

# **City of Gainesville**

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



## **Meeting Agenda - Final**

**September 5, 2013**

**1:00 PM**

**Modified Agenda**

**City Hall Auditorium**

## **City Commission**

*Mayor Ed Braddy (At Large)  
Commissioner Lauren Poe (At Large)  
Commissioner Thomas Hawkins (At Large)  
Commissioner Yvonne Hinson-Rawls (District 1)  
Commissioner Todd Chase (District 2)  
Commissioner Susan Bottcher (District 3)  
Mayor-Commissioner Pro Tem 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**

Prophet George Young

**CONSENT AGENDA****CITY MANAGER, CONSENT AGENDA ITEMS**

[130116.](#)

**Uniform Bid to Azar's Uniform and DGG Taser and Tactical Supply for the Gainesville Police Department Budget Amount for FY2014 (NB)**

**This item is a request for FY2014 budget for uniforms for award GPDx-130016-FB not to exceed \$120,000.**

*Explanation: The Gainesville Police Department initiated a Request for Proposal for uniforms in November 2012, Bid number GPDx-130016-FB. The bidding process culminated in contracts being awarded to DGG Taser and Tactical Supply and Azar's Uniforms. The awards are for a total of four years with an optional one year extension. A blanket purchase order for the 2014 fiscal year will be completed to the respective vendors for those items awarded. The City Commission approved the bid on February 7, 2013, with agenda item number 120654. At the time of approval, the Gainesville Police Department requested approval for an amount not to exceed \$85,000 to fund uniform purchases for the remaining eight months of the 2013 fiscal year. The total budgeted for the 2013 fiscal year is \$112,986. The \$120,000 fiscal year 2014 request reflects an increase in uniform costs; as well as, an increase in the number of uniforms needed for the newly created Auxiliary and*

*Reserves Units.*

*Fiscal Note: Funds for the increase will be available in the Gainesville Police Department's general budget pending approval of the proposed FY 14 budget.*

**RECOMMENDATION**

*The City Commission: 1) approve the amount not to exceed \$120,000; and 2) authorize the City Manager or designee to authorize two blanket purchase orders for the selected vendors.*

[130162.](#)

**Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for FY 2014 (B)**

**This item is an agreement between the City of Gainesville (City) and Alachua County (County) for traffic engineering services in the amount of \$196,618.37 in revenue to the City during FY14.**

*Explanation: For thirty-five (35) years, the City of Gainesville and Alachua County have entered into an annual agreement for maintenance of traffic signals and traffic engineering services. Under terms of this agreement, the City of Gainesville maintains and operates all traffic signals, flashing school beacons, and flashing warning beacons in the unincorporated area of Alachua County. In addition, the City assists Alachua County with traffic signal design and construction inspection activities. The agreement was put into place in an effort to prevent duplication of services and has resulted in significant cost savings for both the City and County. The agreement provides a mechanism for the County to reimburse the City for traffic counts, traffic accident studies, and traffic signal design activities the City performs for the County. The County's contribution for traffic signal maintenance is based on the current number of traffic signals in operation in the unincorporated Alachua County.*

*Fiscal Note: The County will pay the City \$196,618.37, plus costs for materials for traffic signal maintenance and operation for FY14.*

**RECOMMENDATION**

*The City Commission authorize the City Manager to execute the renewal of the Agreement for Traffic Engineering Services between the City of Gainesville and Alachua County for the period of October 1, 2013 to September 30, 2014, subject to approval by the City Attorney as to form and legality.*

[130162 Agreement 20130815.pdf](#)

[130174.](#)

**Bid Award - Termite Fumigation Tenting at Thomas Center A, Thomas Center B, and Wilhelmina Johnson Center (B)**

**This is a request for the City Commission to award the bid to the**

**Joint Venture of Southern Fumigation and Pest Control/Dr. Buggs for Termite Fumigation Tenting at Thomas Center A, Thomas Center B, and Wilhelmina Johnson Center.**

*Explanation:* The Thomas Center and Wilhelmina Johnson Facilities are in need of fumigation tenting due to dry wood termites. The Facilities division has been spot treating specific areas when swarms are present, however the buildings will need to be tented and fumigated to eliminate the pest from the buildings. It is critical for this work be completed to maintain the long-term structural integrity of the buildings. The facilities have an on-going issue with the pest and have been spot treated thirteen times within the past two years at a cost of over \$500 per occurrence. Completing this treatment should eliminate any and all pest within the facilities.

On June 3, 2013, the City's Purchasing Division issued a Request for Proposals (RFP) from qualified providers for Drywood Eradication Services at Thomas Center Buildings A & B with Wilhelmina Johnson Resource Center as an option. On July, 8, 2013, the City's Purchasing Division received one (1) bid from responsible responsive bidders. The lowest/best evaluated bid meeting specifications was submitted by the Joint Venture of Southern Fumigation and Pest Control/Dr. Buggs with a bid amount of \$112,000 (Thomas Center A for \$53,000; Thomas Center B for \$53,000; and Wilhelmina Johnson Community Center for \$6,000). The work is tentatively scheduled to happen over the weekend of November 8-11, 2013, as to minimize the impact on facility use.

**RECOMMENDATION**

The City Commission: 1) award the bid for Termite Fumigation Tenting at Thomas Center A, Thomas Center B, and Wilhelmina Johnson Center to the Joint Venture of Southern Fumigation and Pest Control/Dr. Buggs in the amount of \$112,000; 2) authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality; and 3) issue a purchase order in an amount not to exceed \$112,000.

[130174 Bid Info 20130905.pdf](#)

[130207.](#)

**Bid Award - West 6th Street Rails to Trails Section 3 (B)**

**This item is a request for the City Commission to authorize the bid award to V. E. Whitehurst & Sons, Inc. for the West 6th Street Rails to Trails Section 3 Project for the construction of an asphalt bike trail between SW 2nd Avenue and NW 10th Avenue, excluding the portion within the limits of the GPD Campus.**

*Explanation:* On June 12, 2013, the City Purchasing Division solicited bids for the West 6th Street Rails to Trails Section 3 Project for the construction of an asphalt bike trail between SW 2nd Avenue and NW 10th Avenue,

excluding the portion within the limits of the GPD Campus. Three (3) firms responded with bids. V. E. Whitehurst & Sons, Inc., was the lowest responsible and responsive bidder in the amount of \$643,679.80.

*Fiscal Note:* Funding in the amount of \$643,679.80 plus a 15% contingency amount for a total of \$740,232 is allocated and identified in the Florida Department of Transportation Local Agency Program (LAP) Agreement and the adopted Capital Improvement Plan for this project.

**RECOMMENDATION**

The City Commission: 1) award the bid award to V. E. Whitehurst & Sons, Inc., for the West 6th Street Rails to Trails Section 3 construction; and 2) authorize the City Manager to execute the contract and any necessary documents, subject to approval by the City Attorney as to form and legality; and 3) issue a purchase order in an amount not to exceed \$740,232.

[130207A BidTab 20130905.pdf](#)

[130210.](#)

**Bid Award - Annual Contract for Citywide Sidewalk Construction/Replacement Services for FY 2014 (B)**

**This item is a request for the City Commission to authorize the bid award to Hicks Seal Coating and Striping, LLC for the annual contract for sidewalk construction/ replacement services for FY 2014.**

*Explanation:* On June 10, 2013, the Purchasing Division solicited bids for the Annual Contract for Citywide Sidewalk Construction/Replacement. One (1) firm responded with a bid. Hicks Seal Coating and Striping, LLC was the only bidder providing a responsible, responsive bid.

Public Works Department needs to contract for additional labor, equipment and materials in order to attain multimodal program goals. The proposal was received on July 2, 2013.

*Fiscal Note:* Funding sources will be identified as needed in the Public Works Department FY 2014 operating budget, the City's Capital Improvement Plan capital project accounts and TCEA funds.

**RECOMMENDATION**

The City Commission: 1) approve the bid award to Hicks Seal Coating and Striping, LLC, for Annual Sidewalk Construction/Replacement Services for FY 2014; and 2) authorize the City Manager to execute an annual services contract with Hicks Seal Coating and Striping, LLC, and any necessary documents, subject to approval by the City Attorney as to form and legality.

[130210 Bid 20130905.pdf](#)

[130211.](#)**Contract for Inmate Work Crew for the Solid Waste Division (B)**

**This item is a request for the City Commission to approve a contract between the City of Gainesville (City) and Florida Department of Corrections (FDOC) for Inmate Work Crew for Litter Clean-up for the term of December 16, 2013 through December 15, 2014.**

*Explanation: As part of the budget preparation process for FY 2013-2014, funds were identified in the Solid Waste Enterprise Fund budget for a contract inmate work crew with the Florida Department of Corrections (FDOC). The inmate work crew consists of an FDOC supervisor and five (5) inmates from their work camp.*

*This annual contract pays for the salary of the FDOC supervisor along with required tools and supplies in the amount of \$57,497. The major work focus of this crew will be litter cleanup along city roadways. The inmate crew will be responsible for the cleanup of illegal dumpsites.*

*Fiscal Note: Funding in the amount of \$57,497 for the inmate work crew contract is provided in the FY 2014 Solid Waste Enterprise Fund operating budgets.*

**RECOMMENDATION**

*The City Commission authorize the City Manager to execute the contract with Florida Department of Corrections for a contractual inmate work crew through December 15, 2014, subject to approval by the City Attorney as to form and legality.*

[130211 Agreement 20130905.PDF](#)

[130212.](#)**Agreement between the City of Gainesville and Keep Alachua County Beautiful for FY2014 (B)**

**This item is a request for the City Commission to approve the execution of an agreement with Keep Alachua County Beautiful in the amount of \$55,000.**

*Explanation: Keep Alachua County Beautiful (KACB) is the sponsor of "The Great American Cleanup," "Trash Troopers," and other anti-litter/beautification activities. The Great American Cleanup is held the second or third Saturday in April of each year and recruits thousands of volunteers to pick up litter, remove graffiti, paint run-down buildings, clean up illegal dump sites, and otherwise beautify Gainesville, the other cities in Alachua County and the unincorporated area of Alachua County. Over 2 tons of litter and debris and 3 tons of tires were removed from public right-of-ways and other areas just within the City of Gainesville during the 2013 events associated with the cleanup. In addition, 1,772 lbs. of Hazardous Waste was brought by residents to the clean-up for proper disposal and/or recycling by the County Hazardous Waste staff.*

*KACB was certified in 1995 as the local affiliate of Keep Florida Beautiful*

and Keep America Beautiful. The City of Gainesville has been a KACB member since the certification of this non-profit organization and has supported KACB with an annual contribution of either \$15,000 or \$20,000 for the past ten years. The City of Gainesville has also provided in-kind services ranging in value from approximately \$6,000 to \$7,000 each year in support of the Great American Cleanup activities.

The Agreement provides:

1. Contribution of up to \$6,769.62 in in-kind services.
2. Payment of \$15,000 to renew the City membership in Keep Alachua County Beautiful. In return, KACB will perform specified cleanup and beautification projects in coordination with the City Solid Waste and Parks Divisions. These projects include, but are not limited to: "The Great American Cleanup", graffiti removal, tree and shrub plantings, and public education programs for litter and graffiti prevention.
3. Payment of \$10,000 for continued implementation of "The Beautiful Block Program." The Beautiful Block Program is necessary to recruit block captains from targeted neighborhoods and to provide guidance and tools to empower neighborhoods to keep their own blocks clean and beautiful.
4. Payment of \$10,000 for the implementation of the "Gainesville Clean and Green Program." The Gainesville Clean and Green Program consists of the beautification improvements of specific medians to be designated by the City Manager through the Solid Waste Division Manager and other minor beautification projects as developed.
5. Reimbursement up to \$20,000 for coordination of beautification services.

*Fiscal Note:* Funding in the amount of \$55,000 is available in the adopted Public Works Department, Solid Waste Division FY 2014 operating budget.

**RECOMMENDATION**

The City Commission authorize the City Manager to execute the contract with Keep Alachua County Beautiful for the period of October 1, 2013, through September 30, 2014, subject to approval by the City Attorney as to form and legality.

[130212\\_Agreement\\_20130905.PDF](#)

[130217.](#)

**Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Mounted Unit Operation Budget for FY2014 (B)**

**This is a request for \$30,000 for funding the Mounted Unit for Fiscal Year 2014 for the Gainesville Police Department.**

*Explanation:* On October 13, 1997 the City Commission approved the formation of the Gainesville Police Department Mounted Patrol Unit and authorized funding through the LECFTF. We are requesting \$30,000 for the 2014 fiscal year as a result of an expected surplus balance of approximately \$35,000 from the FY 2013 Mounted Unit budget. These funds are to be rolled over to supplement funding FY 2014 operations. The total operating costs is estimated to be approximately \$65,186, which includes funding for stables/boarding, veterinarian services, horse feed, supplies, and training.

*Fiscal Note:* Funds for this expenditure in the amount of \$30,000 are available in the Federal Law Enforcement Contraband Forfeiture Trust Fund. The expenditure is allowable per Federal 21 USC 881 found in the US Department of Justice "A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies." The unreserved fund balance in this account is \$1,111,026 as of July 31, 2013.

**RECOMMENDATION**

The City Commission to approve the appropriation of \$30,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Gainesville Police Department Mounted Patrol Unit for Fiscal Year 2014.

[130217 Mounted Unit FY 2013 2014 20130905](#)

[130218.](#)

**Federal LECFTF Funding for the Joint Aviation Unit for FY2014 (B)**

**This request is for \$130,194 for the operating budget for the Gainesville Police Department's Joint Aviation Unit.**

*Explanation:* On July 8, 1996 the City Commission approved the Inter-Agency Agreement for a Joint Aviation Unit between the Alachua County Sheriff's Office (ACSO) and the City of Gainesville's Police Department. The agreement allows for each agency to share the cost of the Aviation hangar and office located at the Gainesville Regional Airport and the ACSO maintenance technician's salary. Total estimated operating costs for FY14 are \$130,194. Estimated costs for the City's half of the hangar/office and maintenance technician's salary are \$50,000. In addition, this request includes costs for normal operating expenses for GPD's helicopter and associated costs.

*Fiscal Note:* Funds in the amount of \$130,194 for this expenditure are available in the Federal Law Enforcement Contraband Forfeiture Trust Fund and is allowable per Federal 21 U.S.C. ( ) 881, found in the U.S. Department of Justice "A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies". The unreserved fund balance in this account is \$1,111,026 as of July 31, 2013.

**RECOMMENDATION**

The City Commission: 1) approve the



appropriation of the amount of \$130,194 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Joint Aviation Unit budget; and 2) approve a purchase order for ACSO for the estimated amount of \$50,000 for 1/2 hanger/office rent and mechanic's salary per inter-agency agreement dated July 8, 1996.

Alternative Recommendation

The City Commission deny funding this request.

[130218 GPD Aviation Budget 2013 2014 20130905](#)

[130231.](#)

**Request for Proposal for the Construction and Operation of a Museum - Proposal Selection (NB)**

*Explanation:* As part of the development of Depot Park, the City and the Community Redevelopment Agency planned to include a museum. The City and CRA entered in preliminary discussions with an organization, the Cade Museum Foundation, to explore the possibility of constructing a museum on the Depot property. The City and the Cade Museum Foundation entered into a Memorandum of Understanding regarding the proposed plans to locate the Museum at Depot Park. According to the Memorandum of Understanding, the parties should enter a Disposition and Development Agreement no later than December 31, 2013, with an anticipated construction start date no later than October 2, 2015.

Prior to entering into a Development and Disposition Agreement, the City and the CRA, are required by Section 163.380, Florida Statutes, to publicly advertise and invite all interested parties to submit proposals for the disposition and development of the approximately 2.155 acre site located within the City-owned property known as Depot Park for development and operation of a museum, art gallery, and gardens of an educational or cultural interest that is open to the general public. The advertisement was published on May 10, 2013. The closing date for candidates' application submittal was June 10, 2013.

Proposers were required to indicate: a) the intended use of the site; b) how the proposal furthers the objectives of the Downtown Redevelopment Plan; c) how the proposer is interested in acquiring the property and on what terms; d) financial statement showing the budgets for construction and operating costs and financing sources; and e) if applicable, request for reimbursement for site improvements. Preference was given to proposers who demonstrated the ability to develop and manage successful museum operations, a plan for developing the museum and site, and the financial and legal ability to carry out their proposal.

The CRA received one proposal from the Cade Museum Foundation for a proposed "Cade Museum for Creativity and Invention". On July 1,

2013, an evaluation committee comprised of CRA and City staff reviewed the proposal and heard a presentation from the applicant. Based on the proposal received the evaluation committee concluded that the proposal met the requirements outlined in the request and recommended that the Cade Museum be selected. The next step is for the City Manager or designee to enter into negotiations for a Development and Disposition Agreement with the Cade Museum Foundation. The final development and disposition agreement will be presented to both the City Commission and the Community Redevelopment Agency Board for approval.

*Fiscal Note:* None at this time. The proposal received includes requests 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**

The City Commission: 1) approve the ranking; 2) authorize the City Manager or his designee to negotiate a Development and Disposition Agreement, subject to approval by the City Attorney as to form and legality; and 3) bring the Development and Disposition Agreement to the City Commission and the CRA Board for each body's approval prior to December 31, 2013.

[130252](#)

**Strategic Plan Quarterly Report - 3rd Quarter of Fiscal Year 2013  
(B)**

**This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 3rd quarter of Fiscal Year 2013.**

*Explanation:* As part of the City of Gainesville Fiscal Year 2013 - 2014 Strategic Planning process, the City Manager prepares a quarterly report on accomplishments related to the City Commission strategic goals and initiatives for each quarter of the Fiscal Year. This is the third quarter report for Fiscal Year 2013.

*Fiscal Note:* None

**RECOMMENDATION**

The City Commission receives a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 3rd quarter of FY 2013.

[130252\\_Report\\_20130905.pdf](#)

[110258](#)

**Private Purchase of Public Land Update (B)**

**This item involves a request for the City Commission to review the matter of private purchase of public land.**

*Explanation:* At the May 16, 2013, City Commission meeting, the City Manager was directed to prepare a City Commission agenda item describing the process for surplus up to 4.99 acres of the Loblolly Woods parcel adjacent to Nathan Collier's property located west of NW 22nd Terrace and north of NW 8th Avenue. The City Attorney was directed to prepare a resolution for the surplus. Conditions of the action included setting a minimum price of \$200,000 per acre, protecting listed species potentially by placing a conservation easement on a portion of the property and specifying that any funds received from the surplus would be earmarked for the future acquisition of conservation lands.

The procedure for disposition of real property is as follows. Prior to the fee title disposition of any real property the City Commission must first, by adoption of a resolution, find and declare that the property is surplus. Being declared surplus means that the property no longer serves a public purpose, is in excess of the City's needs, or the sale of which would serve a greater public purpose than the retention of the property. Once declared surplus, the City may dispose of such property but shall do so in a competitive manner, meaning any individual or entity meeting the terms of the competitive solicitation may bid on the property. The City may establish a minimum sale price and other appropriate terms for the competitive solicitation, and has a right to reject all offers. For real property valued at \$100,000 or more, the City shall also obtain an appraisal prior to the final approval of the sale. Finally, any proceeds from the disposition of park property shall be used exclusively for recreation and park infrastructure enhancements and improvements, pursuant to Section 95.36, Florida Statutes, and the City Comprehensive Plan.

City staff met with Mr. Collier and his representative on June 3 and July 9 to discuss the City Commission action. At these meetings there were discussions on several issues. Mr. Collier expressed interest in the option of being able to build one single family home on the property. The motion approved by the City Commission would not allow development on the property since the property is currently zoned 'conservation' and development (e.g., a single-family dwelling) is only allowed on properties that are greater than or equal to 5 acres in size. In other words, no single-family dwelling would be permitted because the proposed property would be less than the required 5 acres. However, if sold to Mr. Collier, the 4.99 acres could potentially be rezoned sometime in the future to another zoning district that would allow development at a density of at least 3.5 units per acre. A more enduring assurance that this property will be conserved in perpetuity is a conservation easement executed at sale. In these discussions, Mr. Collier expressed concerns about a conservation easement and mentioned a deed restriction as another possible option.

Subsequently, City staff reviewed the property and concluded that it is entirely within the 100 year flood plain and significantly within the 10

year flood channel district. Due to the volume of sediment being transported in the Hogtown Creek watershed, the base creek flow has been shifting its location within the 10 year flood way in recent years. City staff believes it is important to protect the functionality of the flood channel so development of permanent structures should not be allowed.

Regarding the endangered species (e.g., Godfrey's Privet) located on site, Mr. Collier was not in favor of placing a conservation easement on the land to provide access and protection to the listed plant species. Alternative options suggested were to mitigate for the listed species (including acquisition of nursery grown plants and a mitigation fee) or to transplant the endangered species to another site in the Loblolly Woods property. In 2000, there were 13 known occurrences of the Godfrey's Privet plant in the state of Florida. This plant is also found in two other states and the one nursery found to carry this plant is located in South Carolina. In regard to the consideration of acquiring nursery grown plants as part of mitigation, there is concern of introducing a nursery plant of questionable genetic origin into a natural area. There is also another listed species (i.e., Florida Milk Vine) located near the southern border of the proposed boundary line, which would not be included in the proposed surplus. Lastly there is a colony of Wake Robin Trillium wildflowers in the proposed site which is unique to this area since it represents the southernmost range of the species of plant found in Florida.

A bid process for parties interested in purchasing the property would be initiated based on the buyer requirements approved by the City Commission. Based on the City Commission approved motion, the City would surplus approximately 4.99 acres (redraw boundaries to eliminate impact on Milk Vine and need for mitigation); solicit bids for purchase of the 4.99 acres with the following buyer requirements: 1) \$200,000 per acre minimum base bid (\$998,000); 2) up to \$25,000 in mitigation costs; 3) pay mitigation costs for Godfrey's Privet and Wake Robin Trillium; 4) pay replacement costs for building new public access trail; 5) agree to placement of a conservation easement on the entire property; and 6) proceeds of the sale are net to the seller, buyer will pay all closing costs and any due diligence expenses related to the sale of the property.

Separate from the potential sale of the property, the adjoining property owners (including buyer) may initiate a petition to vacate public right-of-way; in which the City Commission may or may not approve such a petition at its discretion. The proceeds from the minimum base bid (not including mitigation costs) shall be used by the City exclusively for the acquisition of conservation lands.

On Tuesday, August 27, 2013, the City Commission received an email from Mr. Collier withdrawing his offer to purchase the City's property in Loblolly Woods.

*Fiscal Note:* Sale of the identified property would potentially result in minimum revenue of approximately \$1 million, of which the land surplus proceeds would be earmarked for the Greenspace Acquisition fund for future

*environmental land acquisition and the plant mitigation and trail relocation, and development funds would be deposited in a land management account.*

**RECOMMENDATION**

*The City Commission discontinue further consideration of the potential surplus and sale of property in Loblolly Woods.*

**Legislative History**

8/4/11	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
10/10/11	Recreation, Cultural Affairs and Public Works Committee	Approved as shown above (See Motion)
2/13/12	Recreation, Cultural Affairs and Public Works Committee	Approved as Recommended
6/5/12	Recreation, Cultural Affairs and Public Works Committee	Approved as shown above (See Motion)
11/26/12	Recreation, Cultural Affairs and Public Works Committee	Approved as shown above (See Motion)
5/16/13	City Commission	Approved, as shown above

[110258A Emails 20111010.pdf](#)  
[110258B Letter to Nathan Collier 20111010.pdf](#)  
[110258C Letter to Mayor 20111010.pdf](#)  
[110258 Disp of Conservation Lands Policy 20120213.pdf](#)  
[110258 Disp of Conservation Lands Policy 20120605.pdf](#)  
[110258B MOD Acq Priority Table 20120605.pdf](#)  
[110258C MOD Loblolly Map 20120605.pdf](#)  
[110258A Letter to Hanrahan 20121015.pdf](#)  
[110258B Letter from Collier 20121114.pdf](#)  
[110258A AcqsnPriorTb 20130207.pdf](#)  
[110258B CompPI 20130207.pdf](#)  
[110258C ConsAcqLandsMap 20130207.pdf](#)  
[110258D AOISpeciesMap 20130207.pdf](#)  
[110258E Funds 20130207.pdf](#)  
[110258F DraftDispPol 20130207.pdf](#)  
[110258G DraftDispCrit 20130207.pdf](#)  
[110258H MasterPlan 20130207.pdf](#)  
[110258I NCCLtr 20130207.pdf](#)  
[110258A Minutes 20130516.pdf](#)  
[110258B PowerPoint 20130516.pdf](#)  
[110258 MODpowerpoint 20130516.pdf](#)  
[110258 Collier Email 20130905.pdf](#)

## **GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

[130242.](#)

### **Declare Scrap Metals Surplus and Authorize Contract for the Sale of Scrap Metals (B)**

**Staff recommends award of a contract to Trademark Metals Recycling, LLC for the sale of surplus scrap metals.**

*Explanation: In accordance with GRU's Investment Recovery Guidelines, Utilities Stores staff aggregates scrap metals that are returned to the warehouse in order to recover part of the initial cost of the materials. The Contractor is required to provide roll-off containers and transportation of the containers to and from GRU as needed for each metal category. The amount payable to GRU is based upon indices published by the American Metal Market (AMM), London Metal Exchange (LME) or Commodity Exchange (COMEX), depending upon the particular type of metal. The scrap metals recovered are separated into six categories as follows:*

Scrap Steel (galvanized and non-galvanized (AMM))  
Street Lights (AMM)  
Scrap Iron (mixed ductile and cast iron) (AMM)  
Aluminum Wire and Cable (LME)  
Bare Copper Wire and Cable (COMEX)  
Insulated Copper Wire and Cable (COMEX)

*The amount of funds recovered each year varies based on the actual amount of scrap returned to the warehouse and over the last two years the average amount received annually was \$100,000.*

*An Invitation to Bid for the sale of scrap metals was sent to twenty-one prospective scrap metal dealers, with two companies responding. A tabulation of the evaluation is attached for your information.*

*Fiscal Note: This contract will allow for recovery of funds for those metals designated as scrap for FY 2014 through FY 2016.*

**RECOMMENDATION**

*The City Commission: 1) declare scrap metals that become available as surplus; and 2) authorize the General Manager, or his designee, to negotiate and execute a three-year contract with Trademark Metals Recycling, LLC for the sale of surplus metals beginning October 1, 2013, subject to the approval of the City Attorney as to form and legality.*

[130242 bidtab 20130905](#)

[130263.](#)

**Request for Proposals for Commercial Real Estate Broker Services (NB)**

**Staff recommends establishing a contract for commercial real estate broker services to assist GRU with the sale of properties on an as-needed basis.**

*Explanation: On December 15, 2011, the City Commission declared the System Control Center (SCC) property surplus and authorized staff to issue Invitations to Bid for the sale of the vacant SCC property, located at 4322 NW 53rd Avenue. In addition, the General Manager was authorized to negotiate a purchase and sale agreement and execute documents to complete a closing for the sale to the highest bidder. Unfortunately, GRU did not receive any offers as a result of that solicitation. GRU received two bids for the property after the bid window closed. Both offers were significantly lower than the appraised value and were declined.*

*Due to the complexity of selling large or unique commercial properties, staff believes that the use of a commercial real estate broker can help*

GRU market certain properties to generate the highest sales price. A qualified commercial broker has the expertise and resources needed to develop a marketing plan and create exposure of the property on a national level. In addition, the broker has the advantage of utilizing their membership associations to advertise properties on multiple listing services and specialty real estate websites in an effort to locate specific types of buyers.

The Request for Proposals (RFP) will require commercial real estate brokerage firms to meet pre-established minimum qualifications and other criteria. GRU will reserve the right to award a contract to more than one commercial real estate brokerage firm based on the specific type of experience offered. Also, in the event a broker is unsuccessful in the sale of a property after an allotted time period, another broker could be engaged to assist in the sale. The RFP and award process will be issued by GRU Purchasing following City policy and procedures.

*Fiscal Note:* The negotiated broker's fee will be funded from the sale of the property.

**RECOMMENDATION**

The City Commission: 1) authorize the General Manager, or his designee, to issue a Request for Proposals for commercial real estate brokerage services to establish a three-year contract with a commercial real estate brokerage firm to market GRU surplus property on an as-needed basis; and 2) authorize the General Manager, or his designee, to use the real estate brokerage contract to enter into and negotiate purchase and sale agreements for the sale of surplus properties as authorized, reserving appropriate utility easements, and to execute all documents necessary to complete closings, subject to the approval of the City Attorney as to form and legality.

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

[130184.](#)

CITY OF GAINESVILLE v. INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL NO. 2157, GAINESVILLE PROFESSIONAL FIREFIGHTERS, INC. (B)

*Explanation:* Collective bargaining negotiations between the City of Gainesville and the International Association of Fire Fighters, Local No. 2157, Gainesville Professional Firefighters, Inc. (IAFF) have reached an impasse. A request has been made by the City to the Public Employees Relations Commission (PERC) for an appointment of a special magistrate to begin the impasse resolution process pursuant to Florida Statute Section 447.403(2)(a).

Once PERC appoints a special magistrate, the special magistrate will



*hold hearings to define the areas of dispute, determine facts relating to the dispute, and render a decision on any and all unresolved contract issues. Within 15 days after the close of the final hearing, the special magistrate is required to issue a recommended decision to PERC and the parties. Each recommendation of the special magistrate is deemed approved by both parties unless specifically rejected in writing by either party within 20 days after the party received the recommended decision.*

*If either party does not accept, in whole or in part, the recommended decision of the special magistrate, the City Manager will submit a copy of the special magistrate's findings of fact and recommended decision to the City Commission within 10 days after the rejection. The parties are required to submit their recommendations for settling the disputed impasse issues to the City Commission. The City Commission is then required to conduct a public hearing at which the parties must explain their positions with respect to the rejected recommendations of the special magistrate. Thereafter, the City Commission must take such action as it deems to be in the public interest, including the interest of the public employees involved, to resolve all disputed impasse issues.*

*Following the resolution of the disputed impasse issues by the City Commission, the parties must reduce to writing an agreement which includes those issues agreed to by the parties and those disputed impasse issues resolved by City Commission's action. The agreement must be signed by the City Manager and IAFF's bargaining agent and submitted to the City Commission and IAFF members for ratification. If such agreement is not ratified by all parties, the City Commission's action shall take effect as of the date of such action for the remainder of the first fiscal year which was the subject of negotiations; however, the City Commission's action shall not take effect with respect to those disputed impasse issues which establish the language of contractual provisions which could have no effect in the absence of a ratified agreement, including, but not limited to, preambles, recognition clauses, and duration clauses.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled: City of Gainesville v. International Association of Fire Fighters, Local No. 2157, Gainesville Professional Firefighters, Inc., Case No. SM-2013-038.*

[130184\\_IAFF Impasse\\_20130905.pdf](#)

[130204.](#)

**JERRY ALLIGOOD vs. THE CITY OF GAINESVILLE, FCHR NO. 201301430 (NB)**

*Explanation: On August 13, 2013, the City of Gainesville received a Notice of Charge of Discrimination from the Florida Commission of Human Relations. Mr. Jerry Alligood, a retired employee with the City, alleges that he has been discriminated against based on his age.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled Jerry Alligood vs. the City of Gainesville; FCHR No.: 201301430*

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT**

[110398.](#)

**Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)**

**This item provides an update to the City Commission from the Recreation, Cultural Affairs and Public Works Committee regarding the public use elements of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project.**

*Explanation: On October 20, 2011, the City Commission referred the issue of Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project to the Recreation, Cultural Affairs and Public Works Committee (RCAPW) for review. This item was last discussed at the July 30, 2013 RCAPW meeting. The Committee voted that this item be considered part of the Recreation Master Plan for future funding consideration and removed from the RCAPW referral list.*

*Fiscal Note: There is no fiscal impact.*

**RECOMMENDATION**

*The City Commission remove this item from the Recreation, Cultural Affairs and Public Works Committee (RCAPW) referral list.*

**Legislative History**

10/20/11	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
4/9/12	Recreation, Cultural Affairs and Public Works Committee	Approved as Recommended
5/14/12	Recreation, Cultural Affairs and Public Works Committee	Approved as shown above (See Motion)
6/7/12	City Commission	Approved as Recommended

[110398 MOD PaynesPrairieSheetflow 60% CC 20111020.pdf](#)  
[110398A Sheetflow PPT 20120312.pdf](#)  
[110398B Rate Information 20120312.pdf](#)  
[110398C Cost Estimates 20120312.pdf](#)  
[110398A Sheetflow PPT 20120409.pdf](#)  
[110398B Rate Information 20120409.pdf](#)  
[110398C Cost Estimates 20120409.pdf](#)  
[110398A Sheetflow Presentation 20120514.pdf](#)  
[110398B Phase I Cost Estimates 20120514.pdf](#)  
[110398B MOD Phase I Cost Estimates 20120514.pdf](#)  
[110398A May RCAPW PPT 20120607.pdf](#)  
[110398B Cost Estimate Table 20120607.pdf](#)  
[110398 MOD Boardwalk 20120607.pdf](#)  
[110398 MOD RainGarden 20120607.pdf](#)  
[110398 MOD WelcomeClassView 20120607.pdf](#)  
[110398 Minutes 20130905.pdf](#)

[120643.](#)

**Transportation Accessibility to Medical Clinics via Regional Transit System (RTS) (B)**

**This item is to provide information requested by the City Commission regarding accessibility to medical clinics in the City of Gainesville provided by Regional Transit System (RTS).**

*Explanation: On December 6, 2012, the City Commission referred the issue of Transportation Accessibility to Medical Clinics via Regional Transit System (RTS) to the Recreation, Cultural Affairs and Public Works Committee (RCAPW) for review. This item was last discussed at the July 30, 2013 RCAPW meeting. The Committee voted that this item be removed from the RCAPW referral list.*

*Fiscal Note: There is no fiscal impact.*

**RECOMMENDATION**

*The City Commission remove this item from the Recreation, Cultural Affairs and Public Works Committee (RCAPW) referral list.*

**Legislative History**

12/6/12	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
2/25/13	Recreation, Cultural Affairs and Public Works Committee	Approved as shown above (See Motion)

[120643\\_Map\\_20130225.pdf](#)

[120643\\_RTS\\_Service\\_20130402.pdf](#)

[120643\\_Minutes\\_20130905.pdf](#)

**PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

**PUBLIC SAFETY COMMITTEE, CONSENT**

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

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION**

**CITY MANAGER**

[100672.](#)

**Update on the Status of the Cabot-Koppers Superfund Site (B)**

**This item involves a request from Environmental Manager Mitchell Brouman, P.G., of Beazer East, Inc. to provide an update and presentation to the City Commission regarding onsite and offsite remediation activities for the Koppers Superfund Site.**

*Explanation: This item supports the City Commission Strategic Initiative 6.4: Actively participate in the clean-up and redevelopment of the Cabot/Koppers Superfund site.*

*On July 9, 2013 the Consent Decree between The United States Environmental Protection Agency and Beazer East, Inc. was executed by a federal judge. This was a significant event in the remediation process as this date signifies the start of the timer for most activities that have been agreed upon to occur.*

*Environmental Manager Mitchell Brouman, P.G., of Beazer East, Inc. has requested an opportunity to give the City Commission a brief update on the next steps in the process and the activities they are currently working on such as the Remedial Design and Remedial Action plans for the onsite activities at the Koppers site. In addition, he will be providing an update on the plans for the remediation occurring offsite in a*

specified area of the Stephen Foster Neighborhood.

*Fiscal Note: This item has no fiscal impact.*

**RECOMMENDATION**

*The City Commission receive a presentation from Mr. Brouman regarding onsite and offsite remediation activities for the Koppers Superfund Site.*

**Legislative History**

2/17/11 City Commission Approved as shown above (See Motion)

3/7/13 City Commission Approved as Amended

[100672 MOD Koppers PPT 20110217.pdf](#)

[100672A-MOD Presentation 20130307.pdf](#)

[100672B-MOD Letter 20130307.pdf](#)

[100672 citizen attachment 20130307.pdf](#)

[100672 citizenPearce 20130307.pdf](#)

[100672 Beazer Presentation 20130905.pdf](#)

[120250.](#)

**Update on the Purchase of Surplus DOC Property by the City of Gainesville (B)**

**The purpose of this item is to provide an update to the City Commission on the status of the negotiations between the City and the State for purchase of surplus Department of Corrections (DOC) property. The City would like to purchase the DOC facility known as the former Gainesville Correctional Institute (GCI) in order to provide a variety of services at the complex for homeless/need individuals and families in our community. This item is being submitted to the City Commission for their consideration and approval to authorize the City Manager to negotiate the purchase of Phase II of the GCI property, seek Legislative support and assistance in obtaining the GCI property, and identify funds for the purchase of the Phase II portion of the GCI property.**

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

*On June 6, 2013, the City Commission authorized the City Manager to terminate the contract with ADC to purchase the site on NW 53rd Avenue, and move forward with the plans to purchase the GCI site from the State. Since that time, the State Department of Environmental Protection (DEP), who is handling the property for the State, has forwarded a tentative contract to the City for the purchase of the 28 acres known as Phase I (See Map A). In addition, the State has included the access road with Phase I at no cost to the City. Based upon the appraised value, the State has agreed to sell the 28 acres with*

*all improvements to the City for \$700,000. The State requires that the City pay all closing costs including, but not limited to, the cost of legal advertisement, appraisal, survey, title insurance, documentary stamp tax, and recording fees. City staff estimates closing costs to be approximately \$53,000. It is anticipated that the City can close on the Phase I property by October 30, 2013; however, the sale is above the DEP approval threshold to execute a contract and will require approval from the State cabinet.*

*In addition to the tentative purchase contract for the 28 acres known as Phase I, the DEP included the tentative purchase contract for the 105 acre site north of Morningside Nature Park as conservation land (See Map B). The cost to purchase the 105 acre site is approximately \$300,000 excluding closing costs. The total amount for the purchase of Phase I and the 105 acre site is approximately \$1 million, excluding closing costs.*

*In November 1, 2012, the City Commission directed staff to look at a potential property exchange with DOC in order to gain full control of the site. The DOC had expressed interest to retain ownership of the Gate/Administration Building and the Medical Building on the GCI site as a potential location for the DOC Probation Office. City staff reviewed potential city properties that may be of interest to the State as an alternative location for the DOC probation office. The site identified for a potential property exchange was the City owned property located at 217 NE 1st Street which currently houses the GPD Detective Bureau. The City property met the State needs; however, a Special Use Permit (SUP) was needed to allow social services at this location. On August 22, 2013, the Plan Board denied the application for the SUP for the Probation Office. City staff has been in contact with the DOC throughout the negotiations and Planning process, so DOC staff was aware of the potential that the SUP could be denied.*

*On Monday, August 26, 2013, City staff received verbal indication from a State DOC official that they may be no longer be interested in the GCI campus buildings and that DOC would recommend to DEP that the City be allowed to purchase the remaining buildings and properties associated with the GCI campus. City staff has requested written confirmation that DOC has withdrawn all interest in retaining any portion of the GCI campus, and is recommending that the City be allowed to purchase the entire GCI campus. City staff is estimating the cost to purchase the remaining properties associated with GCI at \$175,000 excluding closing costs. City staff estimates closing costs to be approximately \$25,000, for an estimated total of \$200,000. The appraisal of the property will have to be modified to exclude the road and other previously negotiated items. Since the cost of Phase II is under the DEP approval threshold, the property acquisition and contract for Phase II does not require approval from the State cabinet. The estimated time to close on Phase II is 90 days.*

*As the Phase II property was expected to be part of a property*

*exchange, only a minimum cost was anticipated to obtain control of the property; therefore, staff would need to identify funds for the purchase of the property. There are no additional funds for construction and renovation of the property. City staff will continue working with County staff and other service providers to seek funding sources such as grants in order to make the renovations necessary to provide a variety of services at the complex for homeless/need individuals and families in our community.*

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager to negotiate the purchase of Phase II of the GCI property; 2) authorize the City Manager or his designee to seek Legislative support and assistance in obtaining the entire GCI property; and 3) direct staff to identify funds for the purchase of the Phase II portion of the GCI property.*

**Legislative History**

8/16/12	City Commission	Adopted (Resolution) and Approved the Recommendation
11/1/12	City Commission	Approved as shown above (See Motion)
12/6/12	City Commission	Approved, as shown above
2/21/13	City Commission	Approved as Recommended
3/11/13	City Commission	Discussed
6/6/13	City Commission	Approved as Amended

[120250A\\_FDEP Notice of Surplus State Land\\_20120816.pdf](#)  
[120250B\\_Parcel Maps\\_20120816.pdf](#)  
[120250C\\_Resolution\\_20120816.pdf](#)  
[120250\\_resolution\\_20120816.pdf](#)  
[120250A\\_Notice of Intent to Sell Surplus State Land\\_20121101.pdf](#)  
[120250B\\_Letter to DEP\\_20121101.pdf](#)  
[120250C\\_Letter from DEP\\_20121101.pdf](#)  
[120250D\\_Draft Map A\\_20121101.pdf](#)  
[120250E\\_Offer for Settlement\\_20121101.pdf](#)  
[120250F\\_Continuance & Settlement Agreement\\_20121101.pdf](#)  
[120250G\\_Aerial Map\\_20121101.pdf](#)  
[120250\\_GCI concept v5\\_20121101.pdf](#)  
[120250\\_GCI-existingpics\\_20121101.pdf](#)  
[120250\\_Maps\\_20121206.pdf](#)  
[120250A\\_DOC Letter of Intent\\_20130221.pdf](#)  
[120250B\\_DOC Map\\_20130221.pdf](#)  
[120250C\\_Parcel 14733 Map\\_20130221.pdf](#)  
[120250A\\_DOC Phase Map\\_20130311.pdf](#)  
[120250B\\_Gateway Center Info\\_20130311.pdf](#)  
[120250A-MOD\\_DOC Map\\_20130606.pdf](#)  
[120250B-MOD\\_GCI Cost Estimate\\_20130606.pdf](#)  
[120250\\_Maps\\_20130905.pdf](#)

## GENERAL MANAGER FOR UTILITIES

[130249](#)

### **Annual Contract for Electric Distribution Line Clearance (B)**

**Staff recommends the award of a contract to Asplundh Tree Expert Company for electric distribution line clearance and related work.**

*Explanation: The utility's electric transmission and distribution systems require periodic line clearance, tree trimming, right-of-way maintenance, weed control and related services. Approximately 600 distribution system and 125 transmission system miles of line are maintained in accordance with American National Standards Institute's (ANSI) arboricultural standards. The line clearance and maintenance program has reduced customer tree related service interruptions by greater than 40% from 2000 to 2013. In addition, the North American Reliability Corporation (NERC) has established stringent line clearance maintenance standards that must be adhered to. The purpose of this contract is to enhance system*



reliability, heighten customer satisfaction, promote safety and comply with federal regulation in a cost effective manner while preserving the aesthetic qualities of the tree canopy. The annual cost of this contract is approximately \$1,835,000.

In addition to routine maintenance, this contract provides the utility with access to emergency response resources as required in major system restoration efforts. Asplundh has the capability to supplement local crews with resources from regions throughout the country. The availability of such additional resources was critical to the utility's restoration efforts following the 2004 hurricane season.

This contract is subject to the Living Wage Ordinance and the wages paid to the Contractor's employees reflect the current rates established by the U.S. Department of Health and Human Services. Wages may be adjusted annually to maintain compliance with this ordinance. Any fiscal impact is reported to the City Commission on an annual basis.

An Invitation to Bid for these services was sent by Utilities Purchasing to 13 prospective bidders, with 8 responding, 4 of which were no bids. This was a two-step bid. Bidders were first evaluated based on established minimum requirements which included the qualifications and references of the business, staff training and certification, and an emergency response and mobilization plan. One bid was deemed non-responsive. The separately sealed bid pricing from the companies that met the minimum qualifications were then opened. Asplundh Tree Expert Company provided the lowest bid and is being recommended for award of the contract. The contract is subject to the Local Preference Ordinance. Asplundh qualifies as a local business; however, there was no fiscal impact.

*Fiscal Note:* Funds for these services are included in the Operations & Maintenance and Capital Budgets for FY14 and will be requested in subsequent fiscal years, subject to final appropriation of funds for each year of the contract.

**RECOMMENDATION**

The City Commission: 1) authorize the General Manager, or his designee, to execute a three-year contract with Asplundh Tree Expert Company, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order in not-to-exceed budgeted amounts for these services for each year of the contract, subject to the final appropriation of funds for each year.

[130249\\_bidtab\\_20130905](#)

[130272.](#)

**Purchase of Innovation Energy Center Site at Innovation Square (B)**

**Staff is requesting approval of the purchase of the Innovation Energy**

**Center site together with associated easements, located at 200 SW 7th Terrace, from Clarence T. Ayers Condominium Association, Inc.**

*Explanation: The Innovation Energy Center was designed and constructed to provide chilled water and emergency power for the greater Innovation Square area, and is currently providing service to the Florida Innovation Hub at UF building. GRU chose to construct the facility on a parcel of land owned by Shands Teaching Hospital and Clinics to the east of the Innovation Hub building, due to the land's availability, cost, and proximity to the service area.*

*In GRU's agreement with Shands, GRU must purchase the site where the chilled water plant is installed within five years of the agreement date of February 7th, 2011. Per the agreement, appraisals were performed by both Shands and GRU to determine the appropriate purchase price. These appraisals were within 15% of each other, and were averaged to determine the property's purchase price. Staff recommends that GRU purchase the property at this time.*

*Fiscal Note: The total purchase price of the property is \$698,313.00 plus closing costs. Funds are available in the FY 2013 Capital Budget.*

**RECOMMENDATION**

*The City Commission: 1) approve the Purchase and Sale Agreement for the purchase of property located at 200 SW 7th Terrace from Clarence T. Ayers Condominium Association, Inc., for an amount not to exceed \$698,313.00 plus closing costs, as negotiated by staff and in accordance with that certain Agreement Between The City of Gainesville and Shands Teaching Hospital and Clinics, Inc, for Utility Services at Innovation Square, dated February 7, 2011; and 2) authorize the General Manager, or his designee, to execute all documents necessary to complete the purchase of the property in accordance with the Purchase and Sale Agreement, subject to approval by the City Attorney as to form and legality.*

[130272\\_agmt\\_09052013](#)

[130272\\_ppt\\_20130905](#)

[130280.](#)

**GREC Proposal Discussion Item - Sections 27.3 and 21.1 of Power Purchase Agreement (NB)**

**RECOMMENDATION**

*Hear a presentation and discussion.*

**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR**[130262.](#)**EO Office 2013 Update (B)****RECOMMENDATION**

*The City Commission hear from EO Director a 2013 update on the EO Office and take appropriate action.*

[130262\\_PPT\\_20130905.pdf](#)**COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION**[130261.](#)**Commissioner Thomas Hawkins - Sidewalk Cafes on State Roads (NB)****RECOMMENDATION**

*The City Commission refer the issue of sidewalk cafes on state roads to the Community Development Committee.*

[130277.](#)**Mayor-Commissioner Pro Tem Randy Wells - UF Family Data Center (NB)****RECOMMENDATION**

*The City Commission hear a presentation and take appropriate action.*

*Please Note: The County item can be found at the following link.*

*<<http://meetingdocs.alachuacounty.us/documents/bocc/agendas/2013-08-27/EC3081B5-21F7-49D8-8587-E670CE91CE0DAgenda.htm>>*

[130279.](#)

**Mayor Ed Braddy - Update on Florida League of Cities and State Issues (NB)**

RECOMMENDATION

*The City Commission hear an update regarding the Florida League of Cities and State Issues and take appropriate action.*

**COMMISSION COMMENTS (if time available)**

**RECESS**

**RECONVENE**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[130260.](#)

**Constitution Week - September 17-23, 2013 (B)**

RECOMMENDATION

*Gainesville Chapter Daughters of the American Revolution Regent Linda G. Williams to accept the proclamation.*

[130260 ConstitutionWeek 20130905.pdf](#)

**CITIZEN COMMENT (6:00pm)**

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

[130059.](#)

**RESOLUTION TO SUPPORT FLORIDA'S WATER AND LAND CONSERVATION AMENDMENT TO THE STATE CONSTITUTION (B)**

RESOLUTION NO. 130059

A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA, SUPPORTING THE FLORIDA WATER AND LAND CONSERVATION AMENDMENT TO THE STATE CONSTITUTION; ENCOURAGING SUPPORT OF THE AMENDMENT BY OTHER ORGANIZATIONS; PROVIDING DIRECTIONS TO THE CLERK OF THE COMMISSION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

*Explanation: This is a request for the City Commission to consider adopting a Resolution supporting Florida's Water and Land Conservation*

*Amendment to the State Constitution*

On July 18, 2013, the City Commission directed the City Attorney's Office to prepare a Resolution expressing the City Commission support for the Florida Water and Land Legacy Statewide Ballot Initiative. Florida's Water and Land Legacy, Inc. is a Florida non-profit corporation, registered as a political committee with the Florida Division of Elections, and is leading a coalition of individual volunteers and conservation and civic organizations from across the state working to put the "Florida Water and Land Conservation Amendment" on the November 2014 ballot. In order to do so, they must collect 676,811 verified signatures. This amendment, if placed on the ballot and approved by voters, would set aside 33% of the state documentary stamp tax for the purposes of conservation, restoration, acquisition and management of Florida's water, land, beaches, shores, parks and wildlife habitat. For the past twenty years the documentary stamp tax has been used for funding conservation programs such as Florida Forever and before that, Preservation 2000, both of which served as important funding sources for the City of Gainesville.

*Fiscal Note:* The resolution results in minimal fiscal impact to the City. The constitutional amendment, if approved by Florida voters, may provide a future funding source for conservation, restoration, acquisition and management of the City's conservation and recreation lands.

**RECOMMENDATION**

The City Commission: consider whether to adopt the resolution in support of Florida's Water and Land Conservation Amendment to the State Constitution, subject to approval as to form and legality by the City Attorney.

**Legislative History**

7/18/13 City Commission Approved as Recommended

[130059 FAQ Sheet 20130718.pdf](#)

[130059 draft resolution 20130905.pdf](#)

**130220.**

**Acceptance of anticipated US Department of Transportation FAA - AIP Grant #3-12-0028-036-2013 in the amount of \$4,661,619 (B)**

**This item seeks City of Gainesville acceptance of an anticipated 2013 US Department of Transportation FAA - AIP Grant to the Gainesville Regional Airport in the amount of \$4,661,619 for: 1) Rehabilitation of Taxiway E Pavement Full Length and Width (approximately 7,500' by 75'); 2) Construction of T/W E Connector to Commercial Apron and Rehabilitation of Taxiway E and R/W 11-29 Edge Lights and Markings; and 3) Removal of Airfield Debris Pile (Wildlife Attractant).**

*Explanation:* The Gainesville-Alachua County Regional Airport Authority anticipates an offer from the FAA for AIP Grant 3-12-0028-036-2013 in the amount

of \$4,661,619 at the Gainesville Regional Airport for: 1) Rehabilitation of Taxiway E Pavement Full Length and Width (approximately 7,500' by 75'); 2) Construction of T/W E Connector to Commercial Apron and Rehabilitation of Taxiway E and R/W 11-29 Edge Lights and Markings; and 3) Removal of Airfield Debris Pile (Wildlife Attractant).

Because the City of Gainesville retains title to the land upon which the Gainesville Regional Airport operates, the City of Gainesville, in addition to the Gainesville Alachua County Regional Airport Authority (GACRAA), must formally accept all federal grant offers. GACRAA did approve a Resolution (Resolution No. 13-009) accepting and authorizing execution of the anticipated grant offer at its regularly scheduled meeting on June 27, 2013.

*Fiscal Note:* This US Department of Transportation FAA - AIP anticipated Grant is in the amount of \$4,661,619 with proceeds for listed improvements to be received by the Gainesville Regional Airport. There is a GACRAA and State of Florida funding component representing cumulatively approximately 10% of the grant proceeds with no fiscal impact upon the City.

**RECOMMENDATION**

The City Commission: 1) hear a brief presentation regarding this request; and 2) adopt the proposed 2013 FAA - AIP Grant Resolution and authorize the Mayor and City Attorney to execute said Grant Agreement and the City Clerk to certify said Grant Agreement.

[130220A\\_City Resolution\\_20130905.pdf](#)

[130220B\\_GACRAA Resolution\\_20130905.pdf](#)

[130220C\\_Assurances\\_20130905.pdf](#)

[130220D\\_GACRAA Application\\_20130905.pdf](#)

[130220E\\_GACRAA Letter to City\\_20130905.pdf](#)

## **ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

[130122.](#)

### **GENERAL EMPLOYEE'S PENSION PLAN AMENDMENTS (B)**

Ordinance No. 130122

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 5 (Employees Pension Plan) of the Code of Ordinances of the City of Gainesville, for federal tax compliance purposes and to amend the investment authority of the board of trustees; amending Section 2-521, Definitions; amending Section 2-522, Establishment of system; amending Section 2-523, Membership and service; amending Section 2-524, Contributions and funding; amending Section 2-526, Benefits; amending Section 2-527, Administration of the plan; amending Section 2-530, Miscellaneous; providing a severability

clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: The City Commission, at its meeting of Thursday, August 1, 2013, authorized the preparation and advertisement of this Ordinance. The Ordinance amends the City's General Employees Pension Plan (Plan) for federal tax compliance purposes. In addition to these amendments required by law, additional minor amendments provide the Board of this Plan (members of the City Commission sit as the Board) with broader investment authority. Currently, Section 2-527(w) of the Plan provides "[t]he [B]oard shall have full power to invest and reinvest all funds within its control and to make investment of all kinds except as otherwise provided by statute or ordinance." Under Florida Statute Section 112.661(5)(a), the investment of the assets of the Plan are subject to the limitations and conditions set forth in Florida Statute Section 215.47(1)-(6), (8), (9), (11) and (17), "unless otherwise authorized by law or ordinance." The proposed amendment to the Plan would expressly provide that investments of the Plan's funds are not subject to investment limitations and conditions set forth in Florida Statute Section 215.47, thereby authorizing the Board to invest funds in asset classes or allocations which may be otherwise restricted by Florida Statute Sections 112.661(5)(a) and 215.47.*

*This ordinance requires two public hearings. If adopted on first reading, second and final reading of the ordinance is scheduled for Thursday, September 19, 2013.*

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

[130122 Gen Pension 20130905.pdf](#)

[130203.](#)

**CONSOLIDATED POLICE OFFICERS AND FIREFIGHTERS  
RETIREMENT PLAN AMENDMENTS FOR POLICE OFFICERS  
(B)**

Ordinance No. 130203

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville, for purposes of compliance with federal tax law and Chapters 175 and 185, Florida Statutes; amending Section 2-596, Definitions; amending Section 2-597, Establishment; amending Section 2-600, Retirement dates and benefits; amending Section 2-601, Optional forms of retirement income; amending Section 2-602, Administration of the plan; amending Section 2-605, Amendment; termination of plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: The City Commission, at its meeting of Thursday, August 1, 2013, authorized the preparation and advertisement of this Ordinance. The Ordinance amends the Consolidated Police Officers and Firefighters Retirement Plan for federal tax compliance purposes and to comply with recent amendments to Chapters 175 and 185, Florida Statutes (SB 538).*

*This ordinance requires two public hearings. If adopted on first reading, second and final reading of the ordinance is scheduled for Thursday, September 19, 2013.*

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

[130203 Consolidated Pension 20130905.pdf](#)

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

[130119.](#)

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

Ordinance No. 130119

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. 10860-000-000, which is generally located south of NE 39th Avenue, west of Morningside Nature Center, north of E University Avenue, 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 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 the adoption of an Urban Services Report ordinance setting forth plans to provide urban services to the annexation area prior to the adoption of an annexation ordinance. Consequently, this ordinance adopts the Urban Services Report for the subject property.*

*The City Commission on August 1, 2013, authorized the City Attorney to draft and the Clerk of the Commission to advertise this ordinance.*



**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two readings.*

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

[130119\\_Morningside Petition\\_20130801.pdf](#)

[130119A\\_draft ordinance\\_20130815.pdf](#)

[130119\\_annexationpetition\\_20130801.pdf](#)

[130120.](#)**VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY-OWNED PARCEL SOUTH OF FRED CONE PARK (B)**

Ordinance No. 130120

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. 16146-000-000, which is generally located south of E University Avenue and Fred Cone Park, west of Tax Parcel No. 16143-000-000, north of SE Hawthorne Road, and east of SE 24th Street and the Alachua County Sheriff's office, 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 submitted a petition for the voluntary annexation of a City-owned parcel generally located south of E University Avenue and Fred Cone Park, west of Tax Parcel No. 16143-000-000, north of SE Hawthorne Road, and east of SE 24th Street and the Alachua County Sheriff's office. The Alachua County Boundary Adjustment Act requires the adoption of an Urban Services Report ordinance setting forth plans to provide urban services to the annexation area prior to the adoption of an annexation ordinance. Consequently, this ordinance adopts the Urban Services Report for the subject property.*

*The City Commission on August 1, 2013, authorized the City Attorney to draft and the Clerk of the Commission to advertise this ordinance.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two readings.*

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

[130120\\_Fred Cone Petition\\_20130801.pdf](#)

[130120A\\_draft ordinance\\_20130815.pdf](#)

[130120\\_annexationpetition\\_20130801.pdf](#)

[130121.](#)

**VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY OWNED PARCELS NORTHEAST OF GRU DEERHAVEN GENERATING STATION (B)**

Ordinance No. 130121

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 Nos. 05871-002-000 and 05871-003-000, which are generally located south of NW 142nd Avenue and northeast of the Gainesville Regional Utilities Deerhaven Generating Station along State Road 121, 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 submitted a petition for the voluntary annexation of two City-owned parcels generally located south of NW 142nd Avenue and northeast of the Gainesville Regional Utilities Deerhaven Generating Station along State Road 121. The Alachua County Boundary Adjustment Act requires the adoption of an Urban Services Report ordinance setting forth plans to provide urban services to the annexation area prior to the adoption of an annexation ordinance. Consequently, this ordinance adopts the Urban Services Report for the subject properties.*

*The City Commission on August 1, 2013, authorized the City Attorney to draft and the Clerk of the Commission to advertise this ordinance.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two readings.*

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

[130121A\\_Deerhaven Petition\\_20130801.pdf](#)

[130121B\\_Deerhaven Petition\\_20130801.pdf](#)

[130121A\\_draft ordinance\\_20130815.pdf](#)

[130121BPetition\\_20130801.pdf](#)

[130121A\\_Petition\\_20130801.pdf](#)

[120139.](#)

**TEXT AMENDMENT - SPECIAL EVENT PARKING (B)**

Ordinance No. 120139, Petition No. PB-11-92TCH

An ordinance of the City of Gainesville, Florida, amending the City Code of Ordinances and the Land Development Code related to special event parking; by amending Section 30-23(c) to create a definition for the University of Florida context area; by amending Section 30-56(c) to allow special event temporary off-street parking in the University of Florida context area; by amending Appendix A Schedule of Fees, Rates and Charges of the Code of Ordinances to add a permit fee for special event parking; amending Section 2-339 by adding violation of special event parking permit requirements to the list of ordinances enforceable as a civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation:* **PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

*During the review of the petition several concerns were raised by staff and concerned citizens. Those concerns include: illegal curb jumping; illegal alcohol distribution; trash and debris left in the yards; illegal signs; no parking plans; yards being eroded due to parking; open fires; charging to park and directing people to park on city streets; overnight parking of RV's in residential areas; tailgating activity; and a desire for better enforcement. However, this ordinance only addresses: no parking plans; parking time limits; illegal signage; trash and debris; portable toilets; and the location of parking on private property.*

*On July 28, 2011, the Plan Board heard the petition and recommended the City Commission approve the petition with suggested revisions. As staff was working to bring the petition to the City Commission, the Commission at its meeting on August 18, 2011, referred the issue to the Community Development Committee. The Community Development Committee discussed the issue at its meetings on November 22, 2011, March 27, 2012 and June 11, 2012. During the three meetings, the Committee heard from stakeholders on both sides of the issue. After hearing the concerns of stakeholders and staff, the Committee voted to pare down the list of conditions to the minimum necessary to address key neighborhood concerns, while still allowing for this limited activity on the days designated by the City Manager.*

*The key elements of the Committee's recommendation are: require a special event permit instead of a business license with no change in the amount of the fee; require the property owner's authorization for the parking activity; require a parking plan indicating that the parking area is located on private property; and provide a civil citation fee of \$250.*

*Public notice was published in the Gainesville Sun on July 12, 2011. On July 28, 2011, the City Plan Board held a public hearing and, by a vote of 4-0, recommended approval of the petition with modifications. On August 2, 2012, the City Commission held a public hearing, and by a vote of 7-0, approved the petition with further modifications.*

*As a result of City Commission comments during first reading of this ordinance on August 15, 2013, City staff realized the ordinance did not clearly identify that a permit is required only if a fee or payment is charged for the parking or in connection with the parking. City staff has revised the ordinance on second reading to include this clarifying language.*

#### **CITY ATTORNEY MEMORANDUM**

*This ordinance requires two readings.*

#### **RECOMMENDATION**

*The City Commission adopt the proposed ordinance as revised on second reading.*

#### **Legislative History**

7/19/12	City Commission	Continued (Petition)
8/2/12	City Commission	Approved (Petition) as Modified

[120139A\\_CDC Recommendation\\_20120719.pdf](#)

[120139B\\_CPB Recommendations\\_20120719.pdf](#)

[120139C\\_CPB staff report\\_20120719.pdf](#)

[120139A\\_CDC Recommendation\\_20120802.pdf](#)

[120139B\\_CPB Recommendations\\_20120802.pdf](#)

[120139C\\_CPB staff report\\_20120802.pdf](#)

[120139\\_draft ordinance\\_20130815.pdf](#)

[120139\\_MOD draft ordinance\\_20130815.pdf](#)

[120139\\_draft ordinance\\_20130905.pdf](#)

[110658.](#)

#### **TEXT CHANGE - BOARD ATTENDANCE REQUIREMENTS (B)**

Ordinance No. 110658

An ordinance amending the Code of Ordinances of the City of Gainesville, Florida, relating to attendance requirements for members of quasi-judicial, administrative, and advisory boards; by amending Section 2-247. - *Removal from office*; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: The City Commission on February 2, 2012, referred this issue to the Audit, Finance and Legislative Committee after it considered the appeals of several advisory board members who did not meet minimum attendance requirements. The City Commission on December 20, 2012, received input from the Audit, Finance and Legislative Committee regarding board attendance requirements and authorized the drafting of this ordinance. This ordinance amends Section 2-247. - Removal from office to provide for a modest number of excused absences per year for the purposes of removal from office, to clarify what constitutes "attendance," and to eliminate the current process for advisory board members to appeal their removal from office for failure to meet board attendance requirements.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two readings.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

2/2/12	City Commission	Approved as shown above and Referred to the Audit, Finance and Legislative Committee
11/26/12	Audit, Finance and Legislative Committee	Recommended for Approval, as amended
12/20/12	City Commission	Approved as Recommended

[110658 MOD Attendance Sheets 20120202.pdf](#)

[110658 MOD Code Excerpt 20120202.pdf](#)

[110658 Recommended Ordinance Revisions - AFLC 11-26-12.pdf](#)

[110658 Appeal Form 20120202.pdf](#)

[110658A BoardAttendanceReqmts 20130815.pdf](#)

[110658B draft ordinance 20130815.pdf](#)

**PLAN BOARD PETITIONS**

[130180.](#)

**Chickens in Single-Family Neighborhoods (B)**

**Petition PB-13-64 TCH. City of Gainesville. Amend the Land Development Code to allow chickens in the single-family residential zoning districts and the RC (12 units/acre residential conservation district) zoning district to increase the number of chickens above the current allotment of two chickens.**

*Explanation: On September 20, 2012, the City Commission approved a recommendation from the Community Development Committee (City Commissioners: Hawkins, Hinson-Rawls and Wells) to direct staff to*

*initiate a petition to allow an increase in the number of chickens that are allowed in single-family neighborhoods. This issue is currently regulated through Chapter 5, Animal Control and not the Land Development Code. The current regulations allows up to two chickens (hens) and no roosters. The proposed amendment would allow up to four hens on lots of 10,000 square feet or less and up to 6 hens on lots greater than 10,000 square feet, and no roosters. The single-family rural residential (RSF-R) district allows up to 20 fowl per acre.*

*The Plan Board reviewed the petition on July 25, 2013. Several citizens spoke about the proposed Code changes and all spoke favorably of keeping chickens and of increasing the number of allowable chickens beyond the numerical limits in the staff proposal. After hearing all the comments the Plan Board voted 5-1 to allow up to 10 chickens in single-family neighborhoods without a permit. At least two Board members expressed some concerns about the number of chickens and indicated that a more acceptable number could have been 6 chickens on lots of 10,000 square feet or less and up to 10 chickens on lots greater than 10,000.*

*It is staff's opinion that numbers of chickens should be limited in order to control nuisance type issues on smaller lots: noise, odor, public health concerns, attracting flies and rodents, and cleanliness of coops/disposal of manure. The literature suggests that a properly drafted ordinance can prevent potential nuisances by establishing guidelines for chicken care and maintenance, such as only allowing smaller sized flocks and not permitting roosters. Staff feels that 10 chickens on smaller lots may be too many and would recommend 6 chickens on lots of 10,000 square feet or less and up to 10 chickens on lots greater than 10,000 square feet after hearing comments from the board members and citizens.*

*Fiscal Note: Additional Code Enforcement Staff time may be required to handle any complaints.*

**RECOMMENDATION**

*City Plan Board to the City Commission - Approve the petition as modified to allow up to 10 chickens, and no rooster.*

*Staff to the City Plan Board - Approve the petition to allow up to four hens on lots of 10,000 square feet or less and up to six hens on lots greater than 10,000 square feet, and no roosters.*

*Alternative Recommendation*

*Allow up to six chickens on lots of 10,000 square feet or less and up to 10 chickens on lots greater than 10,000 square feet, and no roosters.*

[130180A\\_CP\\_B\\_Recommendations\\_20130905.pdf](#)  
[130180B\\_Staff\\_report\\_20130905.pdf](#)  
[130180C\\_Chapter\\_5\\_Animal\\_Control\\_20130905.pdf](#)  
[130180D\\_Article\\_Raising\\_backyard\\_chickens\\_20130905.pdf](#)  
[130180E\\_UF\\_IFAS\\_reports\\_20130905.pdf](#)  
[130180F\\_Residential\\_Urban\\_Chicken\\_Keeping\\_20130905.pdf](#)  
[130180G\\_Proposed\\_code\\_changes\\_20130905.pdf](#)  
[130180H\\_CP\\_B\\_minutes\\_20130905.pdf](#)  
[130180I\\_staff\\_ppt\\_20130905.pdf](#)

## DEVELOPMENT REVIEW BOARD PETITIONS

## SCHEDULED EVENING AGENDA ITEMS

[100523.](#)

### City of Gainesville Registry of Protected Public Places Update (B)

**This item will provide an update to the City Commission on the City of Gainesville's Registry of Protected Public Places.**

*Explanation:* On December 18, 2008, the City Commission passed and adopted an amendment to Ordinance #080576. On March 24, 2009, the citizens of Gainesville voted in favor of the amendment. This ordinance pertains to the protection of City-owned lands acquired or used for conservation, recreation, or cultural purposes. The amendment specifically refers to the sale or conversion of City-owned lands used or acquired for conservation, recreation, or cultural purposes and states that a registry will be created for the purpose of identifying fee simple properties owned by the City of Gainesville that are deemed to be worthy of the highest level of protection. It further states that properties placed on this registry may not be sold or converted to a use that will result in a loss of value for which the property was placed on the registry, except by a majority vote of the electors in a city-wide election.

Parks, Recreation and Cultural Affairs (PRCA) staff reviewed all fee-simple City-owned properties purchased for the purpose of conservation and/or passive recreation and identified properties that could be potentially listed on the registry. Of those properties, eleven were listed in March 2011, and four were listed in March 2013. Property listing documents provide legal descriptions, location maps, and acquisition plans for properties to be listed on the Registry of Protected Public Places.

*Fiscal Note:* There is no cost to the City to list properties on the Registry of Protected Public Places.

#### RECOMMENDATION

The City Commission receive a presentation from staff on the City of Gainesville Registry of

*Protected Public Places.**Alternative Recommendation:*

*The City Commission: 1) receive a presentation from staff on the City of Gainesville Registry of Protected Public Places; and 2) direct the City Attorney to draft and the Clerk of the Commission to advertise an ordinance placing the Loblolly Woods property in the City of Gainesville Registry of Protected Public Places.*

Legislative History

12/16/10	City Commission	Approved as Recommended
1/31/11	Recreation, Cultural Affairs and Public Works Committee	Approved as Recommended
3/3/11	City Commission	Approved as Recommended
3/21/13	City Commission	Approved as Recommended

[100523\\_PPT\\_20110131.pdf](#)

[100523A\\_Land Registry Phase I Listing\\_20110303.pdf](#)

[100523B\\_Land Resistry Ordinance\\_20110303.pdf](#)

[100523C\\_PPT\\_20110303.pdf](#)

[100523A\\_Reg\\_Narr20130321.pdf](#)

[100523B\\_LandRegOrdFinal\\_20130321.pdf](#)

[100523A-MOD\\_RegistryPPT\\_20130905.pdf](#)

[100523B-MOD\\_080576Ordinance\\_20130905.pdf](#)

[100523C-MOD\\_PropertyList\\_20130905.pdf](#)

[100523\\_MOD\\_LoblollyNeighborsPP\\_20130905.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)**