

CITY OF GAINESVILLE
Office of the City Attorney

Memorandum
334-5011/Fax 334-2229
Box No. 46

November 23, 1998

TO: Mayor and City Commission

DATE: ~~November 9, 1998~~
CITY ATTORNEY
FIRST READING
SECOND READING

FROM: City Attorney

SUBJECT: Ordinance No. 0-99-07


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 generally bounded on the West by I-75, on the North by NW 39th Avenue and the existing Gainesville city limits, on the East by NW 43rd Street and NW 55th Street and on the South by Newberry Road and North Florida Regional Medical Center; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, 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.

Recommendation: The City Commission adopt the proposed ordinance.

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

After adoption by the City Commission, a copy of the Report will be filed with the Alachua County Board of County Commissioners.

Prepared and submitted by:


Marion J. Radson
City Attorney

USRORDREF(northwest).cvr

Passed on First Reading as amended by a vote of 5-0.

ORDINANCE NO. _____
0-99-07

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 generally bounded on the West by I-75, on the North by NW 39th Avenue and the existing Gainesville city limits, on the East by NW 43rd Street and NW 55th Street and on the South by Newberry Road and North Florida Regional Medical Center; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, 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.

WHEREAS, Chapter 90-496, Special Acts, Laws of Florida, created the "Alachua County Boundary Adjustment Act" which sets forth procedures for establishing municipal reserve areas and for adjusting the boundaries of municipalities through annexations; and

WHEREAS, Chapter 90-496 was amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, (hereinafter collectively referred to as "the Act") which requires a municipality to prepare and adopt by nonemergency ordinance, a report setting forth the plans to provide urban services to any reserve area prior to commencing the annexation procedures under the Act;

WHEREAS, the City of Gainesville is planning to commence the annexation of certain unincorporated areas that are located within its Reserve Area as defined in the Act and as redesignated by the

1 Board of County Commissioners of Alachua County on January 13,
2 1998;

3 **WHEREAS**, pursuant to law, at least ten days notice has been
4 given once by publication in a newspaper of general circulation
5 notifying the public of this proposed Ordinance and of Public
6 Hearings to be held in the City Commission meeting room, First
7 Floor, City Hall, in the City of Gainesville; and

8 **WHEREAS**, Public Hearings were held pursuant to the published
9 notice described above at which hearings the parties in interest
10 and all others had an opportunity to be and were, in fact heard.

11 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
12 **FLORIDA:**

13 **Section 1.** The Urban Services Report, a copy of which is
14 attached as Exhibit "A" and incorporated herein as if set forth in
15 full, which sets forth the plans to provide urban services to an
16 area generally bounded on the West by I-75, on the North by NW
17 39th Avenue and the existing Gainesville city limits, on the East
18 by NW 43rd Street and 55th Street and on the South by Newberry
19 Road and North Florida Regional Medical Center, is approved and
20 adopted for that certain area defined in the Urban Services
21 Report.

22 **Section 2.** The City Manager is directed to commence the
23 annexation of any portion or all of the area defined in the Urban
24 Services Report, and the City Attorney and Clerk of the Commission

1 are authorized to prepare and advertise the appropriate
2 ordinance(s).

3 **Section 3.** The Clerk of the Commission is directed to file a
4 copy of this Ordinance and the accompanying Urban Services Report
5 with the Board of County Commissioners of Alachua County.

6 **Section 4.** If any section, sentence, clause or phrase of this
7 Ordinance is held to be invalid or unconstitutional by any court
8 of competent jurisdiction, then said holding shall in no way
9 affect the validity of the remaining portions of this Ordinance.

10 **Section 5.** All ordinances, or parts of ordinances, in conflict
11 herewith are to the extent of such conflict hereby repealed,
12 except as stated in this ordinance.

13 **Section 6.** This Ordinance shall become effective immediately
14 upon adoption.

15 **PASSED AND ADOPTED** this ____ day of _____,
16 1998.

17 _____
18 MAYOR

19
20 ATTEST:

APPROVED AS TO FORM AND LEGALITY:

21
22
23
24
25 _____
26 KURT LANNON,
27 CLERK OF THE COMMISSION

28 _____
29 MARION J. RADSON, CITY ATTORNEY

30 This ordinance passed on first reading this ____ day of
31 _____, 1998.

32 This ordinance passed on second reading this ____ day of
33 _____, 1998.

USR Ord. Ref. (Northwest)

CITY OF GAINESVILLE URBAN SERVICES REPORT

1999 Northwest Area



Adopted November 23, 1998

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URBAN SERVICES REPORT

INTRODUCTION

This Urban Services Report satisfies all the criteria required under the Alachua County Boundary Adjustment Act, as provided in Chapter 90-496, as amended by Chapter 91-382 and 93-347, Special Acts, Laws of Florida (the "Act") for municipal annexation. Section 13 of the Act outlines the prerequisites for annexation. This report, and accompanying documentation and maps comply with the applicable provisions of the Act.

CHARACTER OF THE AREA TO BE ANNEXED

The area to be annexed is shown in Figure 1. The area proposed for annexation is generally bounded on the north by NW 39th Avenue and the Gainesville city limits, on the east by the Gainesville city limits, on the west by I-75 and on the south by Newberry Road and the Gainesville city limits. The Area meets the criteria specified in Section 9 of the Act. The Act specifies that the Area must meet the general standards of Section 9 "Character of the area to be annexed." The general land use pattern of the Area is shown in Figure 2.

Qualification of the Area under Section 9 (1) (a)

The Area is contiguous to Gainesville's boundaries and reasonably compact. No part of the Area is within the boundary of another county or another incorporated municipality. All of the Area is within the Gainesville Urban Reserve Area adopted by the Alachua County Commission on January 13, 1998, and which became final on March 15, 1998. No enclaves are created.

Qualification of the Area under Section 9 (1) (b) (3)

The Area meets the criteria of this section that, at the time of annexation, it must be developed so at least 60% of the total number of lots and tracts in the area at the time of annexation are used for urban purposes, and it is subdivided into lots and tracts so that at least 60% of the total acreage, not counting the acreage used at the time of annexation for nonresidential urban purposes, consists of lots and tracts 5 acres or less in size. Urban purposes are defined in Section 4 (18) as "that land is used intensively for residential, commercial, industrial, institutional and government purposes, including any parcels of land retained in their natural state ..."

THE PROVISION OF SERVICES

The Provision of Services under Section 13 (1) (b)

Services in the Next Five Years

It is anticipated that services to the Area will be improved within the next five years as a result of the annexation of the Area. It is not reasonably anticipated that existing services will be reduced within the next five years as a result of the annexation of the Area. The following discussion outlines proposed services provision.

Taxes in the Next Five Years

It is not reasonable to anticipate that ad valorem taxes will need to be adjusted in the next five years, to provide services to the Area. This includes services required by the Comprehensive Plan. Any level of service issue that is outlined in the City of Gainesville Comprehensive Plan, 1991-2001 or the Alachua County Comprehensive Plan, which ever applies at the time of development, must be addressed.

Police Services

Upon the effective date of annexation, police services will be provided to the Area by the Gainesville Police Department, utilizing similar planning strategies as provided within the existing City limits. The level of services will be dependent upon identified crime patterns and service demand within a prescribed area. In accordance with current policing policies, this current level of service will be extended to the Area, depending upon the level of demand for law enforcement services in other areas.

Police services to be provided include preventive patrol and criminal apprehension, criminal investigations, special operations, crime prevention, neighborhood police services, crime scene processing, Police Service Technicians, air support, traffic management, combined communications, and other support services including planning and research, fiscal management, records management, crime analysis, automated information services, property and evidence management, personnel and recruitment, and training.

In order to insure an efficient transition of law enforcement services, the City intends to enter into a supplemental law enforcement contract with the Alachua County Sheriff. This contract would provide payments to the Sheriff in exchange for law enforcement services within the annexed area during the first three years following the date of annexation.

Fire Protection

Gainesville Fire-Rescue Department (GFR) presently provides emergency and non-emergency services to portions of the unincorporated urban area of Alachua County. These services are required under the current Designated Assistance Fire and Emergency Medical Services Agreement between the City and Alachua County. Services to this area are provided by Station 7 and Station 4 located adjacent to the area to be annexed.

Solid Waste Disposal

The City of Gainesville Solid Waste Department monitors residential solid waste and recycling collection services, provided under contract with Waste Management of Central Florida, Inc., as well as residential yard collection services provided under contract with Boone Waste Industries, Inc., to residents living in single family houses and buildings containing less than five dwelling units. Other residents, businesses and institutions contract for solid waste and recycling collection with one of several commercial providers operating under non-exclusive franchise with the City.

Alachua County contracts for residential solid waste, recycling and yard trash collection in the unincorporated mandatory service areas with the same companies. The Alachua County contract includes all condominiums, even those with five or more dwelling units/buildings, as residential.

Potable Water

The City of Gainesville, through Gainesville Regional Utilities, currently serves the Area with potable water service. All potable water services will be available to the Area in the same manner as provided in the current City limits.

Potable water services are addressed in the Gainesville Regional Utilities extension policies section, which outlines the current service level and plans for extensions after annexation.

Sanitary Sewer

The City of Gainesville serves the proposed Area with sanitary sewer service. All sanitary sewer services will be available to the Area in the same manner as provided in the current City limits.

Sanitary sewer services are addressed in the Gainesville Regional Utilities extension policies section, which outlines the current service level and plans for extensions after annexation.

Streets, Drainage and Flood Control

The Gainesville Public Works Department provides basic maintenance and repair services for all City streets within its current jurisdiction. This work includes maintenance of asphalt pavement, concrete sidewalks, concrete curbs and gutters, and roadside ditches. Basic maintenance services are also provided for public ditches and stormwater management detention/retention facilities. These basic maintenance and repair services will be provided to the Area.

The City of Gainesville currently levies a stormwater management utility fee. Any increase in impervious surfaces, without onsite mitigation, in accordance with ordinances, policies and regulations in effect at that time, would cause the stormwater management utility fee to be levied for the area that increases the total impervious surface.

Parks and Recreation

The Recreation and Parks Department currently provides organized recreation programs for youth and adults that are available County-wide. The Recreation and Parks Department also provides passive nature facilities and programming for youth and adults that are available County-wide

Organized recreation programs in the areas of aquatics, athletics, recreation centers, after-school and summer playground programs are provided, plus a variety of special events are also available.

The Parks Division is responsible for the cleaning and upkeep of all City parks. In addition, this Division provides basic mowing of City rights-of-way, cleaning of City-owned parking lots, removal and trimming of trees located on City property, maintenance of grounds around City-owned buildings and operated the City's Evergreen Cemetery. The Area will receive the same services that are provided in the existing city limits upon the effective date of the annexation.

Ironwood Golf Course is owned and operated by the City of Gainesville. The facilities are available to all residents of Alachua County.

Housing

The Building Inspections Department enforces building and fire codes. The Department is responsible for permitting and inspections of new construction and remodeling or repair of existing buildings. Building contractors are also licensed through the Department in accordance with state and local regulations. The Code

Enforcement Division of the Gainesville Community Development Department enforces codes relating to zoning, housing, and vehicles, hazardous or perilous lands/buildings and special sales.

The Housing Division provides grants for low and moderate income housing through the use of federal Community Development Block Grant funds. Through the non-profit Neighborhood Housing and Development Corporation, special development projects related to housing and economic development are sponsored.

The Area will receive the same services that are provided in the existing city limits upon the effective date of annexation.

Street Lighting

Streetlighting is already provided and funded by the City of Gainesville General Operating Fund along arterials and collectors for vehicle and pedestrian safety. Additional streetlights will be available and provided in the Area in accordance with the guidelines of the City of Gainesville Transportation Services Division of the Public Works Department outlined in the "City of Gainesville Standards for Roadway Lighting".

Transportation

The City of Gainesville currently operates a public transportation system, the Gainesville Regional Transit System (RTS).

The City of Gainesville Transportation Services Division currently provides transportation and traffic engineering services to portions of the Area. Transportation and traffic engineering activities are coordinated with the Florida Department of Transportation, Alachua County and the Metropolitan Transportation Planning Organization. The Transportation Services Division also prepares engineering studies, designs and reports, reviews development plans and is responsible for the operations of the Computerized Traffic Signal System.

The Transportation Services Division is responsible for installation and maintenance of traffic signs and pavement markings on City streets; traffic signal operations and construction inspection services for all of Alachua County; and all parking meter operations and mechanical traffic counts for traffic studies.

Planning and Zoning Services

The Department of Community Development will provide planning and development assistance to the Area. The Alachua County Comprehensive Plan and Zoning Code will continue to regulate land use and zoning for all development in the

Area until the Gainesville Comprehensive Plan is amended and the Area is placed in City of Gainesville zoning categories. All requests for development are reviewed by City staff and the City Plan Board or Development Review Board where appropriate. Following annexation the City will undertake the necessary studies to amend the City Comprehensive Plan and zoning map to include the Area and will commence appropriate public hearings to complete such an amendment.

Cultural Affairs

The Department of Cultural Affairs provides for cultural enlightenment through various programs in the arts, historical interpretation, special events and cultural and environmental programs in the County school system. The Area will receive the same services that are provided in the existing city limits upon annexation.

Other Governmental Services

Other Services currently provided to the residents within the existing City limits of Gainesville shall be extended to the Area, where necessary, on substantially the same basis and in the same manner as such services are provided within the rest of the municipality.

WATER AND WASTEWATER FACILITIES

Gainesville Regional Utilities (GRU), owned and operated by the City of Gainesville, presently provides water and wastewater services to residents of unincorporated area of Alachua County. Extension policies for serving new customers are the same in the City and in the proposed annexation Area.

Financing the Extension of Water and Wastewater Facilities

GRU's existing water/wastewater extension policy is that new water and wastewater customers pay the fully allocated cost for the service they receive. This cost includes the cost of the treatment facilities required for service in the form of plant connection fees, and the cost of distribution or collection facilities in the form of transmission and distribution charges and/or collection system charges. Additionally, any developer requesting an extension pays a Contribution In Aid of Construction (CIAC) sufficient to ensure that GRU receives an appropriate rate of return on its portion of extension costs. This policy applies both in the City of Gainesville and the surrounding unincorporated area of Alachua County.

Actual facility construction is funded from either one or both of GRU's Construction Fund or the Utility Plant Improvement Fund (UPIF). The Construction Fund consists of proceeds for the issuance of revenue bonds. The UPIF is funded by operating revenue.

Existing Major Trunk Water Mains and Proposed Extensions

In accordance with Section 13 (1) (a) of the Boundary Adjustment Act, Figure 3 shows existing major water mains in the City of Gainesville and the surrounding proposed annexation Area. Figure 4 shows water distribution system projects in GRU's approved 1996-97 budget. The fiscal year in which each project is proposed for construction is also shown in Figure 4. Additional funding is included in GRU's budget for extending water facilities to meet the needs of new customers and whose location will depend on development. Project timing is based on projected growth within the GRU service area. Actual construction times of the projects shown in Figure 4 may vary based on the actual rate or location of growth within the service area.

Existing Wastewater Collection System and Proposed Extensions

In accordance with Section 13 (1) (a), Figure 5 shows the existing major wastewater collection system in the City of Gainesville and the Area. Figure 6 shows wastewater collection system projects in GRU's approved 1996-97 budget. The fiscal year in which each project is proposed for construction is also shown in Figure 6. Additional funding is included in GRU's budget for extending wastewater facilities, to meet the needs of new customers and whose location will depend upon development. Project timing is based on projected growth within the GRU service area. Actual construction times may vary as a result of service being required either earlier or later than originally anticipated.

General Fund

Financial Plan for 1999 NW Annexation

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
SOURCES OF FUNDS:					
Revenues:					
Taxes	46,561	1,826,241	1,876,333	1,928,455	1,982,075
Licenses and Permits	5,819	98,589	100,080	101,601	103,151
Intergovernmental Revenue	0	307,967	314,126	320,409	326,817
Charges for Services	(43,522)	(522,266)	(532,588)	(543,336)	(554,299)
Fines and Forfeitures	4,787	62,509	63,760	65,035	66,336
Miscellaneous Revenues	0	0	0	0	0
Subtotal	13,645	1,773,041	1,821,711	1,872,164	1,924,079
Transfers:					
From Other Funds	0	0	0	0	0
Utility Transfer	(41,260)	(495,116)	(509,231)	(523,751)	(538,689)
Subtotal	(41,260)	(495,116)	(509,231)	(523,751)	(538,689)
Total Sources	(27,614)	1,277,925	1,312,481	1,348,413	1,385,390
USES OF FUNDS:					
Expenditures:					
Personal Services	162,053	589,658	699,837	745,326	793,772
Operating	9,167	218,601	268,159	276,204	284,490
Capital	0	124,265	134,206	144,943	206,538
Law Enforcement Supplement	0	341,564	227,710	113,855	0
Subtotal	171,220	1,274,088	1,329,912	1,280,328	1,284,801
Effect Upon Reserve	9,143	68,036	71,017	68,370	68,608
Total Uses	180,363	1,342,124	1,400,929	1,348,697	1,353,409
SOURCES MINUS USES	(207,977)	(64,199)	(88,449)	(285)	31,981

Figure 2: Generalized Land Use/Alachua County

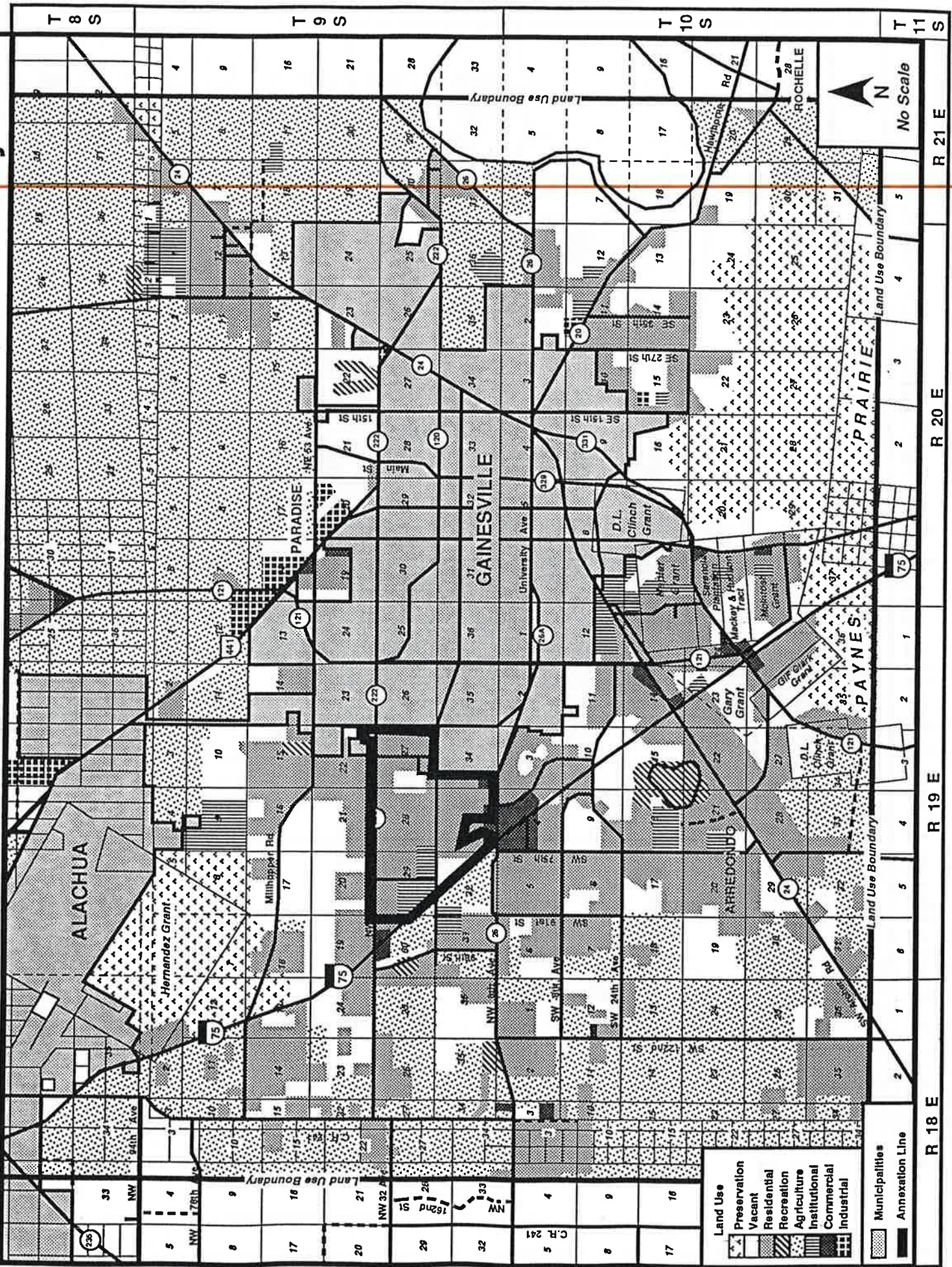
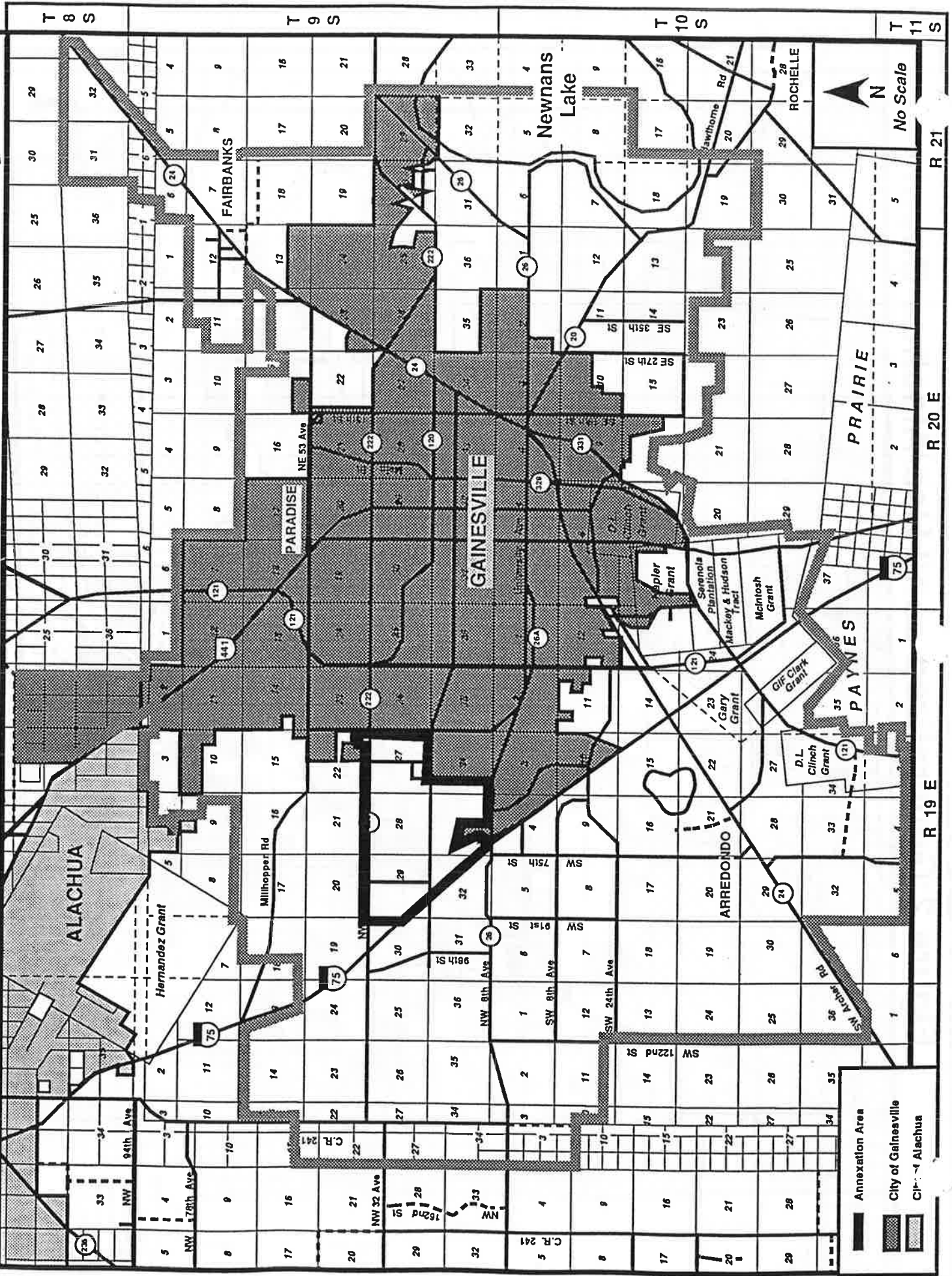
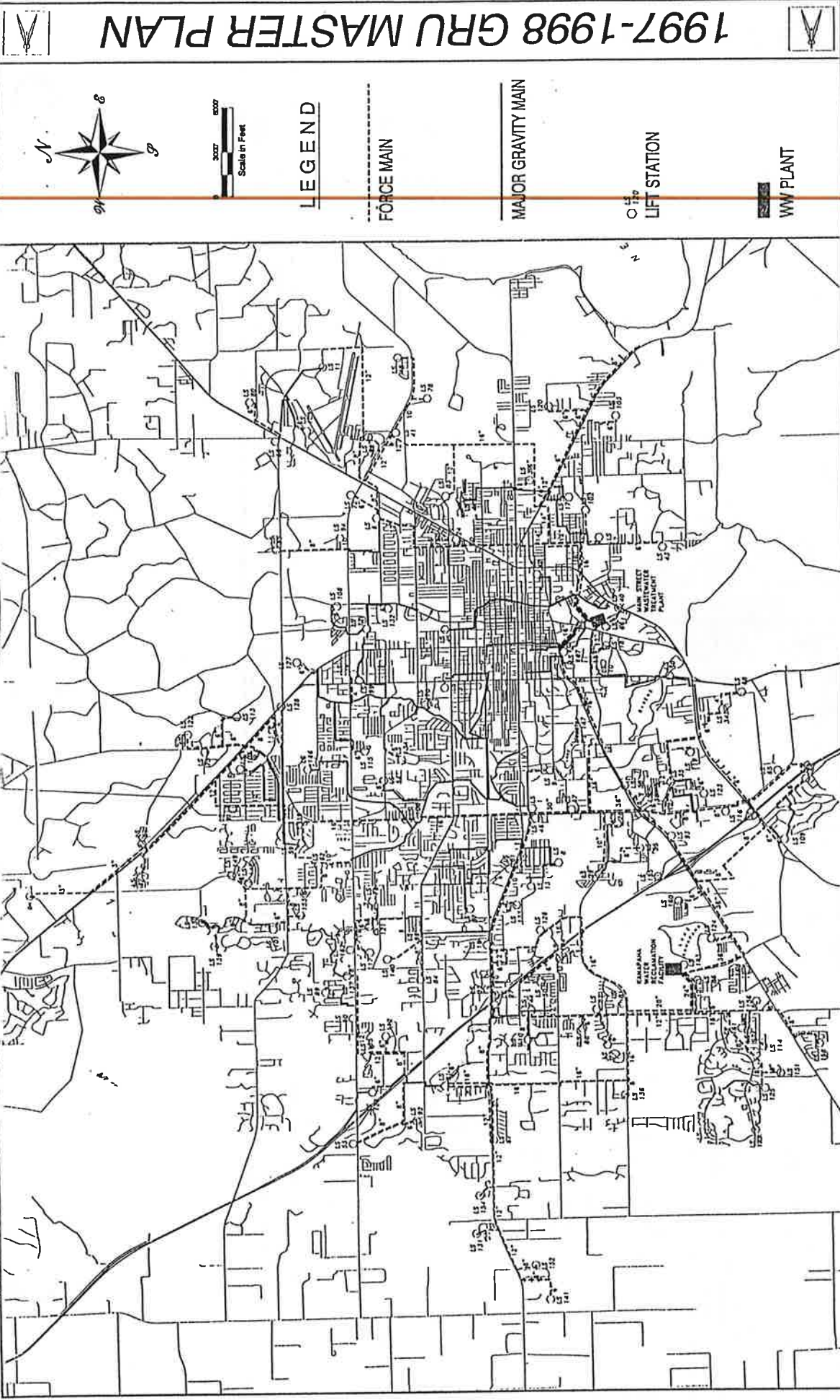


Figure 1: Existing City Limits and Annexation Boundary

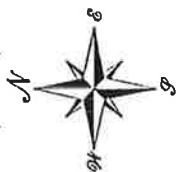




<p>SCALE: 1" = 6000'</p> <p>ASDCAS FILE 10/28/97</p>	<p>EXISTING MAJOR WASTEWATER COLLECTION FACILITIES</p>	<p>Strategic Planning Department</p>	<p>SECTION WASTEWATER</p>	<p>FIGURE 5</p>
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1997-1998 GRU MASTER PLAN

FIGURE 4



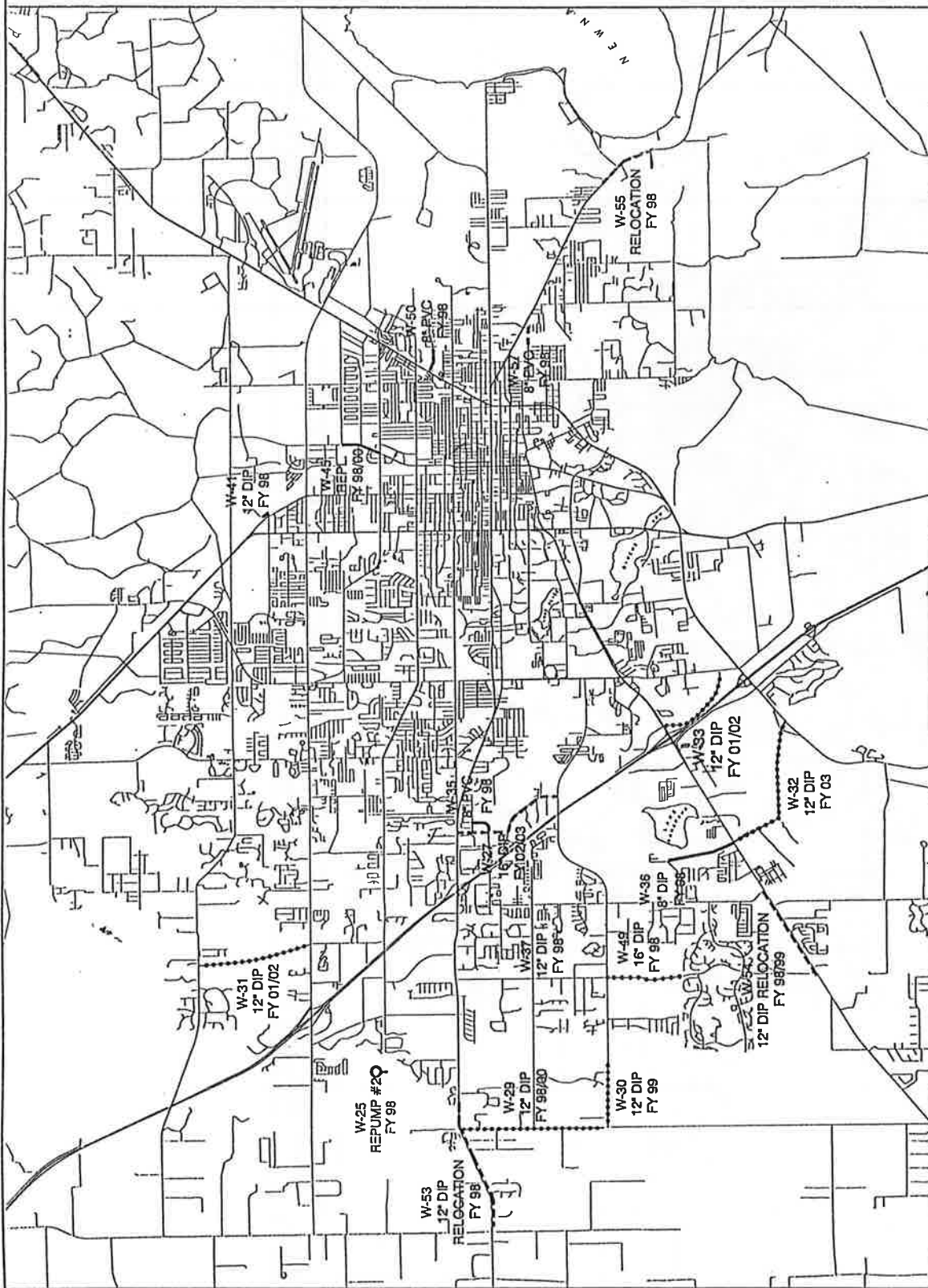
Scale In Feet
0 500 1000

LEGEND

--- ROAD PROJECTS

— SYSTEM IMPROVEMENTS

--- DEVELOPER INITIATED EXTENSIONS



WATER DISTRIBUTION SYSTEM CAPITAL BUDGET PROJECTS

SCALE: 1" = 700'

ALUCAD FILE
5/01 DATE 10/18/97
DRAWN BY CAR. OLIVER



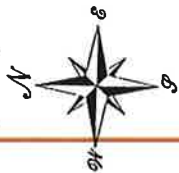
SECTION
WATER



1997-1998 GRU MASTER PLAN



FIGURE
3

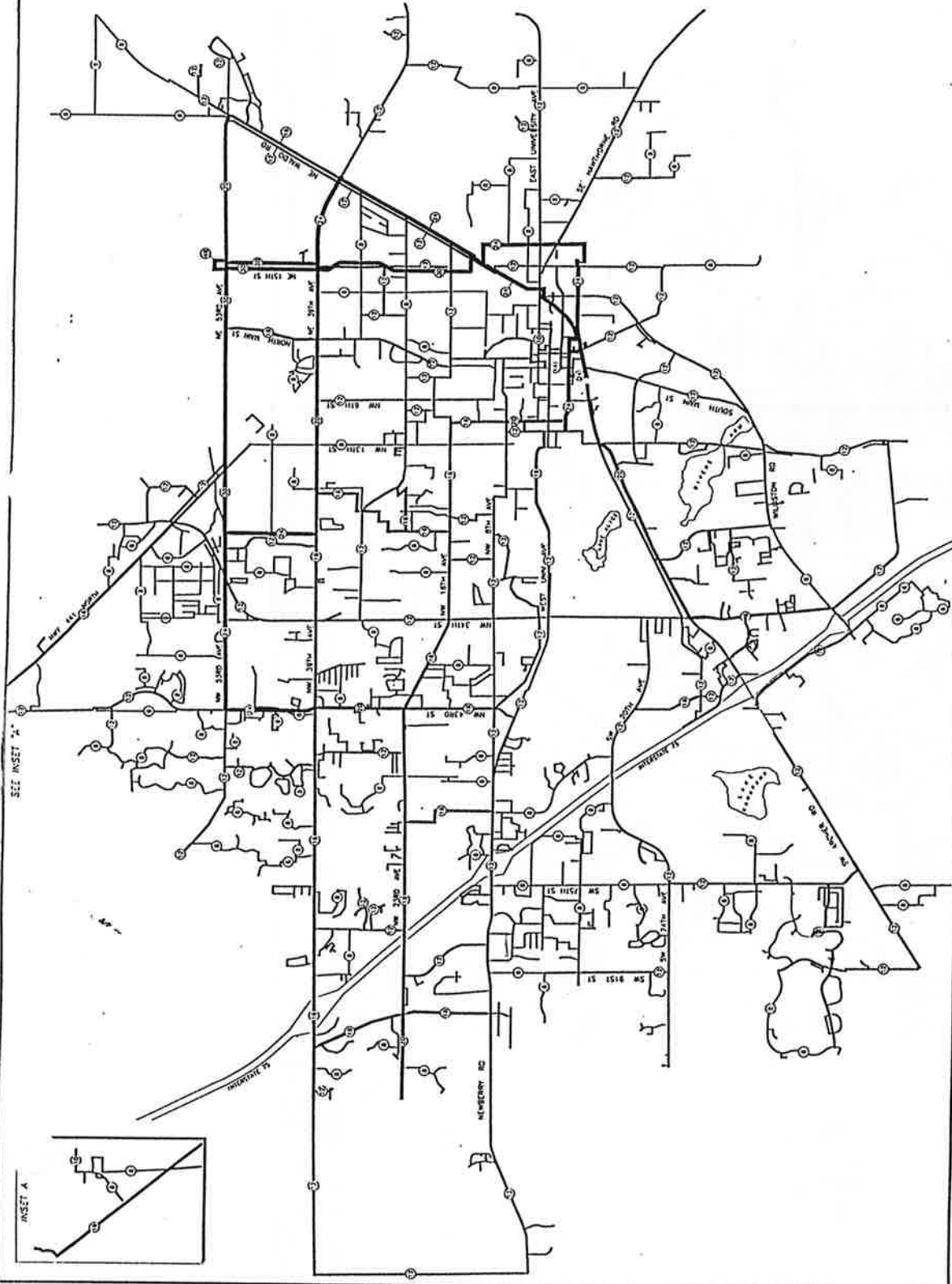


Scale in Feet
0 3000 6000

LEGEND

- 24" + WATER LINE
- 20" WATER LINE
- 16" WATER LINE
- 14" WATER LINE
- 12" WATER LINE
- 10" WATER LINE
- 8" WATER LINE

SECTION
WATER



EXISTING WATER TRANSMISSION AND DISTRIBUTION SYSTEM

SCALE: 1" = 6000'

APPROVED FOR
DATE 10/18/97
DRAWN BY C. L. O'NEAL



Strategic
Planning
Department

