

# **City of Gainesville**

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



## **Meeting Agenda**

**May 22, 2006**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

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

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

## CALL TO ORDER

## AGENDA STATEMENT

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

## ROLL CALL

## INVOCATION

## CONSENT AGENDA

## CITY MANAGER, CONSENT AGENDA ITEMS

### 060011

#### **Purchase of Naztec Streetwise Software Upgrade (B)**

**This item involves a purchase of a software upgrade package for the City's Traffic Management System in the amount of \$40,000.**

*Explanation: The City currently utilizes Naztec Streetwise Lite Software in our Traffic Management System. To continue to meet the needs of the system in conjunction with the current expansion on S.R. 26 & 26A, we have to upgrade our software. Naztec is the developer and distributor of the software and is the only vendor from which the software can be purchased. No other vendor or company provides an upgrade to Full Streetwise from Streetwise Lite.*

*Fiscal Note: The funding for this purchase is available in the Public Works Department FY 06 operating budget, Transportation Services account. The purchase amount for the software upgrade is \$40,000.*

#### **RECOMMENDATION**

*Recommended Motion: The City Commission: 1) approve the purchase of the Naztec Streetwise upgrade package; and 2) authorize the City Manager to issue a purchase order not to exceed \$40,000.*

*Alternative Recommendation A: The City Commission reject this request for purchase, resulting in the*

*inability to fully utilize the City's Traffic Management equipment being installed with the S.R. 26 & 26A expansion project.*

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## **060020**

### **Resurfacing of Tennis Court at T.B. McPherson Park (B)**

**The City of Gainesville Parks Division is requesting the tennis court located at the T.B. McPherson Park be resurfaced due to wear and tear over time and for safety issues.**

*Explanation: In September 2005, the Parks Division submitted bid proposals to resurface the tennis courts at the T.B. McPherson Park. Two bids were received: Court Surfaces, Inc., with the lower bid of \$25,940 and Arrowhead Enterprises with a bid of \$27,200. Resurfacing requires placing the fiberglass over the entire four court area, since the cracks are too numerous to cover individually. The bid amount includes the furnishing of all labors, materials, equipment and services necessary to complete the project.*

*Fiscal Note: The cost of the project is \$25,940 and funds are available in account number 302-850-M334-5720-6030.*

#### **RECOMMENDATION**

*Recommended Motion: The City Commission approve the request to use Court Surfaces, Inc., to perform the work necessary to complete the project of resurfacing the four tennis court area at T.B. McPherson Park.*

*Alternative Recommendation: The City Commission deny the request. The fiscal impact if denied may deem the courts unsafe and may lead to permanently locking the court until the resurfacing can occur.*

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## **060021**

### **Downtown Plaza Rental Fee (NB)**

**On-site staffing for all permitted events on the Downtown Plaza is proposed to provide an increased level of cleanliness and site security.**

*Explanation: During a three-month trial period, a Parks maintenance worker and a monitor from Cultural Affairs have staffed every permitted event taking place on the Downtown Plaza. It is felt that this configuration has significantly improved the level of service and security to those who have rented and attended events at the Downtown Plaza. This program is similar to the Park "Ambassadors" that are found in other communities; however, the proposed program is a part-time program for permitted events only. Prior to implementation of this "pilot project" a staff person basically met the group at the Plaza at the beginning of their event but did not remain to provide assistance throughout the event.*

*With the increased use of the Downtown Plaza by renters and the general public in the past year, the restrooms, performance stage and Plaza areas in general, require more concentrated attention during events than has previously been provided. Care and upkeep of the Plaza for each permitted event will include parks' maintenance staff sweeping off the stage area, cleaning the restrooms, and picking up litter and trash removal before, during, and after an event. The Cultural Affairs Monitor will oversee the work of the Parks maintenance staff and any sound and lights technician(s), provide customer service as needed to both the renter and general public, assure compliance with city policies and ordinances and handle any disruptions or emergencies by calling for assistance from Gainesville Police Department or other City services as needed.*

*Providing on site staff will require an increase to the Parks, Recreation and Cultural Affairs Department's personnel budget. To recover these costs, it is requested that the City Commission authorize an increase to the current Plaza Permit Fee for both non-profit and for-profit organizations that wish to rent the Plaza. A review of several other cities found that an hourly use fee for a performance stage or area to provide these services is not unusual.*

*Currently the cost of a Plaza rental is \$25.56 for one hour or all day, plus a \$200 refundable damage deposit. Staff is proposing an hourly rental fee of \$50.00 per hour, plus tax, (if applicable) for rentals where no admission is charged or \$60.00 per hour, plus tax, (if applicable) for events where admission is to be charged and/or where there is any other form of compensation or commercial value to the renter. Included within the hourly rate is a fee of \$40 to cover the cost of both the Parks maintenance staff as well as the Cultural Affairs staff who will be on-site during the entire time of the event.*

*These fees are in accordance with rental classifications previously approved for other park facilities and will be due when the reservation is booked so staff can be scheduled in a timely fashion, and will be used to offset staffing costs for each Downtown Plaza event.*

***Fiscal Note:** Additional personnel costs due to staffing each permitted event would be offset by revenues generated by the new fees. For example: 100 hours of rental revenue equals \$4,000 in personnel costs and \$1,000 in administrative/miscellaneous expenditures, such as, restroom supplies, garbage liners, truck usage, etc.*

**RECOMMENDATION**

*The City Commission approve a new rental fee for agencies renting the Downtown Plaza effective May 22, 2006, as follows: \$50.00 per hour plus tax, (if applicable) for rentals where no admission will be charged or \$60.00 per hour plus tax (if applicable) where admission is to be charged and/or where there is any other form of compensation or commercial value to the renter.*

*Alternative Recommendation: The City Commission deny the rental fee increase request. The "pilot project" to provide enhanced services will be discontinued immediately since these were unbudgeted services.*

**060022****Selection of Consultant for Preparation of Blight Findings, Revision of Redevelopment Plan and Expansion of Eastside Community Redevelopment Area (B)**

**Staff has ranked consultants for the preparation of blight findings and, if appropriate, update of the redevelopment plan for the Community Redevelopment Agency's Eastside District.**

*Explanation: On January 9, 2006, the City Commission authorized staff to issue a Request for Qualifications and authorized \$15,000 in funding for a consultant to prepare blight findings for expansion of the Eastside Community Redevelopment Area. On February 20, 2006, in its amendatory budget, the Community Redevelopment Agency authorized funding for preparation by the chosen consultant of an updated Eastside Redevelopment Plan to cover the expanded area.*

*Staff issued the request for qualifications and five consultants have responded. Staff has ranked the consultants and recommends one of the consultants to the City Commission based on staff's evaluations. The Community Redevelopment Agency has also considered staff's rankings and recommendation for the top-ranked consultant, on May 15, 2006. The rankings are as follows: 1) Asset Property Disposition, Inc. (APD), 2) Wilson Miller, Inc., 3) Herbert-Halbeck, Inc., 4) Land Design Innovations, 5) Strategic Planning Group and 6) The RMPK Group, Inc.*

*Fiscal Note: The City Commission has approved \$15,000 for funding of blight findings for the proposed expansion area. More funds may be necessary as the contract is negotiated, given the very compressed time frames necessitated by new state legislation. Staff recommends adding \$3,000 to this budget, from the City Commission contingency fund. There is \$67,771 available in the contingency fund.*

**RECOMMENDATION**

*The City Commission: 1) approve staff's ranking of the proposals; 2) authorize the City Manager or his designee to negotiate and execute a contract with the top-ranked consultant for the Eastside expansion blight findings; 3) transfer an additional 3,000 from the City Commission contingency fund to the blight findings budget; with 4) the Redevelopment Plan update to be funded by tax increment funds as approved by the Community Redevelopment Agency.*

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**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****060063****Release of Easement at 504 NW 8th Avenue (B)**

*Explanation: Partial Release of Easement at 504 NW 8th Avenue*

**RECOMMENDATION**

*The City Commission: 1) approve the partial release of an easement at 504 NW 8th Avenue; and 2) authorize the Mayor to execute the Partial Release of Easement document subject to approval by the City Attorney as to form and legality.*

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

### **060058**

#### **Proposed Amendments to Chapter 8, Code of Ordinances**

*Explanation: The legislature, at the request of the Gainesville – Alachua County Airport Authority (Airport Authority), adopted a Bill revising the Airport Authority Special Act. Section 15(4) of the Bill provides that the Airport Authority “shall be subject to federal, state and local laws prohibiting discrimination to the extent provided by such laws”. In order to bring the Airport Authority under the auspices of the City’s discrimination ordinance, Chapter 8 will need to be amended.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney to prepare and the Clerk to advertise the ordinance.*

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### **060059**

#### **Quit Claim Deed to Gainesville Ford, Inc. for Vacated Right-of-Way (B)**

*Explanation: The City Commission adopted Ordinance No. 030753 that vacated certain right-of-way that had been conveyed to the City by warranty deed. The current property owner, Gainesville Ford, Inc., requests the City to quit claim the vacated right-of-way because they maintain that the ordinance itself is insufficient to convey clear legal title to Gainesville Ford, Inc.*

**RECOMMENDATION**

*The City Commission authorize the Mayor and Clerk of the Commission to execute a Quit Claim Deed to Gainesville Ford, Inc. Florida Corporation relating to right-of-way vacated by Ordinance No. 030753.*

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

### **060070**

#### **City Commission Minutes (B)**

**RECOMMENDATION**

*The City Commission approve the minutes of May 1, 2006 and May 4, 2006 (Special Meetings); and May 8,*

2006 (Regular Meeting); as circulated.

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**060072**

**Resignation of City Plan Board Member Matthew Cole (B)**

**RECOMMENDATION**      *The City Commission accept the resignation of Matthew Cole from the City Plan Board effective immediately.*

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**060073**

**Resignation of City Beautification Board Member Taryn L. Stoffs (B)**

**RECOMMENDATION**      *The City Commission accept the resignation of Taryn L. Stoffs from the City Beautification Board effective immediately.*

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**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

**CLERK OF THE COMMISSION**

**060056**

**City Commission Referral Status Report (B)**

**RECOMMENDATION**      *The City Commission review the attached Referral Status report and take appropriate action.*

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**CHARTER OFFICER UPDATES**

**GENERAL MANAGER FOR UTILITIES**

**CITY MANAGER****060007****FY07/08 Capital Improvement Plan Update (B)**

**This item relates to the follow-up information requested by the City Commission during the April 18, 2006 Capital Improvement Plan meeting.**

*Explanation:* During the April 18, 2006 meeting on the FY07/08 Capital Improvement Plan, the City Commission directed staff to bring information back to the Commission on the following topics:

- Background information on fire assessment fees and the processes associated with the implementation of such a fee
- Management's recommendation on which Priority 1 unfunded capital requests would be funded through incremental ad valorem revenue generated by a one-eighth, one-fourth, and one-half mill increase, both on a pay-as-you-go basis as well as if such incremental revenue was used to support a bond issue, and
- Information on whether any Florida municipalities who own their own utility impose electric franchise fees.

*Fiscal Note:* The recommended Capital Improvement Plan would fund \$6.5 million in capital projects funded through an increase in ad valorem revenues.

**RECOMMENDATION**

*The City Commission: 1) hear a presentation from Government Services Group on fire assessment fees; 2) approve the City Manager's Capital Improvement Plan for FY2007-2011; and, 3) receive information on the imposition of electric franchise fees by municipalities which own their electric utility.*

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**060038****Report on Outcomes of the 2006 State Legislative Session (B)**

**The City's Legislative Consultant Doug Bruce will report on the outcomes of the State of Florida 2006 Legislative Session.**

*Explanation:* The City Commission adopted the 2006 State Legislative Statement, and conveyed the City's legislative and project funding priorities to the Alachua County Legislative Delegation. The City's Legislative Consultant Doug Bruce was charged with representing the City's interests during the legislative session, now ended. As required under contract, the consultant has prepared a report for the Commission on the outcomes of the 2006 State Legislative Session.

**RECOMMENDATION**

*The City Commission hear a report from the City's Legislative Consultant, Doug Bruce, on State legislative activities affecting the interests of the City of*



Gainesville.

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**051235**

**Transfer of Funds for Demolitions (NB)**

**This item requests the City Commission approval for the transfer of funds from the City Commission Contingency Fund to the Code Enforcement Division to cover needed demolitions and lot clears for the remainder of FY2006.**

*Explanation:* At its September 26, 2005 meeting the City Commission approved a contract with Florida Concrete Recycling, Inc. to provide administrative abatement of dangerous buildings through demolitions. Since October 1, 2005, nine buildings have been demolished, representing a total of \$39,305 expended. There are 12 buildings needing demolition at this point, representing estimated additional needed funds of \$64,000 by the end of FY2006.

The approved budget for lot clearing is \$6,000. Five vacant lots have been cleared at a cost of \$3,229. There are four lots pending with an anticipated cost of \$5,587. An additional \$13,000 is needed to cover the cost of additional lot clears for the remainder of the fiscal year.

*Fiscal Note:* Funds in the amount of \$35,000 are requested from the City Commission Contingency Fund to cover the highest priorities of these remaining needed demolitions and lot clears for the remainder of FY2006. The others will be done when next fiscal year's funds become available on October 1, 2006. Upon completion of each lot clear or demolition, owners are billed, and if they do not pay, are liened.

**RECOMMENDATION**

The City Commission authorize the City Manager or designee to transfer \$35,000 from the City Commission Contingency Fund to the Code Enforcement Division Contractual Service account to maintain demolitions and lot clears for the remainder of FY2006, and authorize staff to increase the purchase orders for the demolitions and lot clear contracts.

**050747**

**City of Gainesville - Alachua County 10-Year Plan to End Homelessness (B)**

**The City Commission is asked to consider the recommendations on priorities for implementing the 10-Year Plan to End Homelessness in Gainesville and Alachua County, which were presented by the Implementation Committee of the 10-Year Plan.**

*Explanation:* On December 15, 2005, the 10-Year Plan to End Homelessness in Gainesville and Alachua County was presented at a joint City/County Commission meeting. Both commissions received the Plan and authorized their respective managers (City Manager and County Manager) to work with the Implementation

*Committee of the 10-Year Plan to establish priorities for funding the implementation of the Plan.*

*Beginning in January 2006, the Implementation Committee, which is co-chaired by Mayor Pegeen Hanrahan and County Commissioner Rodney Long, and includes the chairs and co-chairs of the original committees that worked on the plan, began reviewing all of the recommendations in the 10-Year Plan. The Implementation Committee concluded its prioritization of recommendations on March 16, 2006 and requested the City and County Managers to review the recommended priorities and provide comments back to the Implementation Committee. On April 6, 2006 the City Manager's comments were presented to the Implementation Committee. The Implementation Committee then presented its recommendations to both commissions for their consideration at a joint meeting on April 13, 2006.*

*At the April 13, 2006 meeting, the City Commission approved a motion that included the following actions:*

- 1) Authorize Mayor Pegeen Hanrahan and Commissioner Rodney Long to begin a dialogue with our health care providers on ways of partnering to reduce the cost of the homeless population on emergency rooms and to possibly assist with funding for the Mobile Medical Unit.*
- 2) Require current and future service providers receiving funds for assistance with the homeless population to report to the HMIS (Homeless Management Information System).*
- 3) Authorize the Homeless Implementation Committee of the 10-Year Plan to End Homelessness to continue its work until completed; and request that staff provide in a memo, information to the City Commission and the Board of County Commissioners about the nature of the HMIS System and likely impacts to service providers.*

*The City Commission also referred the following recommendations for additional review and consideration, which include recommendations from City staff:*

- a) The Implementation Committee recommends that the City and County accept the Revised Logic Model as the Blue Print for Implementation for the 10-Year Plan to End Homelessness. Staff agrees with this recommendation, provided there will be additional opportunities to review specific actions where there will be an operational or fiscal impact on the City.*
- b) The City and County Commissions accept the short term goals and objectives for implementation as outlined in the Logic Model and accept the recommendations below as priority for funding from the funds allocated by the City, County and Clark Butler. Staff agrees with this recommendation, except as indicated below.*
- c) The City and County Commissions provide priority funding (already allocated) for the Office of Homelessness and to hire the Homeless Administrator to serve as the coordinator for implementing the 10-Year Plan to*

*End Homelessness full time by October 1, 2006. The City and County Commissions refer to the City and County Managers to prepare a Request for Proposals to determine the duties, cost of the office, and pay range for the administrator to be approved by the City and County Commissions. Following the April 13, 2006 meeting, the Implementation Committee met on May 4, 2006 and approved a recommendation to the City and County Commissions to amend the current inter-local agreement between the City, County and Alachua County Housing Authority to extend that agreement for two years, with the City and County providing equal funding for the Office on Homelessness to be run by the Alachua County Housing Authority. Staff concurs with this latter recommendation and recommends up to \$36,000 per year for two years be allocated by the City, provided the County matches that amount.*

*d) The City and County Commissions provide priority funding from the funds allocated for the One-Stop Assistance Center as defined by the Implementation Committee on an interim basis until a permanent site is constructed or purchased. Authorize the City and County Managers to work with the Implementation Committee for an appropriate site to be operational by January 1, 2007. Staff recommends support for the concept of a case management-centered one-stop assistance center. Staff further recommends that the Office on Homelessness issue an RFP to rent space for the one-stop assistance center to be located outside of the downtown area on an interim basis and that the center start on a smaller scale with a total estimated cost of \$175,618 per year, rather than the \$230,341 per year suggested by Implementation Committee. In this case, the City's contribution would be \$87,809, to be matched by an equal amount from the County.*

*e) The City and County Commissions set aside \$200,000 of the money allocated for implementing the 10-Year Plan to End Homelessness for matching funds for State and Federal Grants. Staff agrees with this recommendation in concept. However, if all of the requested funding for the Office on Homelessness and the one-stop assistance center is to come out of the current resources budgeted by the City and County, there will not be \$200,000 remaining.*

*At the April 13, 2006 joint meeting of the City and County Commissions, the Implementation Committee also asked both commissions to continue their support for emergency shelter in existing facilities, as had been provided during the recent winter months by St. Francis House and the Alachua County Housing Authority. These programs consisted of additional cold night shelter at St. Francis House from December 19, 2005 to March 31, 2006; cold weather shelter provided by the Alachua County Housing Authority at Holy Trinity Episcopal Church from January 1 to March 29, 2006; and a hotel/motel voucher program administered by the Alachua County Housing Authority from January 1 to March 31, 2006. St. Francis House provided cold night shelter for an average of 19.3 persons per night on a total of 67 nights. An average of 98 persons per night stayed at the Holy Trinity Episcopal Church cold weather shelter. Finally, 80 persons were housed through the hotel/motel voucher program. Staff recommends that cold night shelter be provided next winter using a more dispersed approach, and with no downtown locations, that adheres to the City's code limitations for "temporary emergency shelters" and that \$25,000 be provided from the City General Fund for this purpose.*

*Fiscal Note: On December 12, 2005, the City Commission allocated \$54,000 from the General Fund plus \$54,000 from Mr. Butler's donation (\$108,000 total) for immediate short-term winter needs of the homeless. Of that amount, \$26,565.00 was spent by St. Francis House for cold night shelter, \$39,329.09 was spent by the Alachua County Housing Authority for the cold weather shelter at Holy Trinity Episcopal Church, and \$39,806.97 was spent by the Alachua County Housing Authority for the hotel/motel voucher program. The unexpended balance of these funds (\$2,298.94) is available for reallocation by the City Commission.*

*In addition, the City Commission has set aside \$201,879.76, including \$50,000 from CDBG funds, \$106,000 from City funds and \$45,879.76 from Mr. Butler's donation, for implementation of the 10-Year Plan. Alachua County has \$300,331.26 earmarked for implementation of the 10-Year Plan, consisting of \$200,000 from County funds and \$100,331.26 from Mr. Butler's donation.*

**RECOMMENDATION**

*Recommended Motion: The City Commission consider the recommendations from the Implementation Committee of the 10-Year Plan to End Homelessness in Gainesville and Alachua County and take additional action as appropriate.*

*Alternative Recommendation A: The City Commission consider the recommendations from the Implementation Committee of the 10-Year Plan to End Homelessness and defer action.*

**Legislative History**

12/15/05	City Commission	Approved as Recommended with Modification(s) (5 - 0 - 2 Absent)
4/13/06	City Commission	Approved, as shown above (Motions)

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**060024**

**2006 City Commission Strategic Objectives - Status Update (B)**

**This item provides a status update to the City Commission's Strategic Objectives.**

*Explanation: The City Commission Goals and Objectives were discussed during a retreat at Ironwood Golf Course on December 2, 2005, and adopted on January 23, 2006.*

*Staff has prepared a status report on the 2006 Strategic Objectives.*

*Fiscal Note: None*

**RECOMMENDATION**

*Receive a report from the City Manager on the current status of the 2006 City Commission Strategic Objectives.*

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**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**PUBLIC WORKS COMMITTEE**

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

**REGIONAL UTILITIES COMMITTEE**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**060064**

**City/County Work Group (B)**

**RECOMMENDATION**

*The City Commission discuss the Work Group and take appropriate action.*

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**COMMISSION COMMENTS (if time available)**

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

**Girl Scout Troop 621**

*Chris Cartaya - Troop Leader*

**PROCLAMATIONS/SPECIAL RECOGNITIONS****060065****Star Volunteer Day - May 22, 2006 (B)**

**RECOMMENDATION**        *Nature Operations Manager Ann Bigelow to accept the proclamation.*

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**060066****National Public Works Week - May 21-27, 2006 (B)**

**RECOMMENDATION**        *Public Works Director Teresa Scott to accept the proclamation.*

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**060067****National Homeownership Week - June 4-11, 2006 (B)**

**RECOMMENDATION**        *Alachua County Housing Coalition President Teresa Osoba and HUD Operations Specialist/Community Builder William Wright to accept the proclamation.*

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**060068****Sons of the American Revolution Day - June 9, 2006 (B)**

**RECOMMENDATION**        *Sons of the American Revolution Gainesville Chapter President Ray M. Davis to accept the proclamation.*

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**060069****Neurofibromatosis Awareness Month - May 2006 (B)**

**RECOMMENDATION**        *Mayor Bill Brooks, Belle Isle, Florida, to accept the proclamation.*

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**060071****Memorial Day - May 29, 2006 (B)**

**RECOMMENDATION**        *Gator Detachment of the Marine Corp Reserve 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****051001****FLOOD CONTROL DISTRICT PROVISIONS (B)****Ordinance No. 0-06-40; Petition 44TCH-06 PB**

**An ordinance of the City of Gainesville, Florida, amending provisions relating to flood control districts, subdivision II, division 3, article VIII, City of Gainesville Land Development Code; adopting the new Alachua County Flood Insurance Study and Flood Insurance Rate Maps; identifying special flood hazard areas within the City; making other amendments necessary for continued eligibility in the Federal Flood Insurance program; making conforming amendments to the provisions of Code relating to relief and enforcement found at division 4, article VIII, City of Gainesville Land Development Code; deleting and repealing obsolete provisions; providing directions to the codifier; providing a severability clause; providing a repealing clause; providing for penalties; and providing an effective date.**

*Explanation: COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT*

*This petition is part of the overall update of the City's Land Development Regulations. Specifically, these amendments are proposed for the flood control regulations in Division 3 of Article VIII, Subdivision II. Changes to the Flood Control Ordinance are required in order to adopt the new Alachua County Flood Insurance Study and Flood Insurance Rate Maps (FIRMs) that identify special flood hazard areas within the corporate limits of the City of Gainesville. The new Flood Insurance Study and Maps will become effective on June 16, 2006. Other changes are necessary so that the City of Gainesville will remain eligible to participate in the Federal Flood Insurance program.*

*The Plan Board heard the petition and recommended that it be approved and stated that staff should review the ordinance to make sure it is consistent in that the words "mobile home" are replaced with "manufactured home."*

*Public notice was published in the Gainesville Sun on April 4, 2006. The Plan Board held a public hearing April 20, 2006. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 44TCH-06 PB. Plan Board vote 7-0.*

*Subsequent to advertisement of this ordinance, the Federal Emergency Management Agency has requested that redundant text in the ordinance be deleted. This change was made to the text of the ordinance but does not affect the title.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two public hearings. Should the Commission adopt the ordinance on first reading, the second and final reading will be held on Monday, June 12, 2006.*

*Fiscal Note: None*

**RECOMMENDATION**            *The City Commission (1) approve Petition 44TCH-06 PB; and (2) adopt the proposed ordinance.*

**Legislative History**

3/13/06        City Commission    Approved as Recommended (5 - 0 - 2 Absent)

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

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**050584**

**AMENDED LIST OF CONTRIBUTING STRUCTURES IN THE NORTHEAST RESIDENTIAL DISTRICT (B)**

**Ordinance No. 0-06-43; Petition 159MSC-06 PB**

**An ordinance of the City of Gainesville, Florida, amending the list of contributing buildings and structures in the Northeast Residential Historic District; finding these additional buildings and structures as contributing structures subject to the regulations of the City's historic preservation/conservation ordinance; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT*

*The petition changes the status from non-contributing to contributing for various properties in the Northeast Residential Historic District. The Northeast Residential Historic District was approved by the City Commission on July 8, 1985 (241ZON-84PB Ordinance #3141) and contributing and non-contributing status was applied to each building, site, structure or object. The Historic Preservation Board unanimously approved the proposed changes in status from non-contributing to contributing structures at a Special Meeting on November 8, 2005.*

*As defined in the cultural resources survey, contributing buildings and structures are those that have been documented with the Florida Division of Historic Resources through completion of a Florida Master Site File. Also they are at least 45 years old, and have not been severely altered, namely through radical alteration of original plan, enclosing of porches, or additions to the facade. Contributing structures include principal dwellings or buildings, garage apartments, and outbuildings. Conversely, noncontributing buildings and structures are defined as buildings with a Florida Master Site File that have been severely altered and/or buildings that are less than 45 years old.*

*Staff has found that the status on 43 non-contributing building sites, structures or objects have met the criteria of contributing and are reflected on the attached list for adoption.*



*The Plan Board heard the petition and voted to recommend approval.*

*Public notice was published in the Gainesville Sun on February 28, 2006. Letters were mailed to surrounding property owners on March 1, 2006. The Plan Board held a public hearing March 16, 2006. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 159MSC-05 PB. Plan Board vote 6-0.*

*CITY ATTORNEY MEMORANDUM*

*This ordinance requires two public hearings. If adopted on first reading, the second and final reading will be held on Monday, June 12, 2006.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: (1) approve Petition 159MSC-06 PB and (2) adopt the proposed ordinance.*

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

**051206**

**2007 ELECTION DATES (B)**

**Ordinance No. 0-06-54**

**An ordinance of the City of Gainesville, Florida, setting March 6 as the date for the 2007 regular city election and March 27 as the date for the 2007 run-off election, if necessary; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: The City Commission, at its meeting of April 24, 2006, authorized the City Attorney's Office to draft an ordinance setting the 2007 regular city election and run-off election dates.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

4/24/06 City Commission Approved as Recommended (4 - 0 - 3 Absent)  
 5/8/06 City Commission Adopted on First Reading (Ordinance) (7 - 0)

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**RESOLUTIONS- ROLL CALL REQUIRED**

**060061 Rules of the City Commission (B)**

**RECOMMENDATION**            *The City Commission adopt the Rules of the Commission.*

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**PLAN BOARD PETITIONS****050256****Amend the Development Review Process for Subdivision Approval.  
Petition No. 122TCH-05 PB. (B)**

**This is a request to allow city staff to approve design plats of 5-19 lots, and to modify the requirements for subdivision approval.**

*Explanation: Recently, the Plan Board reviewed a petition that amended the development review process. In order to be consistent with those proposed changes, staff is recommending that the subdivision of land process be amended to comply with the recommended provisions. The current process requires all design plats of more than five lots to be reviewed by the Development Review Board. The proposed amendment will allow staff to approve design plats of 5-19 lots, instead of the Development Review Board. The City Commission has final approval authority of all plats.*

*During the review of this petition, the Plan Board considered how much flexibility the developers should be allowed to change a design plat after it has been approved. The local Builder's Association has proposed that the design plat should be flexible enough to allow the layout of the subdivision to change, as long as the number of lots proposed in the design plat does not increase. The Plan Board did not recommend any changes to the flexibility of a design plat after it was approved.*

*The Plan Board heard the petition and voted to recommend approval of the petition. This petition was put on hold to allow staff to develop infill policies for development in single-family neighborhoods. Staff has developed language that would allow new parcels to be created that are at least 75 percent of the average width of existing abutting lots. Smaller lots would be considered incompatible.*

*Public notice was published in the Gainesville Sun on August 30, 2005 and September 25, 2005. The Plan Board held a public hearing September 15, 2005.*

*Fiscal Note: None*

**RECOMMENDATION**            *Staff to the City Commission - The City Commission approve Petition 122TCH-05 PB, with the infill policy language.*

*City Plan Board to City Commission - The City Commission approve Petition 122TCH-05 PB. Plan Board vote 5-0.*

*Alternative Recommendation A: The City Commission approves Petition 122TCH-05PB, without the infill policy language.*

*Staff to Plan Board - Approve*

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**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**

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