

City of Gainesville

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



Meeting Agenda

March 12, 2007

1:00 PM

City Hall Auditorium

City Commission

***Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Craig Lowe (District 4)
Commissioner Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)***

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 day

CALL TO ORDER

AGENDA STATEMENT

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

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

040823

Contract Extension for State of Florida Lobbying Services (B)

This is a request to extend the contract for State of Florida Lobbying Services based on satisfactory performance.

Explanation: On February 28, 2007, the City of Gainesville's contract for State of Florida Lobbying Services, currently held by Doug Bruce & Associates, is set to expire. Doug Bruce & Associates has provided the City with lobbying services since March 1, 2005. The current contract provides for three, one-year extensions. The request is to execute the first of the one-year extensions.

Fiscal Note: The contracted cost for State of Florida Lobbying Services is \$48,000 and is included in the FY07 budget.

RECOMMENDATION

The City Commission: 1) approve the one-year contract extension for State of Florida Lobbying Services provided by Doug Bruce & Associates; and 2) authorize the City Manager or designee to execute the contract extension.

Legislative History

1/10/05	City Commission	Approved as Recommended (6 - 0 - 1 Absent)
4/10/06	City Commission	Approved as Recommended (4 - 0 - 3 Absent)

040823_200501101300.pdf
040823a_200604101300.pdf
040823b_200604101300.pdf
040823c_200604101300.pdf
040823d_200604101300.pdf
040823e_200604101300.pdf
040823_200703121300.pdf

060974.

Prospective Inter-City Trip (NB)

This item involves referral of a proposed Inter-City trip to the Economic Development University Community Committee (EDUCC) for further discussion.

Explanation: Over the past several years, Inter-City trips have been taken periodically by City Commission members, City staff, community partners and citizens to examine communities in other parts of the nation that face challenges and opportunities similar to those confronted by the City. Most recently, Inter-City trips were taken to Norfolk, VA and New Haven, CT in 2004 and Madison, WI in 2005.

The intent of the trips has been to learn from other communities and bring back creative ideas and innovative solutions to these challenges and opportunities that may be implemented within the confines of the City or the Greater Gainesville area.

Currently, interest has been expressed in another potential Inter-City trip and EDUCC would serve as an effective forum for discussion of prospective plans.

The Gainesville Area Chamber of Commerce has indicated that it is considering an upcoming Inter-City in and around the Greater Gainesville Area rather than to another location.

Fiscal Note: In the event that the City Commission determines that an Inter-City trip is to be pursued, there will be travel related expenditures however these expenditures have not been defined at this time.

RECOMMENDATION

Recommended Motion: The City Commission: 1) refer discussion of a prospective Inter-City trip to the EDUCC for further discussion.

060992.

Award Bid to Gainesville Harley Davidson for the Purchase of Six (6) 2007 Harley Davidson Road King (FLHP) Motorcycles (B)

This item involves the request for replacement of six motorcycle patrol units for Gainesville Police Department.

Explanation: The Gainesville Police Department utilizes motorcycles in its patrol and traffic fleet because of their superior maneuverability in traffic, crowd control and

excellent fuel consumption. The Harley Davidson brand is recommended because of the minimal life cycle cost which is mostly driven by the high residual value. One (1) quotation was received from the local Gainesville Harley Davidson & Beull and was compared to the price on the Florida Sheriffs Association contract. The lower price of \$15,215 was received from Gainesville Harley Davison & Beull.

Fiscal Note: \$96,000 is available in the FY2007 Fleet Replacement Fund for Division 8150.

RECOMMENDATION

The City Commission: 1) authorize the bid award to Gainesville Harley Davidson for the purchase of six (6) Harley Davidson Road King (FLHP) Motorcycles; and 2) authorize the City Manager or designee to execute the contract and issue a purchase order not to exceed \$91,290.

Alternative Recommendation A: The City Commission deny the request for the bid award to Gainesville Harley Davidson & Buell, requiring a new bid process potentially losing current pricing and increasing delivery times.

Alternative Recommendation B: The City Commission deny the request and replace motorcycles with the less maneuverability and higher fuel consumption sedans.

Alternative Recommendation C: The City Commission deny the request and rebid to include other brands of motorcycles with the potential of increasing the total life cycle cost.

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060998.

Assistance to Firefighters Grant FY2006 Application for Traffic Preemption Funding (NB)

This item requests that the Commission authorize the City Manager to execute a grant award for the FY2006 Assistance to Firefighters Grant for Traffic Signal Preemption devices.

Explanation: In April 2006, Gainesville Fire Rescue submitted an application for Federal funds under the Assistance to Firefighters Grant for FY2006. On February 16, 2007, the Department of Homeland Security's Emergency Preparedness and Response Directorate's Grants Office contacted Gainesville Fire Rescue indicating that the grant application has received favorable peer reviews and requesting additional information for further review. This is not a guarantee of award, but does indicate that the application has moved to the next review level.

The application seeks funding for 28 Traffic Signal Preemption devices and installation, at a cost of \$9,620 each, for Priority 1 intersections city-wide. Traffic Signal Preemption, which allows emergency units equipped with an emitting device to control the signal at equipped intersections, has proven to be

an effective tool for improving response times for both fire rescue and ambulance services for the City of Gainesville and Alachua County. Traffic Preemption devices utilize a common frequency that also allows equipped emergency units from surrounding areas to activate intersections locally. An additional element of safety to the public is provided when traffic signals are used to control the traffic flow uniformly while emergency units are approaching intersections.

Fire Rescue staff worked closely with City Traffic Engineering staff in identifying those intersections in need of upgrades. At the time of the application, 75 intersections had been identified city-wide as Priority 1 intersections; 47 of these intersections have had 3M Opticom Traffic Signal Preemption devices installed. This application seeks to obtain funding for the completion of the Priority 1 intersections. The staffs are continuing to work closely to ensure coordination of this grant award and the proposed technology with the Traffic Management System.

Fiscal Note: The total cost of the project is estimated at \$269,390; the Federal Share is 80% or \$215,488 and the Applicant Share is expected to be 20% or \$53,872. The identified source for match funds is the Capital Improvement Revenue Bonds (CIRB), Series 2005. The City Commission adopted a resolution authorizing the issuance of the CIRB 2005 on October 24, 2005 to address capital projects, including traffic signal upgrades.

RECOMMENDATION

The City Commission authorize the City Manager, if awarded the grant, to: 1) execute the grant award contract and other necessary documents, pending approval by the City Attorney as to form and legality; and 2) approve the required payments process for expending the grant funds and matching funds.

Alternate Recommendation A: The City Commission not authorize the City Manager to execute the grant award contract or provide the required match funding.

061013.

Vacate NW 5th St. from NW 7th Pl. to CSX railroad right-of-way and NW 7th Pl. from NW 5th St. to NW 4th St. (B)

This item involves a request for the City Commission to initiate a petition to the Planning Department to vacate NW 5th St. from NW 7th Pl. to the CSX railroad right-of-way and NW 7th Pl. from NW 5th St. to NW 4th St. at the request of the Public Works Department.

Explanation: The Gainesville Police Department seeks to vacate the rights-of-way of NW 5th St. from NW 7th Pl. to CSX railroad right-of-way and NW 7th Pl. from NW 5th St. to the east property lines of Tax Parcels 14411-000-000 & 14405-000-000. Public Works advises the City Commission to continue the vacating of NW 7th Pl. to the west right-of-way line of NW 4th St., as no public purpose is served by the land.

The rights-of-way are not paved or maintained, occasionally get overgrown with vegetation, have no public services, and separate some Gainesville Police Department properties from others. Public Works recommends the vacation of the named rights-of-way while retaining an overall utility easement. The rights-of-way were platted as twenty feet wide in Block 25, Brush's Addition to Gainesville, Plat Book "A", page 88, of the Public Records of Alachua County, Florida.

Fiscal Note: Funding in the amount of \$500 for administrative costs is available in the Public Works FY 07 operating budget.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve Public Works request to initiate a petition to the Planning Department to vacate the rights-of-way of NW 5th St. from NW 7th Pl. to the CSX railroad right-of-way and NW 7th Pl. from NW 5th St. to the west right-of-way line of NW 4th St., retaining an overall utility easement; and 2) authorize the Planning Department to circulate a petition to the Plan Board to vacate the rights-of-way of NW 5th St. from NW 7th Pl. to the CSX railroad right-of-way and NW 7th Pl. from NW 5th St. to the west right-of-way line of NW 4th St., retaining an overall utility easement.

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061014.

Interlocal Agreement between the University of Florida and Regional Transit System (B)

This item involves a request for the City Commission to authorize the City Manager to execute a new Interlocal Agreement with the University of Florida (UF) and Regional Transit System (RTS) to provide unlimited access to UF students. This would include the addition of three (3) new positions to operate current and enhanced transit service. The agreement will start on August 20, 2007.

Explanation: There is currently an Interlocal Agreement between UF and RTS to provide unlimited access to public transit to UF students. The UF Transportation Fee Committee meets with RTS on an annual basis to evaluate the current service and determine the need for enhanced services. During the meeting this year, the UF Transportation Fee Committee agreed to raise the student fee to pay for current and additional services.

The enhanced service consists of additional hours of service on City routes 8 and 21 on weekdays for the Fall and Spring semesters, and additional hours of service on City routes 9 and 20 for the Summer semester. The projected cost of providing the new enhanced service is approximately \$213,272.

RTS staff negotiated a new hourly rate of \$53 per hour for Monday through Saturday service and \$74.03 for Sunday service in FY 2008 that would cover the costs of existing and enhanced service.

In order to provide these services, a total of three (3) new transit operator positions will be needed. The recruitment and training period for these new positions will require that current RTS staff members operate the service until the new employees are available.

Fiscal Note: Based on the new hourly rates, the total revenue anticipated under this agreement is approximately \$8,351,222 and is projected to cover the budgeted expenses. The total revenue for the transportation fee for FY 2007 was \$7,227,700.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the Interlocal Agreement between the University of Florida and the City of Gainesville and any related documents; 2) approve the addition of three (3) new transit operator positions; and 3) approve increases in the budget to operate new and enhanced service effective August 20, 2007.

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061016.

Project Safe Neighborhoods FY 2007 Grant Application (NB)

This item requests City Commission authorization for the Gainesville Police Department to pursue the Project Safe Neighborhood Grant from the U.S. Department of Justice to fund the Violent Crime Task Force.

Explanation: The U.S. Department of Justice has announced it is seeking applications for funding under the Project Safe Neighborhood (PSN) Grant Program. This program furthers the U.S. Department of Justice's mission by providing grants to support and expand PSN task force efforts to reduce gun crime. Congress has appropriated funding to maintain current and expand PSN comprehensive gun crime reduction strategies. The program's effectiveness is based on the cooperation of local, state, and federal agencies in a unified offensive led by the U.S. Attorney in each of the 94 (ninety four) federal judicial districts. The City of Gainesville has received grant awards through the Project Safe Neighborhood Grant Program in the past and is eligible to continue to seek funding from this program.

The Gainesville Police Department will utilize funds from the grant to: 1) conduct overtime details to target geographical areas that have had a dramatic increase in firearms-related offenses, and 2) implement an aggressive anti-firearm media outreach campaign.

Fiscal Note: Grant funds awarded for the Project Safe Neighborhood Program do not require any local matching funds. The solicitation allows for funding requests for up to a 36-month period. Applicants must provide a budget that is allowable and reasonable. The Gainesville Police Department's project will not exceed \$50,000. There are no specified limitations for the amount of an award. Each federal judicial district is eligible to apply for a formula-based allocation, based on population, which will flow through the PSN fiscal agent (Florida Department of Law Enforcement). The U.S. Department of Justice will determine each district's final grant award, which may take into account the

district's need for funding and past performance.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager to: 1) apply to the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, for a grant in an amount up to \$50,000; and if awarded, 2) accept and execute the grant award and any other necessary documents, pending review by the City Attorney as to form and legality, and 3) approve the expenditures as outlined in the approved grant award.

061017.

Request to apply for a Florida Humanities Council grant for Florida's American Heritage River: Art of the St. Johns River Region (NB).

This item involves a request for the City Commission to authorize the Department of Parks, Recreation and Cultural Affairs to seek a grant from the Florida Humanities Council in the amount of \$24,100 to support public programs and educational materials.

Explanation: The City of Gainesville's Department of Parks, Recreation and Cultural Affairs Thomas Center Gallery is seeking a Florida Humanities Council grant in the amount of \$24,100 to support the public programs and educational materials component of Florida's American Heritage River: Art of the St. Johns River Region.

Co-sponsors for the project include the Artists Alliance of North Florida (AAONF), University of Florida's Harn Museum of Art Education Department and Art for a Complete Education (ACE). ACE will produce an education guidebook for use by K-12 teachers to include suggestions for classroom projects documenting the role of the river over the past 10,000 years. The University of Florida's Center for the Arts and Public Policy is planning a statewide symposium, Preserving the Past/Sustaining the Future, scheduled for Fall, 2008. The Santa Fe Community College (SFCC) Art Gallery plans to host an exhibition during Fall 2008 titled Springs Eternal focusing on the preservation of the region's fragile hydrologic network.

Fiscal Note: The Division of Cultural Affairs' in-kind funding match of \$11,240 consists of salary, facility use and promotional costs to be paid from the Division's 2007 budget.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the request to apply for the Florida Humanities Council Grant; and 2) if awarded, authorize the City Manager or designee to execute any related documents pending approval by the City Attorney as to form and legality.

Alternative Recommendation: The City Commission deny the request to apply for the Florida Humanities

Council Grant.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

061032.

Janitorial Services Contracts (B)

Staff recommends award of contracts for Janitorial Services for various Utility facilities.

Explanation: Janitorial contracts are required to clean the administrative areas, restrooms, and designated areas based on the specific requirements for each facility. In addition to general cleaning and trash removal, bi-annual carpet cleaning and floor waxing is included in the service requirements. Facilities that will be maintained by the contracts include the GRU Administration Building, the Springhill Service Center, and certain facilities located in the SE 5th Avenue Compound (Operations Center, Field Services, Water/Wastewater and the Wellness Center).

Purchasing issued a Request for Quotation for janitorial services to 29 prospective janitorial companies. A mandatory pre-bid meeting was held with fourteen companies attending. Thirteen bids were received, including one no bid. The submittals were evaluated based on pricing, qualifications of the business, commercial cleaning experience, references, past performance and local vendor preference. The term of the contract will be for one year, with up to four one-year extensions of the contracts which includes provisions for price increases based on performance and the CPI adjustment from the previous year.

Warjon Inc. d/b/a Coverall of North Central Florida (Coverall) submitted the best evaluated bid for the Springhill Service Center and the 5th Avenue Compound, excluding the GRU Administration Building. C & S Building Maintenance Corporation submitted the best evaluated bid for performing the services at the GRU Administration Building. Both companies are small, local businesses.

Fiscal Note: Funds for these services have been included in the FY 2007 Utilities O&M budget and will be requested in FY 2008.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or her designee, to execute one year janitorial service contracts with Warjon Inc. d/b/a Coverall of North Central Florida for the Springhill Service Center and certain Utility facilities located in the downtown area, and to C & S Building Maintenance Corporation for the GRU Administration Building; and 2) approve the issuance of purchase orders to Warjon Inc. d/b/a Coverall of North Central Florida and C & S Building Maintenance Corporation for these services in a total amount not to exceed \$122,000 and \$68,300 respectively, subject to the final

appropriation of funds for FY 2008.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

061041. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of February 26, 2007, as circulated.*

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EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

061034. Alachua County Children's Alliance (B)

RECOMMENDATION *The City Commission make an appointment to the Children's Alliance.*

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CITY MANAGER

060927. State Legislative Update (B)

The City Commission will receive a report from staff regarding legislative

affairs.

Explanation: The State of Florida House of Representatives released its proposal for property tax reform on February 21, 2007. The Florida Senate will unveil their plan at a later date.

The House plan calls for: 1) A state law that would roll back local property taxes based on a formula based on the City's 2001 rate, adding increases for inflation; and 2) A Constitutional Amendment change that, if adopted by voters in a statewide election will: a) Cap spending by cities, based upon the 2001 spending formula. Cities would be able to exceed the cap with a unanimous vote by the governing body; and b) Eliminate property taxes on homestead property and replace it with an increase in the state sales tax by 2.5 cents.

The state law would take effect, if approved by the Legislature, in July 2007. The Constitutional Amendment aspect of the plan does not indicate how the increase in sales taxes would be distributed if approved by voters.

Fiscal Note: If the property tax rate reduction proposal is approved it would mean a loss of an estimated \$5.9 million in tax revenue for City of Gainesville, which is a -25% reduction in the tax rate.

RECOMMENDATION

City Commission: 1) Receive the legislative update on property tax reform; and 2) take action as appropriate.

Alternative Recommendation: City Commission receive the legislative update on property tax reform and take no action.

Legislative History

2/12/07	City Commission	Heard
2/26/07	City Commission	Approved as shown above (See Motion) (6 - 0 - 1 Absent)

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060927F_200703121300.pdf

061029.**Federal Legislative Update (B)****The City Commission will receive a report from staff regarding legislative affairs.**

Explanation: As part of the process to file Federal appropriation requests for the projects included in the City of Gainesville's 2008 Federal Legislative Statement the projects must be prioritized. Staff has worked closely with the City's Federal lobbying firm, JordanBurt, to rank the City's requests in priority order. The list is based on the project's importance to the City of Gainesville and its potential to be funded during the upcoming legislative session.

The priority ranking suggested by staff and JordanBurt is:

- 1. Traffic Management System \$9 Million*
- 2. Downtown Revitalization Initiative - Depot Park \$9.5 Million*

3. Public Transportation Initiative - RTS - Replacement Buses \$14 Million
4. Homeless Housing and Services Initiative - 10-year Plan to End Homelessness \$2.8 Million
5. Housing Enhancement Initiative - Southeast Gainesville Renaissance \$3.3 Million
6. Education Initiative \$636,800
7. Public Transportation Initiative - RTS - Operations Facility Expansion \$2 Million
8. Public Transportation Initiative - RTS - Multimodal Transportation Center \$3 Million

Fiscal Note: The City of Gainesville is requesting a total of \$44,236,800 in Federal funds.

RECOMMENDATION

City Commission: 1) Receive the priority ranking of the City of Gainesville's 2008 Federal funding requests as suggested by staff; and 2) approve the ranking as submitted by staff.

Alternative Recommendation: City Commission: 1) Receive the priority ranking of the City of Gainesville's 2008 Federal funding requests suggested by staff; 2) make a motion to amend priority rankings; and 3) approve the amended list.

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GENERAL MANAGER FOR UTILITIES

061033.

Solar Photo Voltaic Panels in Parking Areas (NB)

The proposed Solar Share project was not funded by the Florida Department of Environmental Protection. However, staff would like to pursue the concept of solar photo voltaic panels in parking areas, roofs and possibly over stormwater facilities. It is anticipated that there may be issues of compatibility with the Land Development Regulations and that this item should be referred to the City Plan Board.

Explanation: Staff made a presentation to the City Commission about the Solar Share application to the Florida Department of Environmental Protection (FDEP) on December 11, 2007. The Florida Legislature appropriated \$15 million for the grant program. The DEP received 183 grant proposals seeking nearly \$215 million in grant funding. Eight grants were awarded. The Florida Solar Energy Research and Education Foundation received a grant to employ classic market transformation techniques to increase the use of solar, and strengthen and stabilize the solar energy industry in Florida. The University of Florida received a grant for a Renewable Energy Fuels in a Micro-Grid Power Module for a field demonstration of a small-scale Power plant, including operation on a variety of liquid and gaseous biofuels.

The Solar Share application was not awarded the FDEP grant. However, staff

would like to pursue the concept of solar photo voltaic panels in parking areas, roofs and possibly over stormwater facilities. Staff recommends that the placement of solar photo voltaic panels in conjunction with new or redevelopment be referred to the City Plan Board for recommendations. It is anticipated that there may be issues of compatibility with the Land Development Regulations, particularly the Landscape Ordinance.

Fiscal Note: The City of Gainesville will not be receiving funds from the Florida Department of Environmental Protection. There will be no fiscal impact of the referral of solar photo voltaic panels in parking lots to the Plan Board.

RECOMMENDATION

The City Commission hear an update on the status of the Solar Share application to the Florida Department of Environmental Protection; and, refer the issue of shade and solar photo voltaic panels in parking lots to the City Plan Board for a recommendation on compatibility with the Land Development Regulations, particularly the Landscape Ordinance.

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

COMMUNITY DEVELOPMENT COMMITTEE

060666.

Building Height, Number of Stories and Special Use Permits (B)

The Community Development Committee recommends that the Code be amended so that in any district where there are specified stories allowed by right and a greater number of stories allowed by special use permit, a height limit be added in the code, so that the overall building height not exceed thirteen feet times the number of stories. The Community Development Committee also recommends that the number of stories allowed in the Urban Mixed Use 1 (UMU-1) district be amended to five stories by right and six by Planned Development.

Explanation: The City Commission referred this issue to the Community Development Committee, which has discussed it at two meetings. Staff and the Committee discussed that a developer recently argued, at a special use permit hearing, that since the developer was allowed to build to the not to exceed height limit of 104 feet for the UMU-1 district, the developer should be entitled to the two additional stories allowed by special use permit, as the developer indicated she would build to 104 feet whether the building was approved at six stories or eight

stories. While it is unlikely that a developer will build a six-story building to 104 feet, the safest approach for the future is to add a provision to the Land Development Code so that the allowed height is the approved number of stories times a certain number of feet per story.

In addition, the Community Development Committee discussed whether the currently allowed number of stories in the UMU-1 district (which hugs the north side of University Avenue and west side of the Northwest 13th Street corridors in College Park, and a small area close to Audubon Park) should remain as is (six by right, eight by special use permit) or be adjusted. The Committee recommended that the allowed heights be changed to five by right and six by Planned Development. The allowed densities would stay as they are: 75 units per acre by right and 100 by special use permit. So that the process for approving more stories and greater density is consistent, staff would also include in the petition that the 100 units per acre would be obtained by Planned Development, rather than Special Use Permit.

Fiscal Note: None

RECOMMENDATION

Community Development Committee to City Commission: 1) direct staff to initiate a petition to the City Plan Board to amend the height limit in the Land Development Code so buildings do not exceed the number of stories times thirteen feet; and 2) direct staff to initiate a petition to amend the Urban Mixed Use 1 zoning district to change the height limit to five stories by right and six stories via Planned Development.

Legislative History

10/23/06	City Commission	Referred (7 - 0)	Community Development Committee
11/14/06	Community Development Committee	Continued	
12/12/06	Community Development Committee	Approved as Recommended	
1/23/07	Community Development Committee	Approved as Recommended	
	060666_200611141730.pdf		
	060666_20070123.pdf		
	060666_20070301.pdf		
	060666_200703121300.pdf		

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

REGIONAL UTILITIES COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

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

PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

060613.

**GRU - DEPOSIT REQUIREMENTS FOR RESIDENTIAL AND
NONRESIDENTIAL SERVICES (B)**

Ordinance No. 0-07-19

AN ORDINANCE AMENDING CHAPTER 27, ARTICLE 1, SECTION 27-7 OF THE CODE OF ORDINANCES OF GAINESVILLE, FLORIDA RELATING TO DEPOSIT REQUIREMENTS FOR RESIDENTIAL AND NONRESIDENTIAL SERVICE; AMENDING CHAPTER 27, ARTICLE 1, SECTION 27-14 OF THE CODE OF ORDINANCES OF GAINESVILLE, FLORIDA RELATING TO THE DATE PAYABLE FOR COMBINED STATEMENTS, LATE FEE PENALTIES, AND THE DELINQUENT ELIGIBILITY DATE AND SERVICE RECONNECTION POLICIES; AMENDING APPENDIX A, UTILITIES SECTION (7), SUBSECTION a RELATING TO DEPOSITS FOR RESIDENTIAL SERVICE; AND AMENDING APPENDIX A, UTILITIES SECTION (7), SUBSECTION b(4)(i) SERVICE CHARGES BY INCREASING CERTAIN ADDITIONAL CHARGES FOR SAME DAY OR AFTER HOURS RECONNECTION OF SERVICE FOR DELINQUENT DISCONNECTIONS; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE

CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.*Explanation: Executive Summary:*

On February 26, 2007, the City Commission approved the recommendation of the Regional Utilities Committee and authorized the City Attorney to prepare and the Clerk to advertise the above entitled ordinance. The ordinance revises certain provisions of Chapter 27, Gainesville Code of Ordinances, relating to customer utility deposits.

Explanation:

In general, the revisions address utility deposits, cut for nonpayment timing and delinquent reconnection. The revisions require modifications to current ordinance language which need to be in effect with the implementation of the new Customer Information System (CIS) in April, 2007.

A self-directed work team was chartered to research each of the ten (10) stages of the current Collections process: Initial Deposit, Late Fees/Penalties, Delinquent Processing, GRU Payment Assistance, Additional Deposit, Agency Payment Assistance, Convert to Final Pending, Credit Bureau Referral, Credit Bureau Collections and Bad Debt Write-off. At each stage of the process, business and customer measurements used to identify improvement opportunities were calculated for cost, quality, service and speed. This data helped the team identify the process elements and constraints that must be met or changed when re-engineering the process. After evaluating all the opportunities, the team agreed that the following strategies would provide the highest gain: 1) Cost - create processes to minimize the amount in an account referred to the credit bureau or for delinquent processing; 2) Speed - create a process to reduce cycle time for the delinquent and credit bureau referral processes; 3) Quality/Service - provide better communication for delinquent accounts.

After developing the strategies for re-engineering, the team then sought input from the key community stakeholders by hosting a social service summit. Representatives of local government, churches, and social services agencies were present to discuss re-engineering alternatives. In general, the participants were supportive of proposals to: 1) revise the initial and additional deposit policies; 2) shorten the delinquent and credit bureau referral processes; 3) mail a separate delinquent notice letter. The proposal to shorten the credit bureau referral process by seven (7) days was implemented in February, 2006. However, adoption of the remaining proposals was deferred until the new CIS could be implemented: 1) replacing combined utility deposits with deposits for each utility service provided; 2) shortening the delinquent eligibility date by seven (7) days; and, 3) mailing separate delinquent notice letters.

Revisions to the ordinance are needed to complete these process changes.

Fiscal Impact:

Funds are available in the FY 2007 budget to implement the proposed process changes.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

10/9/06	City Commission	Referred (7 - 0)	Regional Utilities Committee
11/9/06	Regional Utilities Committee	Discussed	
2/8/07	Regional Utilities Committee	Approved as Recommended	
2/26/07	City Commission	Approved as Recommended (5 - 0 - 2 Absent)	

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060233.

PLANNED DEVELOPMENT AMENDMENT - PARK CENTRAL HOLDINGS 700 BLOCK OF N.W. 13TH STREET (B)

Ordinance No. 0-06-107, Petition No. 30PDA-06PB

An Ordinance of the City of Gainesville, Florida; amending the Planned Development formerly known as "Park Central Holdings Planned Development" and now known as "University House"; located in the vicinity of the 700 block of N.W. 13th Street, east side; amending the permitted uses, allowable density, terms, conditions and requirements of the planned development as adopted by Ordinance No. 030904; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

This is a request by the applicant to modify the approved Park Central Holdings Planned Development for property located in the 700 block of Northwest 13th Street, east side. Map 1 shows the currently approved Planned Development Layout Plan and Map 2 shows the proposed Planned Development Layout Plan (see attached Map 1 and Map 2). The applicant has changed the name of the Planned Development project to University House. On July 12, 2004, the City Commission adopted Ordinance 030904, approving Petition 10PDV-04PB with a Planned Development Layout Plan and a Development Plan Report. The development was approved with a maximum of 225 dwelling units at a density of approximately 30 units per acre. It also included an option for development of 15,000 square feet of commercial use along Northwest 13th Street. The project subsequently received preliminary development plan approval on July 15, 2004, but has not obtained final development plan approval. A request to extend the Planned Development was considered and approved by the City Commission on June 26, 2006.

The requested modification includes surface parking within the interior of the development, shifting the location and configuration of building footprints, changing the access points off Northwest 12th Street, shifting the parking structure, defining development options for the areas north of Rattlesnake Creek Branch, changing the mix of bedrooms and increasing the number of bedrooms.

Staff addressed the criteria for approving a Planned Development and presented findings and recommendations as included in the Plan Board report. The Board and neighborhood representatives raised issues related to the proposed increase

in the number of bedrooms from 492 to 583 and the associated increases in trip generation. The Board expressed support for the proposal to remove all development options from the areas north of the creek. The applicant expressed concerns about contributions to address traffic impacts of the development on Northwest 13th Street and sought clarification on conditions related to parking, conducting a traffic study and limitation on the bedroom mix. The Board reviewed those concerns and got clarification from staff.

The Plan Board heard the petition and recommended that it be approved, with staff conditions as modified by the petitioner and staff.

The City Commission reviewed the petition at a public hearing on September 11, 2006 and recommended approval with conditions recommended by the Plan Board. The commission also requested that Condition 11, pertaining to mass transit, should be rewritten for consideration at First Reading. Staff submits a modified Condition 11 with an executed Agreement. During the public hearing, the applicant stated that 188 units will be constructed. Based on that statement the allowable density on the subject property was adjusted to reflect a total of 188 dwelling units. The former list of allowable uses is modified as Attachment "A". The development is not required to include any commercial uses and a limit is placed on the amount of floor area that can be used for any individual commercial use, Condition "1" of Section 3. Additionally, if commercial is included in any proposed development, the amount of residential will be reduced in accordance with Condition "1" of Section 3. A new Condition 13 is added offering the dedication of the area north of the creek for conservation or urban park purposes, subject to acceptance by the city.

Public notice was published in the Gainesville Sun on July 4, 2006. Letters were mailed to surrounding property owners on July 5, 2006. The Plan Board held a public hearing July 20, 2006.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of September 11, 2006 directed the City Attorney's Office to prepare and the Clerk of the Commission to advertise the proposed ordinance. If the ordinance is passed on First Reading, Second Reading will be held on March 26, 2007.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

9/11/06 City Commission Approved (Petition) with Staff Conditions as Modified (4 - 3)

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060275.

CIVIL CITATION/MUNICIPAL PROSECUTION - URINATING IN PUBLIC (B)

Ordinance No. 0-07-05

An ordinance of the City of Gainesville amending Chapter 17, Article I, Section 17-8(c) relating to enforcement of urinating in public violations by either civil citation or by municipal ordinance prosecution; adding Section 17-8(d) designating the act of urinating or defecating in public as a serious threat to public health, safety, or welfare and declaring the action irreversible; amending Chapter 2, Article V, Division 6, Section 2-339 by adding the above-referenced violation to the list of those violations that can be enforced by civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

Explanation: The City Commission on November 27, 2006 authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending sections 17-8 and 2-339 relating to civil citations and municipal ordinance prosecution. This ordinance provides enforcement of public urinating violations by civil citation or municipal ordinance prosecution.

The Public Safety Committee, on August 17, 2006 and October 19, 2006, discussed the enforcement issues and differences between civil citation violations and municipal ordinance violations regarding open alcohol containers and urinating in public.

The Public Safety Committee, on October 19, 2006, referred to the City Commission a recommendation of using the civil citation process for some of the municipal ordinance violations.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

7/18/06	City Commission	Referred (6 - 0 - 1 Absent)	Public Safety Committee
8/17/06	Public Safety Committee	Discussed	
10/19/06	Public Safety Committee	Discussed	
11/27/06	City Commission	Approved as Recommended (7 - 0)	

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060496.

LAND DEVELOPMENT CODE AMENDMENT - TRADITIONAL CITY

**SPECIAL AREA PLAN AND COLLEGE PARK SPECIAL AREA PLAN
(B)**

Ordinance No. 0-06-118; Petition 138TCH-06 PB

An ordinance of the City of Gainesville, Florida, amending Appendix A of the Land Development Code, relating to the Traditional City Special Area Plan and the College Park Special Area Plan; deleting references to College Park Special Area Plan in the Traditional City Special Area Plan; clarifying the parking standard in the Traditional City Special Area Plan; correcting the labels in the side setback graphic for the urban regulations for New Construction-Civic; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

The Traditional City Special Area Plan in the Gainesville Land Development Code previously applied a few special development standards as interim measures while the College Park Special Area Plan awaited a more thorough updating by a hired consultant. Now that the full update of the College Park Plan has been completed, a minor deletion of a paragraph is necessary in the Traditional City Plan so that it no longer applies special regulations to College Park.

In addition, staff would like to take this opportunity to clarify a provision in the Traditional City Plan which has created confusion recently regarding the location of off-street parking.

Finally, a correction is necessary in the College Park Special Area Plan. Under the "Civic" building type, two boxes labeled "office" should instead be labeled "residential."

Public notice was published in the Gainesville Sun on September 5, 2006. The Plan Board held a public hearing September 21, 2006. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board, by a 4-0 vote, recommended that the City Commission approve Petition 138TCH-06 PBN.

CITY ATTORNEY MEMORANDUM

This ordinance requires two public hearings. If adopted on first reading, the second and final reading will be held on Monday, March 12, 2007.

Fiscal Note: None

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

2/26/07 City Commission Approved (Petition) and Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

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060664.**URBAN SERVICES REPORT – BEAR ARCHERY (B)****Ordinance 0-07-08**

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of Tax Parcel 07240-001-003, generally located south of the vicinity of the intersection of Interstate 75 and Archer Road, west of the City limits and Interstate 75, north of Parcel No. 07240-000-000 and east of Parcel 07240-000-000; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

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

The report must generally include the following information:

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

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

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

11/13/06	City Commission	Approved as Recommended (4 - 0 - 3 Absent)
2/26/07	City Commission	Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

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RESOLUTIONS- ROLL CALL REQUIRED

061031.**Resolution authorizing issuance of the First Florida Governmental Financing Commission Improvement and Refunding Bonds, Series 2007(B)**

Explanation: This agenda item involves adoption of a resolution authorizing the City's participation in the issuance of the First Florida Governmental Financing Commission Improvement and Refunding Bonds, Series 2007.

As part of the City's FY2007-FY2011 Capital Improvement Plan adopted by the City Commission during the FY2007 & FY2008 budget process, the City Commission approved the issuance of debt to provide a portion of the funding for the roadway and reconstruction work scheduled to be done on SW2nd Avenue. While it is anticipated that the entire \$1.5 million in proceeds will be necessary to complete the SW2nd Avenue project, the resolution and related bond documents have been prepared such that any unused funds can be utilized on other city capital projects. The proposed financing method is a fixed rate borrowing through the First Florida Governmental Financing Commission (FFGFC). The borrowing would be similar to transactions executed by the City through FFGFC in the past. FFGFC is a consortium of Florida cities and counties, created pursuant to Florida statutes through an interlocal agreement in 1985. Its specific purpose is to enable a limited number of participating governmental units, who regularly undertake projects requiring significant debt financing and who have substantially similar credit worthiness and a high investment grade rating by nationally recognized rating agencies, to benefit from the economies of scale associated with larger financings. In addition to Gainesville, FFGFC's current members are Broward County and the cities of St. Petersburg, Sarasota, Boca Raton and Hollywood.

The proposed resolution authorizes the City to enter into a loan agreement with the FFGFC, and authorizes the Mayor, Clerk, City Manager, Administrative Services Director and Finance Director to execute documents required by the FFGFC as a prerequisite to making the loan, subject to the approval of the city Attorney as to form and legality. The FFGFC will issue its revenue bonds to provide the funds.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

061030.**Board of Canvassers (B)**

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 6, 2007; and providing an immediate effective date.

Explanation: On March 6, 2007, a city election for the election of commissioner for District 4 and Mayor was held.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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