

City of Gainesville

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



Meeting Agenda

November 13, 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 Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business day

CALL TO ORDER

AGENDA STATEMENT

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

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

050627.

Request to Extend Fleet Accident Management Service Agreement (B)

This item involves exercising an option to extend the contract for one (1) year, the second of three (3) one-year extensions, as allowed in the Agreement.

Explanation: In FY03-04, Fleet Management personnel reviewed the process for repairing damaged Fleet vehicles. The review confirmed that the process created extensive vehicle downtime to our customers (operating departments) and that it required several personnel hours from Fleet and Purchasing Staff. Staff concluded that the out tasking of this function would provide cost savings opportunities to our customers by drastically reducing vehicle downtime. Additionally, staff time spent on the process would be reduced, thereby allowing more time for other projects.

In September 2004, the City Commission approved a one-year contract with The CEI Group, Inc. to perform this service, using local vendors who qualified for partnerships. The recommendation from staff included the piggy backing on a contract that was competitively bid by the State of Washington.

Fiscal Note: Funds are available in Fleet Management's Operating Budget for FY06-07.

RECOMMENDATION

The City Commission: 1) approve a one-year extension

of the current contract with The CEI Group, Inc.; and
2) authorize the City Manager or his/her designee to execute the contract extension.

Alternative Recommendation A: The City Commission return to the former process at a higher cost to the City or to rotate the service through several Paint & Body vendors, which will result in increased staff time and vehicle downtime.

Legislative History

11/28/05 City Commission Approved as Recommended (7 - 0)

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060620.

Initiate the Vacate of the Right-of-Way known as Northeast 8th Place (Collins Street) (B)

This item involves a request for the City Commission to authorize Community Development Department to initiate the vacate of the right-of-way known as Northeast 8th Place (Collins Street).

Explanation: At the October 9, 2006, meeting, the City Commission approved a contract with the Bartley Temple United Methodist Church Inc. for right-of-way acquisition of NE 19th Terrace, including the condition for the City to petition for the vacation of the westerly 100 feet of Northeast 8th Place (Collins Street). The right-of-way dedication is a part of the plat of the Thomas and Steenburg Subdivision recorded in the Official Records of Alachua County, Florida, Plat Book "B", page 91, running east and west between Lots 5 and 6 of Block "A", and Lots 1 and 2 of Block "D" of said plat. This section of right-of-way is unimproved, not open for public use, and is surrounded by other lots owned by Bartley Temple. Upon vacation, Bartley Temple would be responsible for maintenance and liability. Public Works recommends vacation of the westerly 100 feet of Northeast 8th Place (Collins Street) and that a general utility easement be retained over the vacated right-of-way.

Fiscal Note: There are no associated costs with the vacation of this right-of-way other than administrative costs and posting of the property.

RECOMMENDATION

The City Commission authorize the Community Development Department to initiate a petition to the Plan Board to vacate a thirty-foot wide street, the westerly 100 feet of Northeast 8th Place (Collins Street) running east and west between Lots 5 and 6 of Block "A" and Lots 1 and 2 of Block "D", retaining a general overall utility easement.

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060623.

Bid Award - Repair/Overhaul of ZF Automatic Transmissions (B)

This item involves a request for the City Commission to authorize a bid award to Precision Transmission, Inc. for the Repair/Overhaul of ZF Automatic Transmissions.

Explanation: RTS utilizes ZF Automatic Transmissions in approximately 50% of the Fixed Route Transit Fleet. Warranties on most of these transmissions have expired, making it essential to have a contract in place to provide these services. On July 5, 2006, the City's Purchasing Department solicited bids for the Repair/Overhaul of ZF automatic transmissions. One (1) response was received on July 19, 2006. Staff evaluated the bid, and with authorization entered into negotiations with Precision Transmission. A revised scope of work and bid has been negotiated. The revised bid resulted in a 51% reduction in the average cost for the overhaul of the transmissions included in the bid. The term of the contract will be one year with an option of two (2) one-year extensions, subject to funding and written consent of both parties.

Fiscal Note: Funding for this contract has been included in the FY 07/08 expense budget. The anticipated annual expenditures are \$75,000.

RECOMMENDATION

The City Commission: 1) authorize the bid award to Precision Transmission, Inc. for Repair/Overhaul of ZF Automatic Transmissions; and 2) authorize the City Manager to execute any and all related documents.

Alternative Recommendation:

The City Commission deny the request for the bid award to Precision Transmission Inc., and direct the City Manager to reissue an Invitation to Bid.

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060639.

Extension of the City of Gainesville Contract for Actuarial Services with Actuarial Concepts, Inc. (B)

This contract extension will allow the City to retain Actuarial Concepts, Inc. for one (1) additional three-year period. Actuarial Concepts, Inc. will prepare actuarial valuation reports for the City of Gainesville Disability and Retiree Health Plans.

Explanation: Actuarial Concepts, Inc. has provided actuarial services for the City of Gainesville Disability and Retiree Health Plans under the current contract since October 1, 2003, with an expiration date of September 30, 2006. The original contract allows for the extension of the contract by the City of Gainesville for one (1) additional three-year period under the same terms and conditions.

Fiscal Note: Funds for actuarial services are budgeted in the City of Gainesville Disability and Retiree Health Plans Trust Funds. The contract fees total \$25,000 per year.

RECOMMENDATION

The City Commission approve the three-year extension to the City of Gainesville Contract for Actuarial Services with Actuarial Concepts, Inc. and authorize

the Trust Administrator to execute the requisite extension, subject to the approval of the City Attorney as to form and legality.

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060640.

Extension of Symetra Life Insurance Company as the Carrier for the City's Group Health Plan Specific Stop-Loss Insurance (B)

This item involves the selection as Symetra Life Insurance Company to provide the City's Group Health Plan with Specific Stop-Loss Insurance for claims in excess of \$160,000.

Explanation: The City of Gainesville purchases specific stop-loss insurance to protect the City's Group Health Plan. Specific stop-loss insurance is a risk-financing tool used to transfer the risk of catastrophic health claims to a third party, in this case an insurer. Under a stop-loss arrangement, the City's Group Health Plan would be responsible to pay for a claim until it reaches a set dollar amount called the attachment point. Once the claim exceeds the attachment point, the insurer will reimburse the Group Health Plan for all costs paid above that attachment point.

The City initiated an Request for Proposals last year for this insurance product that allowed for the City to renew with Symetra, as proposed by Gallagher Benefit Services, based upon acceptability of cost, coverage, service, provider stability, and market conditions. Symetra has provided the City with its renewal terms. The terms include: maintaining the current rate, increasing the attachment point to \$160,000 and increasing the maximum lifetime benefit to \$4.85 million per member. These renewal terms will cover the City's entire exposure on catastrophic claims. The Health Plan currently allow for a lifetime maximum benefit of \$5 million; however, the current stop loss lifetime cap is \$1.85 million per person, therefore, creating a potential liability to the Health Plan of over three million dollars. With current medical trends reported between seven and nine percent, the Symetra renewal as proposed by Gallagher Benefits Services appears to be in the best interest of the City and its Group Health Plan.

The other key component on the Symetra product is the retro-spective premium option. A retro-spective premium acts as a gain/loss sharing program between the insured and the carrier. This option allows the City to pay a lower premium upfront and only requires additional premium (up to the cap) if certain loss ratios are obtained. The City has taken advantage of this arrangement for the last six years and the result of this unique premium option saved the Group Health Plan approximately \$145,000 in premiums compared to the maximum premium. When compared with the next lowest alternative from the previous bid process, the retro-spective premium arrangement will net the Group Health Plan approximately \$324,000. The additional cost of \$324,000 would equate to an additional premium increase in our Health Plan of two percent.

In addition, the City negotiated removal of all commissions from the premiums and agreed to a fixed fee of \$30,000 for the placement and servicing of this

policy. The negotiated fee is approximately \$24,000 lower than the commission customarily paid on these products. Gallagher Benefits Services has agreed to continue the fee arrangement as negotiated.

Fiscal Note: Based on current enrollment, the estimated cost is \$371,000 for this insurance and these funds have been budgeted in the Employee Health and Accident Benefits (EHAB) Fund and the cost of this coverage is included in the 2007 health insurance rates.

RECOMMENDATION

The City Commission: 1) authorize the renewal of Symetra Life Insurance Company as the carrier for specific stop loss insurance for plan year 2006; 2) authorize issuance of a purchase order in an amount sufficient to cover applicable charges for specific stop loss to Symetra Life Insurance Company; 3) authorize Gallagher Benefits Services as the agent; and 4) authorize the City Manager or his designee to negotiate and execute the necessary documents required to complete the transaction, subject to approval from the City Attorney as to form and legality.

Alternative Recommendation A:

The City Commission: 1) authorize the selection of Symetra Life Insurance Company as the carrier for specific stop loss insurance for calendar year 2006; 2) authorize issuance of a purchase order in an amount sufficient to cover applicable charges for specific stop loss to Symetra Life Insurance Company; 3) authorize Gallagher Benefits Services as the agent; 4) direct staff to conduct an Request for Qualification specifically to select a Group Benefits Broker and Consultant; and 5) authorize the City Manager or his designee to negotiate and execute the necessary documents required to complete the transaction, subject to approval from the City Attorney as to form and legality.

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060641.

Ratification of Agreement Between the Fire District Chiefs of the International Association of Fire Fighters, Local No. 2157 and the City of Gainesville for October 1, 2005 through September 30, 2008 (B)

Explanation: This Agreement has been reached through negotiations between the Fire District Chiefs of the International Association of Fire Fighters, Local No. 2157 and the City of Gainesville, and was ratified by the Fire District Chiefs of the International Association of Fire Fighters, Local No. 2157 bargaining unit on July 26, 2006. This Agreement extends the current Collective Bargaining Agreement through September 30, 2008.

A copy of the Agreement is on file in the Clerk of the Commission Office. After

November 13, 2006, the Agreement will be on file in the Human Resources Department.

Fiscal Note: Funds are currently budgeted for the FY 2005-06 and FY 2006-07. The costs for FY 2007-08 will be addressed in the budget preparation process for that year.

RECOMMENDATION

The City Commission ratify the Agreement for the Fire District Chiefs of the International Association of Fire Fighters, Local No. 2157, extending the period of coverage through September 30, 2008, between the City of Gainesville and the Fire District Chiefs of the International Association of Fire Fighters, Local No. 2157.

060657.

Continuation of Blue Cross and Blue Shield Administrative Services Contract (B)

This item involves a request for the City Commission to approve the continuance of Blue Cross and Blue Shield of Florida Inc. as the third party administrator and network provider for the City of Gainesville's Self-funded Health Plan.

Explanation: Blue Cross and Blue Shield of Florida, Inc. has been the Administrator of the City's self-funded Group Health Plan since January 1, 1993. The City's contract with Blue Cross and Blue Shield of Florida, Inc. allows for annual renewals upon mutually agreeable rates. The current year renewal negotiations with Blue Cross Blue Shield will result in 7.25% increase administrative fees for our Group Health Plan. The increase is consistent with medical insurance trends and it should be noted that this increase follows a year in which Blue Cross Blue Shield did not increase its administrative fees.

Blue Cross and Blue Shield continues to have one of the largest networks in our area, and coupled with its nationwide affiliates, provides network coverage throughout the United States and many other countries worldwide. Currently, Blue Cross and Blue Shield is the provider to many large employers in our area including the State of Florida, Shands, the School Board of Alachua County, Alachua County Board of County Commissioners, and HCA. Blue Cross and Blue Shield's market presence in Alachua County allows it to negotiate favorable cost of service contracts with the local medical community. These provider contracts result in substantial savings to the City's health plan and our employees. For the twelve months ended September 30, 2006, the savings realized based on billed versus the Blue Cross and Blue Shield allowance amounted to almost thirteen million dollars. This discount rate was approximately sixty-three percent of the billed amount for services.

In addition to the favorable provider contracts, Blue Cross and Blue Shield maintains a local office that employs approximately thirty people. This local office has a specified individual dedicated to provide claims facilitation services to the City and its employees. This local presence allows employees to have

face-to-face contact with a Blue Cross representative that has knowledge of our local providers and removes some of the depersonalization associated a 1-800 number.

Based on satisfactory past performance, the staff recommends that the City Commission authorize continuance of the Blue Cross and Blue Shield Administrative Services Contract for the City's self-funded Group Health Plan for the 2007 plan year. The City Commission is requested to approve issuance of an annual purchase order in an amount sufficient to cover applicable charges for the administrative services to Blue Cross and Blue Shield of Florida, Inc.

Fiscal Note: Based on current enrollment, the estimated cost is approximately \$1,700,000 and these funds have been budgeted in the Employee Health and Accident Benefits (EHAB) Fund.

RECOMMENDATION

The City Commission: 1) authorize continuing the Administrative Services Contract between the City of Gainesville and Blue Cross and Blue Shield of Florida, Inc. for one (1) additional year; 2) authorize issuance of a purchase order in an amount sufficient to cover applicable charges for the administrative services to Blue Cross and Blue Shield of Florida, Inc.; and 3) authorize the City Manager or his designee to negotiate and execute the extension to the Administrative Services Contract, subject to approval from the City Attorney as to form and legality.

Alternative Recommendation A:

This item has been specified sourced and approved annually by the City Commission, due to their extensive provider network, market share, and flexibility in plan design. In addition, the possibility of requiring employees to leave their current medical providers could have a significant impact on our covered members. However, should the City Commission wish, a formal Request for Proposals/Qualification process could be initiated in 2007 with any changes in supplier and/or coverages to be incorporated into the health plan year beginning January 1, 2008. The fiscal impact of this change is unknown at this time. Any savings or additional costs associated with a change in provider will be dependent on the network discounts available to our health plan.

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060658.

Third Extension to the Contract for Professional Water Resource Engineering Services for FY 2007 (B)

This item involves an extension to the Contract for Professional Water Resource Engineering Services with Jones, Edmunds & Associates, Inc.

Explanation: The contract dated June 4, 2004, First Extension dated February 19, 2005, and Second Extension dated effective October 1, 2005, with Jones, Edmunds & Associates, Inc., for Professional Water Resource Engineering Services expired on September 30, 2006. This firm has promptly responded to City requests for services and their services have been reliable and accurate.

The contract allows for five (5) one-year extensions on each contract. This is the third request for an extension.

Fiscal Note: The primary source is from the FY 2007 Stormwater Management Utility Fund Operating Budget. However, some services may be funded through individual CIP project accounts. The estimated expenditures for FY 2007 will be \$75,000.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the Third Extension to the Contract for Professional Water Resource Engineering Services with Jones, Edmunds & Associates, Inc., extending the term of the contract from October 1, 2006 to September 30, 2007.

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

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060660.

Approval to Purchase Street Sweepers (B)

This item involves the request for approval to purchase three (3) Street Sweepers through our current process of a total cost agreement.

Explanation: The Operations Division of the Public Works Department utilizes Street Sweepers to maintain the cleanliness of the City's streets. For the past several years, staff has purchased sweepers on a "Total Cost Agreement." This method of procurement guarantees a maximum repair and maintenance cost over the life of the machine and a buy-back price at the end of the contractual period.

Since this method was adopted, the City has reduced the cost of utilization for Street Sweepers by approximately twenty-five (25) percent. Additionally, the availability has increased tremendously as the contractual agreement provides for a "loaner" should the Street Sweeper's "downtime" exceed five (5) working days. The recommended vendor has serviced the City since the inception of this concept and has provided excellent support to a quality built machine. Because of this, our fleet is now standardized with the Johnston Street Sweeper. We would like to continue to take advantage of this added value (i.e., improved Operators' and Mechanics' efficiencies as a result of familiarity with the same equipment and lower inventory and tooling cost.)

The Street Sweeper is available under the General Service Pricing Contract and the vendor will customize the agreement to meet our "Total Cost Agreement Concept." The price offered to the City is \$162,459.50 with a guaranteed buy back of \$22,000 at the end of the agreement. This price and buy back amounts are similar to those of the last sweeper purchased in April 2005, or seventeen (17) months ago. The buy back amounts for the three (3) street sweepers that are being traded in are \$20,000 each for a total of \$60,000.

Fiscal Note: Funds in the amount of \$427,378.50 are available in the Fleet Replacement Fund for FY06-07.

RECOMMENDATION

The City Commission: 1) approve the purchase of three (3) replacement Street Sweepers from Florida Municipal Equipment, Inc. at a price of \$162,459.50 each, for a net total cost not to exceed \$427,378.50 to include buy-back credit; and 2) to authorize the City Manager or designee to execute the agreement for the Street Sweepers.

Alternative Recommendation

The City Commission refuse the vendor's offer and bid the procurement of the machines and risk losing the financial and operational advantages of a "total cost agreement" concept, as mentioned above.

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060661.

Approval to purchase LeeBoy 8515 Conveyor Paver (B)

This item involves the request for approval to purchase one (1) Paver through a recently closed bid process.

Explanation: The Operations Division of the Public Works Department utilizes pavers in the resurfacing of streets, sidewalks and bike paths. Current goals for the division include a more aggressive approach to this program. This paver is an upgrade to the eighteen (18) year-old model that it is replacing. Staff believes that using in-house personnel to perform these tasks will allow for more timely completion of projects and lower expenses. Bids were sent via DemandStar to several vendors, with one (1) responsive bid of two (2) responses.

Fiscal Note: Funds in the amount of \$123,509 are available in the Fleet Replacement Fund for FY06-07

RECOMMENDATION

The City Commission: 1) approve the purchase of one (1) replacement Paver from Ring Power, Inc. at a price of \$123,509; and 2) authorize the City Manager or designee to execute the agreement for the 8515 Conveyor Paver.

Alternative Recommendation A: The City Commission refuse approval to purchase larger paver and maintain

status quo of untimely repairs and higher expenses.

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060662.

Contract for the Purchase and Installation of Carpet in the Old Library Building (B)

This item is for a contract to purchase and install new carpeting on all floors of the Old Library Building.

Explanation: The existing carpet in the Old Library Building was installed in 1995 and is in poor condition. The Purchasing division solicited bids in September 2006 and four (4) bids were received on October 5, 2006. Staff recommends accepting the lowest responsive bid.

Fiscal Note: Funds in the amount of \$42,570 are available in the Facilities Management Budget.

RECOMMENDATION

The City Commission: 1) approve entering into a contract with Workplace Solutions, Inc. to replace the carpet in the Old Library Building in an amount not to exceed \$42,570, which includes a 10% contingency; and 2) authorize the City Manager or designee to execute the contract, subject to the approval by the City Attorney as to form and legality.

Alternative Recommendation: The City Commission reject all bids and maintain the current carpet.

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060663.

Annexation of Parcel Number 06810-001-008 (B)

This is the submission of petition for voluntary annexation for Chili's Grill and Bar.

Explanation: Brinker Florida, Inc. (d/b/a Chili's Grill and Bar), property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The properties are generally located south of the Tax Parcels 06810-001-016 and 06810-001-000, west of Tax Parcel 06810-001-017, north of the City Limits and Archer Road, and east of SW 35th Boulevard. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation. The area is approximately one (1) acre.

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

RECOMMENDATION

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owner or authorized agents;

2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation A:

The City Commission deny acceptance of the petition.

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060664.

Annexation of Parcel Number 07240-001-003 (B)

This is the submission of petition for voluntary annexation for Bear Archery, Inc., which is located in the area of SW Archer Road Interstate 75 and SW 41st Blvd.

Explanation: Escalade Sports/Bear Archery, Inc., property owner, has submitted a petition to the City of Gainesville for voluntary annexation. The properties are generally located south of the vicinity of the intersection of Interstate 75 and Archer Road, west of the City limits and Interstate 75, north of Parcel No. 07240-000-000 and east of Parcel 07240-000-000. Staff has determined that the petition bears the signature of the property owner or authorized agents. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation. The area is approximately 26 acres.

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

RECOMMENDATION

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

Alternative Recommendation A:

The City Commission deny acceptance of the petition.

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060672.

Tourist Product Development Interlocal Agreement with Alachua County (B)

This is a request to enter into an agreement with Alachua County to administer the new Tourist Product Development Program.

Explanation: For the past eight years the City Department of Parks, Recreation and Cultural Affairs has administered County funded programs for the expenditure of tourist tax funds to arts and eco-heritage agencies. For the past five years the City also

created new programs under a tourism tax funded agreement. These contracts expired on September 30, 2006.

In April 2006, the Alachua County Board of County Commissioners approved the Tourist Product Development Program and voted to ask the City to administer the grant funding. As a draft Interlocal Agreement was being prepared, cultural agencies concerned with fiscal timelines requested that the Destination Enhancement Program be extended for an additional year and that the Tourist Product Development Program begin in August of 2007. This was approved by the County Commission. Therefore, the Department of Parks Recreation and Cultural Affairs drafted an agenda item for September to extend the Destination Enhancement Interlocal Agreement.

On September 26, 2006, the Alachua County Board of County Commissioners responded to concerns by the eco-heritage agencies and reversed their earlier decision to extend the Destination Enhancement program and voted to initiate the process for the Tourist Product Development Program.

An Inter-local Agreement was approved for a period of three years, to begin retroactively from October 1, 2006 through September 30, 2009, with up to two (2) one-year extensions.

The City would enter into agreements with agencies awarded grants by the Tourist Development Council, review requests for reimbursement, and disburse funds for authorized expenditures on a monthly basis. In addition, the City would create marketing and/or tourist programs with the New Programs/Marketing portion of the funding as outlined in the backup materials, Exhibit A.

Fiscal Note: The City would be paid 9% of the annual allocation for its administrative costs. Additionally, 10% of the annual allocation for costs will be used for New Programs/Marketing.

RECOMMENDATION

The City Commission authorize the City Manager or designee to sign the Interlocal Agreement on behalf of the City.

Alternative Recommendation A: The City Commission reject specific items in the Interlocal Agreement and ask the City Manager to renegotiate the agreement.

Alternative Recommendation B: The City Commission refuse to enter into the Interlocal Agreement.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

060694.

Financial Management Information System Replacement Project and Customer Relationship Management System Initiation (NB)

Staff recommends award of a consulting services contract for a new Financial Information Management System (FMIS) and Customer Relationship Management (CRM).

Explanation: The Utility's current corporate reporting requirements are met by various disparate software systems and data bases that necessitate manual retrieval and manipulation of financial, operational and customer data. The cumbersome and inefficient processes which result from this structure often produce untimely and inaccurate information. With the impending implementation of a new Customer Information System, the final barrier to fugitive data needed for an integrated corporate reporting system can be eliminated.

The initial mission will be to review, evaluate and document corporate reporting requirements for an integrated FMIS and a Customer Relationship Management system which meets the Utility's financial and customer relationship reporting needs. The second mission is to perform a gap analysis on existing software systems used for financial and operating reporting including Ellipse™, and the SAP Customer Information System scheduled to be operational in March 2007. The results of the gap analysis will form the basis for a recommendation for developing and implementing an integrated FMIS and Customer Relationship Management system.

Advanced Automation Consulting, Inc. (AAC) was awarded a contract to perform consulting services for the CIS Replacement project by the City Commission as the result of a Request for Proposal for consulting services. Staff believes that AAC is best suited for performing the consulting services for the FMIS project based on AAC's knowledge and experience with the Utility's structure and CIS design as well as their understanding of the Utility's organizational structure and financial management requirements. This knowledge will reduce the amount of time, funds and resources required to perform this project.

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

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to negotiate and execute a contract with Advanced Automation Consulting, Inc., a specified source, for consulting services to assist with the replacement of the Utility's Financial Management Information System and initiation of a Customer Relationship Management (CRM) system, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Advanced Automation Consulting, Inc. in an amount not to exceed \$420,000 for the contract term, subject to the appropriation of funds in each fiscal year of the project.

Staff is requesting approval of a Release of Easement to Greystone of Gainesville, LLC.

Explanation: In 1992, three different owners of property located in the 6000 block of NW 39th Avenue on Tax Parcel Nos. 6048-003-001, 6048-000-000, and 6048-001-000, granted public utility easements to the City for electric facilities to be provided to their homes. In September 2006, Greystone of Gainesville, LLC, purchased the above properties for the development of Greystone Subdivision. During the development of this property, the owner will be removing the existing homes and electric facilities located on the property at their expense. The new subdivision will include dedicated public utility easements as needed for the new development. Therefore, since the existing easements will no longer be required, the owner has requested the City release their interest in the existing public utility easements. Staff has reviewed this request for a Release of Easement and recommends the granting of the same.

Fiscal Note: There is no fiscal impact to the City

RECOMMENDATION

The City Commission: 1) approve the release of three public utility easements located in the 6000 block of NW 39 Avenue; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement, substantially in the form on file, subject to approval by the City Attorney as to form and legality.

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060696.

Disposal of Treated Wood Utility Poles (B)

Staff recommends approval to enter into a contract with Florence Landfill Alternatives Inc. for disposal services for used treated wood utility poles and attachments.

Explanation: GRU estimates that approximately 300 tons of used treated wood utility poles will be damaged or taken out of service annually. CCA (Chromated Copper Arsenate) and Penta treated wood products are being disposed in an approved lined landfill. The projected value of the contract is \$45,000 annually and is based on the anticipated volume of treated wood products requiring disposal and the distance to the landfill. Actual expenditures may exceed the projected cost if there is an increase in the number of poles removed from the electric system.

An Invitation to Bid for disposal of treated wood utility poles was sent by Utilities Purchasing to five prospective bidders. Three bids were received and Florence Landfill Alternatives, Inc. submitted the lowest bid.

Fiscal Note: Funding for this project is included in the approved FY 2007 budget and will be requested in future budgets during the term of the contract.

RECOMMENDATION

The City Commission 1) authorize the Interim General Manager or her designee to execute a contract with Florence Landfill Alternatives for disposal services for

used treated wood utility poles and attachments for a three (3) year period subject to approval by the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not to exceed budgeted amounts for these services, subject to the final appropriation of funds for each year of the contract.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

060702. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of October 16, 2006 (Workshop); October 23, 2006 (Regular Meeting); and October 30, 2006 (Joint City County Special Meeting); as circulated.*

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060702B_20061113.pdf

060683. December 25, 2006 Meeting (NB)

RECOMMENDATION *The City Commission cancel the December 25, 2006 meeting.*

060684. Congress of Cities Voting Delegate (B)

RECOMMENDATION *The City Commission appoint Mayor-Commissioner Pro-Tem Craig Lowe as voting delegate.*

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060697. Student Adjunct Advisory Board/Committee Appointments for terms to expire August 1, 2007 (NB)

RECOMMENDATION *The City Commission appoint Student Adjunct Members to the following Advisory Boards and Committees for terms to expire August 1, 2007.*

Board of Adjustment - Laura A. McCarthy

*Development Review Board - Jason C. Williams
Gainesville Energy Advisory Committee - Brian D. King
Gainesville Enterprise Zone Development Agency - Cedrick F. Baker
Gainesville Human Rights Board - Christina A. King
Pension Review Committee - Matt M. Woodliff*

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

060612.

Coordination of Streetscape Items in Community Redevelopment Areas (NB)

Explanation: The CRA has approved funding to implement various interim improvements to University Avenue in the Downtown, College Park/University Heights, and Eastside Community Redevelopment Areas. In 2003, the CRA developed a set of streetscape design and technical standards to specify types of equipment and materials to be constructed, such as pavers, benches, waste receptacles, and other hardscape items.

While CRA staff was recently engaging with the Florida Department of Transportation (FDOT) on permitting Phase One of these improvements, it came to light that FDOT had permitted a project sponsored by Keep Alachua County Beautiful (KACB) to install cigarette waste containers along West University Avenue near NW 16th Street. The cigarette waste containers are not part of the CRA design and technical standards, which the CRA expected would be the template for streetscape enhancements along University Avenue. CRA staff contacted KACB and learned that a pilot project would be initiated in October. Following discussion with CRA staff, KACB decided to postpone this program, and indicated their willingness to comply with CRA standards. There currently is not a standard for cigarette waste containers, but the CRA can have staff review this issue and incorporate a standard container.

This issue exposes the possibility that the FDOT permitting process for improvements to University Avenue does not foster a coordinated scheme for improving the corridor. While the CRA has a set of product specifications coordinated to create a unified appearance, there is no procedure in place to ensure coordination between projects proposed by the CRA and other agencies. Since the CRA has taken the lead on improving the University Avenue corridor within the CRA boundaries, the FDOT should take steps to ensure that other agency projects within this segment of University Avenue coordinate with the CRA's design and technical standards through the FDOT permitting process.

The College Park/University Heights Redevelopment Advisory Board discussed

this issue at their October 4, 2006 meeting and provided consensus to move forward as staff has recommended. The CRA approved the recommendation on October 16, 2006.

Fiscal Note: None at this time.

RECOMMENDATION

The City Commission ask that the FDOT establish, as a criterion for permit issuance, a requirement that prospective permit applicants demonstrate that they have coordinated the proposed improvements in state-owned right-of-ways with the CRA design and technical standards.

Legislative History

10/16/06	Community Redevelopment Agency	Recommended for Approval (4 - 0 - 3 Absent)
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END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

060685.

Regional Planning Council (B)

RECOMMENDATION

The City Commission appoint two (2) more members to the Regional Planning Council.

060685_200611131300.pdf

060692.

GRU Manager Interview Selection Meeting(s) (B)

RECOMMENDATION

The City Commission approve the following special meetings:

Friday, December 1 @ 1:00PM - Interview GRU Manager Candidates

Saturday, December 2 @ 3:00PM - Rank/Select GRU Manager Candidate(s) and authorize Mayor to negotiate and recommend contract to City Commission.

Monday, December 4 @ 6:00PM - Rank/Select GRU

Manager Candidate(s) and authorize Mayor to negotiate and recommend contract to City Commission.

060692_200611131300.pdf

CITY MANAGER

060673.

Homelessness and the Downtown Community (B)

This presentation provides the City Commission with recommendations to address concerns regarding the homeless in the downtown area.

Explanation: The City of Gainesville has taken several significant steps to address homelessness in our community. Less than a year ago, the City Commission approved the 10-Year Plan to End Homelessness (GRACE). This plan was developed over nine months with participation from over 200 community residents, agencies and businesses. Following approval of this plan, the City Commission approved and funded the new Office On Homelessness (OOH) within the Alachua County Housing Authority.

In considering recommendations to address the homeless in the downtown area, staff has met with numerous business owners, residents and non-profit service providers. All recommendations have been coordinated with the OOH, the agency recently funded by the City and County to coordinate implementation of GRACE. The Implementation Committee will be briefed on November 9, 2006. Committee recommendations will be presented for consideration by the City Commission.

Staff recommendations include:

- 1) Establishing a day time uniformed security and social services team for the downtown area.*
- 2) Proceeding with the RFP for a one-stop service center, located outside the downtown area, which emphasizes on a collaborative, outcome-based approach.*
- 3) Conducting a review of pertinent city ordinances, zoning categories and current enforcement approaches.*
- 4) Initiating discussions with downtown services providers regarding phased re-alignment of current services to encourage utilization of the one-stop service center by clients.*

Fiscal Note: Staff will explore funding options for the security-social services team and bring recommendations to the Commission. Funding for the one-stop service center has been budgeted. There are no additional costs associated with the remaining recommendations at this time.

RECOMMENDATION

The City Commission approve the concepts outlined in the presentation: 1) Authorize staff to develop a Security-Services team proposal for the downtown area, including funding options; 2) Authorize the City Attorney to work with staff to review city ordinances, land use/zoning categories and enforcement

approaches and bring recommendations to the City Commission; and 3) Work with downtown service agencies to discuss phased re-alignment of services to emphasize and encourage use of one-stop day center by clients and providers.

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050614.

Update on Depot Park (B)

Staff will present a presentation on the Depot Park Conceptual Plan and provide an update on the current status of the Park's future development.

Explanation: The City Commission has requested that staff review the Conceptual Design of Depot Park, which was developed in 2002, and bring back an update for Commission review and discussion.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

The City Commission hear a presentation on the Depot Park Conceptual Plan and provide direction to staff on changes to the plan.

Alternative Recommendation A

The City Commission approve expansion of parking area and relocation of skate board park to an alternate location, approve exploration of adjacent area SW of the Park, and provide any additional direction to staff.

Alternative Recommendation B

The City Commission retain skateboard park and parking as outlined in the existing program and not explore opportunities relating to the area SW of the Park.

Alternative Recommendation C

The City Commission provide alternative direction to staff.

Legislative History

11/28/05 City Commission Heard

050614_200511281300.PDF

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050614a_200611131300.pdf

060656.

City's New On-Line Parking Ticket Payment Program (B)

The City staff has written software to permit citizens to pay their parking tickets on-line. Staff will show a powerpoint presentation of the steps needed to use this new system.

Explanation: Staff began writing a web-based parking ticket payment program in early January 2006. The application required integration to the City's T2 Parking Ticket System, and to PayPal, the credit card processing firm. Additional integration to the City's cashier system will be built into this system in the next few months, fully automating the posting of payments to the City's finance system.

Staff reviewed a variety of credit card payment systems prior to selecting PayPal, with many of them charging \$3.00 or more to the ticket holder to use their card processing services, irrespective of the cost of the ticket. In the early stages of this program, staff did not want to add a convenience fee on top of the ticket cost for using the on-line payment system and felt that PayPal's costs were the most affordable. PayPal charges are based on a percentage (2.9%) of the ticket cost, plus an additional thirty (30) cents.

This system was made available to the public in early October.

Fiscal Note: Each ticket transacted through PayPal carries a charge that is currently being absorbed by the City. The charge is 2.9% of the ticket amount, plus an additional thirty (30) cents. Thus, an \$8.00 ticket costs the City approximately fifty (50) cents to process.

RECOMMENDATION *The Commission receive a report from staff.*

060656_200611131300.pdf

060665.

Compensation Study (B)

Hear a follow-up presentation on the 2006 Compensation Study for Managerial, Administrative and Professional (MAP) and Communication Workers of America (CWA) jobs.

Explanation: In September 2003, the CWA Local 3170 and the Gainesville City Commission ratified a three-year labor contract. Addendum A of the Contract requires the City to update pay lines with current market data and adjust the structure accordingly to be effective with the next contract (January 2007).

Wachovia Employer Solutions Group was selected from a Request for Proposals (RFP) process to perform a compensation review of the CWA and MAP employee groups. Their methodology included gathering market data for 200 job classifications. These were then reviewed with Management and the CWA representatives.

Wachovia presented the results of the study to the City Commission on September 25, 2006. The City Commission referred this item to a workshop for further discussion. At the completion of the Workshop held on October 16, 2006, the City Commission directed staff to present additional options for discussion on November 13, 2006 as follows:

- 1) *A reduced pay structure that decreases the disparity between the higher pay grades and the lower pay grades*
- 2) *An implementation plan that places a cap on the percentage increase received by any individual*
- 3) *An implementation plan that places a cap on the dollar increase received by any individual*

Staff will review the financial and policy impacts of each option.

Fiscal Note: The FY2007 budget includes increases of approximately 4.1% of payroll and contingency funds to bridge the gap. The implementation plan proposed by the consultant will result in an increase of approximately 4.6% of payroll. The FY2007 proposed budget including contingencies provides sufficient funding to implement the consultant's recommendation.

RECOMMENDATION *The City Commission hear a presentation from staff.*

060665_200611131300.pdf

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

060701.

Commissioner Richard Bryant - Options for Northeast Pool (NB)

RECOMMENDATION *The City Commission discuss Northeast Pool and take action deemed appropriate.*

COMMISSION COMMENTS (if time available)

RECESS

RECONVENE**PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****060698.****Charles Cooper Day - November 13, 2006 (B)**

RECOMMENDATION *Emergency Room Technician and Reichert House
Volunteer Charles Cooper to accept the proclamation.*

060698_200611131300.pdf

060699.**Dr. Matt Shannon Day - November 13, 2006 (B)**

RECOMMENDATION *Physician and Reichert House Volunteer Dr. Matt
Shannon to accept the proclamation.*

060699_200611131300.pdf

060700.**National Family Week - November 19-25, 2006 (B)**

RECOMMENDATION *Partnership for Strong Families Community Relations
Specialist Dana Bobb to accept the proclamation.*

060700_200611131300.pdf

CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**PUBLIC HEARINGS****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****060494.****PROPORTIONATE FAIR SHARE FOR TRANSPORTATION
CONCURRENCY (B)****Ordinance No. 0-06-126; Petition 136TCH-06 PB**

**An ordinance of the City of Gainesville, Florida, amending the City of
Gainesville Land Development Code, by creating a new Division 3, section
30-37 through 30-41, under Article III, relating to proportionate fair share
for transportation concurrency; 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

This petition creates a new proportionate fair-share ordinance as required by Chapter 163.3180(16) Florida Statutes. The new ordinance must be adopted by December 1, 2006.

The 2005 amendments to Florida's Growth Management legislation require that each local government enact an ordinance that will allow developers to meet transportation concurrency requirements on failing roadways through a proportionate share contribution under certain conditions. The developer must contribute a fair share of the cost of improving the impacted transportation facility.

Under previous State law, local governments could not issue development orders for developments impacting roads operating at a deficient level of service (LOS) unless certain Comprehensive Plan tools had been implemented such as Transportation Concurrency Exception Areas (TCEAs), Multi-Modal Transportation Districts (MMTDs), or Transportation Concurrency Management Areas (TCMAs). The City of Gainesville implemented a TCEA to address our transportation concurrency deficiencies in 1999 and updated it in 2005 to add an additional Zone C.

The State now has added proportionate fair-share as a new tool for meeting transportation concurrency requirements outside of TCEAs, MMTDs, or TCMAs. Proportionate fair-share is a pay-as-you-go method that does not require immediate resolution of the roadway LOS deficiency, but transportation projects satisfying the LOS deficiencies on these facilities must be programmed for improvement in the 5-Year Schedule of Capital Improvements or a long-term concurrency management system.

Public notice was published in the Gainesville Sun on September 5, 2006. The Plan Board held a public hearing September 21, 2006. The Plan Board heard and approved the Petition, as revised, by a vote of 4-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two public hearings. If adopted on first reading, the second and final reading will be held on Monday, November 27, 2006.

Fiscal Note: None

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

10/23/06 City Commission Approved (Petition) (6 - 0 - 1 Absent)

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060553.

ANNUAL AUDIT OF ACCOUNTS (B)

Ordinance No.: 0-06-116

An ordinance of the City of Gainesville, Florida, relating to the publication of the annual audit of accounts, amending section 2-433, revising the method by which the audit report will be published; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: On October 9, 2006, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending the method by which the audit report will be published.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

10/9/06 City Commission Approved as Recommended (6 - 0 - 1 Absent)

060553_200611131300.pdf

060414.**STREET VACATION - JEFFERSON 2ND AVENUE (B)****Ordinance No. 0-06-108, Petition 96SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southwest 5th Terrace located in the vicinity between Southwest 2nd Avenue and Southwest 3rd Avenue, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF REPORT

The petitioner is proposing to develop a 4.55-acre site with a mixed-use development consisting of 275 apartments, 8,404 square feet of retail space, an approximately 4,000-square foot clubhouse and amenity center, and a six-story parking garage with 846 parking spaces. The site is located along the western edge of the Central City District, and is located within the Traditional City Special Area Plan. The subject property, consisting of seven parcels, is generally bounded by Southwest 2nd Avenue to the north, Southwest 4th Avenue to the south, Southwest 6th Street to the west and Southwest 5th Street to the east. The seven parcels, however, are currently divided by two local streets, Southwest 3rd Avenue and Southwest 5th Terrace. In an effort to combine the parcels into no more than two separated sites, the petitioner is requesting to vacate, abandon and close that portion of Southwest 5th Terrace located between Southwest 2nd Avenue and Southwest 3rd Avenue. Southwest 5th Terrace is considered a minor local street because it dead-ends into both Southwest 2nd Avenue and Southwest 3rd Avenue in that area and is only one block long (5th Terrace is off-set north of Southwest 2nd Avenue), and functions more as an access/service drive than a local street.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following: 1) the site plan for the Jefferson 2nd Avenue multi-family development must be approved by the City; 2) the second reading of

the ordinance approving the street vacation of Southwest 5th Terrace shall be coordinated with the final sign-off of the site plan for Jefferson 2nd Avenue; 3) the petitioner shall not remove Southwest 5th Street or its infrastructure until the petitioner has received a building permit for Jefferson 2nd Avenue and begun actual construction of the multi-family development; and 4) in the event Jefferson 2nd Avenue is not constructed and completed within five years of sign-off of the finalized site plan by planning staff, then the street vacation ordinance may be repealed and the vacation, abandonment and closure of the right-of-way shall be of no further force and effect. At this point the Development Review Board has approved the preliminary site plan.

Public notice was published in the Gainesville Sun on August 1, 2006. Letters were mailed to surrounding property owners on August 2, 2006. The Plan Board held a public hearing August 17, 2006.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of September 25, 2006, authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance vacating the public right-of-way. The vacation of the right-of-way is subject to the terms of a Vacation of Right-of-Way Agreement between the City and the applicant. The Agreement is included in the backup. Please note that the terms of the Agreement were the subject of negotiations with the applicant and in some respects may vary from the conditions approved at the petition hearing. For example, the possible reverter of the right-of-way would automatically terminate upon the completion of pouring the foundation for Building 1, Building 2 and the parking garage, as shown on the site plan attached to the agreement.

RECOMMENDATION

The City Commission: 1) adopt the proposed ordinance; and 2) authorize the City Manager to execute the Vacation of Right-of-Way Agreement subject to the approval of the City Attorney.

Legislative History

9/25/06 City Commission Approved (Petition) with Conditions, As Modified (7 - 0)

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

050767.

REZONING - 900 BLOCK OF SW 34TH ST. (WEST SIDE) (B)

Ordinance No. 0-06-57, Petition No. 173ZON-05PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property annexed into the City from the Alachua County zoning category of "A, agricultural district" to the City of Gainesville zoning category of "CON: Conservation district"; located in the vicinity of the 900 block of Southwest 34th Street, west side, as more

specifically described in this Ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF MEMORANDUM

The subject property is located west of Southwest 34th Street in the 900 block. The property proposed for the zoning change is approximately 13 acres in size and is composed of three tax parcels. This property was annexed into city limits on November 14, 2005. This petition is being proposed in order to bring the parcel under the City's land use and zoning regulations (as is required for all annexed properties).

The property is vacant, and all three parcels are located in the 10-year Flood Channel. The Land Development Code (Sec. 30-286) prohibits permanent structures or fills in the flood channel district except structures and fills designed for flood prevention and control, streets, bridges, and sanitary sewer lift stations and utility lines. There is currently no vehicular access to these parcels.

The current zoning designation on this parcel is Alachua County Agriculture. The current land use designation is Alachua County Residential Low Density; see related Petition 172LUC-05PB. The petition proposal is to change the zoning category to City of Gainesville Conservation.

The parcels to the north of the subject parcels are zoned PS (Public services and operations district) and CON (a portion of the Hogtown Greenway). To the south and east, properties have an ED (Educational services district) zoning consistent with the University of Florida ownership of the land. To the west, the land is zoned Alachua County Agriculture.

The Plan Board heard the petition and recommended that it be approved.

Public notice was published in the Gainesville Sun on April 4, 2006. Letters were mailed to surrounding property owners on April 5, 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 173ZON-06 PB. Plan Board vote 7-0.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

10/23/06 City Commission Approved (Petition) and Adopted on First Reading (Ordinance) (7 - 0)

050767_1023061300.pdf

060109.

BOARD OF ADJUSTMENT RULES, PROCEDURES AND APPEALS (B)

Ordinance No. 0-06-53; Petition 18TCH-06 PB

An ordinance of the City of Gainesville, Florida, relating to the establishment and jurisdiction of the Board of Adjustment; amending section 30-354; establishing term limits for members, establishing minimum preferred requirements for members, amending the appeals process;

amending subsection 30-346(d), removing the allowance that the board of adjustment may permit the reestablishment of a nonconforming use after the use has been discontinued or abandoned for nine consecutive months; deleting and repealing in its entirety obsolete board of adjustment appeals processes stated at sections 6-242 and 13-211, relating to the commercial building code; repealing obsolete board of adjustment appeals processes and criminal ordinance violations processes stated at section 30-327, relating to the sign regulations as stated in the Land Development Code; 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

On September 12, 2005, the City Commission referred to the Community Development Committee issues associated with the Board of Adjustment (BOA). The Community Development Committee discussed the BOA and its rules, processes and appeals procedures, on September 15, October 6, and November 3, 2005. The Committee discussed various possible changes to the BOA and how it works. The Committee considered one alternative of eliminating the BOA and transferring its responsibilities to other boards. Ultimately, the Committee concluded that the best approach is to advertise the existing appointments to the BOA, and implement training for BOA members, along with various changes to jurisdiction and appeals procedures.

The Plan Board heard and approved this petition on July 20, 2006. The Plan Board believes that the BOA can operate in an improved manner, in part, by adopting the following text amendments:

- > Establish term limits for BOA members.*
- > Establish preferred (not required) backgrounds or experience in urban planning, architecture, landscape architecture, law, development or construction for 3 out of 5 BOA members.*
- > Amend the process for appeals from administrative (staff) decisions.*

(This change would require that after all staff appeal levels are exhausted, the appeal would go to a hearing officer if the facts are in dispute, and then to the BOA. If the facts are not in dispute and all staff appeals are exhausted, the appeal would go directly to the BOA. The appeal of a BOA decision on a staff decision could then be appealed to the City Commission. The Commission would review the record of the hearing below, and determine if the Board's decision: 1) denied due process; 2) applied the correct law; and 3) the findings are supported by competent substantial evidence. Currently, all appeals go only to the BOA, and none go to a hearing officer.)

- > Specify additional informational requirements regarding petitions for appeal.*
- > Amend City codes so that once a nonconforming use lapses for 9 months, there can be no possibility of appealing to re-establish the use. (Currently, a lapsed non-conforming use can be re-established by a decision of the BOA.)*
- > Eliminate rarely used appeals to the BOA pertaining to signs and commercial buildings.*

CITY ATTORNEY MEMORANDUM

Should the Commission adopt the ordinance on first reading; the second and final reading will be held on Monday, November 13, 2006.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

10/23/06 City Commission Adopted on First Reading (Ordinance) (7 - 0)
 060109_1023061300.pdf
 060109_200610231300.pdf
 060109_20061023.pdf

060278.

URBAN SERVICES REPORT - DEERHAVEN AND PLUM CREEK (B)

Ordinance 0-06-105

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of Tax Parcels 05864-001-000, 05868-001-000, 05868-099-000, 05869-002-000, 05869-001-000, 05882-000-000, 05882-004-000, 05883-000-000, 05884-000-000, 05943-000-000, 05943-001-000, 05946-000-000, 05946-003-000, 05946-004-000, 05973-000-000, 05973-001-000, 05974-000-000, a portion of 07777-000-000, a portion of 07781-000-000, and a portion of 07813-000-000, generally located south of the vicinity of NW 142nd Avenue, west of the GRU well field, north of the City limits, and east of the City limits, the Deerhaven Power Plant, and NW 59th Drive, as more specifically described in this report; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

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

The report must generally include the following information:

- 1) a map or maps of the City and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, and the general land use pattern in the area to be annexed;*
- 2) a statement indicating to what extent services to existing residents would need to be reduced within the next 5 years because of the annexation; to what extent taxes would need to be adjusted within the next 5 years to provide services to the areas to be annexed, including services required by the comprehensive plan of the municipality; and to what extent the area to be annexed meets the criteria of Section 9 of the Alachua County Boundary*

Adjustment Act;

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

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

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

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

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

If adopted on first reading, this ordinance shall be heard on second reading on November 13, 2006. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

8/14/06 City Commission Approved as Recommended (4 - 0 - 3 Absent)

10/23/06 City Commission Adopted on First Reading (Ordinance) (7 - 0)

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060385.

**URBAN SERVICES REPORT - SCHROEDER - TAX PARCELS
06706-044-000 and 06706-045-000 (B)**

Ordinance 0-06-98

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of Tax Parcels 06706-044-000 and 06706-045-000, generally located south of the City Limits and SW 17th Place, west of the vicinity of SW 34th Street, north of the vicinity of SW 20th Avenue and east of SW 38th Terrace; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause;

and providing an immediate effective date.

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

The report must generally include the following information:

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

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

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

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

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

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

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

If adopted on first reading, this ordinance shall be heard on second reading on November 13, 2006. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

9/11/06	City Commission	Approved as Recommended (4 - 0 - 3 Absent)
10/23/06	City Commission	Adopted on First Reading (Ordinance) (7 - 0)

060385_200609111300.pdf

060608.

SEXUAL PREDATOR/OFFENDER RESIDENCY REQUIREMENTS (B)

Ordinance 0-06-122

An ordinance of the City of Gainesville relating to Section 17-32 by adding John Mahon Park to the list of parks within the city limits which prohibit child sexual offenders and predators from living within 2,500 feet of the park; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

Explanation: The City Commission on October 9, 2006 authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending section 17-32 by adding John Mahon Park to the list of parks within the city limits which prohibit child sexual offenders and predators from living within 2,500 feet of the park.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

10/23/06 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)
060608_200610231300.pdf

060345.

LANDLORD PERMIT FEES (B)

Ordinance No. 0-06-93

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to fees; amending the Land Development Code section of Appendix A by increasing the landlord permit fees; eliminating fee reduction; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date in accordance with the schedule provided herein.

Explanation: The City Commission at its meetings on July 10, 2006 and August 28, 2006, authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance eliminating a fee reduction and increasing the fee for landlord permits.

This ordinance requires two public hearings. If the ordinance passes on first reading, second and final reading will be held on November 13, 2006.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

8/28/06 City Commission Approved as shown above (See Motion) (5 - 0 - 2 Absent)
10/23/06 City Commission Adopted on First Reading (Ordinance) (6 - 1)

060345_200608281300.pdf
060345_1023061300.pdf

RESOLUTIONS- ROLL CALL REQUIRED

060686. Rules of the City Commission (B)

Explanation: The Rules need to be amended to correct two scrivener's errors. The first, will add the Equal Opportunity Director slot on the afternoon portion of the order of business and the second will correct the Quasi-Judicial section concerning ex parte communication.

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

060686_200611131300.pdf

060670.

HOUSING TRUST FUNDS (B)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, SUPPORTING THE ELIMINATION OF THE CAP OF THE HOUSING TRUST FUNDS BEGINNING IN FISCAL YEAR FY 2007-2008 AND SUPPORTING FULL FUNDING FROM THE HOUSING TRUST FUNDS OF \$939.5 MILLION FOR HOUSING IN THE STATE FISCAL YEAR 2007-2008 BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: At its meeting of Monday, October 23, 2006, the City Commission directed the City Attorney's Office to draft the proposed resolution for adoption.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

060670_200611131300.pdf

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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