended (Ordinance)

[120206a_DraftTowOrdnPart1_20120927.pdf](#)

[120206a_DraftTowOrdnPart2_20120927.pdf](#)

[120206b_ProposedTowChangesPPT_20120927.pdf](#)

[120206c_ProposedAmendIOC_20120927.pdf](#)

[120206d_Draft Tow Ord Part 2 10 8 12_20121129](#)

[120206e_TowCompanyCourtJudgement_20121129](#)

[120206f_TallahasseeTrespassTowFees_20121129](#)

[120206h_WeaverOct 22 MtgIOC_20121129](#)

[120206g_SummaryCity&TowCompanyMtg_20121129](#)

[120206i_RoamTowsTotalsFor3Yrs_20121129](#)

[120206a_PPT_20121220.pdf](#)

[120206b_ProposedAmendmentIOC_20121220](#)

[120206c_DraftTowOrd 10 8 12_20121220](#)

[120206d_TowCompanyCourtJudgement_20121220](#)

[120206e_TallahasseeOrd_20121220](#)

[120206f_SummaryCity&TwoCompanyMtg_20121220](#)

[120206g_WeaverOct22MtgIOC_20121220](#)

[120206h_RoamTowTotalsFor3Yrs_20121220](#)

[120206-MOD_Presentation_20121220.pdf](#)

[120206A_draft ordinance_20140417.pdf](#)

[120206_Towing Ordinance_20140619.pdf](#)

140001.

VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY-OWNED PARCEL LOCATED NORTH OF MORNINGSIDE NATURE CENTER AND EAST OF NORTHEAST WALDO ROAD (B)

Ordinance No. 140001

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary annexation of City-owned Tax Parcel No. 10862-001-000, which is generally located south of NE 39th Avenue, north of E University Avenue and in the vicinity of Morningside Nature Center, and east of NE Waldo Road, as petitioned for by the property owner pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to

the City Manager, the City Attorney and the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City of Gainesville has submitted a petition for the voluntary annexation of a City-owned parcel generally located north of Morningside Nature Center and east of NE Waldo Road. The Alachua County Boundary Adjustment Act requires, prior to the adoption of an annexation ordinance, the adoption of an Urban Services Report ordinance setting forth plans to provide urban services to the annexation area. Consequently, this ordinance adopts the Urban Services Report for the subject property.

The City Commission on May 1, 2014, authorized the City Attorney to draft and the Clerk of the Commission to advertise this ordinance.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and will become effective immediately upon adoption.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

6/5/14 City Commission Adopted on First Reading (Ordinance)

[140001A_draft ordinance_20140605.pdf](#)

[130919.](#)

ORDINANCE SETTING 2015 ELECTION DATES AND QUALIFYING DATES (B)

ORDINANCE NO. 130919

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, SETTING MARCH 17, 2015 AS THE DATE FOR THE 2015 REGULAR CITY ELECTION AND APRIL 14, 2015 AS THE DATE FOR THE 2015 RUN-OFF ELECTION, IF NECESSARY; SETTING THE DATES FOR QUALIFYING FOR THE 2015 REGULAR ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: The City Commission, at its meeting of May 1, 2014, approved the dates for the 2015 regular city election and run-off election. Section 9-2 of the City Code of Ordinances requires that the dates be set by ordinance adopted no later than July 1 of each year. Section 9-10 of the City Code of Ordinances states the period to qualify as a candidate for the office of Mayor or City Commissioner shall be between the 50th and 46th day

prior to the date of the election. This ordinance sets forth the actual calendar dates for 2015 as follows:

Regular election - Tuesday, March 17, 2015

Run-off election (if necessary) - Tuesday, April 14, 2015

Qualifying Period - From noon on Monday, January 26, 2015 to noon on Friday, January 30, 2015.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

5/1/14 City Commission Approved as Recommended

6/5/14 City Commission Adopted on First Reading (Ordinance)

[130919 2015 Election 20140501.pdf](#)

[130586.](#)

CITY OF GAINESVILLE REGISTRY OF PROTECTED PUBLIC PLACES PHASE II-B PROPERTY LISTING (B)

Ordinance 130586

An ordinance of the City of Gainesville, Florida, adding specified real properties owned in fee simple by the City of Gainesville to the City of Gainesville Registry of Protected Public Places; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance adds Phase II-B properties to the City of Gainesville Registry of Protected Public Places. The Phase II-B properties are NW 34th Street Property, Colclough Pond Nature Park, Loblolly Woods Nature Park, and Terwilliger Pond Conservation Area. These city-owned properties were acquired or are used for conservation, recreation, or cultural affairs purposes. By adopting this ordinance, the City Commission is deeming these properties worthy of the highest level of protection by which they may not be sold or converted to a use that will result in a loss to the property's conservation, recreation, or cultural value, except by a majority vote of the electors in a city-wide election.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and will become effective immediately upon adoption.

RECOMMENDATION *The City Commission: 1) adopt the proposed ordinance, and 2) direct the Clerk of the Commission to record this ordinance in the public records of Alachua County, Florida.*

Legislative History

6/5/14 City Commission Adopted on First Reading and Approved the Recommendations

[130586A_draft ordinance_20140605.pdf](#)

[130689.](#)

REZONING PROPERTY GENERALLY LOCATED AT 1233 SW 6TH STREET TO UMU-2 AND ADDING SAID PROPERTY TO THE ARCHER TRIANGLE AREA WITHIN THE UMU-2 ZONING DISTRICT (B)

Ordinance No. 130689; Petition No. PB-13-123 ZON & Petition No. PB-13-126 TCH

An ordinance amending the Zoning Map Atlas and the Land Development Code of the City of Gainesville, Florida, by rezoning approximately 3.28 acres of property generally located at 1233 SW 6th Street, as more specifically described in this ordinance, from Limited Industrial District (I-1) to Urban Mixed-Use District 2 (UMU-2); adding the approximately 3.28 acres of property to the Archer Triangle area as designated within Section 30-65.2 - Urban Mixed-Use District 2 (UMU-2) of the City of Gainesville Land Development Code by adopting the following amended figures: Figure 1.1 District Boundary Map - Archer Triangle and Figure 2.2 Street Types - Archer Triangle; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This ordinance combines two petitions and rezones approximately 3.28 acres of property from Limited Industrial District (I-1) to Urban Mixed-Use District 2 (UMU-2) and adds the subject property to the Archer Triangle area as designated within the UMU-2 zoning district. The property is generally located at 1233 SW 6th Street and is currently vacant. The surrounding properties are developed with a variety of uses. The property is located along a designated Central Corridor and is currently regulated by the Central Corridors Special Area Plan. Ordinance No. 130687 is related and will amend the future land use map from Industrial to Urban Mixed-Use 2 (UMU-2) for the subject property.

This rezoning (and related land use amendment) will enable the applicant to develop a multiple-family residential complex on the property. The property is in close proximity to both the University of Florida (UF) and Innovation Square. Any proposed development on the site would be considered infill development. The UMU-2 zoning district allows up to 100 dwelling units per acre for residential development as well as a variety of non-residential uses, which increases the viability of any development efforts on this property in the future and supports research and development in the physical, engineering and life sciences in close proximity to the University of Florida main campus.

After public notice was published in the Gainesville Sun on January 7, 2014, the City Plan Board held a public hearing on January 23, 2014, and recommended approval of Petition No. PB-13-123 ZON by a vote of 6-0 and Petition No. PB-13-126 TCH by a vote of 6-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings. This ordinance shall become effective immediately upon adoption; however the rezoning implemented by this ordinance shall not become effective until the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 130687 becomes effective as provided therein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

6/5/14 City Commission Approved (Petition) and Adopted on First Reading
(Ordinance)

[130689A draft ordinance 20140605.pdf](#)

[130689B Staff report 20140605.pdf](#)

[130689C CPB minutes 20140605.pdf](#)

[130689D staff ppt 20140605.pdf](#)

PLAN BOARD PETITIONS

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)