

City of Gainesville

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



Meeting Agenda

December 02, 2010

1:00 PM

City Hall Auditorium

City Commission

Mayor Craig Lowe (At Large)

Mayor-Commissioner Pro Tem Jeanna Mastrodicasa (At Large)

Commissioner Scherwin Henry (District 1)

Commissioner Lauren Poe (District 2)

Commissioner Warren Nielsen (District 3)

Commissioner Randy Wells (District 4)

Commissioner Thomas Hawkins (At Large)

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

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

Prophet George Young

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

100484.

Maintenance Contract for Gainesville Fire Rescue's Cardiac Monitor Defibrillators (NB)

This item requests that the City Commission authorize the City Manager to enter into a five-year contract with Zoll Medical Corporation to provide equipment maintenance for Gainesville Fire Rescue's cardiac monitor defibrillators.

Explanation: Gainesville Fire Rescue (GFR) provides Advanced Life Support (ALS) services to the citizens and guests of our community. One of the key pieces of equipment used to deliver ALS services is the multi-function cardiac monitor defibrillator which is equipped with electronic capnography, transthoracic pacing, non-invasive blood pressure measuring, and pulse oximetry. Due to the unique aspects of this technology, it is in the best interest of delivering quality patient services and ensuring equipment readiness to engage in a maintenance contract directly with the manufacturer (Zoll Medical Corporation) to keep GFR's 14 defibrillation units functioning correctly. GFR has experienced five years of service with this company and we have been completely satisfied to date. Through execution of a multi-year contract the vendor can provide a substantial discount. This agreement will cover the units through their remaining normal technological lifespan.

Fiscal Note: Funds in the amount of \$70,442.50 to be paid over a three year period are

identified within the department's budget for this expenditure.

RECOMMENDATION

The City Commission authorize the City Manager or designee to enter into a contract with Zoll Medical Corporation, subject to approval of the City Attorney as to form and legality.

Alternative Recommendation A: The City not enter into a contract resulting in the exploration of alternative means for maintaining this specialized medical equipment.

100498.

Contract Agreement for Gainesville Police Department - Request for Purchase Order to SunGard OSSI's (B)

This item requests the City Commission to authorize the issuance of a Purchase Order to renew the contract with SunGard OSSI for annual maintenance fees and licenses.

Explanation: SunGard OSSI is the manufacturer of the Records Management System used throughout the Department. With the renewal of this contract staff will maintain total integration of the current records management system data and also the integrity of the Master Name Data Base.

Fiscal Note: Funds in the amount of \$235,674 are available from the general funds, account number 001 810 8148 5210 4220.

RECOMMENDATION

The City Commission authorize the City Manager to execute a purchase order to SunGard OSSI, a specified source, in an amount not to exceed \$135,674 for payment of this contract.

Alternative Recommendation A: The City Commission authorizes less than \$135,674 for the contract renewal with the understanding that this will drastically limit the Police Department's ability to manage its Records Management Database.

Alternative Recommendation B: The City Commission deny funding.

100498_OSSISoleSource_20101202.pdf

100511.

Memorandum of Understanding Between the Alachua County Sheriff's Office (ACSO) and the Gainesville Police Department for the Problem Oriented Policing Grant (POP) Awarded Through the Edward Byrne Memorial Justice Assistance Grant (B)

Explanation: The Gainesville Police Department is a sub-recipient of the Problem Oriented Policing Grant (POP) for fiscal year 2010-11. As a part of the Memorandum of Understanding from the Alachua County Sheriff's Office (ACSO) acting as the program administrator, the Gainesville Police Department is eligible to receive up to \$20,000 for reimbursement for overtime pay for specific services associated with this Edward Byrne Memorial Justice Assistance Grant. This reflects a change in the administration of the POP Grant for 2010-11.

Fiscal Note: The Gainesville Police Department is a sub-recipient of this Edward Byrne Memorial Justice Assistance Grant for Problem Oriented Policing (POP). The Alachua County Sheriff's Office will administer the grant and serve as fiscal agent.

RECOMMENDATION

The City Commission 1) authorize the City Manager to execute the grant award and any other necessary documents, subject to the approval by the City Attorney as to form and legality and 2) approve the overtime expenditures as outlined in the approved grant award and the Memorandum of Understanding between the Alachua County Sheriff's Office and the Gainesville Police Department.

100511_POPGrantMOU_20101202.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

100535. Amendment to Contract for Telecommunications Consulting Services (NB)

Staff recommends extending the term of the contract for telecommunications consulting services for GRUCom to Hike & Co, Inc.

Explanation: A three-year contract with Hike & Co, Inc. for telecommunications consulting services for GRUCom was approved by the City Commission on January 14, 2008. The contract provides for one (1) two-year extension of the contract upon mutual agreement of the parties and negotiation of the prices.

Hike & Co, Inc. has served as GRUCom's primary telecommunications consultant since 1995, assisting with almost all development activities. The consultant has assisted GRUCom through its successful start-up phase of its Competitive Access Provider and Internet Service Provider businesses and has been instrumental in developing business relationships with other carriers and key customers with whom they have strategic business relationships. The interface the consultant provides between GRUCom and its key customers enables GRUCom to respond effectively to the complex and unique issues of the highly competitive telecommunications industry. These relationships have been invaluable to GRUCom and have aided in its expansion and sales growth over the years.

The consultant's in-depth knowledge of GRUCom's operations, strategic plans, customer needs and other pertinent issues has significantly contributed to

GRUCom's success. The quality of the consultant's work is exemplary and the rates are competitive with the market for similar services. Staff recommends retaining the consultant for telecommunication consulting services to assist staff with telecommunications issues on an as needed basis.

Fiscal Note: Funds for these services are available in the approved GRUCom capital and operating budgets for FY 2011 and will be requested in subsequent fiscal years of the contract. The estimated annual cost of this contract is \$79,500.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a two-year amendment to extend the term of the contract with Hike & Co, Inc. for telecommunications consulting services on an as needed basis, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services to Hike & Co, Inc. in amounts not exceeding budgeted funds for each fiscal year of the contract, pending final appropriation of funds for each year.

100537. Adding Definition of Extraordinary Fuel Related Expenses to Chapter 27 of the Gainesville Code of Ordinances (NB)

Explanation: In order to meet regulatory emission requirements for SOx and NOx from the Deerhaven II plant, lime and urea must be used in the combustion process for power production. Staff planned for cost recovery of the lime and urea through the Fuel Adjustment as an extraordinary fuel related expense. Staff has found that the term "extraordinary fuel related expense" has not been defined in Chapter 27, so to provide for clarity in the Fuel Adjustment computation staff is recommending that it be defined in Section 27-21, to include lime and urea so costs can be recovered appropriately.

RECOMMENDATION

The City Commission direct the City Attorney to draft, and City Clerk to advertise, an ordinance to adopt the recommended change to Chapter 27 of the Gainesville Code of Ordinances.

CITY ATTORNEY, CONSENT AGENDA ITEMS

100524

CHRISTOPHER GORDON, INDIVIDUALLY, VS. CITY OF GAINESVILLE, A POLITICAL SUBDIVISION, AND GAINESVILLE REGIONAL TRANSIT SYSTEM, A GOVERNMENTAL ENTITY; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2010-CA-6209 (B)

Explanation: On November 15, 2010, the City was served with a Summons and Complaint

filed by Christopher Gordon in the Circuit Court. Mr. Gordon alleges that on February 25, 2009, he boarded an RTS Bus as a wheelchair bound passenger. Mr. Gordon alleges that the driver secured his wheelchair in the bus but failed to secure Mr. Gordon to his wheelchair causing Mr. Gordon to be thrown out of his wheelchair. He claims to have suffered bodily injury and resulting pain and suffering, physical limitations, decreased enjoyment of life and decreased life choices, lost wages, decreased wage earning capacity, medical expenses, possible need for surgery(ies) and future treatment, permanent injuries and inconvenience. Mr. Gordon seeks money damages in excess of \$15,000.00.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Christopher Gordon, Individually, vs. City of Gainesville, a Political Subdivision, and Gainesville Regional Transit System, a Governmental Entity; Eighth Judicial Circuit, Case No. 2010-CA-6209.

100524_Gordon consent_20101202.pdf

100525.

MOGAS INVESTMENTS, INC., NALBANDIAN PROPERTIES, LLC, ROPEN NALBANDIAN V. CITY OF GAINESVILLE, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2010-CA-6285 (B)

Explanation: On November 10, 2010, the City of Gainesville was served with a Summons and Complaint. The Petitioners seek to enjoin the City from rezoning a parcel of land intended for development of the Grace Marketplace from I-2 to Planned Development District. They ask the Court to declare the rezoning inconsistent with the City's Comprehensive Plan and enjoin the City from implementing the zoning.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Mogas Investments, Inc., Nalbandian Properties, LLC, Ropen Nalbandian v. City of Gainesville, a political subdivision of the State of Florida; Eighth Judicial Circuit, Case No. 2010-CA-6285.

100525_consent Mogas_20101202.pdf

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

090366.

Provide a Forum for Review: Alachua General Hospital Site Redevelopment Plans (B)

This issue is a referral from the Community Development Committee and seeks approval from the Commission to initiate a Petition to the Plan Board involving the University Heights Innovation Zoning District.

Explanation: Over the past few months, the Community Development Committee has reviewed proposed plans for the redevelopment of the Alachua General Hospital site. Redevelopment of the site is governed by the underlying land use and zoning and further refined in the University Heights Special Area Plan.

The Committee at its first hearing on the matter received comments from staff, representatives of Shands and other interested parties. The Committee moved that staff and Shands representatives attempt to be more flexible and expressed an openness to consider University Heights Special Area Plan amendments in light of proposed redevelopment plans.

At its October meeting, the Committee reviewed a draft of revisions to the University Heights Special Area Plan and recommended the following to the City Commission:

- 1) That revisions be made to the draft based upon staff comments;*
- 2) That the regulatory regimen be pursued in the context of a base zoning district;*
- 3) That the boundaries be analyzed on the southeast corner of the district boundaries; and,*
- 4) That the item be removed from the Committee's pending referral list.*

Since October's meeting, staff has been in communication with the Consultant on this project and many of staff's comments have been incorporated into the draft zoning district. Staff will continue to work with the Consultant on remaining issues through the Plan Petition process.

Fiscal Note: No fiscal impact associated with this item.

RECOMMENDATION

The City Commission: 1) authorize staff to initiate a Petition to the Plan Board implementing the University Heights Innovation Zoning District; and 2) remove this item from the Community Development Committee pending referral list.

Legislative History

9/9/09	Economic Development/Univ ersity Community Com	Discussed	
10/1/09	City Commission	Referred	Economic Development/University Community Com

4/22/10	Economic Development/Univ ersity Community Com	Discussed
7/15/10	City Commission	Approved as Recommended (6 - 0 - 1 Absent)
8/18/10	Community Development Committee	Approved, as shown above - See Motion(s)
10/21/10	City Commission	Approved as Recommended (5 - 0 - 2 Absent)
	090366_C-Donovan Hand Out_20090909.pdf	
	090366_CDC Mtg Memo-EAB_20100818.pdf	
	090366a_Shands Rep PPT_20100818.pdf	
	090366b_CDC Mtg_Codes_20100818.pdf	
	090366_CDC Minutes of 8-18-10_20101021.pdf	
	090366_University Heights MU_20101028.pdf	
	090366_Univ Hts Notes_20101028.pdf	
	090366A_CRA Memo_20101202.pdf	
	090366B_Zoning District_20101202.pdf	

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

100499.

Innovation Square (B)

Explanation: Redevelopment of the Alachua General Hospital (AGH) site and surrounding properties into the Innovation Hub and Innovation Square has the capacity to bring huge benefits to Gainesville. The most obvious impacts will be in the areas of urban form, economic development, job creation/retention, etc. However, if executed properly, redevelopment of the area will positively affect many other facets of the community as well. One key component in realizing the potential of Innovation Square is ensuring that the relevant land development regulations are capable of supporting the desired redevelopment. The regulatory framework must be structured to support the desired uses and to achieve high quality redevelopment and urban form, while simultaneously providing the clarity, brevity, and practicality needed to cultivate significant private (and public) sector reinvestment.

Unfortunately, the existing regulations cannot accommodate these needs, and unless revised, redevelopment of Innovation Square/surrounding properties is unlikely to reach its envisioned potential. For these reasons, the Community Redevelopment Agency (CRA) is taking the lead role in crafting revised land development regulations which will govern both the former AGH site and the surrounding area. The goal for these regulations is to provide a simple, straightforward, flexible framework that will facilitate investment in the community and high quality redevelopment, while also ensuring high quality design in our built environment. The CRA has engaged David Green, with Perkins+Will to assist in this effort. Perkins+Will is a global leader in designing science/technology buildings, and Mr. Green is a leading urban design professional.

Draft regulations were presented to the City's Community Development

Committee (CDC) on October 28th and to the CRA on November 15th. Final feedback was received from the CDC, CRA, Planning staff, Gainesville Regional Utilities (GRU), Public Works Department (PWD), adjacent property owners, and other stakeholders. This feedback was incorporated into the proposed regulations, which are attached as backup to this agenda. Based on the positive feedback from the CDC, CRA, Shands, UF, General Government staff, and other stakeholders, the next step is to request the City Commission approve the initiation of a planning petition. CRA staff will coordinate with City Planning Department staff to bring the proposed regulations through the approval process in a timely fashion. The goal is to have the new regulations fully incorporated into the Land Development Code in early 2011. Based on recommendations from stakeholders and from the CDC and CRA, the new regulations have been structured to consolidate and replace both the University Heights Special Area Plan and the base zoning regulations within the Innovation Square study area. The attached backup includes modifications aimed at structuring the new code as an underlying zoning for the area.

Fiscal Note: None at this time

RECOMMENDATION

CRA Board to the City Commission: 1) request CRA staff coordinate with City Planning Department staff to initiate a planning petition to bring the proposed regulations, as a base zoning layer, through the approval process.

Legislative History

11/15/10 Community Approved as Recommended (7 - 0)
 Redevelopment
 Agency
 100499 - Exhibit 11152010.pdf
 100499 - Zoning 11152010.pdf
 100499&100502_MOD_20101115.pdf
 100499_University Heights MU_20101202.pdf

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR**COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)****RECESS****RECONVENE****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet****PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED****100448.****Resolution Concerning the City of Gainesville's Local Mitigation Strategy Plan (B)**

This item requests that the City Commission adopt Resolution 100448, the 2009 updated Alachua County Local Hazard Mitigation Strategy Plan and authorize the City Manager to execute project-related agreements. The complete plan is available upon request from the office of the Clerk of the Commission.

Explanation: The City of Gainesville is an active participant in the Alachua County Local Mitigation Strategy (LMS) Plan Work Group. The LMS Work Group mission is to implement "effective mitigation strategies to significantly reduce or eliminate the damage or loss of life, property and economic vitality in the event of a natural, societal or technological disaster." The LMS Work Group identifies and prioritizes projects in the LMS Plan to help "participating jurisdictions qualify for pre-disaster mitigation funding and federal disaster relief." The LMS Work Group also completes five-year updates to the LMS Plan; the most

recent plan update for 2009 was completed in May 2010. Section 3.9.1 Adoption Procedures of the Alachua County LMS Plan requires participating municipalities to present the final copy for adoption.

Fiscal Note: None

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute the Hazard Mitigation Grant Program Agreements and any other documents associated with completing these projects, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A: The City Commission not adopt the Resolution.

100448A_Table of Contents_20101202.pdf
 100448B_Executive Summary_20101202.pdf
 100448C_Resolution_20101202.pdf
 100448D_Exhibit_A_Project_List_20101202.pdf

100501.

Resolution for First Extension of a Joint Participation Agreement for Regional Transit System (RTS) Route 22 (B)

This item is a request to adopt a Resolution authorizing the City Manager to extend the current Joint Participation Agreement (JPA) between the City of Gainesville and the Florida Department of Transportation (FDOT) for the continued operations of Route 22.

Explanation: FDOT allocates service development funds to transit agencies each year. The allocations are given at FDOT's discretion on a competitive basis for agency projects that meet FDOT Service Development Grant (SDG) criteria.

Regional Transit System (RTS) entered into a Joint Participation Agreement (JPA) on September 9, 2009, to implement fixed route service Route 22 from the University of Florida to the Forest Park area. This route has been successful in providing transit service from a high density apartment complex area on SW 20th Avenue, SW 24th Avenue, and State Road 24 (Archer Road) to the University of Florida via State Road 121 (34th St.) and State Road 24 (Archer Road).

Prior to the implementation of Route 22, Route 20 and 21 passengers had to either wait at bus stops until a bus with capacity was available, or drive to campus, which created parking problems on campus and worsened traffic congestion on roads that were already failing or approaching failure. Route 22 has relieved overcrowding on both of those routes. Route 22 operates weekdays during peak hours from 7:00 a.m. to 11:00 a.m. and from 2:00 p.m. to 6:30 p.m.

Because of the success of Route 22, RTS desires to extend the JPA with FDOT for its continued operations. FDOT requires the governing board of each public transit system to adopt a resolution to extend the JPA and authorize acceptance

of these funds.

Fiscal Note: This Joint Participation Agreement requires the City of Gainesville to match the funding. Matching funds will be provided by the University of Florida.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to extend the current agreement and accept the allocation for Gainesville for the provision of transit services (Route 22), subject to approval by the City Attorney as to form and legality.

100501A_Resolution_20101202.pdf

100501B_Map_20101202.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

100142.

REZONING – PORTION OF FOREST PARK (B)

Ordinance No. 100142, Petition No. PB-10-30ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the zoning category of “RMF-6: 8-15 units/acre multiple-family residential district” to “CON: Conservation district”; located in the vicinity of South of S.W. 20th Avenue between I-75 and Forest Park; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF MEMORANDUM

The petitioner, the City of Gainesville Parks, Recreation, and Cultural Affairs Department, requests a rezoning on land owned and maintained by the City. The parcel currently has split zoning with CON (Conservation) zoning on approximately half the property and a 12-acre portion designated RMF-6. Approval of the proposed change would result in the entire parcel being designated CON. This parcel is managed as part of a larger conservation area known as Forest Park.

Public notice was published in the Gainesville Sun on May 11, 2010. The City Plan Board held a public hearing May 27, 2010.

CITY ATTORNEY MEMORANDUM

The petition and ordinance are simultaneously submitted to the City Commission for approval and adoption because city staff and the plan board both recommend approval.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-10-30ZON; and 2) adopt the proposed ordinance.

100142_draft ordinance_20101202.pdf
100142_staff report_20101202.pdf
100142A_attachment A-20101202.pdf
100142B-maps_existing_proposed land use_aerial_20101202.pdf
100142C_application_workshop info_20101202.pdf
100142D_100527 cpb minutes_20101202.pdf
100142E_staff ppt_20101202.pdf

100229.**PLANNED DEVELOPMENT - FAT TUSCAN (B)****Ordinance No. 100229; Petition PB-10-68 PDA**

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Fat Tuscan Planned Development" located in the vicinity of 725 Northeast 1st Street; by amending and restating in its entirety City of Gainesville Ordinance No. 070819 to allow additional uses by right, to allow on-site preparation of fried or barbecued foods, to expand the hours of indoor and outdoor operation, to prohibit after hours events and to increase the amount of indoor and outdoor seating; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This is a request to amend the Fat Tuscan Café Planned Development (PD) Ordinance No. 070819 adopted by the City Commission on July 28, 2008. The applicants have requested revisions to expand the permitted uses on the property, to extend the business hours, increase seating counts and remove restrictions on food preparation and use of the courtyard hours and music. Specifically, the ordinance will allow additional permitted uses by right, will allow non-amplified outdoor music, expand the operating hours to 6:30 a.m. -10:00 p.m. (Monday through Saturday) and 8:00 a.m. - 5:00 p.m. (Sunday); and increase the amount of seating from 30 to 70 seats. The applicants have indicated that the changes "are required due to development of the business, challenging economic conditions, and requests of the patrons."

On July 22, 2010, the Plan Board heard and approved the petition with conditions. The Plan Board focused on the hours of operation and whether or not to allow amplified music. The Board generally expressed that the use was good for the neighborhood but also wanted to protect the residents from potential noise issues with outdoor amplified sound. After much debate and with agreement from the applicant the Board decided to prohibit outdoor amplified music. The Plan Board chair expressed the sense of the Board was that there would be no activity after the hours of operation for the sake of the neighborhood. The Plan Board, by a vote of 5-0, recommended the City Commission approve the petition with modifications.

After public notice was published in the Gainesville Sun, the City Commission held a public hearing on the petition on August 19, 2010. The City Commission, by a vote of 6-0, approved the petition with two modifications to the Plan Board

recommendation 1) prohibit all after hours parties; and 2) prohibit outdoor seating/service after operating hours.

CITY ATTORNEY MEMORANDUM

Should this ordinance pass on first reading, second and final reading will be held on Thursday, December 16, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

8/19/10 City Commission Approved (Petition) as Modified (6 - 0 - 1 Absent)

100229_cpb recommended conditions_20100819.pdf
 100229_A_table 1_list of permitted office uses_20100819.pdf
 100229B_staff letter_20100819.pdf
 100229C_table 1__list of permitted uses_20100819.pdf
 100229D_exhibit 1_cpb 071115 minutes_20100819.pdf
 100229E_exhibit2_staff report_112PDV_07PB_20100819.pdf
 100229F_exhibit 3_ord 070819_20100819.pdf
 100229G_exhibit 4_notice of violation_20100819.pdf
 100229H_exhibit 5_fat tuscan web page_20100819.pdf
 100229I_exhibit 6_staff recommended conditions_20100819.pdf
 100229J_exhibit 7_petitioner appl and backup mat_20100819.pdf
 100229K_citizen letters to cpb_20100819.pdf
 100229L_100722 cpb minutes draft.pdf
 100229_petitionform_20100819.pdf
 100229_draft ordinance_20101202.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

100391.

ELECTION DISTRICT AMENDMENT (B)

Ordinance No. 100391

An ordinance of the City of Gainesville, Florida, amending Chapter 9 of the Code of Ordinances relating to elections; adding the newly annexed area that is covered by Election District 36 to City Election District 3; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of October 21, 2010, authorized the City Attorney's Office to draft and the Clerk of the Commission to advertise an ordinance amending Chapter 9, Elections, of the Code of Ordinances by adding the newly annexed area that is covered by Election District 36 to City Election District 3.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

10/21/10 City Commission Approved as Recommended (5 - 0 - 2 Absent)
 11/18/10 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

100391_Map_20101021.pdf
100391_Draft Ordinance_20101118.pdf
100391_Draft Ordinance_20101202.pdf
100391_MOD_REVISED MAP_20101118.pdf

100455.**HISTORIC TAX EXEMPT FROM AD VALOREM TAXATION – 835 E. UNIVERSITY AVENUE (B)****Ordinance No. 100455; Petition No. 2AVT-08HPB**

An ordinance of the City of Gainesville, Florida, finding that property located at 835 E. University Avenue, Gainesville, Florida, as more specifically described in this Ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2011, and continuing for 10 years under certain conditions; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. As part of its review, the Historic Preservation Board (HPB) and the City Commission must determine whether “the proposed improvement is consistent with the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and is therefore an eligible improvement.”

The process entails two steps: First, the Petitioner files Parts 1 (Preconstruction Application) and 2 (Final Application for Review of Completed Work) of the Historic Preservation Property Tax Exemption Application for the restoration/rehabilitation of a contributing residential building in the Northeast Residential Historic District. Part 1 was approved by the HPB on July 1, 2008, and Part 2 was approved by the HPB on April 6, 2010.

The applicant completed the restoration/rehabilitation work and staff inspected the completed work and found the work meets the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and the City’s Guidelines for Rehabilitating Historic Buildings. The renovations eligible for the tax exemption total \$517,974.43.

On July 1, 2008, the HPB found the property eligible for the tax exemption and recommended the City Commission grant same, with certain conditions.

CITY ATTORNEY MEMORANDUM

Should this ordinance pass on first reading, second and final reading will be held on Thursday, December 2, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

11/18/10 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

100455_Draft Ordinance_20101118.pdf

100455_Exhibit 1_20101118.pdf

100455A_staff ppt_20101118.PDF

100456.

HISTORIC TAX EXEMPT FROM AD VALOREM TAXATION – 719 SE SECOND AVENUE (B)

Ordinance No. 100456; Petition No. HP-10-00044

An ordinance of the City of Gainesville, Florida, finding that property located at 719 SE Second Avenue, Gainesville, Florida, as more specifically described in this Ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2011, and continuing for 10 years under certain conditions; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Chapter 25, Article IV, of the Code of Ordinances authorizes the City Commission to grant ad valorem tax exemptions for historic properties pursuant to Florida law. As part of its review, the Historic Preservation Board (HPB) and the City Commission must determine whether “the proposed improvement is consistent with the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and is therefore an eligible improvement.”

The process entails two steps: First, the Petitioner files Parts 1 (Preconstruction Application) and 2 (Final Application for Review of Completed Work) of the Historic Preservation Property Tax Exemption Application for the restoration/rehabilitation of a contributing residential building in the Southeast Gainesville Historic District. Part 1 was approved by the HPB on August 3, 2010, and Part 2 was approved by the HPB on September 7, 2010.

The applicant completed the restoration/rehabilitation work and staff inspected the completed work and found the work meets the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and the City’s Guidelines for Rehabilitating Historic Buildings. The renovations eligible for the tax exemption total \$183,659.50.

On August 3, 2010, the HPB found the property eligible for the tax exemption and recommended the City Commission grant same, with certain conditions.

CITY ATTORNEY MEMORANDUM

Should this ordinance pass on first reading, second and final reading will be held on Thursday, December 2, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

11/18/10 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

100456_Draft Ordinance_20101118.pdf

100456_Exhibit 1_20101118.pdf

100456A_staff ppt_20101118.PDF

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

100547.

Petition BA-10-6 APP Appeal (B)

RECOMMENDATION *The City Commission hear the Board of Adjustment Appeal.*

100547_appeal_20101202.pdf

100547A_Petition Information_20101202.pdf

100547B_Staff PPT_20101202.pdf

100547C_BOA Minutes_20101202.pdf

100547D_Ltr and Final Order_20101202.pdf

100547E_Dept Disclosure_20101202.pdf

100547_MOD_appellant_ppt_20101202.PDF

100547_MOD_IMG_7024_20101202.PDF

100547_MOD_IMG_7032_20101202.PDF

100547_MOD_IMG_7035_20101202.PDF

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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

