

City of Gainesville

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



Meeting Agenda

August 27, 2007

1:00 PM

City Hall Auditorium

City Commission

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

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

CALL TO ORDER - 1:04 PM**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****070270.****Fiscal Year 2007 and 2008 City Commission Strategic Goals and Objectives - Status Update (B)**

This item provides a progress update on the City Commission's adopted goals and objectives for Fiscal Year 2007 and 2008.

Explanation: The City Commission Strategic Goals and Objectives for FY 2007 were adopted on January 23, 2006, and updated on February 12, 2007 to include initiatives for 2008. This is a progress update for the three month time period from April 2007 through June 2007 (third quarter of the fiscal year).

Fiscal Note: None

RECOMMENDATION

The City Commission receive a report from the City Manager on the current progress towards the City Commission Strategic Goals for FY 2007 and 2008.

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070279.**Wireless Services for the Gainesville Police Department's Laptops - Request for Purchase Order to T-Mobile of Jacksonville, Florida (NB)**

This item requests the City Commission to authorize the issuance of a Purchase Order for recurring high speed wireless service.

Explanation: T-Mobile provides high speed wireless data services for the Gainesville Police Department. This allows communication between laptops in GPD's vehicles and the Records Management System. This service agreement approved by the City Commission on September 8, 2003 provides for recurring costs in the amount of \$31.35 per device for unlimited data. This purchase order will cover the period from October 1, 2007 through May 24, 2008. The City has a fixed rate plan, until such time as one party notifies the other of their intent to discontinue the service.

Fiscal Note: Funds in an amount not to exceed \$54,360.90 for this expenditure are available from general funds, account number 001 810 8148 5210 4120.

RECOMMENDATION

Recommended Motion: The City Commission authorizes the City Manager to execute a Purchase Order to T-Mobile, Inc. Jacksonville, Florida, a specified source, in an amount not to exceed \$54,360.90 for recurring wireless service expenses.

Alternative Recommendation A: The City Commission authorizes less than \$54,360.90 for wireless service, with the understanding that this will drastically limit the police department's ability to communicate with the Records Management System.

Alternative Recommendation B: The City Commission denies funding.

070280.

Staffing for Adequate Fire and Emergency Response (SAFER) Firefighter Grant Program (NB)

This item requests that the City Commission authorize an application for the 2007 Federal SAFER Grant Program for firefighter staffing funds.

Explanation: On July 27, 2007, the US Department of Homeland Security, Preparedness Directorate - Office of Grants and Training, announced funding availability from the Staffing for Adequate Fire and Emergency Response (SAFER) Firefighter Grant Program. The purpose of the program is to assist fire departments with increasing the number of firefighters available to respond to calls for service in order to meet staffing guidelines as established by the National Fire Protection Association (NFPA) in NFPA 1710. In part, the NFPA response guidelines describe a deployment goal for 90% of building fire dispatches of having four (4) fire suppression personnel on scene with one suppression apparatus within four (4) minutes from the time units begin responding. Gainesville Fire Rescue's staffing does not currently support four (4) personnel on engine companies and the department's minimum staffing requirement for an engine company is three (3) personnel. To achieve the NFPA 1710 goal, Gainesville Fire Rescue must frequently have more than one unit on scene within four (4) minutes; this requires the dispatch of units from

multiple stations.

The City recently responded to an identified gap in the fire service area in Northwest Gainesville by committing funds to support development of Fire Station 8. Gainesville Fire Rescue currently staffs seven full-time stations with 132 combat personnel. An increment request for thirteen firefighting positions was submitted by the Fire Department for FY07 in anticipation of the need to hire and train personnel for Station 8 in FY09. Since SAFER program funds for hiring must be used for salaries and associated benefits for new, full-time firefighter positions only, application of these funds would support staffing of Fire Station 8.

Awards for hiring firefighters must be used to support a position for a minimum of five (5) years and are limited to \$105,425 per position over the course of the period. The maximum annual Federal share of funds may not exceed the lesser of the following: Year 1 - 90% of actual costs or \$37,950; Year 2 - 80% of actual costs or \$33,730; Year 3 - 50% of actual costs or \$21,080; Year 4 - 30% of actual costs or \$12,665; and Year 5 0%.

Fiscal Note: Cash match required for each year would be: Year 1 \$233,484; Year 2 \$330,580; Year 3 \$539,916; Year 4 \$697,025; Year 5 \$912,404 for a total cost of \$2,713,409. Matching funds will be requested in the City Manager's proposed budget each year.

RECOMMENDATION

The City Commission authorize the City Manager to: 1) apply to the US Department of Homeland Security for the SAFER Grant Program; and, if awarded: 2) accept the award; 3) approve the required payment process for expending the grant funds; and 4) allocate the required cash match.

Alternative Recommendation A: The City not apply for the SAFER Grant Program. The fiscal impact would be that the City meet the full financial burden of any firefighter positions required for Station 8.

070283.

First Amendment to Contract with Precision Transmission, Inc. for ZF Transmission Repair and/or Rebuild Service (B)

This item involves an amendment to the contract between the City of Gainesville Regional Transit System (RTS) and Precision Transmission, Inc. for the Repair and/or Rebuild of ZF Transmissions.

Explanation: The original agreement provides that the annual budget for this contract is not to exceed \$75,000. It is necessary to amend the annual contract budget amount to \$110,000. The increase is a result of the scheduled mid-life overhauls of 2001 model year transit buses. The City entered into a contract with Precision Transmission, Inc. for these services on December 5, 2006. This contract expires on September 30, 2007 with an option of two (2) one-year extensions,

subject to funding and written consent of both parties.

Fiscal Note: Funds to increase the budget to \$110,000 are available in the FY 07 RTS operating budget and are planned to be available in the adopted FY 08 operating budget.

RECOMMENDATION

The City Commission: 1) approve the First Amendment to the Contract with Precision Transmission, Inc. for ZF Transmission Repair and/or Rebuild Service; and 2) authorize the City Manager or designee to execute the Amendment.

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070284.

Grant Application for Trails and Recreation Facilities (NB)

This Item requests the City Commission to authorize staff to submit a grant application to the Florida Department of Environmental Protection, Florida Recreation Development Program for recreational facilities at the Duval Stormwater Park.

Explanation: The Florida Recreation Development Assistance Program (FRDAP) offers funding to local governments for the following categories: 1) development or acquisition of lands for public outdoor recreational purposes; and 2) construction or renovation of public recreational trails. The maximum grant funds an applicant may request is \$200,000 with grant match ratios based on the grant cap of \$200,000, State share 50%, Grantee share 50%. Applications must be postmarked no later than September 14, 2007.

Duval Stormwater Park, located at 520 NE 21st Street, is located on 26.4 acres in Gainesville's "Front Porch Community". Nature and fitness trails will meander around the wetlands and the naturally sculpted stormwater pond. Construction of the stormwater facilities is scheduled to begin in early 2008. The intent of this grant application is to provide matching funds for the construction of the recreation elements including the nature trail, boardwalk, benches, signs and kiosks, fitness equipment, entranceway landscaping, fencing, and a small parking facility.

Fiscal Note: This project is estimated to require a total of \$400,000, of which a 50% match is required from the City of Gainesville. Funds for the match are available from the CDBG funded Duval Neighborhood project account.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to apply to the State of Florida, Department of Environmental Protection, Florida Recreation Development Assistant program for \$200,000 in grant funds for the recreational facilities at the Duval Neighborhood Stormwater Park; and 2) authorize the City Manager to execute all documents associated with this grant, if awarded, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation
The City Commission decline the opportunity to apply for and receive grant funds from the Florida Recreational Development Assistance Program for this project.

070286.**First Extension to the Contracts for Annual Plant Mix Concrete Services for FY 2008 (B)**

This item involves an extension to the contracts for annual plant mix concrete services with APAC - Southeast, Inc., John C. Hipp Construction Equipment Company and V.E. Whitehurst & Sons, Inc.

Explanation: The contract dated February 13, 2007, with APAC - Southeast, Inc., the contract dated January 23, 2007, with John C. Hipp Construction Equipment Company and the contract dated February 13, 2007, with V.E. Whitehurst & Sons, Inc., for plant mix concrete services will expire on September 30, 2007. These firms have responded to the City's requests for services promptly and their services have been reliable and accurate.

The contracts allow for two one-year extensions. This is the first request for an extension to each contract.

Fiscal Note: The estimated amount of \$100,000 is identified and will be available in the adopted Public Works Department FY 2008 operating budget and selected capital project accounts.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager to execute the First Extensions to the contracts with APAC - Southeast, Inc., John C. Hipp Construction Equipment Company and V.E. Whitehurst & Sons, Inc., for annual plant mix concrete services, extending the termination dates of the contracts from October 1, 2007 to September 30, 2008, subject to final appropriation of funds for FY2008.

Alternative Recommendation A: The City Commission reject the recommendation for the first extensions and direct the City Manager to secure the services of individual vendors on a project-by-project basis. This would result in project delays and additional administrative costs for both projects and routine tasks that require these services.

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070293.**Referral of Development of a Transportation Improvement Priority Plan to the Recreation, Cultural Affairs, and Public Works Committee (NB)**

This item involves a request to refer the development of a transportation improvement priority plan to the Recreation, Cultural Affairs, and Public Works Committee (Committee).

Explanation: In a manner similar to the process the Metropolitan Transportation Planning Organization follows for developing a long range transportation plan, staff is proposing the development of draft policies and prioritization criteria for the Committee and City Commission to consider. Staff will then apply these policies and criteria to develop a draft plan to bring back to the Committee and City Commission for approval. This plan will be used to select projects for implementation with funds from the additional local option fuel tax revenue.

Fiscal Note: There is no fiscal impact associated with the development of a plan.

RECOMMENDATION

The City Commission refer the development of a transportation improvement priority plan to the Recreation, Cultural Affairs, and Public Works Committee.

070329.**Authorization to Purchase Lot 36 of the Pine Ridge Subdivision (NB)**

This item involves the authorization to purchase Lot 36 of the Pine Ridge Subdivision from the estate of George Quinn, Jr., for the Northeast 19th Terrace Renovation Project.

Explanation: Lot 36 of the Pine Ridge Subdivision is the final lot in the land acquisition associated with the Northeast 19th Terrace Renovation Project. In May of 2006, the City retained outside legal counsel to complete the probate process for the heirs of George Quinn, Jr. Through mediation, a final agreement was reached with a representative of the fourteen heirs of the estate, to sell the property to the City for \$30,000. Within 20 days of August 13, 2007, the payment is to be placed in an escrow account for the estate. The judge overseeing the probate will order the personal representative of the estate to execute a deed onto the City for Lot 36. The cost associated with the probate process, \$2,504.50, and back taxes, \$195.17, will be billed the estate of George Quinn, Jr., upon acquisition of Lot 36.

Fiscal Note: Funding in the amount of \$30,000 for the acquisition of Lot 36 of the Pine Ridge Subdivision is available in the Northeast 19th Terrace Renovation multi-year capital project account.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the acquisition of Lot 36 of the Pine Ridge Subdivision from the estate of George Quinn, Jr., for

\$30,000.

Alternative Recommendation: The City Commission deny the request and end work on the Northeast 19th Terrace Renovation Project.

070333.

Annexation of Parcel Number 06798-007-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of SW 24th Avenue, Windmeadows Boulevard, SW 33rd Place and the vicinity of Interstate 75.

Explanation: Margaret Lyons, property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The property is generally located south of Tax Parcel 06810-001-002, west Tax Parcel 06798-000-000, north of Tax Parcel 06798-000-000 and the vicinity of SW 33rd Place, and east of Tax Parcel 06801-000-000 and SW 40th Terrace. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act (BAA). This area meets the requirements of the Act and is appropriate for annexation. The area is approximately one acre.

Fiscal Note: The fiscal impact of this annexation will be addressed in the Urban Services Report.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

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070334.

Annexation of Parcel Number 06810-002-002 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of Windmeadows Boulevard, SW 35th Boulevard, SW Archer Road and the

vicinity of Interstate 75 in the area commonly know as Butler Plaza.

Explanation: Thomas N. Brown Revocable Trust, property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The property is generally located south of Tax Parcel 06810-002-000 and the vicinity of Windmeadows Boulevard, west Tax Parcel 06810-002-000, north of the City limits and SW Archer Road, and east of Tax Parcel 06810-002-000. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act (BAA). This area meets the requirements of the Act and is appropriate for annexation. The area is approximately one-quarter acre.

Fiscal Note: The fiscal impact of this annexation will be addressed in the Urban Services Report.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

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070336.

Annexation of Parcel Numbers 06798-000-000, 06810-002-004, 06810-002-005, 06810-002-006, and 06810-003-004 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel numbers, which are located in the vicinity of SW 24th Avenue, SW 34th Street, SW Archer Road and Interstate 75.

Explanation: Butler Development Company, LLC, property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The properties are generally located south of the vicinity of SW 24th Avenue and SW 32nd Avenue, west of the vicinity of SW 35th Boulevard, north of Archer Road and City limits, and east of SW 42nd Street. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act (BAA). This area meets the requirements of the Act and is appropriate for annexation. The area is approximately 3.24 acres.

Fiscal Note: The fiscal impact of this annexation will be addressed in the Urban Services Report.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3)

authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

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070337.

Annexation of Parcel Number 06798-002-001 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of SW 24th Avenue, SW 34th Street, SW 33rd Place and SW 42nd Street.

Explanation: Catherine A. Butler Irrevocable Living Trust, property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The property is generally located south of Tax Parcel 06810-001-002 and SW 32nd Avenue, west of Tax Parcel 06798-002-000, north of Tax Parcel 06798-000-000 and SW 33rd Place, and east of Tax Parcel 06798-000-000 and the vicinity of SW 40th Terrace. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act (BAA). This area meets the requirements of the Act and is appropriate for annexation. The area is approximately one acre.

Fiscal Note: The fiscal impact of this annexation will be addressed in the Urban Services Report.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

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070338.

Annexation of Parcel Numbers 06801-000-000, 06801-005-000, and 06798-005-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel numbers, which are located in the vicinity of SW 24th Avenue, SW 34th Street, SW 33rd Place and SW 42nd Street.

Explanation: Wallace Office Park, LLC, property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The properties are generally located

south of the vicinity of SW 24th Avenue and SW 32nd Avenue, west of the vicinity of SW 34th Street and Tax Parcel 06810-001-002, north of SW 33rd Place, and east of SW 42nd Street. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act (BAA). This area meets the requirements of the Act and is appropriate for annexation. The area is approximately 3.8 acres.

Fiscal Note: The fiscal impact of this annexation will be addressed in the Urban Services Report.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

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070339.

Annexation of Florida Department of Transportation (FDOT) Roadway (B)

This is the submission of petition for voluntary annexation for the section of SW 34th Street that is located between SW 19th Avenue and SW Archer Road.

Explanation: Florida Department of Transportation, property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The property is that section of roadway identified as SW 34th Street that runs between SW 19th Avenue and SW Archer Road and is currently outside of the City limits. This is the only section of SW 34th Street that lies outside the current City limits, and annexation of this section of roadway will improve service delivery. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act (BAA). This area meets the requirements of the Act and is appropriate for annexation.

Fiscal Note: The fiscal impact of this annexation will be addressed in the Urban Services Report.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

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070340.

Annexation of S. Clark Butler Properties Land Trust Parcels (B)

This is the submission of petition for voluntary annexation for parcels which are located in the vicinity of SW 24th Avenue, SW 34th Street, SW Archer Road and Interstate 75, commonly referred to as Butler Plaza.

Explanation: S. Clark Butler Properties Land Trust, property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The properties are generally located south of the vicinity of SW 24th Avenue, west of the vicinity of SW 34th Street, north of Archer Road and City limits, and east of the vicinity of Interstate 75. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act (BAA). This area meets the requirements of the Act and is appropriate for annexation. The area is approximately 240 acres.

Fiscal Note: The fiscal impact of this annexation will be addressed in the Urban Services Report.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

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070341.

Annexation of City-owned Property in the Vicinity of SW 24th Avenue (B)

This is the submission of a petition for voluntary annexation of City-owned land in the area of SW 24th Avenue, Windmeadows Boulevard and SW 43rd Street.

Explanation: The City of Gainesville owns three parcels of land that are located in the vicinity of SW 24th Avenue. Tax Parcel 06810-005-002 is the site of a GRU lift station. Tax Parcels 06750-001-000 and 06748-000-000 are currently vacant and total approximately 4.77 acres. These three parcels are contiguous to larger parcels that have requested voluntary annexation into the City's corporate limits. Staff has reviewed the requirements of the Boundary Adjustment Act (BAA). This area meets the requirements of the Act and is

appropriate for annexation.

In order to annex these parcels into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation. As the owner, the Mayor, on behalf of the City, must execute a petition for voluntary annexation.

Fiscal Note: The fiscal impact of this annexation will be addressed in the Urban Services Report.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

070348.

Replacement HVAC System (B)

Staff recommends procuring replacement HVAC systems for the Murphree Water Treatment Plant and Deerhaven Generating Station.

Explanation: The control room at the Murphree Water Treatment Plant (MWTP) houses electronic equipment that is essential to the operation of the Utility's water supply. This computerized equipment generates a significant amount of heat which could quickly cause significant damage and a potential shutdown without a constant supply of clean, humidity-controlled, conditioned air. The existing HVAC system which handles the control room is over 25 years old and has surpassed its life expectancy.

HVAC systems located at the crusher house and coal ash buildings at the Deerhaven Generating Station are vital to the operation of the plant as they provide conditioned air to critical operational mechanical control centers and adjacent administrative offices. Both of these systems are original to the plant and are located in a harsh industrial setting. Based on these circumstances, it is no longer practical to maintain these units as they have reached the end of their serviceable life.

These projects include the provision and installation of three replacement HVAC systems.

An Invitation to Bid was issued by Utilities Purchasing to eight prospective bidders. Eight contractors attended a mandatory prebid meeting with four bidders responding. A recommendation to award the bid to the lowest, responsible bidder based on all three systems is attached for your information.

Fiscal Note: Funds for this purchase are available in the Utilities budgets.

RECOMMENDATION

The City Commission approve the issuance of a purchase order to Crystal Air & Water, Inc. for replacement HVAC systems for the Murphree Water Treatment Plant and Deerhaven Generating Station in the amount of \$93,413.

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070349.**On-Site Emergency Generator Equipment and Service Provider Contract-AttenGen (B)**

Staff recommends establishing a contract with Ring Power Corporation for stand-by and emergency backup generation equipment and services.

Explanation: The Utility established a program to provide emergency generators and related services for GRU business customers in December 2002. The program known as AttenGen has been successful and has provided 12 emergency generator systems for various customers since its onset. There continues to be much interest from business customers for these services for stand-by and emergency backup generation. This interest has provided the Utility with the opportunity to continue offering a value added service to business customers while generating additional revenue. The average annual expenditure to purchase these units is \$118,286.

An Invitation to Bid was sent by Utilities Purchasing to eleven prospective bidders with six attending a mandatory pre-bid meeting. Eight responses were received which included four no bids. The bids were evaluated based on price, warranty, service response, parts availability, years in business, buy back price, and local vendor preference. Ring Power Corporation, a local vendor, submitted the best evaluated bid. The bid tabulation is attached for your reference.

As installations are scheduled, other related services may be required to successfully complete the work. Any such contracts/materials will be procured in accordance with the applicable purchasing policies.

Fiscal Note: Funds for these services are in the Electric System Capital Budget for FY08 and will be requested in FY09.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or her designee, to execute a two year contract [WJSI]with Ring Power Corporation for stand-by and emergency backup generation equipment and services, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders for this equipment and services to Ring Power Corporation in amounts not to exceed budgeted amounts for each year of the contract, subject to the final appropriation of funds for each year of the contract.

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070350.**Annual Contract for Herbicides (B)**

Staff recommends approval of a contract with Helena Chemical Company for herbicides.

Explanation: The Energy Delivery Department uses herbicides to control vegetation within utility rights-of-way, substations, power plants, and other properties as may be required. The selective use of herbicides complements the Department's manual removal efforts. The program, while aggressive on undesirable vegetation, is sensitive to environmental and wildlife concerns. Vegetation management was awarded the best managed rights-of-way in the United States in FY 97 by Project Habitat, which is endorsed by a number of national wildlife management organizations. Vegetation management was also awarded a "Lines of Distinction Award" in 2000-2001. An Invitation to Bid for the provision of herbicides was sent by Utilities Purchasing to nine prospective bidders, with four responding. One bid was deemed non-responsive because they did not furnish complete bid pricing information. Helena Chemical Company submitted the lowest, responsive, responsible bid. A copy of the bid tabulation is attached for your reference.

Fiscal Note: Funds for these purchases have been included in the proposed Operation and Maintenance portion of Energy Delivery's FY 2008 budget and will be requested in subsequent years, subject to the final appropriation of funds for each year of the contract.

RECOMMENDATION

The City Commission: 1) authorize the General Manager or her designee to execute a three-year contract with Helena Chemical Company for herbicides, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not to exceed \$50,000 per year, subject to the final appropriation of funds for each year of the contract.

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070351.**Purchase of Property for Electric Facilities (B)**

Staff is requesting approval of the purchase of approximately a one acre parcel of property located in the 1900 block of NW 53rd Avenue from the United Brotherhood of Carpenters, Local 75 for the future construction of a Power Delivery System.

Explanation: Energy Delivery Staff has determined that continued increased development in the Gainesville area has produced an additional increased demand on the City's electric system. Accordingly, staff has chosen a site for the construction of a compact substation known as a power delivery system (PDS) along the NW 53rd Avenue corridor to tie into existing electric transmission facilities adjacent to the site to accommodate the increased demand. The construction of this

proposed PDS does not need to occur immediately. Construction of the PDS will likely occur within the next few years, but it is prudent to secure the land now for future use. Several other PDS sites have been purchased throughout the City to accommodate this same need.

Staff has negotiated the purchase of a parcel of land located at 1910 NW 53rd Avenue which is 150' wide X 241.93' consisting of .8331 of an acre at a purchase price of \$130,000.00 which is within 8% of the appraised value. This purchase is contingent upon obtaining approval of a Lot Split from the City of Gainesville.

Fiscal Note: The total purchase price of the property is \$130,000.00, plus closing costs. Funds are available in the FY 2007 Energy Delivery Capital Budget.

RECOMMENDATION

The City Commission: 1) approve the Purchase and Sale Agreement for the purchase of property located in the 1900 block of NW 53rd Avenue from the Trustees of the United Brotherhood of Carpenters, Local 75, in an amount not to exceed \$130,000.00 plus closing costs, as negotiated by staff; and 2) authorize the General Manager, or her designee, to execute all documents necessary to complete the purchase of the property in accordance with the Purchase and Sale Agreement, subject to approval by the City Attorney as to form and legality.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

070358.

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of August 13, 2007, as circulated.

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070290.

Advisory Board/Committee Appointments to the Gainesville Energy Advisory Committee (NB)

RECOMMENDATION

The City Commission appoint Aaron T. Dossey and Michael H. Ramsey to the Gainesville Energy Advisory Committee for terms to expire September 30, 2010.

*Commissioner Braddy: Dossey and Readvertise
Commissioner Bryant: Dossey and Ramsey*

*Commissioner Donovan: Dossey and Ramsey
Commissioner Henry: Dossey and Ramsey
Commissioner Lowe: Dossey and Mezzell
Commissioner Mastrodicasa: Dossey and Ramsey
Mayor Hanrahan: Dossey and Mezzell*

Legislative History

8/13/07 City Commission Continued

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

050298

Update on Informal Negotiations for Modification of Urban Reserve Area (B)

Explanation: The City Commission referred the issue of informal negotiations for modification of the urban reserve area to the Community Development Committee on September 12, 2005. On June 28, 2005, the Alachua County Board of County Commissioners held a public hearing to address the 5-year update of the urban reserve areas for the municipalities in Alachua County. County staff presented the recommended changes to the reserve areas submitted by each municipality, and County staff proposed modifications to the urban reserve areas. It was determined that there still existed some areas of conflict between the municipalities, and/or the County staff's proposal. The County hired a consultant in 2006 to address concerns pertaining to unincorporated areas in eastern Alachua County.

The Community Development Committee was informed by City staff on July 30, 2007, that after the County's consultant met in the Fall of 2006 with affected municipalities, it was determined that there was interest in protecting environmentally sensitive areas, especially ecosystems in the eastern portion of the County, and that there was not an interest in joint planning for the unincorporated areas. There is a consensus for an interlocal agreement, but no consensus as to the details of that interlocal agreement.

A revised approach that would be limited to review of proposed County Comprehensive Plan amendments in the unincorporated areas and eastern Alachua County is now under consideration. The contemplated interlocal agreement among the County and affected municipalities (Gainesville, Micanopy, Waldo, and Hawthorne) would require the County to send a complete application to review staff (copying a senior official) of the affected local government for comments. Those comments would become part of the County staff report. A staff level meeting among the several affected municipalities and the County will be held in the near future. Staff will

follow-up with a progress report to the City Manager. Staff recommended that this item be removed from the referral list.

Fiscal Note: None

RECOMMENDATION

Community Development Committee to the City Commission: Remove this item from the referral list.

Legislative History

| | | | |
|----------|---------------------------------|-----------------------------|---------------------------------|
| 8/22/05 | City Commission | Withdrawn | |
| 9/12/05 | City Commission | Referred (6 - 0 - 1 Absent) | Community Development Committee |
| 10/6/05 | Community Development Committee | Approved as Recommended | |
| 6/1/06 | Community Development Committee | Continued | |
| 9/18/06 | Community Development Committee | Continued | |
| 12/12/06 | Community Development Committee | Approved as Recommended | |
| 7/30/07 | Community Development Committee | Approved as Recommended | |
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REGIONAL UTILITIES COMMITTEE, CONSENT

061214.

Photovoltaic Policies- Proposed Energy Neutral Neighborhood-Commissioner Craig Lowe Referral (NB) - Item #061214

Photovoltaic systems are currently subsidized by incentives from GRU, the state and the federal government. Currently GRU is the only utility in the state of Florida offering a rebate for photovoltaic systems. These subsidies, combined with GRU's existing policies for rebates and dual metering appear to have resulted in an increased rate of installation of the systems, and the Regional Utilities Committee (RUC) has concluded that additional incentives are not required at this time.

Explanation: On April 23, 2007, the City Commission referred the issue of GRU's Photovoltaic Policies to the RUC for review. This item was discussed at the meetings held on June 12, 2007 and July 10, 2007. The State of Florida, the federal government and GRU currently offer incentives that address the up front cost of photovoltaic generation. Additionally GRU has a policy in place to reimburse customers that own photovoltaic generating facilities for energy returned to GRU's distribution system. Representatives of a proposed energy

neutral subdivision requested that these policies be reviewed. As directed at the July 10 RUC meeting, staff has met with Mr. Schackow (July 17th and August 8) and has offered to assist Mr. Schackow with technical and financial analysis and to allow Mr. Schackow to use these evaluations to assist in his marketing campaign.

Fiscal Note: There is no fiscal impact from this status report.

RECOMMENDATION

The City Commission approve the recommendation as follows: 1) GRU maintain existing rebate levels and dual metering policies for residential photovoltaic electric systems through FY 08; and 2) retain this item on the RUC referral list.

Legislative History

| | | | |
|---------|------------------------------|--------------------------------------|------------------------------|
| 4/23/07 | City Commission | Referred (7 - 0) | Regional Utilities Committee |
| 6/12/07 | Regional Utilities Committee | Discussed | |
| 7/10/07 | Regional Utilities Committee | Approved as shown above (See Motion) | |

Backup to RUC item #061214 Mar 19 2008.pdf

Backup for RUC item #061214 PV policies Mar 19 2008.pdf

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

070352.

Status Report on Maximum Energy Efficiency (B)

The City Commission directed staff to achieve maximum energy efficiency. As part of this directive, staff was also asked to provide quarterly updates on progress.

Explanation: In July 2006 staff began implementation of an aggressive Energy Efficiency Program. To date numerous programs have been implemented to help achieve maximum cost-effective energy efficiency. The presentation will provide a brief synopsis of the third quarter results and an update on future efforts.

Fiscal Note: There is no fiscal impact from this status report.

RECOMMENDATION

The City Commission hear a presentation regarding third quarter results of efforts to achieve maximum energy efficiency.

CLERK'S NOTE: It is anticipated that the City Commission will waive the Rules to hear this item at this time.

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070196.

Appeal of Denial by Historic Preservation Board of Certificate of Appropriateness for Demolition of 1102 Southwest 6th Avenue, 1116 Southwest 6th Avenue, and the garage behind 1101 Southwest 5th Avenue. The proposal includes replacing the historic structures with structures ranging in height from three to four stories. (NB)

Explanation: The applicant has appealed the Historic Preservation Board's June 12, 2007, denial of Petition 36COA-07 HPB. That petition is a request for a Certificate of Appropriateness (COA) that includes the construction of a three- to four-story multiple-family structure containing approximately 23 units and 63 bedrooms; the demolition of contributing accessory structures; and the demolition of a non-contributing principal structure.

The subject property is located within the University Heights-South Historic District, along the north side of Southwest 6th Avenue, between Southwest 10th and 12th Streets. This property is approximately two-thirds of an acre in size, and is zoned RH-2, Residential High Density (8-100 dwelling units per acre). Additionally, the site is located with the University Heights Special Area Plan area.

At the July 9, 2007 City Commission meeting, staff will discuss the evolution of this proposal. At that meeting staff will provide details related to previous development proposals and recommendations for the subject property.

The primary reason cited by the Historic Preservation Board (HPB) for denying the application is the height, mass and proportions of the proposed structure. The HPB indicated that they felt that a four story high structure on the subject Property was incompatible with the surrounding area, which predominantly consists of one- and two-story buildings. Primarily for those reasons, the HPB determined that the proposal is inconsistent with the City's guidelines, and therefore, voted 8 to 0 to deny the COA.

RECOMMENDATION

The City Commission: 1) hear the appeal; and 2) affirm, amend, or reverse the historic preservation board's decision.

Historic Preservation Board to City Commission-affirm the Historic Preservation Board's decision

Staff to Historic Preservation Board-Approve the COA with conditions

CLERK'S NOTE: It is anticipated that the City Commission will waive the Rules to hear this item at this time.

Legislative History

7/9/07 City Commission Continued (6 - 0 - 1 Absent)

7/16/07 City Commission Continued (7 - 0)

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CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

070275.

Proposed Lease for the One-Stop Assistance Center for the Homeless at 3335 N. Main Terrace (B)

On April 13, 2006, at a joint meeting of the City and County Commissions, funding was approved for a One-Stop Assistance Center for the Homeless. On March 26, 2007, the City Commission selected the site at 3335 N. Main Terrace for the One-Stop Assistance Center for the Homeless. The proposed lease for the property is presented for consideration by the City Commission.

Explanation: On April 13, 2006, at a joint meeting of the City and County Commissions, funding was approved for a One-Stop Assistance Center for Homeless. This facility was one of the goals established in GRACE, the Gainesville/Alachua County 10-Year Plan to End Homelessness, to ensure coordination of services for homeless persons.

On January 29, 2007, at a joint meeting of the City and County Commissions, GRACE Marketplace, a collaborative of local service providers, was approved to provide services at the One-Stop Assistance Center for the Homeless, based on their response to a Request for Proposals from the Alachua County Housing Authority and the Office on Homelessness.

On March 26, 2007, the City Commission selected the site at 3335 N. Main Terrace for the One-Stop Assistance Center for the Homeless.

The terms of the proposed lease were negotiated with the owner, who has executed all documents. The lease terms are summarized below:

Property:

3335 N. Main Terrace

Description:

2 warehouse buildings, with office area, totaling 17,000 square feet on approximately .93 Acres; Zoned I-2

Landlord/Owner:

Rajae & Pourzadeh, LLC

Proposed Use:

One-Stop Assistance Center for the Homeless providing basic services, such as meal distribution to the needy, shower and laundry facilities, as well as social services, including, but not limited to, case management, information and referral, job training, counseling, and medical services.

Initial Term:

May 1, 2008 - April 30, 2011*

*If rezoning is accomplished prior to May 1, 2008, the City may occupy the property after January 1, with 15 days notices, without incurring additional charges.

Renewal Terms:

Two three-year renewals

Rent for renewals will be based on the average CPI increase over the previous 3-year period.

Rent:

Triple Net Lease - tenant pays rent, real estate taxes, utilities, insurance and maintenance

\$72,000 per year (Advertised @ \$81,600 per year), i.e., \$6,000 per month or \$4.23 per square foot.

Real estate taxes are currently \$9,936 per year (\$828 per month); paid by the City to Property Appraiser.

\$81,936 total annual rent and estimated real estate taxes.

Deposit:

\$24,000 Non-Refundable; Deposit applied to rent.

Cancellation:

City may cancel any time prior to May 1, 2008 for any reason.

Maintenance & Improvements:

All maintenance and improvements are the responsibility of the City. Through annual appropriations of \$50,000 from CDBG funding, the City will have \$150,000 (as of FY 08) for improvements.

Required, exterior and service improvements are listed on Attachment A of the agenda item and total an estimated \$238,567. Of these improvements, required

and exterior improvements total \$130,700. Service improvements, including construction of a day room, showers, laundry connections and additional bathrooms, total \$107,867. No improvements will be initiated until rezoning of the property has been approved.

Utilities:

City responsibility

Option to Purchase:

Provides an option to purchase which can be exercised at any time during the term of the lease. Purchase price during initial term is \$895,000. Purchase price in subsequent renewal terms is based on appraised value.

Fiscal Note: Funding for operating expenses of the One-Stop Assistance Center has been budgeted. The operating budget, established in 2006, included an annual lease amount of \$67,000. The annual rent in this lease, including real estate taxes, exceeds that budget by \$14,936 per year.

The Office on Homelessness, which will be responsible for the contract for services at the One-Stop Assistance Center, is currently negotiating with GRACE Marketplace. At the time of contract approval by the City and County Commissions, the contract amount with GRACE Marketplace could be reduced by \$14,936 or additional funding could be provided to prevent this reduction.

As noted, \$150,000 in CDBG funding has been set aside for capital improvements for the One-Stop Assistance Center. That funding is sufficient for both the required and exterior improvements to the property. The service improvements are necessary to provide basic services that have always been envisioned at the One-Stop Assistance Center for the Homeless. To complete the service improvements, additional one-time funding is available from two sources. Approximately \$70,000 in non-programmed CDBG funding that has been returned from a former sub-recipient agency can be reallocated for capital improvements at the One-Stop Assistance Center. In addition, general revenue funding for the operation of the One-Stop Assistance Center, originally anticipated to open in January 2008, can be utilized if needed.

RECOMMENDATION

Recommended Motion

Approve the Lease Agreement and Option to Purchase between the City of Gainesville and Rajae & Pourzadeh, LLC for 3335 N. Main Terrace for the One-Stop Assistance Center for the Homeless, in substantially the same form as attached, and subject to final approval of the City Attorney.

Approve reallocation of non-programmed CDBG funding in the amount of \$70,000 for capital improvements at the One-Stop Assistance Center. Approve use of general revenue funding that will not be needed for FY 07/08 operating expenses for the One-Stop Assistance Center for capital improvements if needed.

Alternative Motion

Do not approve the Lease Agreement and Option to Purchase between the City of Gainesville and Rajae & Pourzadeh, LLC for 3335 N. Main Terrace.

Legislative History

8/13/07 City Commission Continued (6 - 0 - 1 Absent)

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GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE****060966.****Charter Officer Compensation (B)**

This item deals with a referral to the Personal & Organizational (P & O) Structure Committee regarding Charter Officer Compensation.

Explanation: The P & O referral included two components: to evaluate the current pay for the Equal Opportunity Director and establishing a process for evaluation of Charter Officer pay. The Personnel & Organizational Structure Committee provides the following recommendation regarding the pay for the Equal Opportunity Director and will provide recommendations on the process for evaluation of Charter Officer pay at a later date.

A current review of our peer city pay data for the Equal Opportunity Director shows that the incumbent's pay is more than 20% below market for someone in a similar position with similar years of experience. This is especially significant because most of the comparison positions report under the City Manager or the Human Resources Director and are not at the Charter Officer level. When the Charter Officer position was first approved by referendum vote, the pay negotiated was within an appropriate pay range, but did not properly place the selected candidate in the range. Additionally, the pay for

this position has changed significantly in the past four years.

The market rate for this position is currently \$91,975 for an incumbent with similar experience. A phased approach, similar to the implementation of the management and professional pay plan, could apply the increase over a two-year period. Any performance increase would be in addition to this market rate adjustment.

Fiscal Note: The funding for this proposed pay increase is included in the General Fund personal services contingency.

RECOMMENDATION

The City Commission approve adjusting the Equal Opportunity Director's salary by 15% effective July 1, 2007 and another 15% effective January 1, 2008; and direct the City Attorney to amend the Equal Opportunity Director's contract to reflect this change. Any performance increase would be in addition to this market rate adjustment and will be determined during his normal performance evaluation.

Legislative History

| | | | |
|---------|---|---------------------|--|
| 2/12/07 | City Manager | Referred (7 - 0) | Personnel and Organizational Structure Committee |
| 3/27/07 | Personnel and Organizational Structure Committee | Deferred | |
| 7/24/07 | Personnel and Organizational Structure Committee | Approved as Amended | |

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PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

070297.

**Advisory Board/Committee Appointment to the Regional Transit System
Advisory Board (B)**

RECOMMENDATION

The City Commission appoint one student government member to the Regional Transit System Advisory Board for a term to expire June 1, 2009.

Commissioner Braddy: Reilly

*Commissioner Bryant: Mezzell
Commissioner Donovan: Mezzell
Commissioner Henry: Mezzell
Commissioner Lowe: McBee
Commissioner Mastrodicasa: McBee
Mayor Hanrahan: McBee*

Legislative History

8/13/07 City Commission Continued

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

070277.

Commissioner Jeanna Mastrodicasa - Rev. Aaron Young Avenue (NB)

RECOMMENDATION

The City Commission dual-name NW 5th Avenue as Rev. Aaron Young Avenue and authorize drafting a resolution for the September 10, 2007 agenda.

Legislative History

8/13/07 City Commission Withdrawn

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COMMISSION COMMENTS (if time available)

RECESS - 5:01 PM

RECONVENE - 5:51 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

070354.

Pain Awareness Month - September 2007 (B)

RECOMMENDATION

University of Florida Comprehensive Center for Pain Research Program Director Professor Robert P. Yesierski, Ph.D. to accept the proclamation.

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070355.**Muscular Dystrophy Association Firefighter Appreciation Month -
September 2007 (B)****RECOMMENDATION**

*MDA District Director Katie Curvel, Gainesville Fire
Rescue and IAFF Local 2157 to accept the
proclamation.*

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CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**PUBLIC HEARINGS****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****070058.****URBAN SERVICES REPORT OF CITY-OWNED PROPERTY -
ADJACENT TO LAKE KANAPAHA (B)****Ordinance No. 0-07-50**

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 owned by the City of Gainesville and comprised of Tax Parcels 06909-001-001, 06909-001-002, 06909-001-003, 06909-001-004, 06909-001-005, and 06909-001-006, generally located south of the City Limits and Tax Parcel 06909-000-000, west of Tax Parcels 06911-025-000 and 06911-026-000, north of SW 46th Place and east of Tax Parcel 06909-002-000; 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;

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

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

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

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

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

It is common practice for the City to annex city-owned property as soon as possible once it meets the requirements for annexation.

If adopted on first reading, this ordinance shall be heard on second reading on September 10, 2007. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

6/11/07 City Commission Approved as Recommended (5 - 0 - 2 Absent)

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070128.

URBAN SERVICES REPORT FOR PROPERTIES OWNED BY GAIN DEVELOP INDUSTRIAL, L.L.C., AND THE CITY OF GAINESVILLE LOCATED IN THE VICINITY OF THE AIRPORT INDUSTRIAL PARK AND NE WALDO ROAD (B)

Ordinance No. 0-07-55

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of Tax Parcels 07872-009-000, 07872-003-001, 07872-014-002, and 07872-014-003, generally located south of the vicinity of NE 63rd Avenue, west of the vicinity of the L. Brown Solid Waste Transfer Station, north of the City Limits and the vicinity of NE 54th Place, and east of NE Waldo Road, the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

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

The report must generally include the following information:

- 1) a map or maps of the City and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, and the general land use pattern in the area to be annexed;*
- 2) a statement indicating to what extent services to existing residents would need to be reduced within the next 5 years because of the annexation; to what extent taxes would need to be adjusted within the next 5 years to provide services to the areas to be annexed, including services required by the comprehensive plan of the municipality; and to what extent the area to be annexed meets the criteria of Section 9 of the Alachua County Boundary Adjustment Act;*
- 3) a statement setting forth the plans of the City for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation, including:*
 - a) plans for extending urban services on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation.*
 - b) plans for the extension of existing municipal water and sewer services into the area to be annexed so that, when such services are provided, property owners in the area to be annexed will be able to secure public water and sewer service according to the policies in effect for extending water and sewer lines to individual lots or subdivisions.*
 - c) if extensions of major trunk water mains and sewer mains into the area to be annexed are necessary, set forth a proposed timetable for construction of such mains as soon as possible following the effective date of annexation.*

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

If adopted on first reading, this ordinance shall be heard on second reading on September 10, 2007. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION The City Commission adopt the proposed ordinance.

Legislative History

6/25/07 City Commission Approved as Recommended (5 - 0 - 2 Absent)

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

061129.

2008 CITY COMMISSION ELECTION AND RUN-OFF DATES (B)

Ordinance No. 0-07-57

An ordinance of the City of Gainesville, Florida, setting January 29, 2008 as the date for the 2008 regular city election and February 19, 2008 as the date for the 2008 run-off election, if necessary; setting the dates for qualifying for the 2008 regular election; providing a severability clause; providing a preemption clause; and providing an immediate effective date (B)

Explanation: The City Commission authorized the City Attorney's Office to draft an ordinance setting the 2008 regular city election and run-off election dates. After taking into consideration recent amendments to Florida Statutes changing the date of the Florida Presidential Preference Primary for 2008 and requiring a 14-day qualifying period for municipal elections whose dates are changed to be concurrent with the statewide primary, and after conferring with the Alachua County Supervisor of Elections regarding available dates for the qualifying of candidates, the following dates are included in the proposed ordinance:

*noon on November 30, 2007 to noon on December 14, 2007 - Qualifying period
 January 29, 2008 - General election
 February 19, 2008 - Runoff election (if necessary)*

RECOMMENDATION The City Commission adopt the proposed ordinance.

Legislative History

4/9/07 City Commission Approved as Recommended (5 - 0 - 2 Absent)
 5/14/07 City Commission Adopted on First Reading (Ordinance) (7 - 0)
 6/11/07 City Commission Adopted on Final Reading (Ordinance) (7 - 0)

8/13/07 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

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070130.

URBAN SERVICES REPORT-TOWNHOMES AT WESTWOOD, L.L.C. & T. LANE PROPERTIES (B)

Ordinance No. 0-07-56

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of Tax Parcels 06687-000-000, 06687-003-000, 06687-005-000, 06687-006-000, 06687-007-000, and 06686-000-000, generally located south of the vicinity of SW 20th Avenue, west of SW 43RD Street, north of SW 24th Avenue, and east of the City Limits and the vicinity of Interstate 75; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

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

The report must generally include the following information:

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

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

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

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

rest of the municipality prior to annexation.

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

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

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

If adopted on first reading, this ordinance shall be heard on second reading on August 27, 2007. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

070130 1ST Reading: 8/13/07
2nd Reading: 8/27/07

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

6/25/07 City Commission Approved as Recommended (5 - 0 - 2 Absent)
8/13/07 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

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070133.

CIVIL CITATIONS - INCREASE IN PENALTIES (B)

Ordinance No. 0-07-54

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Division VI, Section 2-339 of the Gainesville Code of Ordinances by adding section 30-57(a)(3) dealing with over-occupancy to the list of violations which are subject to civil citations, and increasing the penalty for violation of certain other offenses, as specifically enumerated in this ordinance; providing for directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: At its meeting on June 25, 2007, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance increasing the civil citation fees. Should the City Commission adopt this ordinance on first reading, second and final hearing will be held on August 27, 2007.

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

6/25/07 City Commission Approved as Recommended (5 - 0 - 2 Absent)
 8/13/07 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

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RESOLUTIONS- ROLL CALL REQUIRED**070285.****Resolution to Dual-Name Northwest 17th Street to "Lieutenant Corey Dahlem Drive" (B)**

This item involves a Resolution authorizing NW 17th Street between West University Avenue and Northwest 8th Avenue to be dual-named as "Lieutenant Corey Dahlem Drive."

Explanation: Gainesville Police Lieutenant Corey Dahlem lost his life in the line of duty on April 4, 2007. He served faithfully and with genuine dedication from February 11, 1985 to April 4, 2007. In the performance of his duties, he gave his life to protect the lives and property for the citizens of Gainesville. The City of Gainesville and the community wish to dedicate themselves to his memory and the supreme sacrifice he made by: holding a public recognition in his honor; and by dual-naming Northwest 17th Street between West University Avenue and Northwest 8th Avenue, in the City of Gainesville, Florida, to "Lieutenant Corey Dahlem Drive," so that his sacrifice and dedication to humanity and justice will always be remembered.

Fiscal Note: Funding in the approximated amount of \$900 for materials and producing the signs are available in the Public Works Department FY07 operating budget.

RECOMMENDATION*The City Commission adopt the Resolution.*

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PLAN BOARD PETITIONS**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****070276.****Florida Renewable RC&D Council, Inc. (B)****RECOMMENDATION***The City Commission hear a presentation.*

Legislative History

8/13/07 City Commission Withdrawn

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070276a_20070813.pdf

070353.**Base load purchased power agreements for 2008 through 2013 (NB)**

Staff is currently negotiating base load purchased power contracts through the year 2013. These would be contracts for power from diverse fleets of generating units, whose combined reliability would be better than from our aging fleet of intermediate and peaking units. They would pay for themselves and would benefit our customers by providing as much as \$7,000,000 per year in price protection from unexpected outages, natural gas price excursions, and improved reliability.

Explanation: As a result of the recently completed Request for Letters of Intent and as described to the Commission on May 10, 2007, we received a preliminary proposal from Progress Energy for the sale of base load power for the period of 2010 through 2013. Since then another opportunity has emerged to purchase base load power for 2008 through 2009. These opportunities present the opportunity to economically protect our customers from the expensive and highly volatile costs of electricity generated from natural gas. Both of these opportunities are for 50 megawatts of dispatchable firm capacity and have capacity payments commensurate with base load generation capacity predominately fueled with coal and nuclear energy. The contracts are sized in consideration of the potential loss of wholesale contracts and in consideration of our new energy conservation goals. GRU will have title to the power and would be able to remarket any energy it might not use. The proposed contracts are somewhat unique in that the fuel costs will be based on the weighted average cost of designated base load units. Given recent developments in the cancellation of new base load generating units in Florida, staff believes that time is of the essence in taking advantage of this opportunity. The economic value of the proposed contracts to our customers will depend upon the price of natural gas and the availability of GRU's own base load units. If the contracts had been in place during 2006, for example, the total cost of power delivered would have been less than \$65 per megawatt-hour, and would have saved our customers over \$2,000,000. Probabilistic risk modeling performed by TEA for CY 2008 indicates that our cash flow at risk for power production, for a 1 in 20 year extreme case, would be reduced by \$7,000,000 with the proposed contracts. Finally, the purchased power would be coming from a diverse mix of high capacity factor generating units whose blended availability will enhance GRU's reserve unit reliability, especially in the later years of the contract period. The final terms and conditions have not yet been negotiated, pending the outcome of additional work on securing transmission capacity. Having authorization from the City Commission will facilitate timely negotiations.

Fiscal Note: The contracts currently under negotiation would more than pay for themselves, would hedge GRU's power production costs, and would provide enhanced

reliability through 2013 for our customers.

RECOMMENDATION

The City Commission authorize the General Manager or her designee to enter into base load, 50 megawatt purchased power agreements for power supplies through 2013 with capacity and transmission payments not to exceed to \$1,200,000.00 per month.

070331.

General Manager for Utilities Selection Process (NB)

The City Commission discuss the continuation of the selection process for the General Manager

Explanation: In January 2007, the City Commission interviewed three candidates for the General Manager position. The Commission selected a candidate, but was not successful in negotiating an employment contract. The Commission then entered into negotiations with Karen Johnson to assume the position through September 30, 2008, and agreed to continue the process around February 2008 with a target start date of September 2008.

Mycoff & Associates have continued to search for candidates that meet the criteria outlined by the City Commission early in the process. Currently they have identified one highly qualified candidate that meets all of the criteria desired. Mycoff & Associates would like to present that candidate to the City Commission as a continuance of the interview process held in January 2007. The process would consist of one-on-one interviews with each Commission member and a "meet the candidate" question & answer reception with the public. The process would be concluded at a subsequent regular City Commission meeting with a motion to offer the position to the candidate or continue the search.

Fiscal Note: None at this time.

RECOMMENDATION

The City Commission approve scheduling an interview process with the candidate identified by Mycoff & Associates within the next 90 days.

Alternative Recommendation A:

The City Commission direct Mycoff & Associates to:
1) publicly advertise the position, 2) identify 3-4 candidates to be interviewed, and 3) authorize staff to schedule a date for the interview process no later than December 30, 2007.

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT

ADJOURNMENT - 8:42 PM