

# **City of Gainesville**

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



## **Meeting Agenda - Final**

**August 7, 2014**

**1:00 PM**

**MODIFIED AGENDA**

**City Hall Auditorium**

## **City Commission**

*Mayor Ed Braddy (At Large)  
Commissioner Lauren Poe (At Large)  
Commissioner Helen Warren (At Large)  
Commissioner Yvonne Hinson-Rawls (District 1)  
Mayor-Commissioner Pro Tem Todd Chase (District 2)  
Commissioner Craig Carter (District 3)  
Commissioner Randy Wells (District 4)*

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

**CALL TO ORDER****AGENDA STATEMENT**

*"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited."*

**ROLL CALL****INVOCATION**

Prophet George Young

**CONSENT AGENDA****CITY MANAGER, CONSENT AGENDA ITEMS**

[140120.](#)

**Human Resources Policy C-3 (B)**

**This item is to amend HR Policy C-3 to add notice requirements for Interim/Acting and Special Assignments and to add budget limits for Special Assignments.**

*Explanation: Human Resources Policy C-3 is amended to require notice to the City Commission of any Interim/Acting or Special Assignments that result in pay increases of greater than 10%. The Policy is further amended to limit special assignment pay to 2% of budgeted MAP personal services dollars for Charter Officers with fewer than 25 employees; and to 1% of budgeted MAP personal services dollars for Charter Officers with 25 or more employees.*

*Fiscal Note: There is no fiscal impact for the changes to Policy C-3.*

**RECOMMENDATION**

*The City Commission approve revisions to Human Resources Policy C-3.*

[140120A\\_HR Policy C-3\\_20140807.pdf](#)

[140120B\\_HR Policy C-3 \(strikethrough\)\\_20140807.pdf](#)

[140128.](#)

**Award of Contract for Group Life Insurance to Symetra Life Insurance Company as proposed by Gallagher Benefits Services (B)**

**This item involves a request for the City Commission to approve the selection of Synetra Life Insurance Company as the provider for Group Life Insurance Benefits.**

*Explanation: The City of Gainesville provides employer paid life insurance to all regular employees who work twenty hours or more and all retirees. The benefit varies based on the employee's base salary. Most employees receive two times their annual base salary, up to a maximum benefit of \$50,000. For example, if an employee's base salary is equal to or greater than \$25,000 per year, they will receive the maximum benefit of \$50,000.*

*The City issued a Request for Proposal for Group Life Benefits in 2014 for a three-year term, but was interested in rate guarantees beyond the initial three-year term. As a result of this process, the City received four responses to the RFP. The proposals were evaluated by staff based on price and the ability to match the City's current life insurance benefit, including a requirement that all current covered employees and retirees would continue to be covered without a loss of benefit. The policy form was rated as a pass/fail and each company was evaluated based on financial strength and the ability to perform the services provided and finally price. Since only those life insurance companies that matched the City's benefit requirements could be considered, price was essentially the factor that had the most impact on the selection process. The price proposals ranged from a low price of .215/1000 to .30/1000.*

*Using the above criteria, and considering this is a price driven selection process, staff rated the proposal submitted by Symetra Life Insurance Company through Gallagher Benefits Services as the lowest qualified proposal. The proposal of 21.5 cents per thousand was less than any other proposal. The coverage offered is identical to the coverage currently provided. The Symetra Life Insurance Company has guaranteed the rate of 21.5 cents per thousand for three years and included a carrier option to negotiate additional rate guarantees based on loss performance for two additional years.*

*Fiscal Note: Funds of approximately \$290,000 have been included in the proposed Fiscal Year 2014 Employee Health and Accident Benefits Fund operating budget.*

**RECOMMENDATION**

*The City Commission authorize: 1) the selection for Group Life Insurance to Symetra Life Insurance Company as proposed by Gallagher Benefit Services for three years beginning October 1, 2014; 2) the issuance of a Purchase Order in an amount sufficient to cover the applicable charges for Group Life Insurance; and 3) the City Manager*

or designee to negotiate and execute a contract with Symetra Life Insurance Company and Gallagher Benefits Services, subject to the approval of the City Attorney as to form and legality.

[140128\\_Proposal Evaluations\\_20140807.pdf](#)

[140156.](#)

**Edward Byrne Memorial Justice Assistance Grant Application (JAG countywide - State Solicitation) (B)**

**This item involves a request to the City Commission for authorization to apply for and accept Edward Byrne Memorial Justice Assistance Grant funds (State Solicitation) in the amount of \$10,000 for the School Resource Officer (SRO) K-9 Drug/Firearm Awareness Program, \$10,000 for the Brave Overt Leaders of Distinction (B.O.L.D.) Program and \$20,000 for the Problem Oriented Policing (POP) Program.**

*Explanation: The Edward Byrne Memorial Justice Assistance Grant (State Solicitation) is a competitive grant opportunity consisting of \$109,680 in Federal funding allocated for government entities within Alachua County. The Alachua County Sheriff's Office serves as the Grant Administrator. On July 7, 2014, the Gainesville Police Department presented three programs for consideration by the Policy Board. Two programs are a continued effort: Problem Oriented Policing (POP) Program and the Brave Overt Leaders of Distinction (B.O.L.D.). The School Resource Officer (SRO) Drug/Firearm Awareness Program was a new request.*

*The POP program requests funding for overtime details that address street level drugs within the City of Gainesville. The B.O.L.D. program requests funding to provide staff support and assistance to the at-risk population of 18-25 year old males. The funding for this program provides partial support for a part-time coordinator who will mentor, provide educational guidance and job search assistance for the participants. The SRO Drug/Firearm Awareness Program is a one-time request for K-9 and Officer training and equipment that will certify the K-9 and handler to proactively work with schools to reduce drugs and educate children about the dangers of drugs and firearms.*

*Fiscal Note: Each application is for a one-year funding cycle that will begin October 1, 2014. The current federal regulations do not require a match for the grant. The total amount requested for the Gainesville Police Department for all three programs is \$40,000.*

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager to accept and execute the grant award and all other necessary documents, subject to approval by the City Attorney as to form and legality; and 2) approve the expenditures as*

outlined in the approved grant award.

[140156A\\_BOLD\\_Application\\_20140807.pdf](#)

[140156B\\_POP\\_Application\\_20140807.pdf](#)

[140156C\\_SRO\\_K9\\_Application\\_20140807.pdf](#)

[140156D\\_Letter\\_to\\_FDLE\\_20140807.pdf](#)

## GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

### [140179.](#)

#### Asphalt and Concrete Services (B)

*Explanation:* GRU's Water/Wastewater departments are responsible for making repairs to utility water and sewer main systems in roadways, pedestrian paths and commercial or residential properties on an as-needed basis, often in response to an emergency repair. Depending on the location and nature of the repair, utility rehabilitation/replacement of the asphalt or concrete on the roadway, sidewalk, curb or gutter may be required.

The nature of repair work for these services is similar in scope throughout the year. A contract for these services enables staff to contact a company that can respond quickly to make needed repairs, reducing the time the roadway or sidewalk is unusable. In addition, GRU is able to obtain better pricing through combining small projects and economies of scale while reducing administrative costs associated with multiple site specific bids.

Utilities Purchasing issued an Invitation to Bid for these services to thirteen known asphalt and concrete repair contractors in the area and advertised the bid on GRU's website and on the Midstate Builders Exchange. A non-mandatory prebid meeting was held with four companies in attendance. Three bids were received, including one No Bid. Contracts are recommended with each company to allow staff to ensure responsiveness in the event that one company is not available when needed. Also, neither company offered the lowest price for all types of repairs, so staff can compare pricing in each contract to determine which offers the greatest cost savings. Therefore, staff recommends establishing contracts with Coleman Construction, Inc. and Watson Construction Company, LLC. A bid tabulation is attached for your information. The cost for these services varies based on scope of services. Historically, the cost for asphalt and concrete repairs is approximately \$500,000 per year for all GRU departments. While the Water/Wastewater departments are the primary user of these services, the contract may also be used by other City departments on an as-needed basis.

*Fiscal Note:* Funds for these services are included in the proposed W/WW Systems Capital Improvement Program budget.

#### RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to execute

two-year contracts with Coleman Construction, Inc. and Watson Construction Company, LLC for miscellaneous asphalt and concrete repair services, subject to approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders to Coleman Construction, Inc. and Watson Construction Company, LLC for these services in amounts not exceeding budgeted amounts for each year of the contract, subject to the final appropriation of funds for each year of the contracts.

[140179 Asphalt-Concrete 2014-072 CC Bid Tab 20140807](#)

## CITY ATTORNEY, CONSENT AGENDA ITEMS

[140160.](#)

**JARED G. WOLFFIS V. THE CITY OF GAINESVILLE, FLORIDA, A MUNICIPAL CORPORATION, AND OFFICER CHARLES OWENS, IN HIS INDIVIDUAL CAPACITY; COURT CASE NO. 1:14-CV-130 (B)**

*Explanation:* On July 17, 2014, the City was served with a Summons and Complaint filed by Jared G. Wolffis. In 2010, Mr. Wolffis was a passenger in a vehicle stopped by GPD. After the vehicle was stopped, Mr. Wolffis fled the scene. A canine officer and canine tracked Mr. Wolffis to where he was hiding. During the course of the arrest Mr. Wolffis was bit by the police canine. Mr. Wolffis alleges that he is a victim of false arrest, excessive force, and malicious conduct. He claims to have suffered bodily harm, including permanent injuries to his body as well as psychological damages, pain and suffering, and medical expenses. Mr. Wolffis is seeking compensatory damages, and attorney's fees and costs.

**RECOMMENDATION**

The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available to represent the City of Gainesville and the individual officer in the case styled Jared G. Wolffis v. The City of Gainesville, Florida, a municipal corporation, and Officer Charles Owens, in his individual capacity; Court Case No. 1:14-CV-130.

[140160\\_Wolfis\\_20140807.pdf](#)

## CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[140168.](#)

**City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of June 11, 12, 19, 24, 25, July 9, 14, 15, 16, 17 and 23, 2014.*

[140168 minutes 20140807.pdf](#)

[140170.](#)

**Resignation of Christina Ford from the Student Community Relations Advisory Board (SCRAB) (B)**

**RECOMMENDATION**      *The City Commission accepts the resignation of Christina Ford, effective immediately.*

[140170 Resignation 20140807.pdf](#)

[140162.](#)

**Appointment to Special Committee on Base Rates & Fuel Adjustment (NB)**

**RECOMMENDATION**      *The City Commission approve the Mayor's appointment of Commissioner Lauren Poe as chair and Commissioners Craig Carter and Randy Wells as members to the Base Rates & Fuel Adjustment committee.*

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

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

**PUBLIC SAFETY COMMITTEE, CONSENT**

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

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

[140154.](#)

**Request for Qualifications for Construction Management Services at Depot Park (B)**

*Modification - revised recommendation*

*Explanation: Depot Park is comprised of a series of projects being implemented by*

multiple agencies to convert 32-acres of industrial wastelands into a premier urban park and sub-regional stormwater management facility. Depot Park, as a component of the Power District, is an important redevelopment project that aims to reutilize lands with the purpose of creating a unique recreational, cultural, and natural environment that works in tandem with economic development initiatives within the downtown core.

On April 29, 2014, the CRA, acting as an agent for the City of Gainesville and on its own behalf, issued a Request for Qualifications (RFQ) for Construction Management Services for Multi-Phase Construction at Depot Park. A non-mandatory pre-proposal conference was held on May 13, 2014 at 3:00 p.m., at the Depot Building, 201 SE Depot Avenue, Gainesville, Florida, 32601. A total of fourteen (14) vendors attended the conference.

All proposals were due at 3:00 p.m. on May 28, 2014. A total of five (5) proposals were received. On June 5, 2014, an evaluation committee, consisting of three (3) members of CRA staff, met with the City of Gainesville Purchasing Department and evaluated the submitted proposals. The evaluation committee developed a shortlist of four (4) firms to participate in the Oral Interview phase.

On June 19, 2014, the selection committee, consisting of three (3) members of CRA staff, met with each shortlisted firm to conduct Oral Interviews. Following the oral interviews, the selection committee met with the City of Gainesville Purchasing Department to discuss and rank each of the firms and select a firm for Construction Management Services for Depot Park Construction.

The selection committee ranked Oelrich Construction No. 1 as the most responsive and responsible vendor meeting all requirements, certifications, forms, and minimum criteria and qualifications including, but not limited to;

- a minimum of five (5) years of experience as a construction manager
- experience with three (3) projects similar in size, type, and complexity
- experience in cost estimating during pre-construction
- experience in cost control during construction
- experience in project tracking
- experience in project reporting
- experience with complex environmental site management

On July 21, 2014, the CRA Board approved the award to Oelrich Construction for construction management and the authorization to negotiate and execute a joint agreement with the City, CRA and Oelrich Construction.

*Fiscal Note: None at this time.*

**RECOMMENDATION**

CRA staff to the City Commission: 1) approve the



*ranking for construction management at Depot Park; and 2) authorize the City Manager, on behalf of the City, to negotiate and execute a joint Agreement with the City, CRA and the Construction Manager, in accordance with the CCNA, subject to approval for form and legality by the City Attorney.*

Legislative History

7/21/14	Community Redevelopment Agency	Approved as Recommended
7/21/14	Community Redevelopment Agency	Approved as Recommended

[140154a\\_PRESENTATION\\_20140807.pdf](#)

[140154b-RFQ-DEPOT PARK CM SERVICES-FINAL\\_20140807.pdf](#)

[140154c-RFQ-ADD#1-FINAL-20140807.pdf](#)

[140154dc-RFQ-ADD#2-FINAL-20140807.pdf](#)

[140154e-RFQ-ADD#3-FINAL\\_20140807.pdf](#)

[140154a\\_PRESENTATION\\_20140721.pdf](#)

[140154b-RFQ-DEPOT PARK CM SERVICES-FINAL\\_20140721.pdf](#)

[140154c-RFQ-ADD#1-FINAL-20140721.pdf](#)

[140154d-RFQ-ADD#2-FINAL-20140721.pdf](#)

[140154e-RFQ-ADD#3-FINAL\\_20140721.pdf](#)

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

**CITIZEN COMMENT (not to exceed 30 minutes in length)**

**CITY COMMISSION COMMENT (if time available)**

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION**

[140177.](#)

**City Commission Referral List (B)**

RECOMMENDATION

*The City Commission review the attached referral list and take appropriate action.*

[140177\\_referral list\\_20140807.pdf](#)

**CITY MANAGER**[130546.](#)**Alachua County Urban Reserve Act (B)**

**This item seeks City Commission support of the local effort to repeal and replace the Boundary Adjustment Act (BAA) with the Urban Reserve Act (URA) during the 2015 legislative session.**

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

*Explanation: In anticipation of the 2014 legislative session, multiple public hearings were held to discuss repealing the Boundary Adjustment Act. On December 5, 2013, the City Commission discussed the local bill, sponsored by State Representative Clovis Watson, Jr., to repeal the Alachua County Boundary Adjustment Act. The Commission indicated that elements of the Boundary Adjustment Act were antiquated but expressed an interest in retaining the urban reserves to promote long-term planning and inter-local collaboration. A great deal of community outreach and city/county coordination went into the establishment of the urban reserves. They are beneficial because they provide a roadmap of where each municipality can and cannot annex. The City Commission voted unanimously to enter into negotiations with the other eight municipalities in Alachua County to draft a bill that defaults to state law for annexation procedures but retains the urban reserve areas.*

*On January 28, 2014, the Alachua County League of Cities (ACLC) met and discussed alternatives to repealing the Boundary Adjustment Act. At this meeting, there was general consensus among the Alachua County League of Cities' representatives to amend the Boundary Adjustment Act to only set forth procedures for establishing and updating municipal reserve areas, with all activity related to municipal annexation governed by general law. On February 6, 2014, the City Commission heard an update on the progress of negotiations with the members of the Alachua County League of Cities and a new bill called the Urban Reserve Act (URA) to repeal and replace the Boundary Adjustment Act was presented by staff.*

*On February 25, 2014, State Representative Clovis Watson, Jr. notified the Alachua County League of Cities that there was insufficient time to bring the new bill forward for the 2014 legislative session and encouraged cities to bring the bill forward in a future legislative session.*

*From March to May of 2014, a team of representatives from the Alachua County League of Cities worked to refine the Urban Reserve Act and set a timeline to bring it forward during the 2015 legislative session. On May 27, 2014 the Alachua County League of Cities met and heard a presentation on the proposed Urban Reserve Act. The representatives in attendance agreed to present the new Urban Reserve Act to each of*

their City Commissions prior to October 2014 and seek support for the repeal and replacement of the Boundary Adjustment Act.

The City Commissions' of Hawthorne, High Springs and Newberry have voted in support of the Urban Reserve Act thus far. The other municipalities have meetings scheduled to discuss the new legislation before the end of August. There is a joint Alachua County League of Cities and Board of County Commissioners meeting scheduled on October 18, 2014, where the Urban Reserve Act will be discussed for inclusion in the 2015 legislative session.

*Fiscal Note:* None

**RECOMMENDATION**

The City Commission: 1) receive a presentation from staff on the main elements of the Alachua County Urban Reserve Act; and 2) support the local effort to repeal and replace the Alachua County Boundary Adjustment Act with the Alachua County Urban Reserve Act in the 2015 legislative agenda.

**Legislative History**

12/5/13	City Commission	Approved, as shown above
2/6/14	City Commission	Heard

[130546A\\_Chapter 90-946\\_20131205.pdf](#)

[130546B\\_Florida Statute 171\\_20131205.pdf](#)

[130546C\\_Reserve Areas\\_20131205.pdf](#)

[130546D\\_BAA PowerPt\\_20131205.pdf](#)

[130546\\_MOD\\_BAA Proposed Revisions 1-28-14\\_20140206.pdf](#)

[130546A\\_Urban Reserve Act FINAL\\_20140807.pdf](#)

[130546B\\_URA PPT Presentation\\_20140807.pdf](#)

[140191.](#)

**Charter County and Regional Transportation System Surtax Public Education Campaign (B)**

**This agenda item is to inform and obtain approval from the City Commission for planned communication activities intended regarding the Moving Alachua County Forward sales surtax public education campaign. \*ESTIMATED STAFF PRESENTATION 10 MINUTES\***

*Modification - Added powerpoint*

*Explanation:* Section 212.055 Florida Statutes allow charter counties to impose a discretionary sales surtax of up to 1 percent. The Alachua County Board of County Commissioners approved a November 2014 ballot initiative for a 1-cent Charter County and Regional Transportation System Surtax

that requires an Interlocal Agreement between the City and County. On July 17, 2014, the City Commission approved the City's revised project list with the addition of a Senior Transportation Initiative and the Interlocal Agreement between Alachua County and the City of Gainesville for use and distribution of the surtax revenues.

On June 23, 2014 City staff from the City Manager's Office, Public Works Department, Regional Transportation System and City Communications Office held an organizational meeting to discuss public education efforts in anticipation of City Commission approval of an Interlocal Agreement for the surtax. On July 1, 2014, City staff met with County Communications staff to begin development and implementation of a joint public education campaign designated the Moving Alachua County Forward sales surtax by the Alachua County Board of County Commissioners.

The City Attorney's Office has reviewed a proposed City Communication Plan regarding the Moving Alachua County Forward sales surtax and has provided guidance to City staff which addresses applicable State law which define allowable actions by City staff to educate the public regarding the proposed sales surtax. The proposed City Communication Plan and a July 11, 2014 memo from Alachua County Communications Coordinator Mark Sexton outlining the Alachua County public education campaign to educate the public about the Moving Alachua County Forward sales surtax, are provided as backup to this agenda item.

*Fiscal Note:* No funding is budgeted in FY14 or FY15 for a public education campaign. Staff anticipates implementing the described public education campaign using existing resources.

**RECOMMENDATION**

The City Commission: 1) hear a presentation by City and County staff regarding joint City/County communication efforts regarding the Charter County and Regional Transportation System Surtax Public Education Campaign, now known as the Moving Alachua County Forward Public Education Campaign; and 2) approve implementation of the proposed City Communication Plan regarding the Moving Alachua County Forward Public Education Campaign.

[140191A\\_MACF Staff Brief\\_20140807.pdf](#)

[140191B\\_BOCC Memo\\_20140807.pdf](#)

[140191C\\_MACF City Plan Outline\\_20140807.pdf](#)

[140191-MOD Presentation\\_20140807.pdf](#)

## GENERAL MANAGER FOR UTILITIES

[140158.](#)

**Credit Facility for GRU's Series D Taxable Commercial Paper Notes**

**(B)**

*Explanation:* On June 15, 2000, the City Commission adopted Resolution No. 991387 authorizing GRU to issue Series D Taxable Commercial Paper Notes in an amount not to exceed \$25,000,000 and execute related legal documents including a Credit Agreement with SunTrust Bank to provide liquidity support for the Commercial Paper. In addition, on February 19, 2009, the City Commission adopted Agenda Item No. 080805 authorizing GRU to issue additional Series D Taxable Commercial Paper Notes in an amount not to exceed \$25,000,000 at any time outstanding in order to finance capital projects that are included in GRU's then-approved capital budget and that, under applicable federal income tax laws and regulations, may be financed only on a taxable basis, subject to the limitations contained therein.

The Credit Agreement with SunTrust expires on September 11, 2014, and must either be renewed with SunTrust or replaced with a facility from another provider.

Since we entered into the existing agreement, SunTrust's credit ratings, both long term and short term, have been downgraded. This lower credit rating will likely give prospective investors buying the commercial paper concern, requiring a higher yield at an additional cost to GRU. If GRU were to replace SunTrust with a bank that has a higher short term rating, as liquidity provider, it is very likely that GRU's commercial paper would be placed with investors at lower rates. GRU does plan to issue commercial paper over the near term. We believe it is beneficial to GRU and our customers to obtain a higher-rated replacement provider for GRU's Series D Taxable Commercial Paper.

Accordingly, on March 17, 2014 GRU issued a Request for Information soliciting information from various commercial banks relating to the replacement of the credit agreement for the Series D Taxable Commercial Paper Notes.

Five banks responded to the RFI:

- State Street Bank & Trust Co.
- Wells Fargo
- Bank of America
- JP Morgan Chase Bank, N.A.
- Royal Bank of Canada

Based on a review of evaluative criteria including but not limited to facility fees, proposed term, long-term and short-term bank ratings, and other fees and expenses, State Street Bank & Trust Co. ("State Street") was selected as the highest-rated responder.

*Fiscal Note:* The current facility fee under the SunTrust Credit Agreement is 50 basis points, which translates to an annual cost of \$125,000. The fee proposal from State Street is 33 basis points, which equals an annual cost of \$82,500 for an annual savings of \$42,500.

**RECOMMENDATION**

*The City Commission 1) approve the selection of State Street as the liquidity support provider for the Series D Taxable Commercial Paper Notes, 2) approve the terms and conditions set forth in the draft Credit Agreement between the City and State Street and the related Fee Letter, each in substantially the form submitted to the Commission and with such changes thereto as the officer executing the same may approve as necessary or desirable and in the best interests of GRU, such approval to be evidenced by the execution and delivery thereof, and subject to the approval of the City Attorney as to form and legality and 3) authorize the Clerk of the Commission, Interim General Manager, Interim Chief Financial Officer, and other Authorized Officers to execute the Credit Agreement with State Street and related Fee Letter and other such documents as may be necessary to complete the transaction, subject to approval of the City Attorney as to form and legality.*

[140158 GRUs Series D Taxable Commercial Paper Notes-Credit Agreement 20](#)

[140158 GRUs Series D Taxable Comm Paper Notes Fee Ltr 20140807](#)

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

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

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

**WAIVE RULES TO RECONVENE THE MEETING AT 7:00 PM**

*Modification*

**RECESS**

**RECONVENE**

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

**Bob Gasche**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[140167.](#)

**Amir Helmy, Eastside High School Freshman - Epilepsy Foundation 2014 Shark Tank Award Winner (NB)**

RECOMMENDATION

*The City Commission recognize Amir Helmy.*

[140169.](#)

**Purple Heart Day - August 7, 2014 (B)**

RECOMMENDATION

*Gator Detachment of the Marine Corp League Bob Gasche and Steve Dodd to accept the proclamation.*

[140169\\_PurpleHeart\\_20140807.pdf](#)

[140172.](#)

**Purple Heart City - August 7, 2014 (B)**

RECOMMENDATION

*Norm Sassner to accept the proclamation.*

[140172\\_PurpleHeartCity\\_20140807.pdf](#)

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

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED**[120516](#)**NET METERING PROGRAM (B)**

Ordinance No. 120516

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to net metering for the electric utility; by amending section 27-21 by creating new and amended definitions; by creating a new section 27-37 titled "Net-metering"; by amending Appendix A, Schedule of Fees, Rates and Charges, to establish administrative fees for net-metering customers; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: On October 4, 2012, the City Commission referred the issue of the solar feed-in-tariff to the Regional Utilities Committee (the "RUC"). The RUC discussed solar programs, including net metering, at its meetings on February 19, 2013, and April 17, 2013. The RUC chairperson requested staff bring a recommendation (regarding the net metering program) with alternatives to the City Commission.*

*At its meeting on August 1, 2013, the City Commission heard a presentation from GRU staff and authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance modifying the net metering program consistent with the Florida Public Service Commission's net metering model.*

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

**Legislative History**

8/1/13            City Commission            Assigned to the Regional Utilities Committee

[120516\\_draft ordinance\\_20140807.pdf](#)

[130582.](#)**ELECTRIC SYSTEM FUEL ADJUSTMENT (B)**

Ordinance No. 130582

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to fuel and purchased power expenses for the city's electric utility by creating new definitions and amending existing definitions in section 27-21; amending the formula used to calculate the monthly electric system fuel and purchased power adjustment and establishing a range for the fuel levelization fund balance, all in section 27-28; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.



*Explanation: On June 24, 2013, the Regional Utilities Committee heard a presentation from GRU staff and held a public discussion regarding the fuel adjustment and associated levelization balance policies. At its meetings on July 18, 2013, and September 19, 2013, the City Commission discussed fuel adjustment levelization policies and the fund balance. At its meeting on January 16, 2014, staff made a presentation to the City Commission on proposed changes to sections 27-21 and 27-28 of the Code of Ordinances and, by a vote of 7-0, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise revisions to the code of ordinances as recommended by staff.*

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

**Legislative History**

12/19/13	City Commission	Continued
1/16/14	City Commission	Approved as Recommended

[130582 FA Ordinance Revision Presentation20140116](#)

[130582\\_draft ordinance\\_20140807.pdf](#)

[130862.](#)

**REZONING - UNIVERSITY TOWNE CENTER PLANNED DEVELOPMENT (B)**

Ordinance No. 130862; Petition PB-14-21 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 18.5 acres of certain property known as University Towne Center Planned Development that is located in the vicinity of the 3100 block of SW 34th Street, as more specifically described in this ordinance, from Alachua County Planned Unit Development (PUD) to City of Gainesville Planned Development District (PD); adopting PD maps, a PD report, and development conditions; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This ordinance rezones approximately 18.5 acres of property known as the University Towne Center Planned Development, located in the vicinity of the 3100 block of SW 34th Street, from an Alachua County zoning district to City of Gainesville Planned Development District (PD). The subject property was rezoned by Alachua County in 1999 and was then annexed into the City by referendum in 2002.*

*This rezoning was initiated by the property owner/developer for the primary purpose of allowing signage that is consistent with the City of*

*Gainesville sign code, with one exception. In other words, this ordinance will allow the University Towne Center PD to have signage consistent with the sign code and similarly situated developments, but will also allow the PD to have certain signage that developments of this size do not qualify for under the sign code. Specifically, this ordinance will allow the University Towne Center PD, which is a maximum size of 155,000 square feet of floor area, to have "directional signs" to an extent that the sign code only allows for developments larger than 300,000 square feet of floor area. The Plan Board expressed concern about equity issues that may arise from establishing sign conditions for a PD that exceed the allowances of the City's sign code, but ultimately was amenable given that the Land Development Code does permit PDs to propose a unified signage plan if the PD does not intend to use the City's sign code.*

*After public notice was published in the Gainesville Sun on March 11, 2014, the City Plan Board held a public hearing on March 27, 2014, and by a vote of 5-0 recommended approval of the petition with certain revisions. The City Commission held a public hearing on May 1, 2014, and by a vote of 7-0 approved the petition with the recommended revisions.*

#### **CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and shall become effective upon adoption.*

#### **RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

#### **Legislative History**

5/1/14 City Commission Approved (Petition), as amended

[130862A\\_Staff report\\_20140501.pdf](#)

[130862B\\_Exh A\\_PD Amendment\\_20140501.pdf](#)

[130862C\\_Exh B\\_Supplemental documents-20140501.pdf](#)

[130862D\\_Exh C\\_Application\\_neighborhood workshop\\_20140501.pdf](#)

[130862E\\_CPB minutes draft\\_20140501.pdf](#)

[130862F\\_staff ppt\\_20140501.pdf](#)

[130862\\_Bracken letter\\_20140501.pdf](#)

[130862\\_MOD presentation Univ Towne Center\\_20140501.pdf](#)

[130862A\\_draft ordinance\\_20140807.pdf](#)

[130862B\\_staff ppt\\_20140807.pdf](#)

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

[130319.](#)

**TEXT CHANGE - FOOD TRUCK SPECIAL EVENT PERMIT  
WITHIN THE CENTRAL CITY DISTRICT (B)**

## Ordinance 130319; Petition No. PB-13-73 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code to provide regulations for food truck special events as part of a zoning district's applicable special event permitting process; by adding new definitions to Section 30-23. Definitions; by creating Section 30-125. Food truck special events; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This ordinance results from a referral from the City Commission to amend the Land Development Code to increase the allowance of food trucks within Central City District (CCD) zoning. Currently, food trucks are permitted as part of a zoning district's applicable special event permitting process, which for the CCD may occur once every 60 days. This ordinance provides general regulations for food truck special events and will allow business and/or property owners within the CCD to host a food truck special event up to once per month. Food truck special events will be limited to private property between the hours of 5:00 p.m. and 12:00 a.m.*

*After public notice was published in the Gainesville Sun on August 6, 2013, the City Plan Board held a public hearing on August 22, 2013, and recommended approval of the petition with amendments by a vote of 6-0. On November 21, 2013, the City Commission approved the petition as amended by staff by a vote of 7-0.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and shall become effective immediately upon adoption at second reading.*

*While drafting this ordinance, it was discovered that Section 19-93 of the City Code of Ordinances permits Itinerant Food Vendors in the Central City zoning district (CCD); however, it is not listed as a permitted use in Section 30-66 (the CCD zoning district) of the Land Development Code. This office has discussed the matter with Planning staff and Planning staff will initiate a planning petition to correct this inadvertent oversight.*

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

**Legislative History**

10/3/13	City Commission	Striken from Agenda (Petition)
11/21/13	City Commission	Approved (Petition) as Modified
7/17/14	City Commission	Adopted on First Reading (Ordinance)

[130319A\\_City Plan Board Recommendation\\_20131003.pdf](#)  
[130319B\\_Staff Report\\_20131003.pdf](#)  
[130319C\\_Exhibit 1\\_Proposed Ordinance Mod\\_20131003.pdf](#)  
[130319D\\_Exhibit 2\\_Relevant Code References\\_20131003.pdf](#)  
[130319E\\_CPB minutes draft\\_20131003.pdf](#)  
[130319F\\_staff ppt\\_20131003.pdf](#)  
[130319A\\_City Plan Board Recommendation\\_20131017.pdf](#)  
[130319B\\_Staff Report\\_20131017.pdf](#)  
[130319C\\_Exhibit 1\\_Proposed Ordinance Mod\\_20131017.pdf](#)  
[130319D\\_Exhibit 2\\_Relevant Code References\\_20131017.pdf](#)  
[130319E\\_CPB minutes draft\\_20131017.pdf](#)  
[130319F\\_staff ppt\\_20131017.pdf](#)  
[130319A\\_City Plan Board Recommendation\\_20131121.pdf](#)  
[130319B\\_Staff Report\\_20131121.pdf](#)  
[130319C\\_Exhibit 1\\_Proposed Ordinance Mod\\_20131121.pdf](#)  
[130319D\\_Exhibit 2\\_Relevant Code References\\_20131121.pdf](#)  
[130319E\\_CPB minutes draft\\_20131121.pdf](#)  
[130319F\\_staff ppt\\_20131121.pdf](#)  
[130319\\_draft ordinance\\_20140717.pdf](#)  
[130319A\\_staff ppt\\_20140717.pdf](#)

## 130821

### **REZONING - PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 3500-3800 BLOCK OF SW 34TH STREET (B)**

Ordinance No. 130821; Petition No. PB-13-106 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 8 acres of property generally located on the east side of SW 34th Street between SW 35th Place and SW 41st Place, as more specifically described in this ordinance, from Planned Development District (PD) to Mixed-Use Low Intensity District (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT*

*This petition/ordinance will rezone approximately 8 acres of undeveloped property located on the east side of SW 34th Street between SW 35th Place and SW 41st Place from Planned Development District (PD) to Mixed-Use Low Intensity District (MU-1).*

*PD zoning was approved for this property in 2008 by Ordinance No.*

070621 for a mixed-use development of up to 122 residential units (plus 2,000 square feet of related office space), and 30,000 square feet of nonresidential uses. Subsequent to the execution of a TCEA Zone C agreement for this development, the property owner requested that the TCEA mitigation fee be returned and that the TCEA agreement be nullified. The City did so, the development order approved by adoption of the PD ordinance has expired, and the property owner is now requesting this rezoning.

This proposed rezoning will facilitate future non-residential and/or residential infill development of this undeveloped property that is less than one half-mile from Archer Road and Butler Plaza, and is surrounded by developed areas. To the north is a small retail center along SW 34th Street, and to the north and east is an apartment complex on the south side of SW 35th Place. An apartment complex and a residential treatment facility are to the south, and commercial development and an undeveloped property are to the west, across SW 34th Street. General Business District (BUS) and Multiple-Family Medium Density Residential District (RMF-8) zoning are to the north and west, and RMF-8 zoning is to the south and east. An environmentally significant area of natural upland forest (mesic hammock) that includes the Florida spiny pod (*Matelea floridana*), which is a listed plant species, is in the southeast part of the property. At the development plan stage, any proposed development will be required to meet all applicable requirements of the Land Development Code, including those of Division 4 - Regulated Natural and Archaeological Resources. The proposed rezoning to MU-1 is consistent with the City's Comprehensive Plan and will implement the existing Mixed-Use Low-Intensity (MUL) land use category.

After public notice was published in the Gainesville Sun on November 13, 2013, the City Plan Board held a public hearing on December 2, 2013, and recommended approval of this petition by a vote of 5-0.

#### CITY ATTORNEY MEMORANDUM

*This ordinance requires two readings and shall become effective immediately upon adoption at second reading.*

#### RECOMMENDATION

*The City Commission adopt the proposed ordinance.*

#### Legislative History

7/17/14	City Commission	Approved (Petition) and Adopted on First Reading (Ordinance)
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[130821A draft ordinance 20140717.pdf](#)  
[130821B Staff report 20140717.pdf](#)  
[130821C Append A Comp Plan GOPs Exhibit A-1 20140717.pdf](#)  
[130821D Append B Supplemental Docs Exh B-1 B-5 20140717.pdf](#)  
[130821E Append C Application Pkg Exh C-1 20140717.pdf](#)  
[130821F CPB minutes 20140717.pdf](#)  
[130821G staff ppt 20140717.pdf](#)  
[130821A draft ordinance 20140807.pdf](#)

[130118.](#)

**PLANNED DEVELOPMENT AMENDMENT - MAGNOLIA  
PARKE PLANNED DEVELOPMENT (B)**

Ordinance No. 130118; Petition PB-13-55 PDA

An ordinance of the City of Gainesville, Florida, updating and clarifying the regulations, including regulations pertaining to allowable drive-throughs, for the Magnolia Parke Planned Avenue, as more specifically described in this ordinance; by amending the Zoning Map Atlas by rezoning the subject property to Planned Development District (PD); adopting PD maps, a PD report, and development conditions; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT*

*This ordinance updates and clarifies regulations for the Magnolia Parke Planned Development (PD) located in the vicinity of the 4600-5000 block of NW 39th Avenue. One of the primary changes this ordinance makes is clarifying the regulations pertaining to allowable drive-throughs in the Magnolia Parke PD. Specifically, this ordinance clarifies that each of the allowable drive-throughs may have up to three (3) drive-through lanes. Note: The petition associated with this ordinance originally allowed up to two (2) drive-through lanes, but subsequent to the City Commission's approval of that petition on August 1, 2013, the petitioner and city staff discovered that one of the existing drive-throughs currently has three (3) lanes.*

*This ordinance also updates the PD conditions to reflect the new Transportation Mobility Element criteria for future development or redevelopment and supersedes and repeals the prior PD ordinance and its amendments.*

*After public notice was published in the Gainesville Sun on June 11, 2013, the City Plan Board held a public hearing on June 27, 2013, and by a vote of 5-0, recommended approval of the petition with certain revisions. The City Commission held a public hearing on August 1,*

2013, and approved the petition by a vote of 6-0.

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two hearings and shall become effective upon final adoption.*

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

**Legislative History**

8/1/13	City Commission	Approved (Petition)
7/17/14	City Commission	Adopted on First Reading (Ordinance)

[130118A\\_staff report\\_20130801.pdf](#)

[130118B\\_Exb A-1\\_rezoning packet\\_20130801.pdf](#)

[130118C\\_cpb minutes\\_20130801.pdf](#)

[130118D\\_staff ppt\\_20130801.pdf](#)

[130118A\\_draft ordinance\\_20140717.pdf](#)

[130118\\_MOD presentation from Craig Brashier\\_20140717.pdf](#)

[130118A\\_draft ordinance\\_20140807.pdf](#)

[130157.](#)

**TEXT CHANGE - AMEND SIGN REGULATIONS IN THE LAND DEVELOPMENT CODE. (B)**

Ordinance No. 130157; Petition No. PB-13-57 TCH

An ordinance of the City of Gainesville, Florida, updating, clarifying and reorganizing the sign regulations in the Land Development Code by amending Article IX. - Additional Development Standards, Division 1. - Sign Regulations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT*

*This ordinance updates, clarifies, and reorganizes the sign regulations in the Land Development Code. Beginning in 2011, staff has met with stakeholders regarding the sign code and has developed the following proposed revisions:*

*Permanent signs and structures*

*Increases the allowable sign area in certain circumstances based on frontage.*

*Reduces the frontage requirement from 600 linear ft. to 500 linear ft. for a second frontage sign.*

*Provides an allowance for signage on secondary street frontages.*

*Removes the provision requiring Florida Nursery Grade 1 landscape plants.*

*Building-mounted signs*

*Provides a consistent measuring system based on the width of the building or leased area.*

*Provides additional signage for businesses on multiple street frontages.*

*Clarifies when window signage will be counted towards building-mounted signage.*

*Adds an exemption for 12 sq. ft. of window signage.*

*Increases the amount of signage allowed for most non-residential businesses.*

*Adds flexible signage regulations for multi-story buildings over 2-stories.*

*Adds a signage allowance for Parking Garages.*

*Temporary signs*

*Clarifies short term versus long term temporary signs.*

*Extends the time frame for long term temporary signs from 60 days to 120 days.*

*Increases the number of Contractor and Real Estate signs allowed on a property.*

*Nonconforming and abandoned signs*

*Defines the term development activity as it relates to abandoned signs and extends the determinative time period for abandoned signs from 120 days to 12 months.*

*Amends the time period for removing an abandoned sign from 10 days to 30 days.*

*Defines what reasonable repair and maintenance means as it relates to nonconforming signs.*

*After public notice was published in the Gainesville Sun on June 11, 2013, the City Plan Board held a public hearing on June 27, 2013, and by a vote of 5-0 recommended approval of the petition with certain revisions. The City Commission held a public hearing on August 15, 2013, and approved the petition by a vote of 5-0.*

**CITY ATTORNEY MEMORANDUM**

*This ordinance requires two readings and shall become effective immediately upon adoption at second reading.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

8/15/13	City Commission	Approved (Petition)
7/17/14	City Commission	Adopted on First Reading (Ordinance)



[130157A\\_CPB\\_recommendations\\_Draft\\_sign\\_code\\_20130815.pdf](#)  
[130157B\\_staff\\_report\\_20130815.pdf](#)  
[130157C\\_CPB\\_Special\\_Meeting\\_Agenda\\_092911\\_20130815.pdf](#)  
[130157D\\_Draft\\_Sign\\_Code\\_20130815.pdf](#)  
[130157E\\_Multi\\_Story\\_Building\\_Signage\\_20130815.pdf](#)  
[130157F\\_Single\\_Story\\_Signage\\_20130815.pdf](#)  
[130157G\\_CPB\\_minutes\\_20130815.pdf](#)  
[130157H\\_staff\\_ppt\\_20130815.pdf](#)  
[130157A\\_draft\\_ordinance\\_20140717.pdf](#)

## PLAN BOARD PETITIONS

[140029](#)

**Amend land use category from Public and Institutional Facilities (PF) to Urban Mixed-Use 2 (B)**

**Petition PB-14-55 LUC. Eng, Denman & Associates, Inc., agent for Gainesville Community Redevelopment Agency. Amend the City of Gainesville Future Land Use Map from Public and Institutional Facilities (PF) to Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit). Located west of SE 6th Terrace between SE 4th Avenue and SE 5th Avenue, and west of SE 7th Street between SE 5th Avenue and SE 7th Avenue. Related to PB-14-54 ZON. \*\*ESTIMATED STAFF PRESENTATION 10 MINUTES\*\***

*Explanation: This proposed land use change is a small-scale amendment of the Future Land Use Map that pertains to an approximately 7.74-acre, City-owned, developed property that was previously used for Gainesville Regional Utilities operations. It is located west of SE 6th Terrace between SE 4th Avenue and SE 5th Avenue, and west of SE 7th Street between SE 5th Avenue and SE 7th Avenue. The property is on the south edge of downtown Gainesville, four blocks south of East University Avenue and approximately five blocks east of South Main Street. This petition is related to Petition PB-14-54 ZON, which proposes rezoning from Public services and operations district (PS) to UMU-2: 10 to 100 units per acre, and up to 25 additional units per acre by special use permit, urban mixed-use district.*

*The existing Public and Institutional Facilities (PF) land use limits the use of the property to administrative, operational, and utility governmental functions; private utilities; cemeteries; and public-private partnerships or other legal arrangements where the land title is vested in a government and the use(s) serve a public purpose. The existing PF land use severely limits the redevelopment potential of this property. The proposed Urban Mixed-Use 2 land use allows a mixture of residential, retail, service and office/research uses, and, if approved, will*

greatly increase the potential for redevelopment of this property. An essential component of the UMU-2 land use category is orientation of structures to the street and multi-modal character of the area. Retail and office uses must be scaled to fit the character of the area. The maximum building height allowed by UMU-2 is six stories and up to 8 stories by special use permit.

The property is within the Downtown Community Redevelopment Area (CRA) and within the Power District. The Power District includes City-owned property that is generally bounded by SE 4th Avenue on the north, South Main Street on the west, Depot Park and the former RTS fleet maintenance and operations facility on the south, and SE 4th and SE 7th Streets on the east. The CRA Board in December 2013 approved the Power District Redevelopment Plan. This redevelopment plan consists of a general master plan (street and block layout), public works standards, building design standards, and development controls. These development controls include a six-story height limit and a 3-story height limit with a step back for areas that face adjacent residential areas.

Although not part of this land use petition, a separate petition (Petition PB-14-53 TCH that is related to related zoning Petition PB-14-54 ZON) proposes a six-story height limit within the Power District. That petition also proposes, for Power District areas that are adjacent to residentially zoned properties, a three-story height limit at the build-to line, and a 15-foot step back for each subsequent building story.

The proposed small-scale amendment to Urban Mixed-Use 2 is consistent with the City's Comprehensive Plan. The proposed small-scale amendment to Urban Mixed-Use 2 change provides the best land use category for the Power District Redevelopment Plan, and it will greatly increase the potential for redevelopment of the property.

Public notice was published in the Gainesville Sun on May 6, 2014. The City Plan Board held a public hearing on May 22, 2014, and voted 3-2 to approve the petition with the exclusion of the contiguous area south of the McRorie Community Garden to SE 5th Avenue.

*Fiscal Note:* None.

**RECOMMENDATION**

Staff to City Commission - The City Commission approve Staff's recommendation that this item be continued until August 21, 2014.

[140029A Staff report 20140807.pdf](#)

[140029B Append A Comp Plan GOPs Exhibit A1 20140807.pdf](#)

[140029C Append B Supplemental Docs Exh B1 B6 20140807.pdf](#)

[140029D Append C Application Exh C-1 20140807.pdf](#)

[140029E Revised Exhibit C-1 20140807.pdf](#)

[140029F CPB minutes draft 20140807.pdf](#)

[140029G staff ppt 20140807.pdf](#)

[140030.](#)

**Rezone from Public services and operations district (PS) to UMU-2: 10 to 100 units per acre, and up to 25 additional units per acre by special use permit, urban mixed-use district (B)**

**Petition PB-14-54 ZON. Eng, Denman & Associates, Inc., agent for Gainesville Community Redevelopment Agency. Rezone property from Public services and operations district (PS) to UMU-2: 10 to 100 units per acre, and up to 25 additional units per acre by special use permit, urban mixed-use district. Located west of SE 6th Terrace between SE 4th Avenue and SE 5th Avenue, and west of SE 7th Street between SE 5th Avenue and SE 7th Avenue. Related to PB-14-55 LUC & PB-14-53 TCH. \*\*ESTIMATED STAFF PRESENTATION 6 MINUTES\*\***

*Explanation: This approximately 7.74-acre, City-owned, developed property was previously used for Gainesville Regional Utilities operations. It is located west of SE 6th Terrace between SE 4th Avenue and SE 5th Avenue, and west of SE 7th Street between SE 5th Avenue and SE 7th Avenue. The property is on the south edge of downtown Gainesville, four blocks south of East University Avenue and approximately five blocks east of South Main Street. This petition is related to Petition PB-14-55 LUC, which proposes a land use change from Public and Institutional Facilities (PF) to Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit). This petition is also related to Petition PB-14-53 TCH, which proposes text changes to the UMU-2 zoning district that include new proposed Figure 1.3 - District Boundary Map, Figure 2.3 - Street Types and Figure 3.1 - Height Limits, for the Power District.*

*The existing Public services and operations district (PS) zoning is primarily for utilities, recreation, and public facilities. The existing PS zoning therefore severely limits the redevelopment potential of this property. The proposed Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit) mixed-use district zoning allows a mixture of residential, retail, service and office/research uses, and, if approved will greatly increase the potential for redevelopment of this property. An essential component of the UMU-2 zoning district is orientation of structures to the street and multi-modal character of the area. Retail and office uses must be scaled*

to fit the character of the area. The maximum building height allowed by UMU-2 is six stories and up to 8 stories by special use permit.

The property is within the Downtown Community Redevelopment Area (CRA) and within the Power District. The Power District includes City-owned property that is generally bounded by SE 4th Avenue on the north, South Main Street on the west, Depot Park and the former RTS fleet maintenance and operations facility on the south, and SE 4th and SE 7th Streets on the east. The CRA Board in December 2013 approved the Power District Redevelopment Plan. This redevelopment plan consists of a general master plan (street and block layout), public works standards, building design standards, and development controls. These development controls include a six-story height limit and a 3-story height limit with a step back for areas that face adjacent residential areas.

Related Petition PB-14-53 TCH proposes a six-story height limit within the Power District. That petition also proposes, for Power District areas that are adjacent to residentially zoned properties, a three-story height limit at the build-to line, and a 15-foot step back for each subsequent building story.

The proposed rezoning to UMU-2 is consistent with the City's Comprehensive Plan redevelopment goals. The proposed rezoning to UMU-2 provides the best zoning category to implement the Power District Redevelopment Plan, and it will greatly increase the potential for redevelopment of the property.

Public notice was published in the Gainesville Sun on May 6, 2014. The City Plan Board held a public hearing on May 22, 2014, and voted 3-2 to approve the petition with the exclusion of the contiguous area south of the McRorie Community Garden to SE 5th Avenue.

*Fiscal Note: None.*

**RECOMMENDATION**

Staff to City Commission - The City Commission approve Staff's recommendation that this item be continued until August 21, 2014.

[140030A Staff report 20140807.pdf](#)

[140030B Apend A Comp Plan GOPs Exh A1 20140807.pdf](#)

[140030C Append B Supplemental Docs Exh B1 B6 20140807.pdf](#)

[140030D Append C Application Exh C1 20140807.pdf](#)

[140030E Revised Exhibit C-1 20140807.pdf](#)

[140030F CPB minutes draft 20140807.pdf](#)

[140030G staff ppt 20140807.pdf](#)

[140031](#)

**Amend the Land Development Code Section 30-65.2 Urban**

**mixed-use district 2 (UMU-2) to add new proposed Figures for the Power District (B)**

**Petition PB-14-53 TCH. Eng, Denman & Associates, Inc., agent for Gainesville Community Redevelopment Agency. Amend the Land Development Code Section 30-65.2 Urban mixed-use district 2 (UMU-2) to add new proposed Figure 1.3 - District Boundary Map, Figure 2.3 - Street Types and Figure 3.1 -Height Limits, for the Power District. Related to PB-14-54 ZON. \*\*ESTIMATED STAFF PRESENTATION 4 MINUTES\*\***

*Explanation: This petition amends Land Development Code Section 30-65.2, Urban mixed-use district 2 (UMU-2) by adding new proposed Figure 1.3 District Boundary Map - Power District, Figure 2.3 - Street Types - Power District, and Figure 3.1 - Height Limits - Power District. This petition also amends the dimensional requirements for the Power District within Section 30-65.2, Urban mixed-use district 2 (UMU-2).*

*This petition is related to Petition PB-14-54 ZON, which proposes rezoning of an approximately 7.74-acre, City-owned, developed property previously used for Gainesville Regional Utilities operations and located on the south edge of downtown Gainesville, west of SE 6th Terrace between SE 4th Avenue and SE 5th Avenue, and west of SE 7th Street between SE 5th Avenue and SE 7th Avenue. The proposed rezoning is from Public services and operations district (PS) to UMU-2: 10 to 100 units per acre, and up to 25 additional units per acre by special use permit, urban mixed-use district. The 7.74-acre property is the first property within the Power District that is being rezoned to UMU-2. This property is the sole area within the UMU-2 district that will be affected by Figures 1.3, 2.3 and 3.1. Any future rezonings to UMU-2 within the Power District would require revision of these Figures by an ordinance amending the Land Development Code.*

*The Power District is City-owned property that is generally bounded by SE 4th Avenue on the north, South Main Street on the west, Depot Park and the former RTS fleet maintenance and operations facility on the south, and SE 4th and SE 7th Streets on the east. The CRA Board in December 2013 approved the Power District Redevelopment Plan. This redevelopment plan consists of a general master plan (street and block layout), public works standards, building design standards, and development controls. These development controls include a six-story height limit. Areas adjacent to residentially zoned properties are limited to a maximum of three building stories at the build-to line and a 15-foot step back for each subsequent story. The related, proposed UMU-2 zoning will, if approved, help implement this redevelopment plan. The subject Petition PB-14-53 TCH is needed to modify the UMU-2 zoning district so that it best fits the Power District.*

*The three Figures proposed by this petition are needed to best implement the UMU-2 rezoning of this 7.74-acre within the Power District.*

*The proposed Power District building height limits of six stories and of three stories (three-story maximum building height at the build-to line with a step back for areas adjacent to residential areas that are outside of the Power District) are shown in the backup and are further described in the proposed text revision to Sec. 30-65.2 (d). These proposed height limits are consistent with the Power District Redevelopment Plan and are needed for compatibility with adjacent residential areas.*

*The proposed Storefront Street Type is appropriate for the Power District. The Storefront Street requirements, within Sec. 30-65.2 (e) Public realm requirements of the UMU-2 zoning district, include a 20-foot build-to line (measured from back of curb to face of building).*

*Public notice was published in the Gainesville Sun on May 6, 2014. The City Plan Board held a public hearing on May 22, 2014, and voted 3-2 to approve the petition with the exclusion of the contiguous area south of the McRorie Community Garden to SE 5th Avenue.*

*Fiscal Note: None.*

**RECOMMENDATION**

*Staff to City Commission - The City Commission approve Staff's recommendation that this item be continued until August 21, 2014.*

[140031A Staff report 20140807.pdf](#)

[140031B Append A Application Exh A1-20140807.pdf](#)

[140031C Append B Supplemental Docs Exh B1 B4 20140807.pdf](#)

[140031D CPB minutes draft 20140807.pdf](#)

[140031E staff ppt 20140807.pdf](#)

## **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)**