

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**August 20, 2015**

**1:00 PM**

**MODIFIED AGENDA**

**City Hall Auditorium**

## **City Commission**

*Mayor Ed Braddy (At Large)*  
*Commissioner Harvey Budd (At Large)*  
*Commissioner Helen Warren (At Large)*  
*Commissioner Charles Goston (District 1)*  
*Commissioner Todd Chase (District 2)*  
*Mayor-Commissioner Pro Tem Craig Carter (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****ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)****CITY MANAGER, CONSENT AGENDA ITEMS**[140069.](#)**Approval of the Regional Transit System (RTS) Ten-Year Transit Development Plan (TDP) Annual Update for FY 15/16 (B)**

**This item involves a request for the City Commission to approve the RTS Ten-Year TDP Annual Update for FY 15/16.**

*Explanation: To maintain eligibility for Florida Department of Transportation (FDOT) transit block grant funding, RTS must develop and maintain a TDP. FDOT requires agencies to update their TDP annually with major updates every five years. The City Commission approved the last major update to the RTS TDP on August 21, 2014. The TDP outlines the development of transit in a community over a ten-year period.*

*Fiscal Note: During FY14/15, RTS received \$1,747,550 in FDOT transit block grant funds.*

**RECOMMENDATION**

*The City Commission approve the RTS Ten-Year Transit Development Plan Annual Update for FY 15/16.*

**Legislative History**

8/21/14      City Commission      Approved as Recommended

[140069A Presentation 20140821.pdf](#)

[140069B Plan 20140821.pdf](#)

[140069 TDP Annual Update 20150820.pdf](#)

[140703.](#)

**Strategic Plan Quarterly Report -3rd Quarter of Fiscal Year 2015 (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 2015.**

*Explanation: As part of the strategic planning process, the City Manager prepares a quarterly report on accomplishments related to the City Commission's strategic initiatives.*

*This is the quarterly update representing progress made and accomplishments achieved during the third quarter, or during the period of April 1, 2015 to June 30, 2015.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission receives a quarterly report from the City Manager on the third quarter progress of the FY2015 strategic initiatives.*

**Legislative History**

3/5/15	City Commission	Approved as Recommended
5/21/15	City Commission	Heard
6/2/15	City Commission	Discussed

[140703 Strategic Update Quarterly Report 1st Qtr of FY2015 20150305.pdf](#)

[140703A Strategic Plan 2nd Qtr Update 20150521.pdf](#)

[140703B FY15 Strategic Plan 20150521.pdf](#)

[140703C Strategic Plan Presentation 20150521.pdf](#)

[140703A Agenda 20150610.pdf](#)

[140703B FY15 Strategic Plan 20150610.pdf](#)

[140703C Strategic Plan Presentation 20150610.pdf](#)

[140703 Strategic Plan 3rd Qtr Update 20150820.pdf](#)

[150152.](#)

**Second Amendment to the Tourism Product Development Interlocal Agreement with Alachua County (B)**

**This is a request for the City Commission to approve and authorize the Mayor or designee to execute a second amendment to the Tourism Product Development Interlocal Agreement with Alachua County, amending and extending the current agreement for two years, through September 30, 2017.**

*Explanation: Since the fall of 1996, the City's Department of Parks, Recreation and Cultural Affairs has administered County-funded programs for the expenditure of tourist tax funds to arts and eco-heritage non-profit agencies. Since late 2001, the City has also created new programs under terms of tourist tax funded agreements with Alachua County. The most recent Interlocal Agreement was approved on September 6, 2012 for a period of three years, from October 2012 through September 30, 2015.*

*Staff has been working with the Alachua County Visitors and Convention Bureau to develop terms for an amendment to the Interlocal Agreement, extending it and also addressing some programmatic needs identified by staff during the current Agreement's term. The Second Amendment includes five revisions to the current Interlocal Agreement: the first revision extends the term of the agreement two more years beyond its current end date; the second revision relieves the City of liability for a grantee action not in accordance with its contract, as outlined in the current Interlocal Agreement; the third revision allows unallocated Tourist Development Tax monies remaining in the Tourism Product Development Grant Program (Programming and Events category) to be re-designated to the City administered New Programs (tourism marketing) category with the written consent of the Visitors & Convention Bureau (Visit Gainesville) Director; the fourth revision changes the name of the County Manager, and the fifth revision permits either party (City or County) to terminate the agreement with written notice, whereas the current Interlocal Agreement only permits the County to do so.*

*Fiscal Note: The Second Amendment to the Interlocal Agreement provides for unallocated Tourist Development Tax monies not awarded for the Tourism Product Development Grant Program to be re-allocated within the program to the City-administered New Programs (tourism marketing) category, with the written consent of the Visitors & Convention Bureau (Visit Gainesville) Director; in FY 15 this amount is \$102,000.*

**RECOMMENDATION**

*The City Commission: 1) approve the Second Amendment to the Tourist Product Development Interlocal Agreement with Alachua County, and 2) authorize the Mayor or designee to execute the Second Amendment to the Tourist Product Development Interlocal Agreement with Alachua County and any related documents on behalf of the City, subject to approval by the City Attorney as to form and legality.*

[150152A\\_2ndAmdmt\\_20150820.pdf](#)

[150152B\\_1stAmdmt\\_20150820.pdf](#)

[150152C\\_OrigAgrmt\\_20150820.pdf](#)

### **Chapter 23 - Streets, Sidewalks and Other Public Places, to Clarify Authority for the Naming of Private Roads (NB)**

**This item is a request for the City Commission to support the drafting of amendments to the City's Code of Ordinances to clarify the authority for naming private roads.**

*Explanation:* The City entered into an Interlocal Agreement with Alachua County for property addressing services in 2011. The Alachua County E911 Office acts on behalf of the City of Gainesville providing citywide addressing services in accordance with the City of Gainesville municipal code, specifically Chapter 23. As currently written, Chapter 23 does not clearly authorize the City to name private roads. This could potentially allow developments that include private roads such as large multifamily complexes to name interior roadways in a manner that is inconsistent with the naming conventions specified within Chapter 23. The street naming conventions in use in the City of Gainesville, unincorporated Alachua County, and several municipalities allow fire, emergency medical, and law enforcement first responders to determine an incident location based solely on the physical address. Any road names or numbers which do not follow the City's adopted practices could create confusion and potentially result in emergency response delays.

*Fiscal Note:* There is no fiscal impact.

#### **RECOMMENDATION**

The City Commission direct the City Attorney to draft and the Clerk of the Commission to advertise amendments to Chapter 23 of the City Code to clarify the authority for naming private roads.

[150192.](#)

### **Settlement of Worker's Compensation Claim - Andrew Swann (NB)**

**This item involves the full and final settlement of Mr. Swann's workers' compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$175,000.00 and represents a significant cost advantage to the city.**

*Explanation:* While employed by GRU, Mr. Swann received injuries to his neck and left shoulder which led to ongoing medical treatment and multiple surgeries. As a result of his injuries, the present potential exposure to the City in future medical treatment, indemnity payments is significant given his life expectancy.

The City Attorney's Office, the Risk Management Department, GRU, Special Counsel and our Worker's Compensation servicing agent all concur as to the full and final settlement of this claim. The total amount \$175,000.00, includes future medical costs and future indemnity payments.

*Fiscal Note:* The settlement of this case in the amount of \$175,000.00 will be paid out

of the General Insurance Fund and reimbursed one hundred percent by our excess carrier.

**RECOMMENDATION**

The City Commission authorizes Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Swann in the amount of \$175,000.00.

[150209.](#)

**Selection of Marsh & McLennan Companies/Marsh USA, Inc as the City of Gainesville's Property and Casualty Broker/Agent and Risk Management Consultant (B)**

**This item involves a request for the City Commission to approve the rankings of the competitive bid process selecting Marsh & McLennan Companies/Marsh USA, Inc as the City's property and casualty broker/agent and risk management consultant.**

*Explanation:* The City of Gainesville recently requested qualifications from property, liability and workers compensation insurance agents for marketing and placement of its property, liability and workers compensation insurance/self-insurance program. Additional services requested included loss control and risk management consulting. The City received two qualified responses to the Request for Proposals and the committee made up of staff evaluated the proposals based on several factors, including but not limited to: price, agent and key person qualifications and experience, agency premium volume, range of services available, experience with accounts of similar complexity, including public entities, commitment to service the City's account, agent/agency remuneration, insurance market preferences, agency clout, negotiation experience and references. Based on the criteria specified in the RFP staff scored and ranked the responders as follows:

1. Marsh and McLennan/Marsh USA, Inc.
2. Arthur J. Gallagher & Co.

In addition to the providing the best response to the RFP, Marsh has provided the City and Gainesville Regional Utilities with superior service since October 2005. Of particular value to the City has been the active engagement in loss control visits and reporting with our property insurance carriers. Utilizing a more interactive and partner-based approach to the inspection process, Gainesville Regional Utilities has improved its risk profile with the property market, last year's renewal resulting in a 9.1% rate decrease which amounted to approximately \$265,000 reduction in the City's property insurance premiums.

*Fiscal Note:* Funds in the amount of \$198,500 are included in the Fiscal Year 2015-2016 General Insurance Fund budget and represent the fee associated with the Risk Management Consulting and Insurance Marketing and Placement services requested by the City.

**RECOMMENDATION**

The City Commission: 1) Approve the ranking of the responders; and 2) Authorize the City Manager

*or his designee to negotiate an agreement with the top ranked firm for a period of three years with two annual extensions, subject to approval of the City Attorney as to form and legality. If an agreement cannot be reached with the top ranked firm, authorize the City Manager or his designee to initiate negotiations with the next ranked firm, continuing through the rankings until an agreement is reached.*

[150209A Addendum #1 - Exhibit #1 Proposed Contract for Insurance Services](#)  
[150209B Addendum #1 - Exhibit #2 SOV 2014 with deletes 20150806.pdf](#)  
[150209C Addendum #1 - Exhibit #3 Property policy and participation 20150806.pdf](#)  
[150209D Addendum #1 - Exhibit #4 Deerhaven - FINAL PROPERTY 20150806.pdf](#)  
[150209E Addendum #1 - Exhibit #5 JR Kelly - FINAL 20150806.pdf](#)  
[150209F Addendum #1 - Exhibit #6 South Energy Center - FINAL 20150806.pdf](#)  
[150209G Addendum #1 - Exhibit #7 FINAL POLICY GRU 20150806.pdf](#)  
[150209H Addendum #1 - Exhibit #8 2014 Umb Policy # BE012493121 20150806.pdf](#)  
[150209I RFP RMDX-150054-DD Addendum #1 FINAL 20150806.pdf](#)  
[150209J RFP RMDX-150054-DD Addendum #2 FINAL 20150806.pdf](#)  
[150209K RFP RMDX-150054-DD Attachment B - Question-Answer submission 20150806.pdf](#)  
[150209L RFP RMDX-150054-DD Award Public Notice 20150806.pdf](#)  
[150209M RFP RMDX-150054-DD Bid Tabulation-RFP for Insurance & Risk Management 20150806.pdf](#)  
[150209N RFP RMDX-150054-DD Attachment B - Question-Answer submission 20150806.pdf](#)  
[150209o RFP RMDX-150054-DD FINAL Bid Document Broker-Agent Insurance 20150806.pdf](#)  
[150209P RFP RMDX-150054-DD Attachment A Schedule of Current Insurance 20150806.pdf](#)  
[150209Q AJG Response to City of Gainesville RFP #RMDX-150054-DD 20150806.pdf](#)  
[150209R City of Gainesville RFQ Marsh & McLennan Companies 20150806.pdf](#)  
[150209S RFP RMDX-150054-DD Signed Bid Record 20150806.pdf](#)  
[150209T RFP RMDX-150054-DD Evaluator #1 submitted Evaluation Forms 20150806.pdf](#)  
[150209U RFP RMDX-150054-DD Evaluator #2 submitted Evaluation Forms 20150806.pdf](#)  
[150209V RFP RMDX-150054-DD Evaluator #3 submitted Evaluation Forms 20150806.pdf](#)  
[150209W Written Proposal 20150820.pdf](#)

### 150213.

#### **General Employee's Pension Plan Amendments (NB)**

**This item requests the City Commission to authorize the City Attorney to draft an ordinance to modify certain provisions of the General Employee's Pension Plan.**

*Explanation: The City recently completed pension negotiations with the Collective Bargaining Units (CBUs) that represent the members of the consolidated General Employee's Pension Plan resulting in significant savings in the*

cost of this benefit. One of the underlying goals was to make sure that members who were hired during specific time frames received equivalent benefits, modifications and treatment. This was achieved by spreading the modifications across all members who were still receiving service credits under the plan. Both Management and the Communications Workers of America (CWA) noticed one group of employees that have been treated differently, despite being City employees for at least twenty years. These members are the former employees of Gainesville Gas who were transferred to City employment when the City purchased Gainesville Gas in January 1990. The difference in benefits is related to what can be included in final average earnings, in this case, whether vacation termination pay can be included in final average earnings. All current members, other than the former Gainesville Gas employees, who were employees on January 1, 1990, can include vacation termination pay accrued and unused prior to October 1, 2012. Both management and labor have tentatively agreed to make this change for current employees, including those currently participating in the DROP. For DROP participants, they will have to pay the member contributions on the vacation termination pay prior to a recalculation of benefits. This will impact approximately six employees.

In addition to making the plan equitable for the long-term former employees of Gainesville Gas, the collective bargaining units representing members of the General Employee's Pension Plan requested an increase in the guaranteed return members receive with participating in the DROP. The current guarantee is 2.25%. Management was not interested in changing that provision and an optional variable rate return for new DROP participants. This was offered during the last pension negotiations but not included in the final changes. Under the variable return option, a member entering the DROP who chose this option would receive a return of 0-4.5% depending on the Plan's actual return. This option allows for some gain sharing in the good years and provides for a protection of principal in lean years. It also guarantees that the Plan will not be responsible for interest payments in the DROP if the Plan's return is negative. Once the member has selected their option, this option is irrevocable.

The final amendment to the plan would require members to retire on the first day of the month. This will provide an administrative improvement and reduce the number of times an individual's retirement benefit has to be calculated. Currently, a member's benefit has to be pro-rated for the number of days retired in the first month and then reset to the full monthly annuity payment in the subsequent month. If a member enters the DROP both the first and last DROP payment has to be prorated based on the number of days that can be included in the DROP period. DROP would still be limited to a total of sixty months for those members eligible to participate in the DROP hired before October 1, 2012.

*Fiscal Note:* The fiscal impact is expected to be minimal as there a very few members to whom this provision would apply. An actuarial impact statement will be provided prior to the final reading of any Plan changes.

**RECOMMENDATION**

The City Commission: 1) authorize the City

Attorney to prepare; and 2) authorize the Clerk of the Commission to advertise the ordinance required to effectuate the negotiated changes to the General Employee's Pension Plan.

[150245.](#)

**Best Evaluated Bid Results and Selection for the Special Magistrate for Code Enforcement Services (B)**

**This item involves a request for the City Commission to approve staff's ranking of applicants and appoint a candidate as the Special Magistrate for Code Enforcement services.**

*Explanation:* On July 23, 2015, the City's Purchasing Division received four proposals from candidates for the Special Magistrate for Code Enforcement. On August 3, 2015, the bid evaluation team received oral presentations for BEB#: CODE-160001-DD. Staff has evaluated the qualifications of the respondents and is recommending the following ranking of respondents:

1. Jefferson Braswell (Scruggs and Carmichael)
2. Jennifer Springfield (Springfield Law)
3. Robert Lash (Moody, Salzman and Lash)
4. David Delaney (Dell Graham)

The evaluation team is recommending the negotiation with the first ranked candidate as the Special Magistrate for Code Enforcement services. Additionally, staff recommends beginning negotiations with the second through forth ranked candidates (in that order) to reach an agreement with one alternate Special Magistrate, in the event of conflict or absence of the primary Special Magistrate.

*Fiscal Note:* Funds in the amount of \$20,000 annually are included in the budget for this program.

**RECOMMENDATION**

*The City Commission:* 1) approve staff's recommendation of the ranking of respondents; 2) authorize the City Manager or designee to negotiate with the top ranked respondent and execute all contract documents, subject to approval by the City Attorney as to form and legality; 3) appoint the Special Magistrates under contract to serve commencing on October 1, 2015; 4) approve staff's recommendation to negotiate an agreement with one of the three remaining respondents to serve as an alternate Special Magistrate and authorize the City Manager or designee to execute all contract documents, subject to approval by the City Attorney as to form and legality.

[150245A\\_Special Magistrate Addendum #1 files\\_20150820.pdf](#)  
[150245B\\_BEB CODE-160001-DD Award Public Notice\\_20150820.pdf](#)  
[150245C\\_BEB CODE-160001-DD Bid Tabulation.pdf](#)  
[150245D\\_BEB CODE-160001-DD Bid Document\\_20150820.pdf](#)  
[150245E\\_BEB CODE-160001-DD Evaluation Summary\\_20150820.pdf](#)  
[150245F\\_BEB CODE-160001-DD Evaluator #1\\_20150820.pdf](#)  
[150245G\\_BEB CODE-160001-DD Evaluator #2\\_20150820.pdf](#)  
[150245H\\_BEB CODE-160001-DD Evaluator #3\\_20150820.pdf](#)  
[150245I\\_Lash Oral Presentation\\_20150820.pdf](#)  
[150245J\\_Materials given at Orals by J Springfield\\_20150820.pdf](#)  
[150245K-N\\_Special Magistrate Oral Presentations\\_20150820.pdf](#)  
[150245O\\_Special Magistrate #12\\_20150820.pdf](#)  
[150245P\\_Delaney Bid Submittal BEB CODE-160001-DD\\_20150820.pdf](#)  
[150245Q\\_J. Braswell Bid Submittal BEB CODE-160001-DD\\_20150820.pdf](#)  
[150245R\\_J. Springfield Bid Submittal BEB CODE-160001-DD\\_20150820.pdf](#)  
[150245S\\_R. Lash Bid Submittal BEB CODE-160001-DD\\_20150820.pdf](#)

## GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

### [150219.](#)

#### **Contract Extension for Janitorial Services at the Eastside Operations Center (NB)**

*Explanation: On January 3, 2013, the City Commission approved a three-year contract with ISS C&S for janitorial services at the GRU Eastside Operations Center (EOC). Services include the provision of labor and cleaning equipment and supplies to maintain the entire campus, including offices, restrooms, kitchens, conference rooms and other designated areas, including the multipurpose facility which is used for various functions. A day porter is on site each day to assist with clean up for large events and other unanticipated cleaning needs. The contract also includes the ability to employ additional janitorial staff during utility emergencies when staff may be working extended work hours at the facilities during storm restoration efforts. The building's Leed certification requires the contractor to use products and equipment that comply with the certification.*

*The contract will expire on September 30, 2015. The provisions of the contract include a three-year extension of the contract upon mutual agreement of the parties and negotiation of the contract prices. The maximum increase of the contract pricing is limited to the CPI, although ISS C & S Building Maintenance has not requested a price increase over the last three years or for the next twelve months.*

*ISS C & S Building Maintenance has been diligent in providing janitorial*

services in accordance with the requirements, therefore, to reduce administrative costs, staff requests authorization to extend the contract for the remaining three years. If requested, future price adjustments may be negotiated prior to each anniversary of the contract and will not exceed the CPI for the previous twelve months. Contract provisions include early termination for non-performance or unavailability of funds.

*Fiscal Note:* Funds are available in the FY 2016 budget and will be requested in subsequent year budgets.

**RECOMMENDATION**

The City Commission: 1) authorize the General Manager, or his designee, to execute an amendment to the contract with ISS C&S Building Maintenance for janitorial services at the Eastside Operations Center, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to ISS C&S Building Maintenance in an amount not to exceed \$167,500 for FY 2016 and for subsequent years of the contract, pending final appropriation of funds for each year.

[150232.](#)

**Amendment to Contract for Grounds Maintenance at the GRU Eastside Operations Center (NB)**

*Explanation:* The City Commission approved a three-year contract with Sunshine State Lawn Service, Inc. on January 3, 2013 for grounds maintenance services at the Eastside Operations Center (EOC). The contract includes mowing, shrub and tree pruning, edging, string line trimming, hand weeding and maintaining flower beds. Of the 118 acre parcel, approximately 60 acres are maintained under this contract. Due to the wetland areas on the property, certain areas are affected by weather conditions and adjustments to the work scope are sometimes necessary. The ponds are environmentally sensitive and must be maintained to ensure that growth does not clog waterways.

The contract provides for a three-year extension of the contract upon mutual agreement of the parties and negotiation of the contract prices. Currently, the cost of services is \$34,800 per year. The maximum increase allowed per year is limited to the CPI, although Sunshine State Lawn Service has not requested a price increase since the beginning of the contract.

As some vegetation at the property has become more established, maintaining the growth near ponds, pathways and right of ways will require more maintenance. The cost for the additional work is \$156.60 per service, bringing the total cost of the contract to \$37,932 per year. The requested amount of \$40,000 is to cover any unforeseen needs throughout the year.

Sunshine State Lawn Maintenance Inc., a local, woman-owned

*business, has provided good service and has worked well with staff to maintain the site and adjust to the changing conditions.*

*Fiscal Note: Funds are available in the FY 2016 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 (3) three-year extension of the contract with Sunshine State Lawn Service, Inc. for grounds maintenance services at the GRU Eastside Operations Center, subject to approval of the Utilities Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services to Sunshine State Lawn Service in amount not to exceed \$40,000 per year, subject to the final appropriation of funds for these services in each fiscal year.*

## **CITY ATTORNEY, CONSENT AGENDA ITEMS**

[150220.](#)

### **Tolling Agreement for City's claims against Jones Edmunds regarding the design and engineering of the Sediment Basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)**

*Explanation: On September 24, 2013, the City discovered for the first time that the sediment basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project, located at 325 S.W. Williston Road, Gainesville, Florida, was not functioning as intended and as necessary for the Project. On June 17, 2014, the City placed Jones, Edmunds & Associates, Inc. on notice of the City's claims regarding design and engineering of the sediment basin. Jones Edmunds prepared Sediment Basin Design Modifications that were incorporated into Change Order Request 15 for the Project on or about March 31, 2015. Since June 2014, City staff (from GRU, Public Works, and Legal) have been working with Jones Edmunds to negotiate a settlement of the claims without resort to litigation, as it is anticipated that such litigation will be lengthy and time and cost-intensive for both parties. City staff continues to negotiate in good faith with Jones Edmunds, however a Statute of Limitations (a statutory timeframe within which legal action must be filed) for one the City's claims will possibly expire on September 24, 2015. As such, City staff recommends the City enter into a tolling agreement with Jones Edmunds that will, by agreement of the parties, extend the applicable Statute of Limitations date, allowing staff to continue its efforts to negotiate and finalize a settlement. In the event staff is unable to finalize a proposed written settlement agreement prior to the end of the tolling period, City staff will request the City Commission to authorize the initiation of litigation to pursue the City's claims.*

**RECOMMENDATION**

*Authorize the City Manager to execute a tolling agreement, subject to approval by the City*

Attorney as to form and legality.

[150220 draft tolling agreement 20150820.pdf](#)

[150145.](#)

**PRELIMINARY DEVELOPMENT ORDER - ALACHUA COUNTY PUBLIC DEFENDER'S OFFICE BUILDING (B)**

*Explanation: The City Commission, at its meeting on August 6, 2015, announced its oral order in the matter of Petition No. PB-15-31 SPL, which is a development plan filed by JBrown Professional Group, Inc., agent for Alachua County Board of Commissioners, for the construction of the Alachua County Public Defender's office building on property located at 151 SW 2nd Avenue, Gainesville, Florida. At the conclusion of the hearing, the City Commission unanimously approved the petition with staff conditions. City Commission Rules require the decision to be embodied in a written order. Copies of the proposed order were submitted to the Petitioner, the Staff, and the Affected Party.*

**RECOMMENDATION**            *The City Commission approve the written Order and authorize the Mayor and the Clerk of the City Commission to execute the Order.*

**Legislative History**

8/6/15            City Commission            Approved (Petition)

[150145A staff report 20150806.pdf](#)

[150145B Append A Site Plan and PD Docs 20150806.pdf](#)

[150145C Append B Supplemental Docs. 20150806.pdf](#)

[150145D Append C Application and Neighborhood Workshop Info-20150806.r](#)

[150145E CPB minutes 20150806 .pdf](#)

[150145F staff ppt 20150806.pdf](#)

[150145 MOD petition 20150806.pdf](#)

[150145A Order 20150820.pdf](#)

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

[150249.](#)

**Resignation of Seth Lane from the City Plan Board and Dave Miller from Nature Centers Commission (B)**

**MODIFICATION - REVISED RECOMMENDATION AND BACK-UP**

**RECOMMENDATION**            *The City Commission accepts the resignation of Seth Lane and Dave Miller, effective immediately.*

[150249 Resignations 20150820.pdf](#)

**150260. Appointment to City Commission Advisory Boards and Committees (NB)**

*MODIFICATION - ADDED ITEM TO THE CONSENT AGENDA*

**RECOMMENDATION**

*The City Commission appoint:  
Randy L. Hunziker to the Gainesville Housing Authority for a term to expire 8/1/19  
Perry Clawson to the Board of Consolidated Police Officers' and Firefighters' Retirement Plan for a term to expire 4/19/17  
Carolyn T. Takeda-Brown to the Pension Review Committee for a term to expire 7/31/20  
Sallyise Lee to the Gainesville Energy Advisory Committee for a term to expire 9/30/15  
Marc A. Morrison and Sallyise Lee to the Citizens Advisory Committee for Community Development for a term to expire 11/1/18  
Johnnie R. Snow to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/18  
William Breeze to the Regional Transit System Advisory Board for a term to expire 9/30/17  
Caleb Stewart and Delores C. James to SHIP Affordable Housing Advisory Committee for a term to expire 7/1/17.*

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

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

**[150053.](#)**

*Fiscal Year 2015 Quarterly Monitoring Report and Fund Review Update - Quarter Ending March 31, 2015 (B)*

*Explanation: The City's General Government Budget Policy requires staff to prepare and submit a quarterly budget monitoring report for all major operating funds, including the status of General Fund fund balances to the Audit and Finance Committee. Along with this report, staff is providing the quarterly update of the available fund status for all General Government funds report.*

**RECOMMENDATION**

*The Audit and Finance Committee review and recommend that the City Commission receive the quarterly budget monitoring report and the fund review update for the quarter ended March 31, 2015.*

**Legislative History**

7/29/15      Audit and Finance      Approved as Recommended  
    Committee

[150053 - A - FY2015 Quarterly Monitoring Report.pdf](#)

[150053 - B - FY2015 2nd Qtr All Funds Qtrly Report.pdf](#)

[150014.](#)

**Gainesville Regional Utilities Internally Prepared Financial Statements and Supplementary Data for the Period Ended March 31, 2015 (B)**

*Explanation: The following items are presented for review:*

1. *Financial Statements for the period ended March 31, 2015, internally prepared including management's discussion and analysis and the net impact to rate stabilization.*

2. *Supplementary data for the period ended March 31, 2015.*

*On June 4, 2015, the City Commission referred the above financial statements and supplementary data to the Audit and Finance Committee for review and discussion.*

*Fiscal Note: Internally prepared financial statements.*

**RECOMMENDATION**

*The Audit and Finance Committee review and recommend the City Commission accept the GRU Interim Financial Statements and Supplementary Data for the period ended March 31, 2015.*

**Legislative History**

6/4/15      City Commission      Referred to the Audit and Finance Committee

7/29/15      Audit and Finance      Approved as Recommended  
    Committee

[150014 - Interim Financial Statements for the Period Ended March 31, 2015.pdf](#)

[150014 Supplementary Data Period Ended 3.31.15 20150604](#)

[100507.](#)

**Funding RTS Routes and Associated ADA Service Outside the City Limits (NB)**

*Explanation: This item was discussed at the November 30, 2010, January 27, 2011 and April 4, 2011 Audit and Finance Committee meetings, leading to City Commission approval of a revised RTS service rate policy on May 5, 2011. On August 29, 2011, the City and County Commissions jointly discussed this issue. On September 1, 2011, the City Commission approved a motion to establish a FY12 Base Level Transit Services rate of \$61 per hour and directed staff to develop a plan for establishing and funding a Capital Replacement Fund.*

*As directed by the City Commission, RTS worked with the Budget and Finance Department to establish accounts for capital replacement. As of June 24, 2015, the total balance of these accounts is \$183,089; RTS uses these funds as the local match for vehicle replacement grants.*

*Fiscal Note: As of June 24, 2015, the total balance of the Capital Replacement funds is \$183,089.*

**RECOMMENDATION**

*The Audit and Finance Committee: 1) accept the staff report; and 2) request that the City Commission remove this item from the referral list.*

**Legislative History**

11/4/10	City Commission	Referred to the Audit, Finance and Legislative Committee
11/30/10	Audit, Finance and Legislative Committee	Retained in Committee
1/27/11	Audit, Finance and Legislative Committee	Recommended for Approval
2/17/11	City Commission	Withdrawn
4/4/11	Audit, Finance and Legislative Committee	Approved as shown above (See Motion)
4/21/11	City Commission	Withdrawn
5/5/11	City Commission	Approved as shown above (See Motion)
7/29/15	Audit and Finance Committee	Approved as Recommended

[100507\\_RTS Proposed Policy\\_20101130.PDF](#)

[100507 Revised Formula\\_20110127.pdf](#)

[100507\\_spreadsheets\\_20110217.pdf](#)

[100507\\_Service Rate Policy\\_20110217.PDF](#)

[100507\\_FinalRecommendedServiceRates\\_20110404.pdf](#)

[100507\\_MOD\\_Presentation\\_20110505.pdf](#)

**150055.**

**Purchase of ACL/GRC Audit Performance Software (B)**

*Explanation: The City Auditor's Office is in need of updating the current process of monitoring and reporting on audits conducted in the office. The current system involves a paper trail and an outdated database management system. The requested software program will automatically track and monitor the status of current audits and any outstanding recommendations for improvements on conducted audits. The system will also monitor audit hours performed in the completion of the audit and provide a more accurate reporting mechanism. In addition to the automated tracking and monitoring system the software will afford, it will also be able to store and maintain completed audits in a "cloud"*



**EQUAL OPPORTUNITY COMMITTEE, CONSENT****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA****ADOPTION OF THE GENERAL GOVERNMENT REGULAR AGENDA (Read if any, each item added or modified)****GENERAL GOVERNMENT-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)****CLERK OF THE COMMISSION****CITY MANAGER**[150190.](#)**A Presentation on the State Legislative Agenda (B)**

**This is a request for the City Commission to hear a presentation on state legislative updates. \*\*ESTIMATED PRESENTATION 20 MINUTES\*\***

*Explanation: The City has retained the services of Bill Peebles (Peebles and Smith), as a special lobbyist in Tallahassee, FL. in connection with matters concerning the City on behalf of its General Government and its Utility.*

*The Lobbyist provides lobbying and advocacy services and monitors important legislative matters that could affect the City in areas of housing, utilities, water projects, economic redevelopment, transportation, and other areas.*

*A presentation will be provided by Bill Peebles with selective highlights from the 2015 State Legislative Session.*

*Fiscal Note: There is no fiscal impact from this item.*

**RECOMMENDATION**

*The City Commission hear a presentation from Bill Peebles on state legislative updates that affect the City of Gainesville and provide policy direction on these issues.*

[150190\\_State Legislative Agenda\\_20150820.pdf](#)

[150191.](#)**City Lobbying and Advocacy Services (B)**

**This is a request for renewal of the state lobbying and advocacy services agreement. \*\*ESTIMATED STAFF ORAL PRESENTATION 2 MINUTES\*\***

*Explanation: The City has retained the services of Bill Peebles (Peebles and Smith), as a special lobbyist in Tallahassee, FL. in connection with matters concerning the City on behalf of its General Government and its Utility.*

*The City previously entered into an agreement with Bill Peebles (Peebles and Smith) for State of Florida Lobbying and Advocacy Services dated December 6, 2012, and First Extension dated November 26, 2013. The Second Extension to the Contract for City of Gainesville Agreement for State of Florida Lobbying and Advocacy Services ends November 30, 2015.*

*The Lobbyist provides lobbying and advocacy services and monitors important legislative matters that could affect the City in areas of housing, utilities, water projects, economic redevelopment, transportation, and other areas.*

*The City agrees to compensate Lobbyist for services not to exceed thirty thousand dollars (\$30,000) for the City's General Government, and a maximum amount not to-exceed thirty thousand dollars (\$30,000) for Gainesville Regional Utilities, for a combined maximum amount not-to-exceed sixty thousand dollars (\$60,000) for the City.*

*Fiscal Note: There is a maximum expense of \$60,000 in FY 2016 for the City and GRU to renew this contract.*

**RECOMMENDATION**

*The City Commission approve renewal of the current contract with Peebles and Smith.*

*Alternate Recommendation*

*The City Commission direct staff to advertise for a new state lobbyist for the City and GRU.*

[150191 Peebles and Smith Overview 20150820.pdf](#)

[150205.](#)

**2015 Telephone Town Hall Meeting (NB)**

**This item requests the City Commission schedule a Telephone Town Hall meeting on October 29, 2015 and to provide direction on a discussion topic. \*STAFF PRESENTATION 5 MINUTES\***

*Explanation: As part of the strategic planning process, the City Commission holds special meetings throughout the year to reach Gainesville residents helping to ensure the City's priorities align with their needs.*

*The Commission hosted its first Telephone Town Hall meeting, talkGNV, on October 8, 2014, which focused on the upcoming Transportation Sales Surtax referendum. 23,077 Gainesville residents were dialed, or*

called in, and over 2,800 joined the telephone meeting. The average participation time was over 8 minutes and 470 participated more than 10 minutes.

A second Telephone Town Hall meeting was scheduled for June 8, 2015, to discuss GRU Governance. At an April 30th special meeting, the City Commission voted to postpone the June 8th Telephone Town Hall to a date uncertain with the topic to be determined.

Staff has identified a tentative date of October 29, 2015, from 6:00 to 7:00 p.m., during which participants will have the opportunity to ask questions, share comments, vote in polls, or just listen to the discussion.

Staff is requesting direction from the City Commission on the topic for the 2015 Telephone Town Hall meeting.

Potential discussion topics may be:

- Changes to the City charter, including number of Commissioner representatives, timing of elections, and term duration;
- Homelessness issues, including services at GRACE Marketplace and governance of Dignity Village; or
- Funding for the Parks, Recreation & Cultural Affairs Master Plan, "PRCA Vision 2020."

*Fiscal Note:* The cost of a Telephone Town Hall meeting is approximately \$4,500 for a one-hour call. Funding for two meetings has been included in the FY2016 budget.

**RECOMMENDATION**

The City Commission: 1) direct the Clerk of the Commission to schedule the Telephone Town Hall meeting on October 29, 2015; and 2) provide direction to the City Manager on a discussion topic.

[120521](#)

**NW 8th Avenue Follow-Up (B)**

**This item is a request to present a follow-up to the June 4, 2015 presentation to the City Commission regarding the NW 8th Avenue project currently in design. The presentation asks for further policy guidance on design elements as requested by the City Commission.**

**\*\*ESTIMATED STAFF PRESENTATION 20 MINUTES\*\***

**MODIFICATION - REVISED RECOMMENDATION**

*Explanation:* On June 4, 2015, Public Works staff presented the NW 8th Avenue project to the City Commission. Amongst the items of discussion were the Creek Crossing Evaluation, grass strips between the back of curb and sidewalk, the Construction Manager Request for Qualifications, and construction phasing. The City Commission made a motion approving the construction phasing and requested staff return with the results of the Creek Crossing Evaluation and options for grass strips.

*Fiscal Note: Funding is available through the City of Gainesville's Capital Improvement Plan that provides about \$3,500,000 for the roadway construction and approximately \$2,275,000 for the Creek Crossing.*

**RECOMMENDATION**

*The City Commission: 1) hear a staff presentation; 2) provide direction regarding Creek Crossing recommendation; 3) provide direction regarding grass strips and sidewalks; and 4) approve GMP for Sections A & C and proceed towards construction.*

**Legislative History**

10/30/12	City Commission	Completed
5/2/13	City Commission	Approved, as shown above - See Motion(s)
12/5/13	City Commission	Approved, as shown above
12/4/14	City Commission	Approved as Amended
2/19/15	City Commission	Approved as Amended
6/4/15	City Commission	Approved, as shown above

[120521A Presentation\\_20150820.pdf](#)

[120521B GMP\\_20150820.pdf](#)

[150257.](#)

**North Central Florida Regional Planning Council Funding (B)**

**This is a request for the City Commission to review the policy ramifications of discontinuing the City of Gainesville's membership on the North Central Florida Regional Planning Council.**

**\*\*ESTIMATED STAFF ORAL PRESENTATION 5 MINUTES\*\***

**MODIFICATION - ADDED ITEM TO THE AGENDA**

*Fiscal Note: The annual fee for membership is proposed to increase by \$15,735.*

**RECOMMENDATION**

*The City Commission hear a presentation from staff and provide direction regarding this item.*

[150257A-MOD\\_NCFRPC Fees and Membership Voting Info\\_20150820.pdf](#)

[150161.](#)

**Contract for Processing of Yard Trash Debris (B)**

**This item involves a request for the City Commission to authorize the City Manager to renew the contract with County Line Landfill, Inc. for the processing of Yard Trash generated by the City's Curbside Collection program and various City departments.**

**MODIFICATION - MOVED FROM CONSENT TO REGULAR AGENDA**

*Explanation: In May of 2009, the County's Purchasing Office put out an Invitation To*

*Bid (10-57) for the processing of clean, uncontaminated Yard Trash generated by the City of Gainesville and Alachua County and their respective Curbside Collection programs. This step was taken in conjunction with the goal of the City and County to retain ownership of the collected material and maintain greater control over its final disposition. The Yard Trash Processing Contract was for a seven (7) year term ending September 30, 2016 with one option to renew, and required the contractor to recycle and reuse the Yard Trash by methods subject to City/County approval.*

*Wood Resource Recovery, LLC and County Line Landfill, Inc. dba Watsons C&D Inc. were the only two bidders at \$13.75 per ton and \$16.00 per ton respectively. The City wishes to renew the contract with Watson's County Line Landfill one year early in order to lock in the current \$16.00 rate for five more years. Staff would also like to direct the vast majority of the City's Yard Trash to be processed at Watson's facility in order to provide sufficient clean, bulking material to sustain a food waste composting program. This will enable large generators like grocery stores and restaurants to recycle their food waste rather than landfilling it. While our current practice of sending our yard trash to Wood Resource Recovery and Watson's to be processed into mulch and boiler fuel has enabled us to recycle all our yard trash; it does not provide any alternative to landfilling our food waste. In order for the City to achieve its stated goal of a 75% diversion rate by 2020 a significant amount of the organics generated by the community will have to be recovered. Having a local food waste composting facility will enable the cost-effective recovery of this material. The city, county, University of Florida, WCA and Watson's have been working together for several months on a pilot program to establish the ability to recycle food waste locally, thereby reducing the disposal cost for this material from \$48/ton to \$16/ton. Shifting the vast majority of our yard trash processing over to Watson's composting facility is an essential component of this effort.*

*At current yard trash generation levels (12,000 tons/yr.) processing all of the City's yard trash through Watson's facility costs approximately \$18,900 more annually than the usual practice of using both Wood Resource Recovery and Watson.*

*Fiscal Note: Processing costs for Yard Trash will be fully funded through the Solid Waste Enterprise Fund and will not impact the monthly residential Refuse Rate.*

**RECOMMENDATION**

*The City Commission authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality.*

[150161A\\_Presentation\\_20150820.pdf](#)

[150161B\\_Agreement\\_20150820.pdf](#)

**CITY ATTORNEY**

[150206.](#)

**KAD PROPERTIES, L.L.C. and DEAN G. POOLE, C.P.A., P.A. V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2014-CA-198 (NB)**

*MODIFICATION - MOVED FROM CONSENT TO THE REGULAR AGENDA*

*Explanation: Plaintiffs' property was flooded on July 10, 2011 after a storm. Some years prior, pursuant to the request of a previous owner of the property, City staff had installed a grate like structure in its stormwater pipe adjacent to Plaintiffs' property. The idea was that water would drain through this grate into the pipe which would carry the stormwater to a City maintained stormwater pond. On July 10, 2011, after two days of steady rain, a very intense localized rain event occurred. Water backed up through this grate as the pipe and pond were unable to handle the volume of water. Water backing through the grate, along with other surface water, flooded Plaintiffs' business. After the flooding incident, the grate was removed and the top of the pipe sealed. Plaintiffs allege that the City was negligent in maintaining the pipe and the stormwater pond which forced the back up of water through the grate or the pipe. Specifically, Plaintiffs alleged that roots and debris had accumulated in the pipe, and that debris had clogged the control structure for the pond, reducing the holding capacity of the pond.*

*Per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes, the City's liability and authority to settle claims such as this is limited to \$100,000.00 per person and \$200,000.00 per incident. After prolonged, court-ordered mediation, a negotiated settlement was achieved. Representatives for the City agreed to recommend a total settlement in the amount of \$50,000, subject to the approval of the City Commission of the City of Gainesville. In exchange, Plaintiffs will provide a full and complete Release to the City. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.*

*Fiscal Note: Funds are available in the City's General Insurance Fund.*

**RECOMMENDATION**

*The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the claims of KAD Properties, L.L.C. and Dean G. Poole, C.P.A., P.A. arising from an incident that occurred on or about July 10, 2011.*

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)**

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**

[100607.](#)**Northeast Neighborhood Veterans Memorial Park (B)**

**This item is a request for the Committee to hear an update and finalize recommendations to establish a park dedicated to the reserve/citizen soldier on the property of the former United States Army Reserve and potential future uses of this property that has returned to City ownership.**

*Explanation: After discussion with the Recreation, Cultural Affairs and Public Works Committee on November 13, 2014, the City Commission approved the United States Army Reserve Property Action Plan in concept on December 18, 2014. The City Commission approved reversion of the property to the City on May 7, 2015 after which the property formally reverted to City ownership. The Parks, Recreation and Cultural Affairs department has instituted regular grounds maintenance of the property through a contractor.*

*City staff has been attending meetings of the Friends of Reserve Park (FORP) to keep them informed on the status of the property and discuss concepts for addressing their interest in creating a park dedicated to the Citizen/Reserve Soldier. FORP has secured the support of the Florida Community Design Center to assist them in their efforts. The City secured the services of Gerry Dedenbach with Causseaux, Hewett and Walpole, who facilitated the Visioning Session for the property in 2012, to work on concept plans for the park that were shared with FORP at their May meeting and the Committee on May 14, 2015.*

*The Committee reviewed options for creation of a "Reserve Park" including possible park boundaries and features, and settled the proposed boundaries to recommend to the City Commission*

*City staff would also like to proceed with development of a RFP for use of the building and remaining property. FORP has requested that the City preserve options for expanding Reserve Park should the park be consistent and feasible with the future user(s) of the building/property. A number of organizations have expressed potential interest in the building/property.*

*Fiscal Note: Funding is available in the operating budget for grounds maintenance and initial park planning efforts. Funds are not available for construction of the proposed park.*

**RECOMMENDATION**

*The Committee finalize recommendations to the City Commission including the following: 1) hear a presentation with options for the proposed "Reserve Park", 2) approve the Committee's recommendation to name the park "Reserve Park" and dedicate the park as a memorial to the reserve/citizen soldier, 3) approve the*

*Committee’s proposed boundaries for the park, 4) provide input on the proposed park features, 5) direct staff to develop plans for cleaning and maintaining at least a portion of the proposed park area for FORP to hold veterans related events and potentially other limited public access, 6) direct City staff to prepare a CIP project request for “Reserve Park” for the next CIP update, and 7) direct City staff to proceed with development of an RFP for use of the building returning to the Committee and City Commission for input before finalizing and releasing the RFP.*

**Legislative History**

12/16/10	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
2/24/11	Recreation, Cultural Affairs and Public Works Committee	Discussed
7/7/11	City Commission	Approved as Recommended
9/24/12	Recreation, Cultural Affairs and Public Works Committee	Discussed
9/24/12	Recreation, Cultural Affairs and Public Works Committee	Discussed
11/13/14	Recreation, Cultural Affairs and Public Works Committee	Approved, as shown above - See Motion(s)
12/18/14	City Commission	Approved as Recommended
5/14/15	Recreation, Cultural Affairs and Public Works Committee	Approved by Consensus

[100607\\_Draft Letter\\_20110224.pdf](#)  
[100607A\\_Letter to Stearns-Brown NE Veterans Park\\_20110707.pdf](#)  
[100607B\\_Letter to Secretary of Defense\\_20110707.pdf](#)  
[100607C\\_Photo W Parking looking SE 9\\_20110707.pdf](#)  
[100607D\\_Photo SW Portion looking SE 9\\_20110707.pdf](#)  
[100607A\\_Site Map\\_20120924.pdf](#)  
[100607B\\_ECP Report\\_20120924.pdf](#)  
[100607C\\_Estimated Operation Costs Report\\_20120924.pdf](#)  
[100607A\\_Army Reserve Property Action Plan\\_20141113.pdf](#)  
[100607B\\_Oct 2012 Army Reserve PPT\\_20141113.pdf](#)  
[100607C\\_Nov 2012 CHW Draft Report\\_20141113.pdf](#)  
[100607A\\_Army Reserve Property Action Plan\\_20141218.pdf](#)  
[100607B\\_Draft Nov 13 2014 RCAPW Minutes\\_20141218.pdf](#)  
[100607C\\_USAR Action Plan PPT\\_20141218.pdf](#)  
[100607\\_Army Reserve Property Action Plan\\_20150514.pdf](#)  
[100607\\_Reserve Park Presentation\\_20150813.pdf](#)  
[100607\\_Reserve Park Presentation\\_20150820.pdf](#)

**GENERAL GOVERNMENT ADVISORY BOARD/COMMITTEE REPORTS. Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.**

[150240.](#)

**Appointments to the Gainesville Human Rights Board,  
Gainesville/Alachua County Regional Airport Authority and City  
Plan Board (B)**

*MODIFICATION - REVISED BACK-UP*

**RECOMMENDATION**

*The City Commission discuss appointments to the  
Gainesville Human Rights Board,  
Gainesville/Alachua County Regional Airport  
Authority and City Plan Board and take  
appropriate action.*

[150240\\_Appointments\\_20150820.pdf](#)

**GENERAL GOVERNMENT-RELATED ITEMS FROM OUTSIDE AGENCIES. Must be submitted by a Charter Officer. Update limited to ten (10) minutes.**

**GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION**

[150223.](#)**Mayor Ed Braddy - Establishing a Sister City Program with Deir Alla, Jordan (B)****RECOMMENDATION**

*The City Commission take action deemed appropriate.*

[150223\\_agreement\\_20150820.pdf](#)

**GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)**

**GAINESVILLE REGIONAL UTILITIES items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.**

**5:30 P.M.**

**PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by Commissioner or Charter Officer**

**6:00 P.M.**

**CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as allows for 30 minutes of citizen comment)**

**TIME CERTAIN**[150243.](#)**Five-Day Work Week (B)**

**The City Commission discuss the five day work week and the City Manager's proposal to open City Hall on Fridays. \*\*ESTIMATED STAFF ORAL PRESENTATION 5 MINUTES\*\***

*Explanation: In September 2008, the City Commission's adopted budget included the implementation of a compressed four-day workweek for most City Administrative buildings including the City Hall Complex, the Thomas Center, the Public Works Administration & Mosquito Control buildings, Fire Administration and Training Bureau, CRA, and several other smaller facilities. In the first year of implementation, electric, natural gas, and water consumption in the affected buildings decreased by approximately 597,000 kwh, 16,700 therms, and 4,500 kgals respectively, resulting in a utility savings of \$124,000. Additional savings were experienced in vehicle fuel consumption and custodial staff and supplies needed to clean the buildings. That trend has continued into FY2015. The estimated cost of reopening the affected buildings five days per week is \$220,000 (utilities \$142,000, vehicle fuel & maintenance \$23,000,*

*custodial staff & supplies \$55,000).*

*During the June 10, 2015 City Commission Strategic Planning retreat, the four-day vs. five-day work week was discussed. There appeared to be consensus to adopt an initiative to transition the City to restore services five days per week and perhaps explore other non-traditional service options.*

*On July 2, 2015, the City Manager released the Proposed Budget for FY2016. His recommended budget included an increment to reopen all city facilities on Fridays. All budget increments that did not receive full consensus were included on a ballot which was tallied and discussed during the July 22, 2015 budget meeting. The increment to reopen city facilities on Fridays received three votes of support. Further discussion challenged staff to identify a way to expand city service availability on Fridays without having a negative impact on City employees' work schedules, but no action was taken with respect to the budget.*

*During the July 2, 2015 regular City Commission meeting, staff was directed to conduct a survey to employees regarding the work week and other work life issues, accompanied by a topic on engageGNV for citizens to provide feedback on the accessibility of city services and operating hours. The results of these surveys are attached.*

*On July 27, 2015, preceding the final meeting to adopt the Proposed Tentative Budget for FY2016, the City Manager issued a memo to the City Commission proposing to open the first floor of City Hall on Fridays from 8:00 a.m. to 4:00 p.m. beginning October 2, 2015. Staff available would include one staff member from the Clerk's office, a high-level manager and support staff. Finance will also have 1-2 staff located on the first floor to assist customers with services normally available on the third floor and the Thomas Center. Other services will be available by appointment on Fridays. The Thomas Center would continue to operate on Fridays from 7:00 a.m. to 1:00 p.m. to assist customers with building permits and other planning and development services. Core hours would continue to be 7:00 a.m. to 6:00 p.m. Monday through Thursday. The cost of this proposal would be significantly less than the \$220,000 to open all offices on Fridays. During the meeting that evening, no further discussion took place and the Proposed Tentative Budget for FY2016 was adopted excluding the increment to reopen all city facilities on Fridays.*

*City Departments located in City Hall and the Old Library Building include a vast number of internal service areas including payroll, accounts payable, accounting, budget, purchasing, the city auditor's office, broadcasting, pension and investment management, employee health services, worker's compensation & safety, employee benefits, employee relations and learning & development. These divisions do not generally serve the public.*

*Services offered to the public in City Hall and the Old Library Building*

include transactions related business tax, parking citations, neighborhood parking decals, peddlers permits, landlord permit fees, cemetery fees, payment of promissory notes, rent/lease payments, public records requests, employment applications, and fire assessment hardship assistance. Citizens also visit the City Manager's office and the Clerk's office for information or assistance, and typically by appointment, the City Commission, the City Attorney's office and the Office of Equal Opportunity. All of these services would be available on the first floor on Fridays.

During the regular City Commission meeting of August 6, 2015, the City Manager was directed to prepare an agenda item for August 20th to discuss the five-day work week and the proposed service expansion to open City Hall on Fridays.

*Fiscal Note:* The estimated cost to reopen all city facilities on Fridays is \$220,000 annually.

**RECOMMENDATION**            *The City Commission discuss the item and take any action deemed appropriate.*

[150243A\\_Memo dated 7-27-15 to City Commission\\_20150820.pdf](#)

[150243B\\_Employee Survey - City Availability Final\\_20150820.pdf](#)

[150243C\\_Citizen Survey - City Availability Final\\_20150820.pdf](#)

[150177.](#)

**Commissioner Craig Carter - Five Member City Commission  
(B)**

**RECOMMENDATION**            *The City Commission discuss a Five Member City Commission and take action deemed appropriate.*

**Legislative History**

8/6/15            City Commission            Continued

[150177\\_Commission Terms\\_20150806.pdf](#)

[150177\\_Copy of ElectionsExpense\\_20150806.pdf](#)

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

[150054.](#)

**SECOND BUDGET AMENDMENT TO THE FY 2014-2015  
GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN  
(B)**

**Resolution No. 150054**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF**

**GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015; AMENDING RESOLUTION NO. 140302, ADOPTED SEPTEMBER 18 , 2014, AS AMENDED BY RESOLUTION NO. 140698 ADOPTED APRIL 16, 2015, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL OPERATING AND FINANCIAL PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*Explanation:* The purpose of this amendment is to accurately reflect and incorporate into the City's FY 2014-2015 General Government budget those transactions and activities that were not anticipated during the budget process.

*Fiscal Note:* All of the recommended changes are funded either by increases in revenue budgets, decreases in expenditure budgets, or decreases in appropriate fund balances.

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

[150054 - Second Budget Amendment Resolution..pdf](#)

[150054 - A - FY2015 Amendatory 2nd Quarter-Final.pdf](#)

[150054\\_Budget Amendment\\_20150820.pdf](#)

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

[110541.](#)

**INFRASTRUCTURE IMPROVEMENT AREAS FOR WATER AND WASTEWATER (B)**

Ordinance No. 110541

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances, relating to utilities, by amending Chapter 27 to provide for the creation and designation of infrastructure improvement areas for water and wastewater gravity collection improvements and to designate the Innovation District Infrastructure Improvement Area; by amending Appendix A, Schedule of Fees, Rates and Charges, to add infrastructure improvement area user fees for water and wastewater gravity collection in the Innovation District Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

*Explanation:* WATER/WASTEWATER DEPARTMENT STAFF REPORT

*On December 15, 2011, the City Commission authorized the City Attorney to draft, and the Clerk of the Commission to advertise an ordinance designating infrastructure improvement areas for water and wastewater, and adding capital recovery connection user fees for new*

*and existing customers who construct new structures or construct new additions to existing structures within a designated infrastructure improvement area.*

*At its meeting on December 5, 2013, the City Commission heard a presentation from GRU staff on the proposed Innovation District Infrastructure Improvement Area for constructing and funding water and wastewater system capacity improvements in the Innovation District Area. At the meeting, it was explained that the costs for these improvements will be recovered through the Innovation District Infrastructure Improvement user fees which will apply to new development and certain redevelopment within the designated Innovation District Area.*

*Since that time, GRU staff has worked with stakeholders and the City Attorney's Office to refine the approach to infrastructure improvement areas. Based on input from the stakeholders, GRU also designed and constructed infrastructure improvements in the Innovation District Area. These improvements are currently benefitting customers in the area. The infrastructure improvement area user fees for the water and wastewater gravity collection systems are calculated and assessed based on the total heated and cooled building square footage, number of hotel rooms, number of motel rooms, or number of bedrooms of the new structure, and/or any addition to an existing structure.*

#### **CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and, upon adoption, shall take effect retroactively as of December 5, 2013. The first reading is scheduled for August 20, 2015. The second reading is scheduled for September 3, 2015.*

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

#### **Legislative History**

12/15/11	City Commission	Approved as Recommended
6/4/15	City Commission	Striken From the Agenda (Ordinance)

[110541A Innovation Square District 20111215.pdf](#)

[110541B GRU PPT 20111215.pdf](#)

[110541 Draft Ordinance 20150604.pdf](#)

[110541 Proposed iDistrict ISIA Presentation 20150604](#)

[110541 Draft Ordinance 20150820.pdf](#)

[110541 Proposed iDistrict IIA Presentation 20150820](#)

[140741.](#)

#### **Vehicles For Hire Ordinance (B)**

Ordinance No. 140741

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to vehicles for hire; by amending in its entirety Article I. Motorized Vehicles of Chapter 28, Vehicles for Hire; by amending Section 2-339 of Chapter 2 to provide civil penalties for vehicle for hire violations; and by amending Appendix A - Schedule of Fees, Rates and Charges to provide fees for vehicles for hire; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

**MODIFICATION - CHANGED TEXT FILE LANGUAGE AND REVISED BACK-UP**

*Explanation: On March 19, 2015 the City Commission directed the City Attorney to draft an ordinance to provide regulations for Transportation Network Companies (TNCs) and to refine existing regulations for taxicabs based on recommendations of staff and the Public Safety and Economic Development University Community Committees.*

*The City Attorney's Office prepared draft regulations and City staff circulated the draft regulations to interested stakeholders for review and input. On June 18, 2015, the City Commission heard a presentation on the proposed draft regulations, received public comment and directed the City Attorney to finalize the draft regulations into an ordinance for first reading.*

*This ordinance was scheduled for First Reading on July 16, 2015, continued to August 6, 2015 and then continued to August 20, 2015. The draft ordinance submitted for the July 16, 2015 meeting, has now been further revised at the direction of City Management, as a result of a meeting on August 13, 2015 that included Legal, Gainesville Police Department (GPD) and City Management staff, Mayor Braddy and Uber representatives. GPD scheduled a meeting on August 17, 2015, with taxi cab company representatives to review the revised draft ordinance. However, no representatives of any of the taxi cab companies appeared at that meeting.*

*This ordinance deletes the existing vehicle for hire regulations in City Code and creates new regulations that are uniform for all vehicles for hire (inclusive of TNCs, taxicabs and others) and that address the basic health, safety and welfare concerns of the City with respect to vehicle for hire operations.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

2/23/15	Public Safety Committee	Discussed
3/19/15	City Commission	Approved as Recommended
6/18/15	City Commission	Discussed
7/16/15	City Commission	Continued

8/6/15 City Commission Continued

[140741a\\_VFH Gville Draft\\_20150223](#)  
[140741b\\_TNC PUBLIC DRAFT\\_20150223](#)  
[140741c\\_TNC & VFH Presentation\\_20150223](#)  
[140741d\\_VFH Public Clean Draft\\_20150223](#)  
[140741e\\_TNC Public Clean Draft\\_20150223](#)  
[140741a\\_TNC Public Clean Draft\\_20150319](#)  
[140741b\\_VFH Public Clean Draft\\_20150319](#)  
[140741c\\_TNC Draft\\_20150319.pdf](#)  
[140741d\\_VFH Draft\\_20150319](#)  
[140741e\\_HouseBill817\\_20150319](#)  
[140741f\\_HouseBill757\\_20150319](#)  
[140741g-MOD\\_VFH and TNC Presentation\\_20150319.pdf](#)  
[140741h-MOD\\_VFH Public Draft\\_20150319.pdf](#)  
[140741i\\_VFH Clean DRAFT\\_20150319.pdf](#)  
[140741j-MOD\\_DRAFT Gainesville TNC\\_20150319.pdf](#)  
[140741k-MOD\\_Clean DRAFT Gainesville TNC\\_20150319.pdf](#)  
[140741\\_draft ordinance version 1\\_20150618.pdf](#)  
[140741\\_Draft ordinance\\_20150716.pdf](#)  
[140741\\_revised draft ordinance\\_20150806.pdf](#)  
[140741\\_2nd revised draft ordinance\\_20150820.pdf](#)

[150193.](#)

**TERMINATION OF THE DISABILITY PLAN (B)**

Ordinance No. 150193

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 6 (Disability Plan) of the Code of Ordinances of the City of Gainesville to terminate the Disability Plan due to the transfer of disability benefit obligations and assets to the Employees' Pension Plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: The City Commission, at its meeting of December 18, 2014, authorized the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance to transition the disability benefit from Gainesville Employees' Disability Plan known as ("Disability Plan") to the City of Gainesville Employees' Pension ("General Plan"). Future disability claims by City employees under the Disability Plan were transitioned to the General Plan on February 19, 2015, through the City Commission's adoption of Ordinance Number 140657. All remaining obligations for disability benefits currently being paid to disabled retirees and the*

*requisite level of assets to satisfy these obligations were transferred from the Disability Plan to the General Plan on May 7, 2015 through the City Commission's adoption of Ordinance Number 148060. The Disability Plan has no remaining members, no possibility of future members, and no current or future obligations to provide benefits. Thus, the Disability Plan is due to be terminated and any remaining assets in the disability trust will be returned to the City.*

*This Ordinance requires two public readings. If adopted on the first reading, second and final reading of the Ordinance is scheduled for September 3, 2015.*

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

[150193\\_draft ordinance\\_20150820.pdf](#)

## **ORDINANCES ADOPTION/2ND READING- ROLL CALL REQUIRED**

[150050.](#)

### **QUASI-JUDICIAL - REZONING - 3800 BLOCK OF SW 37TH BOULEVARD (B)**

Ordinance No. 150050; Petition No. PB-15-30 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 9.9 acres of property generally located in the 3800 block of SW 37th Boulevard approximately 400 feet south of Archer Road, as more specifically described in this ordinance, from General Business (BUS) and Multiple-Family Medium-Density Residential (RMF-8) to Mixed-Use Low-Intensity (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This ordinance will amend the Zoning Map Atlas of the City of Gainesville by rezoning approximately 9.9 acres of property generally located in the 3800 block of SW 37th Boulevard approximately 400 feet south of Archer Road from General Business (BUS) and Multiple-Family Medium-Density Residential (RMF-8) to Mixed-Use Low-Intensity (MU-1). The subject property is currently undeveloped and is surrounded by a mix of existing uses, including multi-family and single-family development, a child care facility, and undeveloped land. Approximately 8.25 acres of the subject property currently is zoned BUS and the remaining 1.65 acres is zoned RMF-8.*

*This ordinance adheres to state law (i.e., Section 163.3177, F.S.) and the Comprehensive Plan (i.e., FLUE Goal 1; Policy 1.2.3; Objective 1.5) in that it discourages urban sprawl, promotes a sustainable development*

*pattern and encourages a mixed-use development at an appropriate location. The existing BUS zoning on a majority of the property limits the future development potential to nonresidential use, whereas the proposed MU-1 zoning will allow a broad range of residential and non-residential uses, including offices and retail scaled to serve the surrounding neighborhood.*

*Planning staff has recommended approval of this rezoning. After public notice was published in the Gainesville Sun on May 12, 2015, the City Plan Board held a public hearing on May 28, 2015, and voted 6-0 to recommend approval of this rezoning.*

#### CITY ATTORNEY MEMORANDUM

*This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 150049 becomes effective as provided therein.*

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

#### Legislative History

8/6/15            City Commission            Adopted on First Reading (Ordinance)

[150050B\\_Revised staff report\\_20150806.pdf](#)

[150050C\\_Append A\\_Comprehensive GOPs\\_20150806.pdf](#)

[150050D\\_Append B\\_Supplemental Docs\\_20150806.pdf](#)

[150050E\\_Append C\\_Application\\_20150806.pdf](#)

[150050F\\_CPB minutes\\_20150806.pdf](#)

[150050G\\_staff ppt\\_20150806.pdf](#)

[150050A\\_draft ordinance\\_20150806.pdf](#)

[120883.](#)

#### **CUSTOMER AND ADMINISTRATIVE SERVICES BILLING, DEPOSITS, AND OTHER PRACTICES (B)**

Ordinance No. 120883

An ordinance of the City of Gainesville, Florida, amending Chapter 27 and Appendix A relating to utilities; by amending section 27-7 relating to customer deposits; by amending section 27-14 relating to payment due dates and penalties for late payments; by amending section 27-21 by adding definitions to clarify the customer service regulations; by amending Appendix A, Schedule of Fees, Rates and Charges to revise the service charges for returned payments consistent with state law; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: CUSTOMER AND ADMINISTRATIVE SERVICES STAFF REPORT*

On January 17, 2013, the City Commission referred this item to the Regional Utilities Committee (RUC) to discuss late fees and delinquent disconnection practices. GRU staff presented information to the RUC at meetings on September 30, 2013 and February 20, 2014, relating to residential and nonresidential customer service deposits, utility bill payment due dates, penalties for late payments, and the revising of service charges for returned payments consistent with state law. On February 20, 2014, the City Commission approved the recommended changes. On March 13, 2014, the RUC met and agreed to recommend further changes to the City Commission relating to deposits, late payments, and certain definitions. At its April 17, 2014 meeting, the City Commission approved the recommendations as submitted by the RUC.

#### CITY ATTORNEY MEMORANDUM

On April 17, 2014, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance to amend Chapter 27 of the Code of Ordinances as recommended by the RUC. Since that time the City Attorney's Office has been working with GRU Staff on the global revision of several portions of Chapter 27 which has been time intensive. However, GRU Staff prioritized some of the ordinance revisions due to the effect such revisions are likely to have on GRU's ability to best serve its customers. As a result, the City Attorney's Office divided the global revision of several portions of Chapter 27 into two separate ordinances. The revisions contained within this ordinance represent those changes that were of a more emergent nature to GRU Staff. The revisions that are of a less emergent nature will be presented to the City Commission for approval at a later date. This ordinance requires two hearings.

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

#### Legislative History

1/17/13	City Commission	Referred to the Regional Utilities Committee
2/20/14	City Commission	Approved as Recommended
4/17/14	City Commission	Approved as Amended
8/6/15	City Commission	Adopted on First Reading (Ordinance)

[2013.09.12 Item 120883 - Attach 1](#)

[2013.09.12 Item 120883 - Attach 2](#)

[Item 120883 Late Fees-Utility Terminations 20131217](#)

[Item 120883 CY11-13 worked delinquent disconnects 20131217](#)

[Item 120883 IOU Deposit Study 20131217](#)

[120883\\_RUC Recommendations on Cust Billing and Deposits MOD\\_20140220.r](#)

[120883 RUC Presentation Deposits 20140313](#)

[120883 - Satisfactory Pymt Hist - Cust Deposits 20140417](#)

[120883 Draft Ordinance 20150806.pdf](#)

**PLAN BOARD PETITIONS****DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS**[150188.](#)**Alachua County's Proposed Irrigation Efficiency Code (B)**

**Alachua County has requested the opportunity to make a presentation to the City Commission on the County's proposed Irrigation Efficiency Code. \*\*ESTIMATED COUNTY STAFF PRESENTATION 15-20 MINUTES\*\***

*Explanation: Alachua County staff will provide a presentation on the County's proposed Irrigation Efficiency Code. This item was on the July 14, 2015 County Commission agenda. A copy of the July 14, 2015 County Commission agenda item is attached as backup to this agenda item as well as the proposed Irrigation Efficiency Code and the County staff presentation for the August 6, 2015 City Commission meeting. As drafted the proposed Irrigation Efficiency Code would apply in the entire County, including incorporated and unincorporated areas, and is intended to reduce high volume irrigation, improve irrigation efficiency, incentivize the Florida Water Star Program, and increase the quality and workmanship of local landscape irrigation installation contractors.*

*The County Commission has continued the proposed ordinance to the August 25, 2015 County Commission meeting to allow time for additional outreach to stakeholders. City staff has been in communication with County staff and are continuing to review the impact of the proposed ordinance on the City of Gainesville's development process and governmental operations so the expected impact can be shared with the City Commission.*

*Fiscal Note: Not yet determined.*

**RECOMMENDATION**

*The City Commission hear a presentation from County staff on the proposed Irrigation Efficiency Code.*

**Legislative History**

8/6/15 City Commission Filed With No Action Taken

[150188A\\_Alachua County Irrigation Efficiency Code\\_20150806.pdf](#)

[150188B\\_Irrigation Presentation\\_20150806.pdf](#)

[150188C\\_County Irrigation AI\\_20150806.pdf](#)

[130847.](#)**Lot # 10 Draft Contract for Purchase and License Agreement for Use of Parking Garage (B)**

**The City Commission review the Lot #10 draft Contract for Purchase and attached form License Agreement for Use of Parking Garage. \*ESTIMATED STAFF ORAL PRESENTATION 7 MINUTES\***

*MODIFICATION - CHANGED TEXT FILE LANGUAGE*

*Explanation: On August 6th, the City Commission reviewed terms associated with the proposed purchase of Lot #10 by Horizon Hospitality Management Inc.*

*The City Commission directed staff to return to the City Commission with a draft Contract for Purchase and License Agreement for Use of the Parking Garage incorporating said terms.*

*Elements of the draft Contract for Purchase are: 1) Deposit of \$25,000 and balance of \$735,000 due at closing; 2) Contingency for financing; 3) Contingency for Negotiation of License Agreement for 383 parking spaces by December 1, 2015; 4) Due Diligence Period of 90 days, to December 1, 2015; 5) Closing by January 31, 2016; 6) Reverter Provision; 7) Security Provision; and 8) Environmental Release and Indemnity.*

*Key elements of the draft License Agreement for Use of Parking Garage are: 1) Provision of 383 exclusive, floating parking spaces; 2) Provision regarding alternative spaces to meet obligation of Agreement; 3) Term of 20 years; 4) provision regarding maintenance of garage and a mechanism should Horizon Hospitality, Inc. seek additional maintenance; and, 5) payment for 383 spaces each month either at a daily rate of \$7 for hotel guests or monthly rate of \$20 for hotel and tenant employees (the monthly rate will be increased each year for five years to \$30 in year). Following that the monthly rate will remain at the greater of \$30 or the rate as set by the City Commission.*

*Fiscal Note: The original business terms associated with the Horizon Hospitality Management proposal included: 1) An offer of \$760,000 for the purchase of Lot #10 (the appraised market value); and 2) A proposed revenue sharing agreement regarding use of available parking spaces in the City's Downtown Parking Garage.*

**RECOMMENDATION**

*The City Commission: 1) Hear a brief presentation from staff; 2) Authorize the City Manager to execute the Contract for Purchase, subject to approval as to form and legality by the City Attorney; and 3) In accordance with the Contract for Purchase, authorize the City Manager to negotiate a License Agreement for Parking Spaces with the Buyer and to negotiate a buyout of some or all of the parking rights under the McGurn License Agreement and bring those back*

to the City Commission for its consideration prior to December 1, 2015.

Legislative History

4/17/14	City Commission	Adopted (Resolution)
3/5/15	City Commission	Approved as Amended
5/21/15	City Commission	Heard
8/6/15	City Commission	Approved, as shown above

[130847A 3-10-14 Appraisal Lot10 20140417.pdf](#)

[130847B Resolution for Lot 10 20140417.pdf](#)

[130847C Exhibit A to Resolution 20140417.pdf](#)

[130847D Exhibit B to Resolution 20140417.pdf](#)

[130847C-MOD Exhibit A - Legal Description for Lot 10 20140417.pdf](#)

[130847 Resolution 20140417.pdf](#)

[130847A Horizon Hospitality Mgmt Proposal 20150305.pdf](#)

[130847B Horizon Hospitality Mgmt Artist Rendering 20150305.pdf](#)

[130847C Horizon Hospitality Mgmt Sample Hotel Conceptual Planning Efforts](#)

[130847D Horizon Hospitality Mgmt Gainesville Hotel Oral Ppt Presentation 20150305.pdf](#)

[130847E Horizon Hospitality Mgmt Economic Impact Analysis 20150305.pdf](#)

[130847F Horizon Hospitality Mgmt Prototype siteplan drawings 20150305.pdf](#)

[130847G Bedford Lodging Proposal 20150305.pdf](#)

[130847H Bedford Lodging Ppt Presentation 20150305.pdf](#)

[130847i FINAL ADD #1 20150305.pdf](#)

[130847j FINAL RFP 20150305.pdf](#)

[130847K Oral Eval Evaluator #1 #2 and #3 20150305.pdf](#)

[130847L Written Eval Evaluator #1 #2 and #3 20150305.pdf](#)

[130847M Lot #10-BID TAB 20150305.pdf](#)

[130847N Proposal Eval Summary 20150305.pdf](#)

[130847o Memo to City Commission dated 02-12-15 Recordings of Lot 10 RFP](#)

[130847N MOD Proposal Eval Summary 20150305.pdf](#)

[130847A Lot#10 Term Sheet 20150806.pdf](#)

[130847B Letter 20150806.pdf](#)

[130847 MOD Lot#10 Term Sheet 20150806.pdf](#)

[130847B-MOD Email 20150806.pdf](#)

[130847A Lot 10 Sale Contract 20150820.pdf](#)

[130847B Lot 10 License Agreement for Parking \(Horizon Hospitality\) 20150820.pdf](#)

[130847C Lot #10 Visuals 20150820.pdf](#)

## UNFINISHED BUSINESS

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time permits)**

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