

City of Gainesville

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



Meeting Agenda

April 24, 2006

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Chuck Chestnut (District 1)
Commissioner Warren Nielsen (At Large)
Commissioner Rick Bryant (At Large)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)*

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

CALL TO ORDER

AGENDA STATEMENT

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. (In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited. Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.)"

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

051159

Depot Avenue Transportation Corridor Design Consultant (B)

This item involves a request for the City Commission to authorize contract negotiations with Comprehensive Engineering Services, Inc., for Professional Design Services for the Depot Avenue Transportation Corridor Project.

Explanation: On January 17, 2006, the City's Purchasing Department solicited Statements of Qualifications for Professional Design Services for the Depot Avenue Transportation Corridor Project. Four (4) firms submitted responses on February 17, 2006. Staff evaluated the submittals and invited three (3) of the responsive firms for interviews and to present their qualifications on March 24, 2006. The final ranking of the three (3) firms is:

1st - Comprehensive Engineering Services, Inc.
2nd - Volkert & Associates, Inc.
3rd - American Consulting Engineers of Florida, LLC

Fiscal Note: Funding for this project has been allocated as a Congressional Earmark under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and will be distributed to the City through a Local Agency Program (LAP) Agreement from the Florida Department of Transportation in the amount of \$500,000 for the design phase of this project.

RECOMMENDATION

Recommended Motion: The City Commission: 1) accept the selection of the three most qualified design firms in the order of ranking; 2) authorize the City Manager to initiate contract negotiations with Comprehensive Engineering Services, Inc., for Professional Design Services for the Depot Avenue Transportation Corridor Project in accordance with the Consultants' Competitive Negotiations Act (CCNA); and 3) authorize the City Manager, upon successful contract negotiations, to execute the contract and any related documents.

Alternative Recommendation A: The City Commission reject the recommended ranking and direct the City Manager to again Request Statements of Qualifications from design firms in accordance with CCNA. This would result in a project delay of approximately four months.

051159_200604241300pdf.pdf

051160**Transportation to Dispersed Meal Sites (NB)**

In order to facilitate the dispersal of meal sites for the homeless from the Downtown Community Plaza, the City is committed to assisting with transportation to the meal sites.

Explanation: City staff members have been working with the current providers of meals on the Downtown Community Plaza and other interested persons to identify alternative meal sites that would be dispersed throughout the community. In order to facilitate this effort, staff has committed to having the City assist with transportation to the meal sites.

The Regional Transit System (RTS) is able to make available half price (\$1) all day bus passes provided they are distributed through local non-profit organizations. In this case, the City would pay for the bus passes and divide them among the meal providers, who would then distribute the passes to those who are going to and from the meal sites. Using a conservative estimate of the number of bus passes that would be needed (25 per day x 5 days per week for 22 weeks), we would purchase 2,750 half price all day bus passes for the remainder of this fiscal year. City staff would monitor the use of the passes and determine after an initial trial period whether more or less passes were needed to assist with transportation to the meal sites.

Fiscal Note: Funding for this initiative is available from the funds that have been budgeted for implementing the 10-Year Plan to End Homelessness (Fund 123).

RECOMMENDATION

Recommended Motion: The City Commission allocate \$2,750 for the purchase of half price all day bus passes to be used to provide transportation for homeless persons to and from dispersed meal sites.

Alternative Recommendation A: The City Commission defer action on funding the purchase of bus passes.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

051201

Depot Substation Distribution Circuit Addition (B)

Staff recommends awarding the contract to engineer, procure and construct distribution circuit additions in the existing Depot Substation to PSD Inc.

Explanation: Developments in the urban core of the city and reliability considerations necessitate additional distribution circuit capacity in the area served by the Kelly Substation. Due to site limitations and technical considerations these improvements will be constructed within the existing Depot Substation yard which is located adjacent to the Kelly Substation. Major elements of the project include a 56 MVA power transformer, an electrical equipment enclosure that incorporates power circuit breakers and associated equipment. Distribution circuits will be designed to exit the substation underground to minimize the visual impact of the substation.

An invitation to bid was sent to nine pre-qualified firms. Due to strong demand for power utility services five bidders chose not to bid. Of the three firms responding, one was disqualified for failure to include a bid bond, leaving two responsive bidders. The recommended award of this contract is based on the combination of factors that includes price, delivery, total owning cost, and the firms' qualifications and experience. Both bidders were found to be essentially equal in regards to experience and total owning cost, therefore PSD, Inc. was chosen based on their submission of the lowest bid price and because the bid included a five year warranty instead of the three year warranty offered by the competing bidder. A bid tabulation is attached for reference.

Fiscal Note: Funding for this request is included in the Capital Budget for FY 2006 and will be requested in FY 2007.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager or her designee to execute a contract with PSD, Inc. to engineer, procure and construct distribution circuit additions in the existing Depot Substation; and 2) approve the issuance of a purchase order to PSD, Inc. in an amount not to exceed \$2,540,533.86.

051201_200604241300.pdf

051202

Environmental Consulting Services Agreement (NB)

Staff requests authorization for additional expenditures under the Agreement with Focus Environmental, Inc. for consulting services.

Explanation: On August 22, 2005, the City Commission authorized staff to enter into an Agreement with Focus Environmental, Inc., as a specified source, for consulting services associated with thermal treatment unit (TTU) issues related to the Poole Roofing/CSXT manufactured gas plant site remediation in an amount not to exceed \$70,000. Prior to establishment of the Agreement, a purchase order in the amount of \$24,761 was issued to Focus Environmental, resulting in a total not to exceed amount of \$94,761 for these services.

Progress has been made in establishing the operation criteria for the proposed mobile thermal TTU to be used in the remediation work. GRU, with the assistance of Focus Environmental, has been working closely with the regulatory agencies to establish operational air emission standards. The regulatory agencies have agreed to the inclusion of the parameters as part of the Remedial Action Plan for the site. These parameters are to be the basic structure for the air permit. Focus Environmental has been assisting in the development of the de-watering permit application which includes a water treatment system designed to remove coal tar impacts to the groundwater at the site, and in the development of prequalification and selection criteria for the TTU vendors. In addition, Focus Environmental has completed a constructability review of the proposed construction documents and has provided a list of amendments that will help clarify the documents.

Additional expenditures are required under this Agreement to complete the ongoing work associated the establishment of operational criteria for the TTU, further analytical characterization of the impacted soil to help support the development of site-specific stack emission characteristics, and TTU operating requirements/limitations with respect to benzene removal effectiveness and efficiency.

Fiscal Note: Funding for this request is included in the Gas Acquisition Cleanup within the Capital Improvements Budget for FY 2005.

RECOMMENDATION

The City Commission authorize additional expenditures under the Agreement with Focus Environmental, Inc. for consulting services associated with thermal treatment unit (TTU) issues related to the Poole Roofing/CSXT manufactured gas plant site remediation in an amount not to exceed \$65,000.

051203

Contract for Customer Satisfaction Research Services (NB)

Staff recommends award of a contract with RKS Research and Consulting for customer satisfaction research services.

Explanation: On May 13, 2002, the City Commission approved award of a contract for customer satisfaction research services to RKS Research and Consulting as a result of a Request for Proposal. The services include measuring residential and business customer satisfaction and value as well as tracking a number of statistical measures related to customer service, operational functions and

marketing efforts. RKS Research and Consulting was awarded the contract as the best evaluated proposer based on established award criteria.

Statistical results obtained by RKS Research and Consulting are used by the Utility to develop strategies to improve its performance. Benchmarks for customer satisfaction and value have been established and changes are measured on an ongoing basis. One example of how this data is used is with the "customer wait time" survey. Customers are asked how long they believe they remain on hold on the telephone waiting to speak to a customer service representative. Based on this feedback, new telephone features are being added which will enable customers to obtain their account information using an automated system, thereby reducing customer wait time and improving customers' perception of the Utility.

A unique advantage that RKS Research and Consulting offers its clients is quarterly surveys with utilities nationwide. While other renowned national firms such as JD Power and Associates conduct annual customer satisfaction surveys for large municipal and investor-owned utilities, these firms only benchmark against similar clients rather than conducting independent research for all U.S. utilities. A client-only benchmark is more costly and does not represent a true depiction of utility customer satisfaction on a national level. GRU believes that the research RKS Research and Consulting performs provides a more accurate benchmark for customer satisfaction.

In addition, RKS Research and Consulting provides best practice information about successful utility programs nationwide. Staff recently obtained information about initiatives that other utilities have implemented to reach targeted customers for the DEED grant low income energy use study which will be useful as GRU launches its own program.

RKS Research and Consulting has over one hundred utility clients including Austin Energy, Colorado Springs, Portland GE, and Sacramento Municipal Utility District. RKS has maintained the same rates for GRU throughout the contract and is extending a continuation of the same pricing under a new contract. The pricing offered by RKS is lower than a contract it recently was awarded by a large utility and, with its corporate office in Florida, travel costs are minimal.

Fiscal Note: Funds are available in the FY 2006 Marketing and Communications budget and will be requested in subsequent year budgets.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to negotiate a one-year contract with RKS Research and Consulting, a specified source, for customer satisfaction research services with up to three one-year extensions in an amount not-to-exceed \$140,000 per year, subject to approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders to RKS Research and Consulting in a not-to-exceed amount of \$140,000 per year, subject to the final appropriation of funds.

051204**Approval of Contracts for Grounds Maintenance (B)**

Staff recommends award of grounds maintenance contracts for water, wastewater and electric substation facilities.

Explanation: Grounds maintenance is required at various GRU plants, substations and remote facilities. Services included in this work are lawn, shrub and plant bed maintenance, fertilization, mulching, pruning, weed control and other and related services in accordance with each facility's maintenance requirements.

Purchasing issued an Invitation to Bid to seventeen prospective bidders. Twelve grounds maintenance companies attended a mandatory pre-bid meeting with four bidders responding. Based on the magnitude of the work and numerous locations, staff is recommending awarding contracts to the two best evaluated bidders. Sunshine State Lawn Service, Inc., a woman owned business, will be responsible for performing grounds maintenance for the water plant and its facilities. E.W. Reshard, Inc., a local minority owned business, will be responsible for services at the wastewater facilities and electric substations. A tabulation of the bids received is attached for your reference. After the initial year of the contract, the contractors may request an annual price adjustment based on mutual agreement of the parties.

Fiscal Note: Funds for these services have been included in the FY 2006 Utilities budgets and will continue to be requested in future fiscal years.

RECOMMENDATION

The City Commission authorize the Interim General Manager, or her designee, to 1) execute three year contracts for grounds maintenance with: Sunshine State Lawn Service, Inc. for the Murphree Water Plant and its remote facilities and E.W. Reshard, Inc. for the Main Street and Kanapaha Water Reclamation Facilities and the electric substations and 2) issue purchase orders to Sunshine State Lawn Service, Inc. and E. W. Reshard, Inc. in the amount of \$31,555 and \$34,720, respectively, for the initial year of the contract, and in amounts not exceeding budgeted amounts for the two subsequent years.

051204_200604241300.pdf

051205**Well Abandonment and Rehabilitation (B)**

Staff recommends approval to abandon five wells and rehabilitate one well and to procure material to perform the work at the J.R. Kelly Generating Station.

Explanation: There are six wells located on property south of the J.R. Kelly Generating Station which supplied the City's raw water until the Murphree Water Treatment

Plant began operating in 1976. In keeping with standard aquifer protection practices, five wells will be properly abandoned according to St. Johns River Water Management District requirements due to age and limited use. One well will be rehabilitated and a new pump installed which will allow the well to serve as a back up water supply for the generating station.

An Invitation to Bid for the abandonment and rehabilitation of the wells was sent by Utilities Purchasing to six prospective bidders. Four responded, two with a no bid due to schedule conflicts. A Request for Quotation for the provision of bentonite was sent to three distributors with two responding.

A tabulation for each solicitation is attached for your information.

Fiscal Note: Funding for this project is included in the approved FY 2006 Water/Wastewater Systems budget.

RECOMMENDATION

The City Commission approve the issuance of purchase orders for goods and services required for abandonment of five wells and rehabilitation of one well at the J.R. Kelly Generating Station as follows: 1) Layne Christensen Company for the labor to perform well abandonment and rehabilitation in the amount of \$112,994.00 and 2) Gorman Company for bentonite as a abandonment material in the amount \$35,616.00.

051205_200604241300.pdf

051205a_200604241300.pdf

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

051206

2007 Election (B)

RECOMMENDATION

The City Commission schedule the 2007 Election for March 6, 2007, and March 27, 2007.

051206_200604241300.pdf

051211

Resignation of Gainesville Human Rights Board and Historic Preservation Board Member Jeanna M. Mastrodicasa (B)

RECOMMENDATION

The City Commission accept the resignation of Jeanna M. Mastrodicasa from the Gainesville Human Rights Board and the Historic Preservation Board effective immediately.

051211_200604241300.pdf

051213**City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of April 3, 2006, April 12, 2006 and April 13, 2006 (Special Meetings); and April 10, 2006 (Regular Meeting); as circulated.

051213_20060403.pdf

051213a_20060412.pdf

051213c_20060410.pdf

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PERSONNEL & ORGANIZATIONAL STRUCTURE COMMITTEE, CONSENT****051145****Upgrade Water Distribution/Wastewater Collection System Manager Position to a Water Distribution/Wastewater Collection System Director (B)**

Gainesville Regional Utilities is requesting an Upgrade of a Water Distribution/Wastewater Collection System Manager position to a Water Distribution/ Wastewater Collection System Director from MAP Pay Grade EXK (\$60,377. 47 - \$83,019.02) to MAP Pay Grade EXN (\$78,190.58 - \$107,512.04).

Explanation: In June 2004, the Water Distribution/Wastewater Collection System Manager retired. During the interim, staff appointed an acting manager in the Water Distribution Division and an acting manager in the Wastewater Collection Division.

Historically, the Water Distribution/Wastewater Collection System Manager position has placed emphasis mainly on construction management. Due to technological advances and environmental regulations, the duties of this position should be expanded to include not only one who has knowledge of construction techniques, but who is also knowledgeable in environmental compliance, engineering, budgetary controls, enterprise asset management, and staffing analysis/utilization/optimization. Currently this position is vacant.

Based on the higher level of responsibility and the qualifications (Engineering Degree or Business Administration Degree, 8 years of progressive experience, professional registration as an Engineer) and reviewing of other comparable internal positions, it is recommended that this position should be retitled to a Water Distribution/Wastewater Collection System Director and upgraded from MAP Pay Grade EXK \$60,377. 47 - \$83, 019.02 to MAP Pay Grade EXN \$78,190.58 - \$107,512.04. This upgrade will place this position at the same compensation level as the W/WW Engineering Director, Power Plant O&M Manager, and the Field Services Manager. This position will report directly to

the AGM for W/WW Systems. Since this proposed change results in an upgrade of 3 pay levels, review and approval by the Personnel & Organizational Structure Committee is required.

Fiscal Note: Assuming a hire date of June 1, 2006, and that this position is filled at the mid-point of EXN, \$92,851, there will be no fiscal impact. The current position has been vacant the entire FY 2006, and therefore funds are available in the budget.

RECOMMENDATION

The City Commission approve the upgrade of the Water Distribution/Wastewater Collection System Manager position from Pay Grade EXK \$60,377.47 - \$83,019.02 to Water Distribution/Wastewater Collection System Director, Pay Grade EXN \$78,190.58 - \$107,512.04 in the Management, Administrative, and Professional (MAP) Pay Plan.

Note: This item is being forwarded as the recommendation of one member of the Committee.

Legislative History

4/4/06	Personnel and Organizational Structure Committee	Approved as Recommended
--------	---	-------------------------

051145_200604241300.PDF

051146

Addition of A Power Plant Maintenance Planner Position to the Occupational Index (B)

Gainesville Regional Utilities (GRU) is requesting to add a Power Plant Maintenance Planner position to the Occupational Index at Pay Grade M (\$47,031.15 to \$58,078.77) of the CWA Skilled Craft/Technical Pay Plan.

Explanation: The normal practice in operating a power generating plant is having a dedicated Power Plant Maintenance Planner, who is responsible for scheduling and planning routine maintenance, coordinate personnel and resources during unplanned outages or incidents. This position is also responsible for inventory and procurement services of the plant, coordination of work orders, providing management with reports for decision making, and coordinating with outside vendors to ensure that plant maintenance is completed in a timely manner and is currently within the department's budget.

GRU has used personnel classified as operators or mechanics for this work, which removes them from the regular work force that performs the actual maintenance. In the past few years, the plants have become more technical and it has become evident that a dedicated maintenance planner is required to coordinate and facilitate this work to free up other resources, as well as provide a greater level of control and oversight of the plant maintenance. In addition, the use of modern computer-based maintenance management systems (CMMS) requires increased knowledge of data-based management systems, the use of integrated automated purchasing and ordering systems such as the MIMS

systems, currently used by GRU. The recommended salary range for the Power Plant Maintenance Planner classification to the Occupational Index is Pay Grade M (\$47,031.15 to \$58,078.77) of the CWA Skilled Craft/Technical Pay Plan.

Fiscal Note: While no funds were specifically budgeted for this position in FY06, sufficient funds are available in the FY06 budget to fill this position through September 30, 2006 (generated as a result of other vacancies at Deerhaven). Therefore, no additional funds are required for FY06. The department will delete a vacant position, which results in no additional FTE's.

RECOMMENDATION

The City Commission approve the addition of a Power Plant Maintenance Planner Classification to the Occupational Index. The recommended salary range for this position is Pay Grade M (\$47,031.15 to \$58,078.77) of the CWA Skilled Craft/Technical Pay Plan.

Note: This item is being forwarded as the recommendation of one member of the Committee.

Legislative History

4/4/06	Personnel and Organizational Structure Committee	Approved as Recommended
--------	---	-------------------------

051146_200604241300.PDF

051147

Audit Recommendations of Thirteen (13) CWA Classifications (B)

Requesting approval of the new Technical Support Specialist Series and the upgrade of the Survey Technician Series.

Explanation: In 2003, during the review of the CWA job hierarchy in preparation for the pay study, management identified a number of technical classifications (predominantly the Engineering Technician Series) that appeared to be similar in scope, level of job knowledge, skills required, and type of work to be performed. In an effort to develop a more representative series of jobs and reduce the total number of unique classifications within the organization, a new series, titled Technical Support Specialists, was developed by a team of General Government and GRU managers to better encompass the essential job functions of the incumbents. Dr. Felix Lopez, an Industrial/Organizational Psychologist and a classification expert, was retained to conduct on-site job audits of employees in the identified classifications to determine which level of the new series each incumbent would best fit.

A total of twenty-nine (29) employees representing thirteen (13) classifications were audited by Dr. Lopez during November and December 2005. Dr. Lopez recommends that all but six (6) of the incumbents be reclassified into the new Technical Support Specialist series. Of the remaining six, Dr. Lopez recommends that four should remain in their current classifications (Survey Technician Series) because of the unique nature of their work. However, the

salary associated with those classifications should be upgraded to equal that of a Technical Support Specialist level that is closest to their level of knowledge, skills, and abilities. The remaining two incumbents have been appropriately reclassified as provided for under Personnel Policy 3, and no action is required by this committee. Attached is a report titled "2006 Technical Support Series Reclassifications" that provides the details of all the incumbents currently in the affected classifications.

Fiscal Note: Based on an effective date of March 27, 2006, the total fiscal impact in FY06 will be \$43,118.75 (\$18,796.16 for General Government and \$24,322.59 for GRU). Funds have been identified in each budget for these increases. Funds will be budgeted beginning in the FY07 budget for these changes in classification.

RECOMMENDATION

The City Commission approve the new Technical Support Specialist Series and the upgrade of the Survey Technician Series as shown in the attachment.

Note: This item is being forwarded as the recommendation of one member of the Committee.

Legislative History

4/4/06	Personnel and Organizational Structure Committee	Approved as Recommended
--------	---	-------------------------

051147_200604241300.PDF

AUDIT & FINANCE COMMITTEE CONSENT

051163

Review of Arthur J. Gallagher & Company Insurance Brokerage Services (B)

Explanation: On August 8, 2005, the City Commission directed the City Auditor to review Arthur J. Gallagher's (Gallagher) records related to their return of approximately \$1.3 million to the City of Gainesville (the City). The City Commission also directed the City Auditor to report back to the City Commission regarding how much the City had been overcharged and what the appropriate level of interest due from Gallagher would be. On December 8, 2005, the City Auditor provided an interim report to the Mayor and members of the City Commission related to these issues (Attachment 1), which resulted in the City receiving an additional \$514,000 settlement payment from Gallagher.

The City Commission also directed the City Auditor to review internal City procedures related to insurance brokerage services and to provide recommendations for any necessary improvements in the processes related to insurance brokerage services. The attached report provides recommendations for improvement and includes a written response from the City Manager.

We request that the Committee recommend the City Commission accept our report and the City Manager's response. Also, in accordance with City

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC SAFETY COMMITTEE

REGIONAL UTILITIES COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

051129

Annual Performance, Salary, and Benefits Review - Equal Opportunity Director, City Auditor and Clerk of the Commission (NB)

RECOMMENDATION

As required by the Equal Opportunity Director's, City Auditor and Clerk of the Commission employment agreements, the City Commission conduct the annual performance, salary, and benefits review.

051214

Commissioner Warren Nielsen - "SFCC Fine Arts & Media Program launches Alberto Alonso Film Premier" (NB)

RECOMMENDATION

The City Commission hear a presentation from Steve Robittalle.

051215

Mayor Pegeen Hanrahan - Kiwanis Club of Gainesville (B)

RECOMMENDATION

The City Commission hear a presentation from Chris Dodd or Sam Butz regarding the "Baby Shower" activity.

051215_200604241300.pdf

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (5:30pm)

Girl Scout Troop 621

Chris Cartaya, Troop Leader

PROCLAMATIONS/SPECIAL RECOGNITIONS

051208

Mirage Manufacturing Business Appreciation Day - April 24, 2006 (B)

RECOMMENDATION

Mr. Ken Fickett of Mirage Manufacturing to accept the proclamation.

051208_200604241300.pdf

051209

Small Business Week 2006 - April 24-28, 2006 (B)

RECOMMENDATION

City of Gainesville Small Business Procurement Program Coordinator Shaad Rehman to accept the proclamation.

051209_200604241300.pdf

051210

Youth Awareness Day - August 5, 2006 (B)

RECOMMENDATION

Community Activist Wayne L. Lawrence to accept the proclamation.

051210_200604241300.pdf

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

PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

050770

STREET VACATION - EAST OF GPD (B)

Ordinance No. 0-06-47, Petition 176SVA-05PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a public right-of-way generally located at Northwest 7th Place, west of Northwest 5th Street and east of an abandoned railroad right-of-way, as more specifically described in this Ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: **COMMUNITY DEVELOPMENT STAFF REPORT**

The purpose of this request is to vacate a portion of right-of-way east of the

Gainesville Police Department (GPD). The approximately .05-acre right-of-way to be vacated is an undeveloped portion of Northwest 7th Place, which lies between the westerly right-of-way line of Northwest 5th Street and the eastern right-of-way line of the abandoned CSX railroad. The property owner on the south side of the right-of-way at tax parcel 14414-010-001, also owns the property north of the subject right-of-way, at tax parcel 14409-000-000. Upon vacation of the right-of-way, the City would trade the vacated right-of-way to the property owner of the above-mentioned tax parcels for the north half of tax parcel 14409-000-000. The right-of-way is an unimproved "paper street." It provides no public access and would best be used for a land trade that would benefit the expansion activities of GPD. In recent months, the City has purchased land east of GPD headquarters for the use of some existing buildings and the construction of new facilities at some point in the future. The property that the City will receive in this land trade is the final piece in the acquisition activities.

The Plan Board heard this petition and recommended that it be approved.

Public notice was published in the Gainesville Sun on January 31, 2006. Letters were mailed to surrounding property owners on February 1, 2006. The Plan Board held a public hearing February 16, 2006.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of March 27, 2006, authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance vacating the public right-of-way.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

3/27/06 City Commission Approved (Petition) (6 - 0 - 1 Absent)

050770_0424061300.pdf

051124

ANNEXATION - BEVILLE 2 (B)

Ordinance No. 0-06-42

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of a portion of Tax Parcel 06715-000-000, generally located south of the city limits, west of the vicinity of SW 34th Street and the City limits, north of the City limits and east of Tax Parcel 06715-001-000; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the

area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

Explanation: The adoption of an annexation ordinance is the final stage in the annexation process under the provisions of the Alachua County Boundary Adjustment Act. On Monday, November 28, 2005, at a regular City Commission meeting, the City Commission received and accepted the petition for annexation, and determined that the petition bore the signature of the owner of the property that is the subject of this annexation. On January 23, 2006 and February 13, 2006, the City Commission held advertised public hearings and adopted the Urban Services Report as mandated by the Boundary Adjustment Act.

ANNEXATION ORDINANCE

The annexation ordinance proposes to annex a contiguous, compact, unincorporated portion of the reserve area. The Boundary Adjustment Act requires the ordinance to be adopted as a nonemergency ordinance and to include one reasonably compact area.

In the Ordinance the City Commission makes certain findings of fact related to the area proposed for annexation. The area must meet certain standards as required by the Boundary Adjustment Act. In this regard, your attention is drawn to Section 1 of this Ordinance and the presentation by the City Manager.

If adopted on first reading, the second and final reading of this ordinance will be May 8, 2006. Pursuant to the Boundary Adjustment Act, notice of adoption of this ordinance was published for two consecutive weeks prior to first reading.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

051124_0424061300.pdf

051161

URBAN SERVICES REPORT – CORRECTIVE ORDINANCE – DAUTEL (B)

Ordinance No. 0-06-51

An ordinance of the City of Gainesville, Florida, correcting a scrivener's error in the title, text and Urban Services Report as described in Ordinance 050652 adopting the Urban Services Report pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act for an area located south of the City limits, west of the vicinity of SW 34th Street and the City limits, north of the vicinity of SW 20th Avenue and east of SW 37th Street; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

Explanation: The Alachua County Boundary Adjustment Act requires a municipality to

prepare and adopt by nonemergency ordinance a report setting forth plans to provide urban services to any reserve area to be annexed prior to commencing the annexation procedures under the Act.

On February 13, 2006 Ordinance 050652, adopting an Urban Services Report for the above-referenced property, was adopted by the City Commission on second reading. However, the Ordinance contained an error in the title, in the text of the ordinance and in the text of the attached Urban Services Report as to a geographic reference (17th Street was referenced in error; the correct reference should be 37th Street). Since this error was contained within the title, text and Report, the Ordinance and Report should be amended. Also, subsequent to the November 15, 2005 transfer of real property, the Property Appraiser has split the one parcel (06711-000-000) into two parcels (06711-000-000 and 06711-003-000). Both parcels are under common ownership and the newly revised report contains the correction to the parcel numbers as well.

The attached ordinance and revised Urban Services Report correct these inaccuracies and repeal Ordinance 050652. If adopted on first reading, this ordinance shall be heard on second reading on May 8, 2006. After final adoption by the City Commission, a copy of the corrected Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

051161A_0424061300.pdf

051161B_0424061300.pdf

051161C_0424061300.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

050768

UNIVERSITY HEIGHTS SPECIAL AREA PLAN AMENDMENT (B)

Ordinance No. 0-06-38; Petition 174TCH-05 PB

An ordinance of the City of Gainesville, Florida, amending Appendix A, Section 6 of the Land Development Code, University Heights Special Area Plan; amending prohibited uses in the University Heights Special Area Plan; providing for rehabilitation centers by a Special Use Permit; amending height limits to be consistent with those in the Urban Mixed Use-2 (UMU-2) zoning district; amending the land use and building type matrix to include Urban Mixed-Use (UMU-2); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

On November 28, 2005, the City of Gainesville adopted two new zoning districts-Urban Mixed Use - 1 and Urban Mixed Use - 2. The UMU-2 zoning district, which now applies to a number of parcels within the University Heights Special Area Plan, allows building heights that are taller than those allowed in the University Heights SAP. This petition proposes to amend the University

Heights SAP to make it consistent with the height provisions found in the UMU-2 zoning district. This petition, therefore, recommends that the SAP height limits be increased to be consistent with the UMU height limits, by modifying the "Land Use and Building Type Matrix" as well as the appropriate building types.

The Plan Board discussed the petition and determined that, in addition to the language presented in the petition, the following additional prohibited uses should be added under P. Prohibited Uses: Standard. The following uses are prohibited:

Off-street surface parking lots as a principal use
Drive-throughs (new or expanded)

And add Q. Special Use Permit as follows:

Q. Special Use Permit:
Rehabilitation centers

Public notice was published in the Gainesville Sun on January 3, 2006. Letters were mailed to surrounding property owners on January 4, 2006. The Plan Board held a public hearing January 19, 2006. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 174 TCH-05 PB, with modifications. Plan Board vote 5-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two public hearings. If adopted on first reading, the second and final reading will be held on Monday, April 24, 2006.

Fiscal Note: None

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

4/10/06 City Commission Approved (Petition) and Adopted on First Reading (Ordinance) (7 - 0)

050768A-0327061300.pdf

050768B_0327061300.pdf

050882

URBAN SERVICES REPORT – ALAMAR GARDENS, LLC

Ordinance No. 0-06-37

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of Tax Parcels 06680-001-000, 06745-002-000 and 06745-002-001, and generally located south of the City limits and Tax Parcel 06745-000-000, west of the vicinity of SW 42nd Avenue, north of SW 20th Avenue, and east of the City limits; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, 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 repealing clause; providing a severability clause; and providing an immediate effective date.

Explanation: The Alachua County Boundary Adjustment Act requires a municipality to prepare and adopt by nonemergency ordinance a report setting forth plans to provide urban services to any reserve area to be annexed prior to commencing the annexation procedures under the Act.

The report must generally include the following information:

1) a map or maps of the City and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, and the general land use pattern in the area to be annexed.

2) a statement indicating to what extent services to existing residents would need to be reduced within the next 5 years because of the annexation; to what extent taxes would need to be adjusted within the next 5 years to provide services to the areas to be annexed, including services required by the comprehensive plan of the municipality; and to what extent the area to be annexed meets the criteria of Section 9 of the Alachua County Boundary Adjustment Act;

3) a statement setting forth the plans of the City for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation, including:

a) plans for extending urban services on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation.

b) plans for the extension of existing municipal water and sewer services into the area to be annexed so that, when such services are provided, property owners in the area to be annexed will be able to secure public water and sewer service according to the policies in effect for extending water and sewer lines to individual lots or subdivisions.

c) if extensions of major trunk water mains and sewer mains into the area to be annexed is necessary, set forth a proposed timetable for construction of such mains as soon as possible following the effective date of annexation.

d) set forth the method under which the City plans to finance extension of services into the area to be annexed.

If adopted on first reading, this ordinance shall be heard on second reading on April 24, 2006. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

3/13/06 City Commission Approved as Recommended (5 - 0 - 2 Absent)

4/10/06 City Commission Adopted on First Reading (Ordinance) (7 - 0)

050882A_0410061300.pdf

050882B_0410061300.pdf

050882C_0410061300.pdf

RESOLUTIONS- ROLL CALL REQUIRED

051200

GPD HEATING/VENTILATING/AIR CONDITIONING SYSTEMS (B)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE PURCHASE AGREEMENT AND RELATED LEASING SCHEDULE WITH SIEMENS FINANCIAL SERVICES, INC. PERTAINING TO CERTAIN EQUIPMENT; DELEGATING TO EACH OF THE CITY MANAGER, THE ADMINISTRATIVE SERVICES DIRECTOR AND THE FINANCE DIRECTOR OF THE CITY THE AUTHORITY TO EXECUTE AND DELIVER SUCH MASTER LEASE PURCHASE AGREEMENT AND RELATED DOCUMENTS ON BEHALF OF THE CITY; PROVIDING CERTAIN OTHER DETAILS IN CONNECTION WITH SUCH TRANSACTION; PROVIDING AN EFFECTIVE DATE.

Explanation: The City Commission, at the meeting of March 13, 2006, approved the signing of an agreement with Siemens Building Technologies, Inc. to replace the existing HVAC system and convert to more efficient lighting at the GPD headquarters building. This resolution approves the forms of, and authorizes the execution of, a Master Lease Purchase Agreement and Lease Schedule between the City and Siemens Financial Services, Inc. The purpose of this Lease transaction is to finance the acquisition of certain equipment for the Gainesville Police Department referred to in the proposed Performance Contracting Agreement between the City and Siemens Building Technologies, Inc.

RECOMMENDATION

The City Commission adopt the proposed resolution.

051200a_0424061300.pdf

051200b_0424061300.pdf

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

040282

(Quasi-Judicial) Design Plat approval of Cottage Grove Cluster Subdivision, located in the vicinity of the 5400 Block of Northwest 34th Street, west side (Petition 17SUB-04DB). (B)

Explanation: The City Development Review Board considered a request to approve a design plat of Cottage Grove Cluster Subdivision at a public hearing held March 11,

2004. By a vote of 6-0, the Development Review Board approved Petition 17SUB-04 DB with staff and Board conditions.

The petitioner is proposing to develop a 17-lot cluster subdivision on 6.51 acres more or less, utilizing a 22-foot wide private roadway system that will lie within a 40-foot wide common area. The subdivision will have a density of 2.61 dwelling units per acre, on property zoned RSF-2, that allows up to 4.6 dwelling units per acre. The total number of dwelling units permitted in a cluster subdivision (17 proposed) will not exceed the number of dwelling units (29) that would have been otherwise permitted by the density standards in the zoning district in which it is located.

The cluster subdivision process allows the petitioner to reduce the lot size, width, depth, and building setbacks as long as they meet certain conditions. The RSF-2 zoning would normally require 7,500-square-foot lots that are a minimum of 75 feet wide and 90 feet deep. Lots in this cluster subdivision will range in size from 4,781 square feet to 7,800 square feet. When individual lot sizes in this cluster subdivision fall below 7,500 square feet, 75% of the total square footage of each lot below 7,500 square feet must be set aside for "Cluster Open Space." In this case, 18,128 square feet of Cluster Open Space is required and 128,645 square feet of land (includes wetlands, buffers, common area and retention areas) will be preserved in Cluster Open Space. Also, when lots in a cluster subdivision abut lots in a developed subdivision, the widths of the cluster subdivision lots must equal 75% of the lot width required in that zoning district. All abutting lots to the Appletree Subdivision are greater in width than the minimum allowed.

This cluster subdivision petition was submitted under the old wetlands guidelines (prior to April 12, 2004) of no net loss of wetlands and recent Comprehensive Land Use Plan requirements that there be an average 50-foot wide wetlands buffer strip, with a minimum width of 35 feet. The petitioner is unable to access the rear portion of their 6.51-acre site without encroaching into a very small portion (525 square feet) of a degraded (1.4-acre) wetland and 8,780 square feet of wetlands buffer. The proposed access impacts the wetlands at the same location that has been used historically to access two existing residential dwellings that are located in the rear of the property. The petitioner has the support of the Suwannee River Water Management District and Alachua County Department of Environmental Protection in their attempt to rehydrate the degraded wetlands. The petitioner has agreed to provide the City with responses to a new list of conditions required by the new wetlands ordinance before there can be any development on property containing wetlands.

Fiscal Note: None

RECOMMENDATION

The City Commission approve Petition 17SUB-04DB, with staff and Board conditions.

Legislative History

8/9/04	City Commission	Approved (Petition) with Staff and Development Review Board Conditions (7 - 0)
4/10/06	City Commission	Continued (6 - 0 - 1 Absent)

040282_200604101300.pdf

SCHEDULED EVENING AGENDA ITEMS

051207

Commissioner Warren Nielsen and Chuck Chestnut (NB)

RECOMMENDATION

The City Commission hear comments from Commissioner Warren Nielsen Mayor-Commissioner Pro-Tem Chuck Chestnut, the Mayor, City Commissioners and the public.

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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