

# **City of Gainesville**

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



## **Meeting Agenda**

**August 16, 2012**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

***Mayor Craig Lowe (At Large)***

***Mayor-Commissioner Pro-Tem 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)***

***Commissioner Randy Wells (District 4)***

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

## CALL TO ORDER

## AGENDA STATEMENT

*Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited."*

## ROLL CALL

## INVOCATION

## CONSENT AGENDA

## CITY MANAGER, CONSENT AGENDA ITEMS

### 120096.

**Interlocal Agreement between the City of Gainesville and Alachua County for use of the Gainesville/Alachua County Senior Recreation Center as an emergency shelter (B)**

**This item requests authorization by the City Commission for the City Manager to execute an Interlocal Agreement between the City of Gainesville and Alachua County for use of the Gainesville/Alachua County Senior Recreation Center as an emergency shelter.**

*Explanation: In July 2011, the City Commission approved the City Manager to execute a License Agreement between the City of Gainesville and ElderCare of Alachua County, authorizing execution of an agreement that provides ElderCare use of the Gainesville/Alachua County Senior Recreation Center (Center) for the purpose of providing programs and services at the Center. A stipulation of that License Agreement was that in the event of an emergency, the facility may be used as an emergency shelter as deemed necessary by the City. The Center is located within Northside Park, at 5701 NW 34th Street; the Center was constructed to meet 120 MPH wind speeds, and with specifications permitting the building to serve as an emergency shelter center.*

*Staff has prepared an Interlocal Agreement between the City and Alachua County that provides for the use of the Center as an emergency shelter. The County has developed an emergency management plan designed to serve the*

public before, during and after emergency situations which involves use of the Center.

*Fiscal Note:* Provisions for covering expenses associated with use of the Center as an emergency shelter are outlined in the Interlocal Agreement.

**RECOMMENDATION**

*The City Commission: 1) approve the Interlocal Agreement between the City of Gainesville and Alachua County; and 2) authorize the City Manager or designee to execute the Interlocal Agreement, subject to approval by the City Attorney as to form and legality.*

120096\_Interlocal Agreement\_20120816.pdf

**120183.**

**Funding for Gainesville Police Department Police Beat Television Show (B)**

**Request funding for the Gainesville Police Department's Police Beat Television Show from Federal Forfeiture funds for FY2013**

*Explanation:* The Gainesville Police Department's (GPD) Police Beat Television Show is part of the Department's Crime Prevention program. The show is used to: 1) explain how the Department provides services; 2) explain its community oriented policing initiatives; and 3) showcase crime prevention activities. The Police Department also uses the show to highlight various specialty unit operations.

*GPD has been producing the show for over ten years and has produced 120 episodes. In the past year, GPD has highlighted numerous features about the Department. Additionally, GPD continues to use the show as a format to give the citizens of Gainesville crime prevention information and highlight numerous unsolved crimes in the hopes of gathering useful leads or new information. The requested funds will cover the production and airing of 12 new thirty-minute shows to air.*

*Fiscal Note:* Funds for this one year agreement, covering the period October 1, 2012 through September 30, 2013, totaling \$49,500 are available in the Federal Law Enforcement Contraband Forfeiture Trust Fund. The balance in the account is \$ 1,221,746.00 unreserved fund balance of 6/30/2012.

**RECOMMENDATION**

*The City Commission: 1) approve the expenditure and issuance of a purchase order to Studio 601, Inc., Gainesville, Florida in the amount of \$49,500 for the continuation of funding for the Police Beat Television show.*

*Alternative: The City Commission: deny funding for the program.*

120183\_Studio601Contract\_20120802.pdf

**120185.****Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF)  
Funding for the Gainesville - Alachua County Drug Task Force (DTF), GPD  
Special Investigation Division for Verizon Wireless for FY13 (NB)**

**This is to request money for FY2013 for cellular phones service for the  
Special Investigations Division.**

*Explanation: On November 1, 2007 the Gainesville Police Department Special Investigations Division (GPD SID) combined with Alachua County Sheriff's Office Narcotics and Organized Crime Unit (ASO NOCU), along with the University of Florida Police Department (UPD) to form the Gainesville-Alachua County Drug Task Force (DTF).*

*The DTF is often involved in large scale operations with other federal, state and local organizations.*

*Nextel has done away with the program that the DTF and DEA were using. The Nextel Phone equipment and service is no longer available for DTF purposes. As a result other agencies had to move to a different service. The service that ASO is using is Verizon Wireless. Since this is now the standard it is important that the Special Investigations Division keep with the same service as the rest of the task force. It is important when in some cases this would be the only means of communications between task force members and other federal and state organizations. The funding request is for the operating expenses for FY2013 cellular phones used by SID in the amount not to exceed \$9,000.00.*

*Fiscal Note: Funds for this expenditure in the amount of \$9,000.00 are available in the Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) and is allowable per the US Department of Justice "A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Enforcement Agencies." The balance is \$1,221,746 unreserved fund balance for the nine months ended June 30, 2012.*

**RECOMMENDATION**

*The City Commission approve the appropriation of \$9,000.00 from the Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) to pay for the cellular services and any equipment needed to Verizon Wireless.*

**120193.****The 21st Century Learning Grant Contract Agreement Between the  
Gainesville Police Department (GPD) and the School Board of Alachua  
County (NB)**

**The School Board of Alachua County has been awarded a 21st Century Learning Grant from the Florida Department of Education. Through this grant, the School Board will contract with the Reichert House Youth Academy to provide youth services.**

*Explanation:* The School Board of Alachua County has been awarded a 21st Century Learning Grant from the Florida Department of Education. Through this grant, the School Board will contract with the Reichert House Youth Academy to provide youth services. This contract provides \$100,000 to fund three full-time Intervention Specialists, three part-time certified teachers and one part-time (.50) site coordinator for grant administration. The grant cycle for this project will begin August 1, 2012. City Commission approval will allow the City to contract with the Alachua County School Board for staff positions and services received from August 1, 2012. This is the fourth year of a five year grant cycle received by the School Board of Alachua County from the Department of Education. GPD's contract is subject to review and is renewable annually based on satisfactory performance criteria as established by the grant.

*Fiscal Note:* Total amount the City of Gainesville will receive through the agreement is \$100,000.

**RECOMMENDATION**

*The City Commission:* 1) approve the agreement for \$100,000 between the City of Gainesville, the Gainesville Police Department, the Reichert House Youth Academy and the Alachua County School Board; 2) authorize the City Manager to accept and execute the grant award and any other necessary documents, subject to approval by the City Attorney as to form and legality; and 3) approve the expenditures as outlined in the approved grant award/contract.

**120212.**

**TMDL Water Quality Restoration Grant Application to the Florida Department of Environmental Protection for the Depot Park Project (B)**

**This item is a request for the City Commission to authorize staff to submit a grant application to the Florida Department of Environmental Protection (FDEP) for TMDL funds in the amount of \$374,538 for the Depot Park Project.**

*Explanation:* The FDEP TMDL Grant Program provides funding for the implementation of best management practices designed to reduce pollutant loads to impaired waters from urban stormwater discharges. This funding is administered by the Florida Department of Environmental Protection as the TMDL Water Quality Restoration Grant, which is set out by rule in Chapter 62-305, F.A.C. and authorized by Section 403.890(2), F.S.

*The overall project objective is to mitigate environmental impacts to soil and groundwater and provide stormwater treatment to the 134 acre downtown service area. The objective of the monitoring component of the project is to monitor the effectiveness of the Phase I and Phase II ponds in achieving the pollutant reduction goals that these basins are permitted for. Both ponds are anticipated to reduce the nitrogen by 50%, phosphorus by 65%, total suspended solids by 85% and the biological oxygen demand by 80%. These reduction*

targets are based on various published sources however the City would like to measure the actual effectiveness of these ponds once Phase II has been built. In addition to measuring the actual effectiveness of these ponds, the data obtained from this monitoring project will provide useful data on estimating the pollutant reduction abilities of a wet pond in a highly urban area. All components of this project have been funded (land acquisition, design and construction) except the monitoring component of the project. Construction of Phase II is on schedule to commence in October 2012 and is anticipated to take no more than 12 months. The installation of the monitoring equipment can begin in August 2012 and monitoring is expected to continue until December 2014. The Public Works Department is requesting approval to submit for the FDEP TMDL Grant for funding of the monitoring component of the project.

*Fiscal Note:* The FDEP TMDL Grant Program funds request is for \$374,538. If the Grant is awarded, a local match of \$374,538 is required and available in contributions already made to the project through the Stormwater Management Utility Fund.

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager or designee to make application with FDEP for the TMDL Grant, and 2) if the grant is awarded, authorize the City Manager to execute all related documents, subject to approval by the City Attorney as to form and legality.*

120212\_GrantApplication\_20120816.pdf

**120213.**

**Grant of a Temporary Construction Easement to Alachua County (B)**

**This item involves approval and authorization to grant a Temporary Construction Easement on a portion of the T.B. McPherson Recreation Center, Tax Parcel 16107-501-000, to Alachua County.**

*Explanation:* Alachua County has plans to renovate the sidewalk on the east side of Southeast 15th Street, a County right of way. The renovations are adjacent to property owned by the City, known as the T.B. McPherson Recreation Center, located at 1717 Southeast 15th Street and identified as Tax Parcel 16107-501. Alachua County has asked for a Temporary Construction Easement over a portion of T.B. McPherson Recreation Center, adjacent their right of way, for ingress/egress, grading, erosion control and/or drainage improvements associated with the project. This temporary easement will give the County or its designee the use of the area for the period of construction, not to exceed one year.

*Fiscal Note:* Funding in the amount of \$50 for administrative costs is available in the Public Works FY12 operating budget.

**RECOMMENDATION**

*The City Commission: 1) approve the County's temporary use of a portion of the T.B. McPherson Recreation Center property for the Southeast 15th Street renovation project; and 2) authorize the Mayor to execute and Clerk of the Commission to attest the*

*Temporary Construction Easement, subject to approval by the City Attorney as to form and legality.*

120213A\_TempConstEasement\_20120816.pdf

120213B\_Map\_20120816.pdf

## **120218.**

### **General Employee's Pension Plan Ordinance Amendments (B)**

*Explanation: Over the past year, the City and the Communications Workers of America, Local No. 3160 (CWA) have been engaged in the collective bargaining process with the objective of negotiating changes to the City's General Employee's Pension Plan. The goal of the bargaining process was to agree to changes that would help with the sustainability and costs of the pension program. The negotiated changes include modification in the definition of normal retirement, multiplier, length and components of final average earnings, adjustment of the cost of living allowance, and specific changes mandated by Florida Statutes. The extent and who these various changes apply to are summarized in the attached backup that was tentatively agreed to, subject to ratification of the members and approval of the City Commission, by the City's bargaining team and the CWA. In anticipation of the ratification, the City will need to have the proposed plan amendments prepared in Ordinance form by the City Attorney's Office so that the plan changes can be approved by the City Commission with an effective date of October 1, 2012.*

*Fiscal Note: The first year savings of approximately \$1.5 million across all operating funds who have employees who are members of the General Pension Plan have been included in the preparation of the fiscal year 2012-2013. The proposed changes are estimated to save over \$230 million over the amortization period.*

#### **RECOMMENDATION**

*The City Commission: authorize the City Attorney to prepare and the Clerk of the Commission to advertise the ordinance required to effectuate the negotiated changes to the General Employee's Pension Plan*

120218\_Pension Change Summary\_20120816.pdf

## **120219.**

### **Waive the Time Limitation for a Plan Board Petition (B)**

*Explanation: On November 3, 2011, the City Commission adopted Ordinance 100698 on second reading. This ordinance included the land use changes on individual properties in the Urban Village area, and it specifically included Tax Parcel 06724-000-000 (a location map is included as backup). A split land use category of Conservation and Urban Mixed Use-2 was placed on Tax Parcel 06724-000-000 based on the location of the 10-year flood channel on the northern portion of the property as understood at that time using the Master Flood Control Maps. The 10-year flood channel information has been updated by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM). Ordinance 110698, which was adopted on 7/19/12, now directs staff to use the best available data to determine flood information, and the FEMA FIRM meets that requirement. A review of Tax Parcel 06724-000-000*

*indicates that the 10-year flood channel now is located further north than originally was determined using the older Master Flood Control Maps. Approximately 2.8 additional developable acres exist on the site when using the FEMA FIRM flood channel data. Planning and Development Services would like to correct the Conservation area land use designation line to reflect the developable area on the parcel. This will require a Plan Board petition.*

*Land Development Code Section 30-347.7 (b) states that, Whenever the City Commission has changed the zoning or land use of property by an ordinance amendment, the Plan Board shall not consider any petition for rezoning of any part of the same property for a period of 12 months from the date of the action." However, Section 30-347.7 (c) allows the City Commission to waive the above time limitation by the affirmative vote of five commissioners.*

*In order to timely process the required land use amendment petition to reduce the Conservation area designation on Tax Parcel 06724-000-000, Planning and Development Services Department staff is requesting that the City Commission waive the twelve-month time period and authorize staff to initiate the Plan Board petition.*

*Fiscal Note: None.*

**RECOMMENDATION**

*Staff to City Commission: Authorize Planning and Development Services Department staff to initiate a new Plan Board land use amendment petition for Tax Parcel 06724-000-000, and waive the twelve-month time limitation for the Plan Board to consider the petition.*

120219A\_SurroundingProposedZoning\_20120816.pdf

**120225.**

**Strategic Plan Quarterly Report - 3rd Quarter of Fiscal Year 2012 (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 2012.**

*Explanation: As part of the City of Gainesville Fiscal Year 2011 - 2012 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 2012.*

*Fiscal Note: There is no fiscal impact.*

**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 2012.*

120225\_Report\_20120816.pdf



**120230.****Recommendation to Award Annual Contract to Graybar Electric Company for Energy Efficiency Upgrade at City facilities (B)**

**This item is a request for the City Commission to authorize the annual contract to Graybar Electric Company for the purchase of Cree CR 24 LED light fixtures for energy efficiency improvements in City facilities.**

*Explanation: The General Services Department is actively seeking new technologies for improving energy efficiency and reducing utility costs. General Services identified LED lighting as an innovative solution for creating such efficiency and savings.*

*This contract will solidify unit pricing for one year at \$212.50 per unit and provide additional discounts for volume purchases in excess of 1,000 units for a price of \$210.50 per unit. The contract also provides for two (2) one (1) year renewal options.*

*On July 12, 2012, the Finance Department /Purchasing Division received six (6) bids for the annual contract for the purchase of CREE LED Lighting. After reviewing the six bids, the General Services staff selected Graybar Electric Company as the lowest bidder.*

*The first project will replace 600 light fixtures in City Hall. The projected payback is 4.13 years with a cost savings of \$30,872 per year for the first four (4) years and \$1.1 million over the life of the fixtures.*

*Fiscal Note: Funds are available in the FY 12 General Services Department budget to complete the project at City Hall.*

**RECOMMENDATION**

*The City Commission: 1) approve the bid award and annual contract to Graybar Electric Company including any subsequent extensions, and 2) authorize the City Manager or his designee to execute the contract for the purchase of the light fixtures including any subsequent extensions, as approved by the City Attorney as to form and legality.*

120230\_Bid Tab\_20120816.pdf

**120232.****Contract for City-wide Records Storage Services (B)**

**This agenda item involves a request for the City Commission to authorize a contract for city-wide records storage services to, Iron Mountain Information Management, Inc.**

*Explanation: The City of Gainesville stores approximately 8930 boxes (12378.5 cubic feet) of files. Iron Mountain Information Management, Inc. is the only vendor that meets the record storage criteria outlined in the contract. The contract will be*

for a period three (3) years, with the option to extend for an additional two (2) years upon mutual consent. Contract pricing for Core Services are outlined separately per year, under Schedule A, effective February 1, 2012 through January 31, 2017.

*Fiscal Note:* Funds for record storage are budgeted and available annually in each individual departmental allocation. The estimated annual expenditure of \$50,000 per year, is based on an average of past years cost for storage activity and miscellaneous services; \$250,000 is the estimated total for the five year term. Sole source was the method of selection used for contract selection.

**RECOMMENDATION**

*The City Commission: 1) authorize the contract to Iron Mountain Information Management, Inc. for city-wide records storage services; and 2) authorize the City Manager to execute the contract and all related documents.*

120232\_Sole Source & Records Storage Contract\_20120816.pdf

**120236.**

**Award of Contract for Physician Services and Employee Physicals (B)**

**This item involves a request for the City Commission to approve the selection of Southeastern Integrated Medical, P.L. DBA First Care of Gainesville as the provider of physician services and employee physicals.**

*Explanation:* The City of Gainesville recently solicited invitations to bid (ITB) to qualified medical providers for the provision of various medical services and physical examinations for our employees and candidates for employment. The physical examinations provided as part of the contract include pre-employment, age-related, periodic, and disability examinations required by City ordinance, and State and Federal legislation. Consulting services include collaboration on medical protocols regarding changes to the City's pre-employment, DOT, law enforcement and age related physical exams. The ITB process yielded four responses that were reviewed by staff using the best evaluated bid method. Based on the review of the proposals and corresponding prices of the services staff ranked the vendors as follows:

Southeastern Integrated Medical P.L. DBA First Care of  
Gainesville  
Emergency Medical Center  
Emergency Physicians Medical Center, LLC  
Solantic Urgent Care

*In addition to having the highest ranked bid, Southeastern Integrated Medical P.L. DBA First Care of Gainesville also provided the most competitive pricing, with pricing guaranteed for the initial term of the contract.*

*Fiscal Note:* Funds of approximately \$120,000 have been included in the proposed Fiscal Year 2013 Employee Health and Accident Benefits Fund operating budget.

**RECOMMENDATION**

*The City Commission: 1) approve the selection of*

*Southeastern Integrated Medical P.L. DBA First Care of Gainesville as the City's provider of medical services for physical examination and medical director; 2) authorize the City Manager, or his designee to negotiate with and enter into an three-year agreement beginning October 1, 2012, with the possibility for one two-year extension, subject to approval of the City Attorney as to form and legality; and 3) authorize the issuance of a purchase order in an amount sufficient to cover the estimated costs associated with this service.*

120236\_Bid Tabulation\_20120816.pdf

### **120237.**

#### **Consultant Services, Compensation Study (B)**

**This item involves a request for the City Commission to authorize contract negotiations with Milliman, Inc. to perform a comprehensive Compensation Study of all Charter Officer positions and all MAP, CWA, CWA Supervisory, IAFF, IAFF District Chiefs, FOP, PBA and ATU pay plans.**

*Explanation: Human Resources Compensation Philosophy and Policy C-1 requires the City to regularly update our pay plans to ensure that our pay is in line with market conditions, internally equitable and fiscally responsible. Such pay plans allow us to attract and retain a diverse group of highly qualified individuals and motivate employees to achieve short-term and long-term organizational objectives.*

*While it is considered prudent to conduct compensation studies every two to three years, due to the City's budgetary constraints and in light of the nation's recent economic downturn, the last Compensation Study was conducted in the 2006-2007 timeframe. Management believes it is important for us to conduct a study now, and has budgeted accordingly.*

*A Request for Proposal (RFP) to select a compensation consultant to conduct a Compensation Study was posted on Demandstar. The deadline for receipt of proposals was set for 12:00 P.M. on Monday, July 2, 2012 at which time the Purchasing Office received eight (8) submittals from interested firms. Of the eight (8) submittals reviewed, the Evaluation Team invited five (5) firms to make oral presentations. The oral presentations were held on Monday, July 30, 2012 and the Scoring Sheets were submitted to the Purchasing Office after the presentations. The Final Tabulation ranks Milliman, Inc. as the Evaluation Team's first choice. If we cannot establish a contract with Milliman, we request authorization to seek a contract with the next highest ranked firm, Lockton Companies.*

*Fiscal Note: The estimated cost of the contract is \$120,000 and is available in the FY2012 General Fund operating budget.*

#### **RECOMMENDATION**

*The City Commission: 1) approve the ranking with*

*Milliman, Inc. as number one and Lockton Companies as number two; and 2) authorize the City Manager to initiate contract negotiations with Milliman, Inc. and execute the contract and any related documents, including contract amendments and extensions, subject to approval by the City Attorney as to form and legality. Should contract negotiations with Milliman, Inc. not be successful, the City Commission authorize the City Manager to initiate contract negotiations with Lockton Companies and execute the contract and any related documents including contract amendments and extensions, subject to approval by the City Attorney as to form and legality.*

120237\_RFP Bid Tabulation.pdf

### **120246.**

#### **Bid/Proposal Process for the Operation and/or Maintenance of Ironwood Golf Course (B)**

**This item involves a request for the City Commission to authorize the City Manager to initiate a bid/proposal process for operation and/or maintenance of Ironwood Golf Course.**

*Explanation: The City purchased Ironwood Golf Course in 1992 for \$1.2 million and approximately \$1 million was bonded for improvements. The City will complete payment of this original debt in the current fiscal year (FY12). In 2008, due to the City's ongoing fiscal challenges, a team of City employees began a project to identify and evaluate options for the future of Ironwood Golf Course that ranged from selling the property to converting the property to a passive park to investing in critical capital improvements while retaining the golf course.*

*The City hired National Golf Foundation Consulting Services (NGF) to work with the City's team to evaluate Ironwood Golf Course and its operations providing options and recommendations. Ultimately NGF's report was provided to the City Commission and the Commission decided to retain Ironwood as a City operated golf course and to complete capital improvements essential to the ongoing viability of the golf course. To this end, the City invested approximately \$1.3 million to improve long running drainage issues, rebuild the greens and complete other improvements.*

*The Commission also made the long-term decision to transition Ironwood Golf Course from an enterprise fund to the general fund over a 10 year period to allow time to pay-off the accumulated deficit (\$300,000 annually over 10 years through FY19). As of FY 20, the accumulated deficit will have been paid off and Ironwood will be part of the general fund no longer subject to indirect costs and treated similar to other Parks, Recreation and Cultural Affairs operations. Based on the policy decisions already made by the City Commission, City staff believes a key gauge of the current performance of Ironwood Golf Course is the net annual cost of operating the golf course (a view of Ironwood as if it were*

already part of the general fund).

*Ironwood reopened for play in November 2010 almost two years ago. Ironwood's performance since that time has generated more than enough revenue to cover the costs of the capital improvements; however, the annual rounds played and revenue has not reached the potential identified by NGF. City staff believes the potential remains for improving Ironwood's performance as a City operated golf course as the economy recovers and by fully implementing a number of the operational recommendations made by NGF.*

*City staff believes the timing is appropriate to explore private sector interest and capabilities in the operation and/or maintenance of Ironwood Golf Course. To achieve this, City staff would like to procure the services of NGF to assist the City with a bid/proposal process that would allow the City to solicit proposals for private sector operation and/or maintenance of the golf course and compare the advantages and disadvantages of contracting for services versus continued operation as a City operated golf course.*

*Fiscal Note: The cost of NGF services to assist with the bid/proposal process is expected to be approximately \$8,000. In addition, City staff time will be required working with NGF through the bid/request/process.*

**RECOMMENDATION**

*The City Commission authorize the City Manager to initiate a bid/proposal process for operation and/or maintenance of Ironwood Golf Course.*

*Alternative Recommendation*

*The City Commission decline to authorize the City Manager to proceed with a bid/proposal process for operation and/or maintenance of Ironwood Golf Course. This would result in the City proceeding with a maintenance-only bid process.*

120246\_NGF Report\_20120816.pdf

**120249.**

**Power District Catalyst Project Phase II Construction GMP (B)**

*Explanation: In June 2012, the City Commission approved the lease of the Power District Catalyst Warehouse to Prioria Robotics, and the Guaranteed Maximum Price (GMP) proposed from CPPI Inc. for the first phase of construction, which consists of building stabilization and core-and-shell improvements. Phase I started in mid-July beginning with selective demolition, lead abatement and cutting exterior wall openings.*

*Since June, staff has been developing Phase II (Project Build-out) design and construction documents and finalizing a GMP for the final phase of building improvements to the Catalyst warehouse property. Phase II will consist of interior building improvements, including interior partitions, finishes, mechanical, electrical and plumbing systems, as well as site improvements. Phase II construction is anticipated to begin in September, and is scheduled to*

be finished by early February in order to meet the lease requirements of tenant occupancy in February 2013. Oelrich Construction is under contract with the City of Gainesville for Continuing Construction Services and has been selected as construction manager of the Catalyst Project Phase II.

The GMP provided by Oelrich Construction is \$1,196,886. The GMP represents the maximum amount that can be paid by the City, assuming no major changes in the scope of the project. The opportunity does exist; however, that the City may pay less than the GMP as the actual bids for trade packages may be less than proposed in the GMP, resulting in savings that are returned to the City. Additionally, if any contingency remains after project closeout, that amount is returned to the City as well. In contrast, if the actual bids for trade packages are more than proposed in the GMP, the City will not pay more than the amount in the GMP.

As the project has continued to progress, additional needs of the project and tenant, Prioria Robotics, have been identified. In order to meet the tenant's usage needs, the following items were added to the scope of the interior build out: changing an area of approximately 5,000 square feet of storage area to office usage which necessitated adding more robust HVAC systems in that area, an increased number of offices and bathrooms, additional electrical outfitting and specialty lighting for a 5,000 sq ft area as well as other improvements identified during lease negotiations and Phase II design.

Due to the expansion of the scope of the project in manner outlined above, the GMP provided exceeds the \$1 million limit identified under the City's Continuing Minor Projects agreement. Staff and the design/construction teams have been continuously and diligently working to reduce costs by value engineering at every stage of design; however, in order to meet all of the contractual obligations and code requirements, costs are expected to exceed the previously approved budget. No other major changes in scope are anticipated at this time, as negotiations were finalized in June and all of the City's contractual obligations have been stipulated in the executed Lease Agreement. In order to fund the additional construction expenses (beyond the originally anticipated \$1 million Phase II project scope), the CRA will revert a portion of the \$250,000 reimbursement it has received for expenditures related to the project. Therefore, no additional funds are being requested at this time.

**Fiscal Note:** The GMP for Phase II construction is \$1,196,886. On June 18, 2012 the City Commission appropriated \$2,625,000 from General Fund Undesignated Reserves to fund this project. The capital improvement costs of the project of approximately \$2,250,000 and the property acquisition expense of \$375,000 bring the total investment in the project to \$2,625,000. The CRA was reimbursed \$250,000 for engineering, design and consulting services paid for by the CRA. A sum of \$947,083 remains available to allocate towards the Phase II GMP and the CRA will revert the remainder from its reimbursement in order to ensure successful completion of the project within the original budget.

**RECOMMENDATION**

The City Commission: 1) approve GMP of \$1,196,886 for Phase II construction as described in the fiscal note; and 2) authorize City Manager to execute

*specified source and other related documents subject to approval of the City Attorney as to form and legality.*

120249\_GMP\_20120816.pdf

## GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

### **120238. Communication Consulting and Graphic Design Services Agreement (NB)**

**Staff recommends extending the term of the agreement with PRO INK Corporation to provide communication consulting, graphic design and related services.**

*Explanation: A three-year agreement with PRO INK Corporation for communication consulting, graphic design and related services was approved by the City Commission on April 16, 2009. The agreement provides for one (1) additional three-year extension of the agreement upon mutual agreement of the parties and negotiation of the parties.*

*PRO INK Corporation, a local, small, woman-owned business, offers a wide range of experience, knowledge and expertise in the communications consulting and graphic design field. Some of the successful projects with which PRO INK Corporation has assisted the Utility and General Government include producing GRU's national award-winning annual report and water quality report. In addition to providing these services to the Utility, General Government has also been able to use this agreement for its requirements as needed.*

*Fiscal Note: Funds are available in GRU's FY 2012 budget and will be requested in subsequent year budgets.*

#### **RECOMMENDATION**

*The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a three-year amendment to extend the term of the agreement with PRO INK Corporation for communication consulting, graphic design and related services; 2) approve the issuance of purchase orders for these services to PRO INK Corporation in amounts not to exceed \$250,000 per year subject to the final appropriation of funds for these services in each fiscal year of the agreement.*

## CITY ATTORNEY, CONSENT AGENDA ITEMS

### **120248.**

**CHERON HAMPTON-BATES, PERSONALLY AND AS NATURAL**

**GUARDIAN OF BRYCE BATES, A MINOR V. THE CITY OF GAINESVILLE, FLORIDA, A MUNICIPAL CORPORATION, AND CPL. TIMOTHY DURST, IN HIS INDIVIDUAL CAPACITY, COURT CASE NO. 1:12-CV-00174-MP-GRJ (B)**

*Explanation: On August 2, 2012, the City was served with a Summons and Complaint. The Plaintiff alleges that he is a victim of false arrest, excessive force, and malicious conduct which occurred in 2010. He claims to have suffered permanent injuries to his body as well as psychological damages, pain and suffering, and medical expenses. Plaintiff is seeking compensatory damages, and attorney's fees and costs.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available to represent the City of Gainesville and the individual officer in the case styled Cheron Hampton-Bates, personally and as natural guardian of Bryce Bates, a minor v. the City of Gainesville, Florida, a municipal corporation, and Cpl. Timothy Durst, in his individual capacity, Court Case No. 1:12-CV-00174-MP-GRJ.*

120248\_Bryce Bates Consent\_20120816.pdf

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

**120247. Appointments to City Commission Advisory Boards and Committees (NB)**

**RECOMMENDATION**

*The City Commission appoint:*

*Michael Garrett to the Alachua County Wild Spaces & Public Places Citizen Oversight Committee for a term to expire 12/31/14.*

*Cory Wise to the Citizens Advisory Committee for Community Development for a term to expire November 1, 2015.*

*Sharon Borneman and Michael Garrett to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/15.*

*Jeremiah Tattersall to the Gainesville Human Rights Board for a term to expire 2/22/15.*

*Michael Volk to the Historic Preservation Board for a term to expire 6/1/15.*

*Carol Parker and Jeremiah Tattersall to the SHIP*



*Affordable Housing Advisory Committee for a term to expire 7/1/14.*

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION**

**CITY MANAGER**

**110519.**

**Design and Construction of the Gainesville Police Department Headquarters & Physical Training Facility (B)**

**This is a request for the City Commission to approve the 30% design for the Gainesville Police Department Headquarters & Physical Training Facility and waive the future 60% and 100% design reviews for this project. The Gainesville Police Department Headquarters & Physical Training Facility is located at the intersection of NW 8th Avenue and NW 6th Street.**

*Explanation: On December 1, 2011, the City Commission directed the City Manager's office to begin contract negotiations with Mills Gilbane for the Design/Build Services. Since that date, Mills Gilbane has held numerous design meetings with staff and GPD personnel to ascertain the project's scope and to ensure that the City and GPD's expectations are met for the new facility. The Design Team has also held two neighborhood workshops, is planning a third neighborhood workshop in the near future, and has included citizen advisors on the design team. Members of the community have given the design team input on the design of the facility and the project's impact on the neighborhood. The project consists of the construction of a new police headquarters facility; demolition of the existing facility located at 721 NW 6th Street, renovation of an existing warehouse for a new Police Training Facility, and associated site infrastructure improvements.*

*The design team seeks comments and approval from the City Commission of the 30% design and a waiver of the 60% and 100% reviews to enable a fast track approach to the construction of this project.*

*Fiscal Note: The monies remaining from the original GPD Headquarters project budget total \$3,899,959. Another \$1,500,000 is available in the Federal Law Enforcement Contraband Forfeiture Fund. In December 2011 the City Commission allocated \$2 million of bond proceeds from the Series 2011 Revenue Note to the GPD project. On February 16, 2012, the City Commission approved the utilization of the unreserved fund balance in the amount of \$3,501,357, resulting in total funds available for the project in the amount of \$10,901,316.*

*This agenda item has no fiscal impact unless the City Commission recommends major changes to the building design.*

**RECOMMENDATION**

*The City Commission: 1) approve the thirty percent 30% Design; 2) waive the future 60% and 100% reviews; and 3) direct the Design/Build Firm to continue development of final construction drawings.*

**Legislative History**

12/1/11	City Commission	Approved as Recommended (5 - 0 - 2 Absent)
2/16/12	City Commission	Approved as shown above (Divided Question) (7 - 0)
4/19/12	City Commission	Approved as shown above (See Motion) (7 - 0)

110519\_Ranking Recommendation\_20111201.pdf  
110519\_Presentation\_20120216.pdf  
110519A\_GPD PPT\_20120419.pdf  
110519B\_Neighborhood Workshop Info\_20120419.pdf  
110519A\_MOD GPD PPT\_20120419.pdf  
110519A\_GPD Facility Presentation\_20120816.pdf  
110519B\_GPD Facility 3D Video\_20120816.pdf

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

**RECESS****RECONVENE****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****120205.****Muscular Dystrophy Association Firefighter Appreciation Month - September 2012 (B)**

**RECOMMENDATION**                      *Gainesville Firefighter Sean Withers to accept the proclamation.*

120205\_MDA\_20120816.pdf

**120240.****Lineworker Appreciation Day - August 26, 2012 (B)**

**RECOMMENDATION**                      *Gainesville Regional Utilities (GRU) Electric Transmission and Distribution Manager David Sparks to accept the proclamation.*

120240\_Lineworker\_20120816.pdf

**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet****PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED****120214.****Resolution for Approval and Authorization for a Partial Release of Mortgage (B)**

**This item is requesting a Resolution for approval and authorization to sign a Partial Release of Mortgage.**

*MODIFICATION: Revised resolution and back-up per the City Attorney's Office - added 8/15/2012 @ 6:01 PM.*

*Explanation: On December 28, 2009, the City of Gainesville's Housing Division completed the construction and conveyance of a single family home to Joni L. Teerlink. This parcel land is located at 840 Southwest 3rd Street and identified as Alachua County Tax Parcel 13317-005-000. As part of the conveyance, the City recorded a mortgage, securing its interest, in Official Records Book 3936, page 1704 of the Public Records of Alachua County.*

*Because of the State and/or Federal funding for the City's Depot Avenue Renovation Project, the Florida Department of Transportation (FDOT) is acquiring the land rights for the Project. These land rights will then be conveyed to the City prior to commencement of the Project. The renovations to Depot Avenue are contained between Southwest 13th Street and Williston Road. A portion of the project, referred to as Segment Two, is the section from Southwest 11th Street by P.K. Yonge School to South Main Street. Contained in this segment is the parcel owned by Ms. Teerlink and secured by the mortgage in favor of the City. A portion of Ms. Teerlink's parcel, containing approximately 787 square feet is required for the project. FDOT has asked the City for a Resolution approving a Partial Release of Mortgage over this portion of the property.*

*Fiscal Note: Funding for the right-of-way acquisitions in the segment was approved in a Locally Funded Agreement, dated 10/13/11. The total estimated cost is \$3,616,423. No additional cost is associated with the Partial Release of Mortgage.*

**RECOMMENDATION**

*The City Commission: 1) adopt the Resolution approving the Florida Department of Transportation's request for a Partial Release of Mortgage, subject to approval by the City Attorney as to form and legality; and 2) authorize the Mayor to execute and the Clerk of the Commission to attest the Partial Release of Mortgage, subject to approval by the City Attorney as to form and legality.*

120214B\_Deed\_20120816.pdf

120214C\_Mortgage\_20120816.pdf

120214D\_PartialReleaseEasement\_20120816.pdf

120214A\_Resolution\_20120816.pdf

120214\_MOD\_Revised Resolution\_20120816.pdf

**120215.**

**Resolution requesting a Perpetual Easement from Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (B)**

**This item is a request to the Board of Trustees of the Internal Improvement Fund of the State of Florida (BTIIF) for the granting of a Perpetual Easement over Alachua County Tax Parcel 15526-004-000, located at 1105 Southwest 9th Road.**

*MODIFICATION: Revised resolution and back-up per the City Attorney's Office - added 8/15/2012 @ 6:01 PM.*

*Explanation: The City of Gainesville is planning renovations to Depot Avenue from Southwest 13th Street to Williston Road as part of the Enhancements of the Depot Avenue Transportation Corridor Project. A portion of the project, referred to as Segment Two, is the segment from Southwest 11th Street adjacent to P.K. Yonge School to South Main Street. Contained in this segment is a proposed roundabout at the Depot Avenue, Southwest 11th Street and Southwest 9th Road intersection. Adjacent and to the west of the proposed roundabout, the BTIIF*

owns a parcel of land, located at 1105 Southwest 9th Road which is identified as Alachua County Tax parcel 15526-004-000. The whole parcel is needed for a portion of the roundabout and the remainder for stormwater retention. The BTITF has a process by which the City can apply for a Perpetual Easement on the BTITF parcel. As part of their process, the BTITF requires a Resolution, adopted by the City Commission. If the application is approved, staff will agenda the easement for Commission consideration and acceptance.

*Fiscal Note:* Funding for the right-of-way acquisitions in the segment was approved in a Locally Funded Agreement, dated 10/13/11. The total estimated cost is \$3,616,423. No additional cost is associated with the granting of this Perpetual Easement from the BTITF.

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager, or designee, to apply for a Perpetual Easement from the BTITF, and execute any required application documents and; 2) adopt the Resolution requesting a Perpetual Easement from Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, subject to approval by the City Attorney as to form and legality.*

120215A\_Resolution\_20120816.pdf

120215b\_Aerial\_20120816.pdf

120215c\_Map\_20120816.pdf

120215D\_Map\_20120816.pdf

120215\_MOD\_Revised Resolution\_20120816.pdf

**120250.**

**Resolution Authorizing the City Manager to Negotiate the Purchase of Surplus Land from Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (B)**

**This item involves the adoption of a Resolution authorizing the City Manager or designee to negotiate the purchase of surplus land from the Board of Trustees of the Internal Improvement Fund of the State of Florida (BTITF) located south of the Airport and north of Morningside Park.**

*Explanation:* On July 26, 2012, the Mayor received notice from the Florida Department of Environmental Protection (FDEP) of the intent to sell surplus State land (See Attachment A). The letter of intent allows the City forty-five days from the date of the letter, July 20, 2012, to determine any interest in the proposed surplus of property. The property must first be offered to other State agencies and departments. If no interest is expressed, the property will then be offered to the City. FDEP requires the City to adopt a formal resolution whether or not it proposes to purchase the land.

*The proposed surplus land is portions of Tax Parcels 8197-000-000, 10862-000-000, 10862-000-000, and 17759-000-000 (See Attachment B - Maps). These parcels lie south of the Airport and Northeast 39th Avenue (State Road 222), east of Tacachale and Waldo Road, north of and adjacent to Morningside Park, and West of Northeast 55th Boulevard. A portion of the*

property, lying adjacent Morningside Park, would serve as a connector between the park and the 40 acre parcel recently acquired with Wild Spaces/Public Places (WSPP) funds.

Included in the State's Surplus Land Notification is the closed Gainesville Correctional Facility. The Gainesville Correctional Facility includes dormitories, kitchen and other facilities that were used to support State personnel. The Administrative Portion of the Correctional Facility is not included in the Surplus notice. The former Correction Facility is buffered by other institutional uses and vacant lands in the area.

In order to be eligible to participate in the sale of the State Surplus Properties, the City must submit a formal resolution to FDEP on or before September 3, 2012. If time will allow, City staff will identify the properties available for purchase and bring this information back to the City Commission. However, in order to ensure that the City has an opportunity to negotiate the purchase of state properties, we are asking the City Commission to give the City Manager or designee the authority to negotiate the purchase of these surplus properties, subject to approval by the City Commission. State Agencies are given first priority on the rights to claim state surplus properties and at this time, we do not have any information on what properties may have already been claimed in the City or Alachua County.

*Fiscal Note:* There is no fiscal impact at the time other than the staff time it will take to further evaluate the available properties and determine if it is in the best interest of the City to the negotiate a purchase agreement.

**RECOMMENDATION**

The City Commission: 1) adopt the Resolution; 2) authorize the City Manager, or designee, to enter into negotiation with the State for the properties declared as surplus by the BTITF; and 3) authorize the City Manager to execute any required documents, subject to approval by the City Attorney as to form and legality.

120250A\_FDEP Notice of Surplus State Land\_20120816.pdf

120250B\_Parcel Maps\_20120816.pdf

120250C\_Resolution\_20120816.pdf

**ADOPTION READING-ROLL CALL REQUIRED**

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

**110942.**

**LAND DEVELOPMENT CODE - SIDEWALK CAFES (B)**

**Ordinance No. 110942; Petition No. PB-12-41 TCH**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to sidewalk cafes; by amending Section 30-23 to add a definition; by creating Section 30-121 to add sidewalk cafes as a specially regulated use; by amending Section 30-66(c) to allow sidewalk cafes within the Central City District; by deleting Section 30-66(e)(3) related to**

**requirements for sidewalk cafes within the Central City District; by amending Appendix A. - Special Area Plans, Section 3. - Special Area Plan for College Park, Exhibit B, Urban Regulations For New Construction - Type 1, Building Use to allow sidewalk cafes; by amending Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances to add an annual fee for sidewalk cafes; 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*

*This petition and ordinance amend the land development code to allow sidewalk cafes in the College Park Special Area Plan area for Type I properties. The location of these properties is depicted on the College Park Master Plan.*

*The Land Development Code addresses outdoor seating areas in two ways: (1) as a sidewalk cafe, or (2) as an outdoor cafe. Sidewalk cafes are currently allowed only in the Central City District (CCD) zoning district. Sidewalk cafes are described as a dining area within the public right-of-way that is an accessory use to the principal permitted use. In contrast, outdoor cafes are allowed as an accessory use on private property (not within the public right-of-way) through-out the City in most commercial and mixed use zoning districts. On March 1, 2012, the City Commission directed staff to initiate a petition to allow outdoor seating accessory to a principal use within applicable zoning districts and subject to specific criteria.*

*Staff has reviewed the issue and, given that the College Park Type I Building properties are very pedestrian oriented, recommends allowing sidewalk cafes within the public right-of-way in this area. A staff committee with representatives from the City Manager's Office, Building, Code Enforcement, Risk Management, Public Works, Fire, Planning, FDOT and GRU has been reviewing how the City regulates and permits sidewalk cafes. Additionally the City has hired a land development code consultant that will also be updating the land development code for different areas through-out the City. There are also issues that must be worked out with the FDOT for any types of permitting on State right-of-way. These efforts are on-going and this petition and ordinance reflect the initial recommended revisions necessary to allow sidewalk cafes in a certain area within the College Park Special Area Plan to accommodate pending development that is interested in a sidewalk cafe. The recommendation also includes a \$60 sidewalk cafe permit fee.*

*Public notice was published in the Gainesville Sun on April 10, 2012. On April 26, 2012, the City Plan Board held a public hearing and, by a vote of 5-0, approved the petition.*

#### *CITY ATTORNEY MEMORANDUM*

*This ordinance requires two hearings. Should this ordinance pass on first reading, second and final reading will be held on September 6, 2012.*

#### **RECOMMENDATION**

*The City Commission (1) approve Petition PB-12-41*

*TCH and (2) adopt the proposed ordinance.*

110942B\_staff report\_20120816.pdf  
 110942C\_College Park Map\_20120816.pdf  
 110942D\_Proposed changes\_20120816.pdf  
 110942E\_revised language to Exhibit 2\_20120816.pdf  
 110942F\_CPB minutes\_20120816.pdf  
 110942A\_draft ordinance\_20120816.pdf

**120146.**

**PROHIBITION - TEMPORARY OUTDOOR ALCOHOLIC BEVERAGE SPECIAL EVENT PERMITS (B)**

**Ordinance No. 120146; Petition No. PB-12-60 TCH**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code; by amending Section 30-67 General provisions for business and mixed use districts to prohibit the issuance of special event permits and temporary game day permits to establishments that are subject to an underage prohibition order relating to underage drinking incidents; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: This ordinance amends the Land Development Code of the City of Gainesville to prohibit businesses that are in violation of the underage drinking laws from getting special event permits for outdoor alcoholic beverage sales for University of Florida Home Football Game Day events. This issue was discussed by the Public Safety Committee based on the request from the Police Department (Captain Ed Posey).*

*Public notice was published in the Gainesville Sun on June 12, 2012. On June 28, 2012, the City Plan Board held a public hearing and, by a vote of 5-0, recommended denial of the petition as submitted by City staff and in the alternative recommended allowing businesses that are in violation of the underage drinking laws to receive the described special event permits if the associated outdoor alcoholic beverage sales are limited at all times to people of legal drinking age. The City Commission held a public hearing on July 19, 2012, which was recessed until July 24, 2012, and approved the petition by a vote of 6-1.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings. Should this ordinance pass on first reading, second and final reading will be held on September 6, 2012.*

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

**Legislative History**

7/19/12            City Commission            Approved (Petition) (6 - 1)



120146A\_CPB 6-28-12 Minutes\_20120719.pdf  
120146B\_Staff 6-28-12 Report\_20120719.pdf  
120146C\_6-28-12 PPT citizen-Ryan Prodoshy\_20120719.pdf  
120146D\_6-28-12 PPT citizen-Cary Meldon, Esq\_20120719.pdf  
120146A\_draft ordinance\_20120816.pdf

## 120051.

### **FIRE PREVENTION CODE AMENDMENT (B)**

#### **Ordinance No. 120051**

**An ordinance of the City of Gainesville, Florida, amending Chapter 10 of the Code of Ordinances of the City of Gainesville, relating to fire prevention; amending Sec. 10-10. - Amendments to NFPA 1 Section 13.1.3 of the Florida Fire Prevention Code; Sec. 10-11. - Amendments to NFPA 1 Section 13.1.4 18.3.3 of the Florida Fire Prevention Code; Sec. 10-12. - Amendments to NFPA 1 Section 13.1.3 18.3.6 of the Florida Fire Prevention Code; Sec. 10-13. - Amendments to NFPA 1 Section 13.1.7 18.4.5 of the Florida Fire Prevention Code; Sec. 10-50. - Definitions; Sec. 10-51. - Requirements for assembly occupancy owners and crowd managers; Sec. 10-52. - Fire rescue connections; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: The Fire Chief, City of Gainesville, requests to amend the City Of Gainesville Ordinances to supplement the State of Florida's newly adopted Fire Prevention Code. The State of Florida engages in triennial adoption of the latest edition of the Fire Prevention Code which encompasses NFPA Fire Code 1 and NFPA Life Safety 101. Associated with this process is the opportunity for the City to memorialize any desired amendments. Historically, the City of Gainesville has maintained an elevated standard related to ensuring an adequate water supply for critical firefighting. Due to the sunseting of the City's current ordinances when the State of Florida adopted the new Fire Prevention Code, the City's Code requires revisions to ensure the inclusion of components which afford greater consideration for the installation of automatic fire sprinkler systems. Therefore, the need to reestablish any desired amendments which afford a greater level of fire and life safety protection is now present. Additional revisions will ensure that owners of assembly property maintain a crowd manager on-site during hours of operation and to engage in appropriate fire safety practices. The revisions requested by the Fire Chief, to Chapter 10, Municipal Code of Ordinances, Fire Prevention, will accomplish this goal.*

*On July 19, 2012, the City Commission directed the City Attorney to prepare an ordinance to provide for local enhancements to the State of Florida's newly adopted Fire Prevention Code by amending Sections 10-10, 10-11, 10-12, 10-13, 10-51, and 10-52 of the City of Gainesville Code of Ordinances to provide.*

*Should the City Commission pass this ordinance on first reading, second and final reading will be held on September 6, 2012.*

#### **RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

Legislative History

7/19/12 City Commission Approved as Recommended (5 - 0 - 2 Absent)

120051A\_Fire Prevention Code\_20120719.pdf

120051A\_draft ordinance\_20120816.pdf

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

**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)**