

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

March 6, 2014

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)

Commissioner Lauren Poe (At Large)

Commissioner Thomas Hawkins (At Large)

Commissioner Yvonne Hinson-Rawls (District 1)

Commissioner Todd Chase (District 2)

Commissioner Susan Bottcher (District 3)

Mayor-Commissioner Pro Tem 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**[130713.](#)**Purchase of Farebox Upgrades for Regional Transit System (RTS) Buses (B)**

This item is a request to purchase farebox upgrades and infrastructure from SPX Genfare for Regional Transit System (RTS) buses.

Explanation: Regional Transit System (RTS) implemented its current revenue collection system in May of 1985. SPX Genfare is the manufacturer that provided the system and CENTSaBill Registering Fareboxes.

The equipment has performed well but has now surpassed its useful life expectancy resulting in declining reliability and significant increases in maintenance costs. With this failing equipment and infrastructure, RTS began purchasing SPX Validating Fareboxes with its bus orders in 2005 and has accumulated an inventory of 38 SPX Odyssey Fareboxes. During this time RTS has continued to seek funding opportunities to accomplish the upgrade of the revenue collection system in the remaining fleet and has been fortunate to obtain \$1,495,393 in grant funding. The funding will also allow installation of the infrastructure needed for the new RTS Maintenance Facility currently under

construction.

In addition, SPX Genfare has indicated that they will no longer support the legacy CENTSaBill Registering Fareboxes after the end of calendar year 2014.

Fiscal Note: The \$1,495,393 for the upgrade and infrastructure is available through a FTA State of Good Repair grant.

RECOMMENDATION

The City Commission: 1) approve the purchase of the upgrade and infrastructure from SPX Genfare for Regional Transit System (RTS); and 2) authorize the City Manager or his designee to issue purchase orders to SPX Genfare.

[130713_Quote_20140306.pdf](#)

[130618.](#)

Purchase of Equipment from Transportation Control Systems, Inc., (TCS) for the Traffic Management System (TMS) (B)

This item involves a request to purchase traffic signal equipment necessary for the Traffic Operations Division of Public Works to maintain as well as enhance the Traffic Management System (TMS) on an as-needed basis.

Explanation: Transportation Control Systems, Inc., (TCS) is the vendor of traffic control equipment including Aldis video detectors, McCain signal heads, GE traffic signal LEDs, Pelco Mounting products, NEMA cabinets and hardware, test equipment, and illuminated LED signs.

Aldis video detection cameras provide vehicle detection to signalized intersections allowing for safer and more efficient movement of traffic with a single "fish-eye" camera. The system also provides automated vehicle counts which can be used to optimize signal timings. Aldis cameras can be used for permanent detection as well as temporary because of the single camera design.

McCain signal heads, GE traffic signal LEDs, Pelco Mounting Products, as well as TCS's line of NEMA cabinets, test equipment, and illuminated LED signs provide for general maintenance of traffic signal overhead equipment. These types of devices fail over time and it is important to maintain supply.

All items purchased from TCS will be from competitively bid contracts, Florida Department of Transportation state contract, or sole source.

Fiscal Note: Funding for purchase of the equipment from Transportation Control Systems is available from the appropriation for the Traffic Management System in the CIRB of the 2005 Capital Project Fund, 8051, and 8052 annual operating budgets in the amount of approximately \$1,500,000. Purchases will be made over multiple years as equipment replacements

are needed throughout the Traffic Management System.

RECOMMENDATION

The City Commission: 1) approve the purchase of the specified equipment from Transportation Control Systems, Inc; and 2) authorize the City Manager to issue purchase order(s) to Transportation Control Systems in excess of \$50,000.

[130618_TCS Product List_20140306.pdf](#)

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[130738.](#)

Professional Surveying and Mapping Services (B)

Explanation: Professional surveying and mapping services are required by various utility departments in connection with budgeted projects throughout the year or when required for emergency utility work. A budgeted project may include boundary or topographic surveys or utility location services for a capital project at a GRU utility plant. In emergency situations, the firm may be required to respond to a service request the same day to aid staff in expediting repairs on a major utility. A recent example includes the work performed during the 2013 force main break on SW 34th Street when the surveying firm was required to promptly locate and obtain elevations of exposed pipe at a utility line to help facilitate repairs. Annual expenditures for planned work are approximately \$75,000. Work is assigned to one of the contracted firms based on the company's professional qualifications, past experience, capability to perform the required work and ability to meet the project's deadline. The utility is requesting approval to contract with four firms to help meet specific project requirements.

Utilities Purchasing issued a Request for Statement of Qualifications (RFSQ) for Professional Surveying and Mapping Services for an initial contract period of three years. Seven firms submitted Statements of Qualifications (SOQ), which were evaluated and ranked in accordance with specific selection criteria as outlined in the RFSQ and Consultants' Competitive Negotiations Act (CCNA.) A tabulation of the ranking is attached for your reference. Staff wishes to initiate negotiations with the four top-ranked firms. If unable to negotiate acceptable contracts with the top four ranked firms, staff may initiate negotiations with the other firms in order of ranking.

The top-ranked firms are as follows:

Degrove Surveyors, Inc.
Eng, Denman & Associates, Inc.
George F. Young, Inc.
JBrown Professional Group, Inc.

Fiscal Note: Funding for this request is included in the Operations and Maintenance and Capital budgets for FY 2014 and will be requested in future fiscal years.

RECOMMENDATION

Staff recommends approval of the final ranking of professional surveying and mapping firms and authorization to negotiate a contract with the four top-ranked firms in accordance with the CCNA.

[130738 Professional Surveying Mapping Services RFQ Tab 20140306](#)

CITY ATTORNEY, CONSENT AGENDA ITEMS

[130712.](#)

JENNIFER D. HEARD V. MARTIN COUNTY SHERIFF'S OFFICE, ET. AL., COURT CASE NO. 2:13CV14364 (B)

Explanation: On February 3, 2014, the City was served with a Summons and Complaint filed by Jennifer D. Heard. The Plaintiff alleges that Officer Shawn Barnes accessed her confidential DAVID (Driver and Vehicle Information Database) record on July 21, 2008 without receiving voluntary disclosure from Plaintiff. Plaintiff alleges, as a result of this illegal access to DAVID, she has endured physical, emotional and potential financial injury. Plaintiff is seeking monetary damages.

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 officer sued in both his official capacity and his individual capacity, in the case styled Jennifer D. Heard v. Martin County Sheriff's Office, et al., Court Case No. 2:13CV14364.

[130712_complaint_20140306.pdf](#)

[130724.](#)

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

Explanation: On February 10, 2014, the City was served with a Summons and Complaint filed by KAD Properties and Dean Poole in the Circuit Court. Plaintiffs allege that the City failed to properly maintain Pinkinson Pond, its control structure, and drain pipe, causing water to flood the Plaintiffs' property. Plaintiffs claim to have suffered damage to the property, loss of rental revenue, loss of property value, and damages associated with business interruption and disruption. Plaintiffs are seeking damages in excess of \$15,000.00.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled KAD Properties, L.L.C. and Dean G. Poole, C.P.A., P.A. v. City of Gainesville; Eighth Judicial Circuit, Case No. 2014-CA-198.

[130724_Complaint_20140306.pdf](#)

[130764.](#)

CABLE NEWS NETWORK, INC. V. GAINESVILLE POLICE DEPARTMENT; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2014-CA-703 (B)

Modification - Added item

Explanation: On February 26, 2014, Cable News Network, Inc. (CNN) filed a Petition for Writ of Mandamus or Complaint for Declaratory Relief against the City in the Circuit Court for the release of crime scene photographs from a shooting incident that occurred on September 30, 2007. The City was served on March 4, 2014. The Court entered an Alternative Writ of Mandamus/Process on February 28, 2014 scheduling a hearing for March 14, 2014. Plaintiffs are seeking a writ of mandamus from the Court compelling the City to disclose the photographs and pay CNN its reasonable costs and attorneys' fees.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Cable News Network, Inc. v. Gainesville Police Department; Eighth Judicial Circuit, Case No. 2014-CA-703.

[130764_CNN Writ_20140306.pdf](#)

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[130748.](#)

Resignation of Beverly A. Akpo-Sanni from the Gainesville Housing Authority (B)

RECOMMENDATION

The City Commission accept the resignation of Beverly A. Akpo-Sanni from the Gainesville Housing Authority, effective immediately.

[130748_Resignation_20140306.pdf](#)

[130754.](#)

Resignation of Sarit Sela from the Historic Preservation Board (B)

Modification - Added item

RECOMMENDATION

The City Commission accept the resignation of Sarit Sela from the Historic Preservation Board, effective immediately.

[130754_SaritSelaHPBResignation_20140306.pdf](#)

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**[130741.](#)

Issuance of Request for Proposals for Professional Auditing Services for the Annual Financial Statements Audit - Gainesville Regional Utilities Segment (B)

Explanation: Florida Statutes section 218.39 and Gainesville Code of Ordinances section 2-433 require the City Commission to employ an independent certified public accountant, not connected with the government of the City, to audit the accounts maintained and the financial statements prepared by the City for each fiscal year. The current contract with Ernst & Young, LLP for the GRU segment for professional auditing services concludes with the audit of the September 30, 2013 financial statements. Ernst & Young, LLP has indicated that they are not currently interested in an option to extend the contract for an additional three years. Therefore, the procurement of a new contract for professional auditing services requires the issuance of an RFP as soon as possible.

RECOMMENDATION

The Audit, Finance and Legislative Committee recommends the City Commission authorize the issuance of a Request for Proposals (RFP) for professional auditing services for the annual financial statements audit - Gainesville Regional Utilities (GRU) segment utilizing the proposed methodology and selection factors.

[130741-RFP for GRU Audit Segment - Agenda Item.PDF](#)

EQUAL OPPORTUNITY COMMITTEE, CONSENT**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**[130706.](#)

Authorize CRA to Act as Agent for City for Development of GTEC Area (NB)

This is a request for City Commission approval to authorize the CRA to act as Agent to the City to lease the property or portions of it to

other entities.

Explanation: One of the largest undertakings of the Eastside Redevelopment area is the redevelopment of the 13-acre Gainesville Technology Enterprise Center (GTEC) area. At the February 17, 2014 CRA Board meeting the CRA Board approved a 30% Conceptual Master Plan and authorized Phase 1 development limits and negotiation of construction documents contract. The conceptual master plan creates an expanded business center, aiming to retain GTEC graduate companies in East Gainesville and attract additional economic activity to the area. In addition to the design and community outreach efforts, the CRA has been working with developers and companies to create private sector partnerships for building construction within the expanded GTEC campus. The CRA Board also authorized CRA staff to issue an RFP seeking qualified developers interested in constructing buildings to house office, commercial, wet-lab, retail and other complimentary uses on the GTEC Area parcels 11340-0-0 and 11341-0-0 and recommended to that the City Commission authorize the CRA to act as an Agent to the City to lease the property or portions of it to other entities.

Fiscal Note: None at this time

RECOMMENDATION

CRA Board to City Commission: 1) Authorize the CRA to act as an Agent to the City to lease the property or portions of it to other entities.

[130706 PRESENTATION_02172014.pdf](#)

END OF CONSENT AGENDA**ADOPTION OF THE REGULAR AGENDA****CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION****CITY MANAGER**

[130753.](#)

Florida Department of Environmental Protection (FDEP) Proposed Modification of Conditions of Certification for Gainesville Renewable Energy Center (GREC) (B)

FDEP Proposed Agency Action. City Manager, discussion of staff memorandum regarding environmental review of draft GREC Petition for Modification (Mod A) of the Conditions of Certification.

ESTIMATED STAFF PRESENTATION 5 MINUTES

Modification - Moved before 130714

Explanation: A proposed draft for modification of certification conditions has been circulated by FDEP to reviewing agencies to solicit questions or comments prior to issuance of Intent to Modify and Draft Final Order. The intent for modification was initiated by the Department to reflect rule updates, and to allow ash generated at the facility to be transported offsite for beneficial reuse at a facility properly permitted to receive such materials.

In response to communication from the FDEP Siting Coordination Office, GREC, LLC, is proposing a modification of conditions under Sections B.I.C. and B.I.D. of the Conditions of Certification (PA 09-55) issued December 15, 2010, that require GREC to comply with provisions of Chapter 62-702, Florida Administrative Code (F.A.C.). Chapter 62-702 F.A.C. was repealed by the FDEP in 2012 and thus the current citations in the Conditions to the repealed rule are proposed for deletion. Additionally, in 2013, the Florida Legislature created Section 403.7047, Florida Statutes, which supports the beneficial use of fossil fuel combustion products, including ash generated by electrical power plants. Conditions B.I.C and B.I.D, which relate to Solid Waste General and Fly Ash, respectively, currently require ash to be transported offsite for disposal in a permitted landfill. Fly ash generated by the facility may be used as a soil supplement, subject to conditions. The draft language of the modification deletes the rule reference, implements the new legislative policy, and includes clarifying language relating to disposal and/or reuse of the heavy ash component, bottom ash, which was not specifically mentioned before. A technical environmental review was coordinated by the City Environmental Coordinator, with regulatory stakeholder representatives including GREC and FDEP, and a memorandum is provided (see back-up) with recommendations for additional proposed draft language for clarifying descriptors of clean wood fuel, and restriction on use of bottom ash as a soil supplement. Based on the information provided by FDEP, it is the consensus opinion of the regulatory stakeholder review team that the proposed petition language does not pose substantial change to the existing certification conditions of the Gainesville Renewable Energy Center. The petition simply adds the option for other regulated beneficial uses of wood ash resulting from clean wood fuel energy generation. No change is proposed which would relax the management requirement for quality control of the incoming fuel stream, or in the testing of ash to monitor regulated waste characteristic prior to use.

Fiscal Note: Unknown at this time.

RECOMMENDATION

Staff to City Commission- Convey recommendations of the Environmental Review Team continued within the attached draft memo for changes to draft language to FDEP for incorporation in the Intent to Modify and Draft Final Order for the GREC Petition for Modification (Mod A) of the Conditions of Certification.

[130753A_Original GREC Email Request_20140306.pdf](#)

[130753B_Second GREC Email Request_20140306.pdf](#)

[130753C_Staff Draft Memo Response_20140306.pdf](#)

[130714.](#)

SE 4th Street Reconstruction Project Basis of Design (B)

This item is a request to present the basis of design for the SE 4th Street Reconstruction Project and to request input for the current state of design. *ESTIMATED STAFF PRESENTATION 15 MINUTES*

Explanation: SE 4th Street from Williston Road to Depot Avenue is an urban collector roadway with heavy industrial type traffic that traverses both industrial and residential land uses. The pavement condition is rated between 44 and 79 PCI and is 17' wide. From 2013 data, the average daily traffic for the northern portion is 3,212 with 17% heavy traffic and the southern portion is 2,403 with 20% heavy traffic. There is a 4' sidewalk along the east side that is in poor condition. This project is currently fully funded through the City's adopted Capital Improvement Plan using Local Option Gas Tax. Staff is proposing to reconstruct and widen the roadway to consist of two- 12' travel lanes, two - 4' bike lanes; curb and gutter and two-6' sidewalks. There are two proposed stormwater management facilities located on either side of the creek as well as a reconstructed creek crossing.

Staff is evaluating the possibility of the addition of a right turn lane at the SW Williston Road intersection and the replacement of the existing span wire traffic signal to mast arms utilizing the mast arms presently located at the intersection of S. Main Street and Depot Avenue.

Staff is proposing to utilize a Construction Manager at Risk for this project.

Fiscal Note: Funding is available in the currently adopted Capital Improvement Plan in the amount of \$5,993,762.

RECOMMENDATION

The City Commission: 1) hear presentation from staff; and 2) provide comments as appropriate.

[130714_4thStreetPPT_20140306.pdf](#)

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

[130744.](#)**2014 Affirmative Action Plan (B)**

Explanation: Pursuant to Resolution No. 951377, the Office of Equal Opportunity has now completed the 2014 Affirmative Action Plan and will share the results and hiring goals with the City Commission.

RECOMMENDATION *The City Commission: 1) hear a summary of the Affirmative Action Plan; and 2) receive the 2014 Affirmative Action Plan as prepared.*

[130744_2014AAPLAN-GRU_20140306.pdf](#)

[130744_2014AAPLAN-GG_20140306.pdf](#)

[130744_PPT_20140306.pdf](#)

[130625.](#)**Annual Hiring Report for FY13 (B)**

Explanation: At the January 14, 2014 Equal Opportunity Committee meeting the EO Director presented the results of the City's hiring for FY13.

RECOMMENDATION *The City Commission hear a report from EO Director and take action as necessary.*

Legislative History

1/14/14	Equal Opportunity Committee	Heard
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[130625_PPT_20140306.pdf](#)

[130702.](#)**Report of Small Business Enterprise Activity for the City of Gainesville (GG and GRU) (B)**

Explanation: The Gainesville Charter mandates that the EO Director make an annual report pertaining to local minority business and local small business procurement programs.

On February 11, 2014 the Equal Opportunity Committee heard a presentation from EO staff and discussed the 2013 spend reports for GG and GRU small business and minority business programs and approved this item for presentation to the City Commission.

RECOMMENDATION *The City Commission: 1) hear a presentation from EO staff on spending performance with small and minority businesses for FY13; and 2) accept the reports.*

Legislative History

2/11/14	Equal Opportunity Committee	Recommended for Approval
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[130702_PPT_20140306.pdf](#)

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PUBLIC SAFETY COMMITTEE

[120510.](#)

Speeding on NW 31st Drive (B)

This item is to update the City Commission on the status of speeding on NW 31st Drive Avenue in the vicinity of Albert Ray Massey (ARM) Westside Park. *ESTIMATED STAFF PRESENTATION 10 MINUTES*

Explanation: The City of Gainesville was asked to address speeding issues on NW 31st Drive between NW 8th Avenue and NW 16th Avenue where the speed limit is posted at 25 MPH. The Gainesville Police Department conducted a two day speed study on N.W. 31st Drive and determined that the 85th% speed was 27 MPH.

On June 12, 2013, staff conducted a public meeting at ARM Westside Park to address the speeding issues. In summary, staff determined that a speeding problem did not exist on NW 31st Drive based upon the above listed speed data.

At the meeting, facilitated by Commissioner Bottcher, staff was asked to examine several alternatives for the residents on NW 31st Drive. Those items are summarized in a memorandum sent to the City Commission on July 24, 2013.

The update shown below was provided to the Public Safety Committee on October 23, 2013:

- 1. Gainesville Police and Public Works Departments jointly purchased a speed trailer that can be used in neighborhoods around the city where speeding concerns have been raised. It has been primarily utilized on NW 31st Drive since its purchase.*
- 2. The sidewalk project could be programmed in the City's CIP and installed as a part of the NW 8th Avenue milling & resurfacing project.*
- 3. GPD performed a second speed study and collected data on 4 days that included 2 weekend days showing an 85th% speed of 29 MPH.*

A second meeting with the residents of NW 31st Drive was held on January 9, 2014, at the ARM Westside Park with residents from the NW 31st Drive area.

1. GPD promised the flashing speed indicator device would be left on 31st Drive until it was needed elsewhere.
2. Commissioner Bottcher said she would notify the group when the sidewalk issue would be on the City Commission agenda so they could attend and voice support.
3. Public Works indicated that they will check into clearing any obstruction from the existing sign with flashing light and check the condition of the existing crosswalk paint/visibility.
4. Public Works created an e-mail distribution list to send information out to the residents.

A sidewalk has been considered for the east side of NW 31st Drive to address the pedestrian issues on this street. This segment of sidewalk does fit the City's criteria for the installation of sidewalks. It would connect the neighborhood on the east side of NW 31st Drive to mid-block crosswalk that is located in the Westwood Middle School - School speed zone and also improve neighborhood connectivity to Westside Park.

Fiscal Note: Funding for the sidewalk project estimated at \$78,500 could be considered for funding in the FY15 Public Works Department Sidewalk Fund.

RECOMMENDATION

The City Commission: 1) consider the safety options of adding a sidewalk and curb, installing crosswalks and rumble strips; 2) consider funding options for these projects; and 3) remove this referral from the Public Safety Committee referral list.

Legislative History

10/18/12	City Commission	Referred to the Public Safety Committee
10/23/13	Public Safety Committee	Discussed

[120510a_NW31DriveStats_20131023](#)

[120510b_TrafficStudySummaryNW_31stDr_20131023](#)

[120510b_MemoTraffic Concerns on NW 31st Drive by ARM Park_20131023](#)

[120510A_NW 31st Drive PPT_20140306.pdf](#)

[120510B_NW 31st Drive Sidewalk Estimate_20140306.pdf](#)

[120510C_NW 31st Drive Memo_20140306.pdf](#)

[120349.](#)

Vehicles Speeding in Neighborhoods (B)

This item is a presentation to the City Commission on Traffic

Calming devices. *ESTIMATED STAFF PRESENTATION 20 MINUTES*

Explanation: In June 2004, the City Commission placed a moratorium on speed humps and speed tables. This was due to the impact these devices were having in emergency response times. In neighborhood speeding complaints, the most common request is for speed humps.

A presentation was provided to the Public Safety Committee on the residential traffic calming program status. GFR also reviewed the speed cushions or pillows placed on N.W. 7th Place between N.W. 34th Street & N.W. 36th Street and reported their findings.

Fiscal Note: Funds are not currently available in the Public Works Department budget for traffic calming projects.

RECOMMENDATION

The City Commission: 1) receive a presentation from staff; 2) consider the modification of the current moratorium to allow the installation of traffic cushions; 3) consider funding options for the Traffic Calming Program; and, 3) remove this referral from the Public Safety Committee referral list.

Legislative History

9/6/12	City Commission	Referred to the Public Safety Committee
1/8/13	Public Safety Committee	Discussed
10/23/13	Public Safety Committee	Discussed

[120349a_ResTrafficCalmingPolicy_20130108](#)

[120349b_TrafficCalmingProgram_20130108](#)

[120349c_TrafficCalmingSurvey_20130108](#)

[120349d_TrafficCalmingDevicesAdminPolicy_20130108](#)

[120349e_TrafficCalmingDevicesPPT_20130108](#)

[120349_StationOneTrafficCushion Memo_20131023](#)

[120349_ResidentialTrafficCalming_20140306.pdf](#)

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

[130749.](#)

Nominations - Library District Board of Trustees (B)

Modification - pull Cynthia Chesnut application from back-up

RECOMMENDATION

The City Commission nominate five applicants for consideration of appointment by the Library

District Governing Board.

[130749 MOD Library Nominations 20140306.pdf](#)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

[130755.](#)

Mayor Ed Braddy - Energy Market Restructuring (NB)

RECOMMENDATION

The City Commission hear a presentation from Darin Cook.

[130770.](#)

Commissioner Thomas Hawkins - New E-Mail on Web System (NB)

RECOMMENDATION

The City Commission discuss new email on Web System.

COMMISSION COMMENTS (if time available)

RECESS

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[130745.](#)

Fritzi Olsen, Ashlee Hardin, Mary Fenton, Irina Ivanova, Adrianna "Andy" Clinton and Rebecca Wilson Day - March 6, 2014 (B)

RECOMMENDATION

Current Problems, Inc. Executive Director Fritzi Olsen Star Volunteer Adrianna "Andy" Clinton, University of Florida Health Science Center Office of the Senior Vice President Health of Affairs, Contracts and Related Services Ashlee Hardin, Mary Fenton and Irina Ivanova and Star Volunteer Friends of Nature Parks Rebecca Wilson to accept the proclamation.

[130745 StarVolunteer 20140306.pdf](#)

[130746.](#)**Leroy St. Onge Day - March 6, 2014 (B)****RECOMMENDATION**

Ironwood Golf Course Volunteer Leroy St. Onge to accept the proclamation.

[130746 Proc 20140306.pdf](#)

[130747.](#)**John Moran, The Fest and The Fest organizer Tony Weinbender and Randy Batista Day - March 6, 2014 (B)****RECOMMENDATION**

Photographer John Moran, and Randy Batista and The Fest Organizer Tony Weinbender to accept the proclamation.

[130747 ArtsAward 20140306.pdf](#)

CITIZEN COMMENT (6:00pm)**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED**[130682.](#)

A Resolution of the City of Gainesville, Florida, urging Congress to support adequate Federal funding for the Highway Trust Fund; providing directions to the Clerk of the Commission; and providing an immediate effective date.

Explanation: As a result of an agenda item on February 6, 2014 by Commissioner Thomas Hawkins regarding Federal Transportation Funding issues, the City Commission directed the City Attorney to prepare the proposed Resolution.

RECOMMENDATION

The City Commission adopt the proposed Resolution.

Legislative History

2/6/14 City Commission Referred to the Audit, Finance and Legislative Committee

[130682_T4 Revenue Proposal Web 20140206.pdf](#)

[130682 draft resolution 20140306.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED[130058.](#)

TEXT CHANGE - TEMPORARY OUTDOOR ALCOHOLIC BEVERAGE SALES AND SPECIAL EVENT PERMITS FOR THE

UNIVERSITY CONTEXT AREA (B)

Ordinance No. 130058, Petition No. PB-13-49 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to temporary outdoor alcoholic beverage sales and event permits; by deleting portions of Section 30-67(g); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES STAFF REPORT
The City Attorney's Office was directed to draft an ordinance (now Ordinance No. 130695) regarding alcoholic beverage sales outdoors and at special events. City staff met to discuss the appropriate approach for such an ordinance and given that Chapter 4 of the Code of Ordinances is devoted to alcoholic beverage issues, staff felt that the regulations and permits for outdoor and special event sales of alcoholic beverages should be moved to Chapter 4. As a result, the City Attorney's Office requested Planning staff initiate a petition to delete redundant code provisions related to special event permits and outdoor alcoholic beverage sales that are currently in the Land Development Code. The Land Development Code will continue to regulate permanent sales of alcoholic beverages on property that is zoned for such uses.

The City Plan Board reviewed the petition and recommended approval by a vote of 7-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-13-49 TCH and; 2) adopt the proposed ordinance.*

[130058A_draft ordinance_20140306.pdf](#)

[130058B_staff report_20140306.pdf](#)

[130058C_Text Admendment Application_20140306.pdf](#)

[130058D_cpb minutes_20140306.pdf](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[120642.](#)

TEXT CHANGE - BINDING RESOURCE DETERMINATION FOR REGULATED NATURAL AND ARCHAEOLOGICAL RESOURCES (B)

Ordinance No. 120642, Petition No. PB-12-113 TCH

An ordinance of the City of Gainesville, Florida, amending the Land

Development Code and the City Code of Ordinances related to regulated natural and archaeological resources; by amending Section 30-310 to create an optional binding resource determination process; by amending Section 30-353 to vest the plan board with the power to hear and be the final decision-making authority for binding resource determinations; amending Appendix A, Schedule of Fees, Rates and Charges to create fees for binding resource determinations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

On July 19, 2012, as part of the motion to approve the Natural Archaeological Resources Protection ordinance on first reading (Ordinance No. 110076), the City Commission directed staff to initiate a Plan Board petition to address the issue of predetermination of regulated natural and archaeological resources.

This draft ordinance provides for an optional, binding resource determination process. The process is intended to assist applicants, prior to any application for development, in determining if and where regulated natural and archaeological resources may be located on their property. It is not intended to include any review or determination of proposed set aside areas or mitigation. That would occur at the time of development review.

This ordinance proposes the use of a methodology agreement to assure the methodology of study and that the proper geographic area is being studied. The submitted study will be reviewed by staff and then submitted to the City Plan Board for final review and approval with a public hearing process. The resource determination is valid for a period of two years from the date of final board approval.

Updates may be required during the 2 year period. An update of regulated sinkholes and listed species is required with a development application. Sinkholes may occur at any time, and if they are regulated sinkholes, it will be important to have this updated information at development plan review to ensure proper buffers around the sinkhole. The update on the listed species is required because listed species may be added or de-listed during the interim period. In addition, changed conditions at the site may cause a species to move into or out of the site. In the event of major change at the site (including flood, fire, major storm, or adjacent new development), an update of the study is also required as these major changes could cause natural resource changes even during the two-year period.

The fees associated with this optional review are included in the draft ordinance.

Public notice was published in the Gainesville Sun on November 15, 2012. The Plan Board held a public hearing on December 3, 2012. The

Plan Board approved the petition with the recommendation that the Plan Board should be the final reviewing board for the optional, binding resource determinations. On February 7, 2013, the City Commission approved the petition as recommended by the Plan Board.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

1/3/13	City Commission	Continued (Petition)
2/7/13	City Commission	Approved (Petition)
2/20/14	City Commission	Adopted on First Reading (Ordinance)

[120642A staff report 20130103.pdf](#)

[120642B Proposed pre-application binding 20130103.pdf](#)

[120642C petition application 20130103.pdf](#)

[120642D cpb minutes 20130103.pdf](#)

[120642E staff ppt 20130103.pdf](#)

[120642A staff report 20130207.pdf](#)

[120642B Proposed pre-application binding 20130207.pdf](#)

[120642C petition application 20130207.pdf](#)

[120642D cpb minutes 20130207.pdf](#)

[120642E staff ppt 20130207.pdf](#)

[120642 draft ordinance 20140220.pdf](#)

[120642B staff ppt 20140220.pdf](#)

[121118.](#)

TEXT CHANGE - INCREASING MAXIMUM BLOCK PERIMETER IN UNIVERSITY HEIGHTS, AMENDING TIMING FOR CONSTRUCTION OF NEW LOCAL STREETS, AMENDING BICYCLE PARKING REQUIREMENTS (B)

Ordinance No. 121118; Petition No. PB-13-44 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-65.2 Urban mixed-use district 2 (UMU-2) of the Land Development Code by increasing the maximum block perimeter in the University Heights area; by amending the timing requirement for the construction of new local streets; by amending the bicycle parking requirements; by deleting Figure 2.1 Proposed Local Streets - University Heights; 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

The ordinance amends the urban mixed-use district 2 (UMU-2) zoning district in the Land Development Code. This ordinance increases the maximum block perimeter in the University Heights area of UMU-2 from 1800 feet to 2000 feet. This change removes the requirement for two of the new streets shown in Figure 2.1 Proposed Local Streets - University Heights, and because the remaining streets shown in Figure 2.1 will be constructed through a joint effort of the City of Gainesville and Gainesville Community Redevelopment Agency, this figure is being deleted from the Land Development Code.

This ordinance also changes the timing requirement for the construction of new local streets within the UMU-2 zoning district. Currently, final approval of any subdivision, minor subdivision, lot split or development may not be received until the required new local streets have either been constructed or are secured by a surety bond or approved alternative for construction within 12 months from final approval. This ordinance will, in addition, allow a subdivision or development to receive final approval when the required new local streets will be constructed by the City or the Gainesville Community Redevelopment Agency within 2 years of the approval.

Finally, this ordinance reduces the bicycle parking requirements within the UMU-2 zoning district to ensure there is adequate space for the required bicycle racks within these dense urban developments.

After public notice was published in the Gainesville Sun on April 9, 2013, the City Plan Board held a public hearing on April 25, 2013, and recommended approval of this petition with revisions by a vote of 6-0. On June 6, 2013, the City Commission approved the petition as originally recommended by staff (excluding the revisions recommended by the City Plan Board) by a vote of 7-0.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

6/6/13	City Commission	Approved (Petition), as amended
2/20/14	City Commission	Adopted on First Reading (Ordinance)

[121118A CPB Recommended Changes 20130606.pdf](#)

[121118B Staff Recommended Changes 20130606.pdf](#)

[121118C Staff report 20130606.pdf](#)

[121118D Application for Text Amendment to LDC 20130606.pdf](#)

[121118E Figure 2.1 from UMU2 zoning district 20130606.pdf](#)

[121118F Comparison of non-vehicular parking standards 20130606.pdf](#)

[121118G Complete UMU2 zoning district 20130606.pdf](#)

[121118H CPB minutes 20130606.pdf](#)

[121118I staff ppt 20130606.pdf](#)

[121118A draft ordinance 20120220.pdf](#)

[130695.](#)

ALCOHOL EVENT PERMITS (B)

Ordinance No. 130695

An ordinance of the City of Gainesville, Florida, amending the City Code of Ordinances related to the sale, dispensing, consumption and possession of alcoholic beverages; by amending Section 2-339; by amending Section 4-1; by deleting the existing Section 4-4 in its entirety and creating a new Section 4-4; by amending Appendix A. Schedule of Fees, Rates and Charges to provide for alcohol event permit fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date

Explanation: The issue of allowing outdoor events and concerts on City owned parking lots, along with the outdoor sales and consumption of alcohol in downtown Gainesville, was brought before the City Commission in February 2012 and was referred to the Public Safety Committee for discussion and recommendations. The related issue of special permits for the "extension of boundaries" by alcoholic beverage establishments which would allow the outdoor sale and consumption of alcohol on the establishments' property was brought before the City Commission in September 2012 and was also referred to the Public Safety Committee for discussion and recommendations.

During several meetings, the Public Safety Committee heard comments from citizens, businesses and staff pertaining to alcohol events and permits and discussed the public safety issues at length. In its report back to the City Commission, the Public Safety Committee recommended the City Commission amend the ordinances pertaining to the issuance of special permits for the outdoor sale and consumption of alcoholic beverages within the City of Gainesville to address many of the issues raised and considered.

On March 21, 2013 the City Commission directed the City Attorney to draft an ordinance addressing the issuance of special event permits or

boundary extension permits for the outdoor sale and consumption of alcohol on city and private property. Staff from several City Departments met to discuss how best to craft an ordinance that would address the multiple issues involved with the direction provided by the City Commission. The draft code revisions were provided to and input was received from interested community stakeholders. On December 5, 2013, the City Commission received an update from staff and authorized the City Attorney to draft an ordinance.

This ordinance attempts to provide a comprehensive approach to temporary "special event" sales of alcohol and consolidates all related code provisions in one section of the City Code of Ordinances. Given that Chapter 4 of the Code of Ordinances is devoted to alcoholic beverage issues, it was felt that all related issues should be moved to Chapter 4. Another ordinance (Ordinance No. 130058) removing redundant provisions from the Land Development Code will be scheduled for first reading when this ordinance is heard on second reading. The Land Development Code will continue to regulate the use of property that involves the permanent sale of alcoholic beverages.

This ordinance requires two readings.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/20/14 City Commission Adopted on First Reading (Ordinance)

[130695_draft ordinance_20140220.pdf](#)

[130382.](#)

VACATION OF RIGHT-OF-WAY - 4820 NW 13TH STREET (B)

Ordinance No. 130382, Petition No. PB 13-66 SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close unimproved right-of-way located in the vicinity of 4820 NW 13th Street, as more specifically described in this Ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will vacate the remaining east 338 feet of NW 49th Avenue, (formerly NW 3rd Street right-of-way), immediately west of NW 13th Street (US 441). That right-of-way was established by the Paradise Plat, as recorded in Plat Book "A", Page 4. Most of the roads approved through that plat were not constructed, leaving only "paper streets". In 1990 most of the rights-of-way associated with the Paradise Plat were vacated by City Resolution 90-12, leaving a few east/west sections including the subject right-of-way immediately west of NW 13th Street.

The east portion of NW 49th Avenue was left in place to provide access to interior parcels with no direct frontage to NW 13th Street. Those interior parcels have since been aggregated into a larger parcel through Minor Subdivision Book 2, Page 85 of the Public Records of Alachua County. One of those parcels is now owned by the City of Gainesville and developed as a City park. Due to the design of alternate access points, the right-of-way being vacated is no longer needed to serve the City park. The right-of-way runs between two parcels which are under one ownership and fronts N.W. 13th Street. The right-of-way prevents full and efficient development of those parcels. The owner of the two parcels is requesting that the City vacate the right-of-way separating the two parcels in order to allow a more efficient and economical use of the two properties.

The petition satisfies the requirements for a street vacation and complies with the appropriate policies of the Comprehensive Plan. Public notice was published in the Gainesville Sun on August 6, 2013. The Plan Board held a public hearing on August 22, 2013 and approved the petition by a vote of 6-0. The City Commission, at its meeting of November 7, 2013, approved the petition and authorized the City Attorney to prepare and the Clerk of the Commission to advertise the draft ordinance.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

11/7/13	City Commission	Approved (Petition)
2/20/14	City Commission	Adopted on First Reading (Ordinance)

[130382A_staff report_20131107.pdf](#)

[130382B_Appendix 1 Adopted Resolution 90-12 Paradise Plat_20131107.pdf](#)

[130382C_Appendix 2. Copy of Sec. 30-192 of the Land Development Code_20](#)

[130382D_Appendix 3 Petition Application and Legal Description_20131107.pdf](#)

[130382E_Appendix 4 Associated Maps_20131107.pdf](#)

[130382F_CPB minutes_20131107.pdf](#)

[130382G_staff ppt_20131107.pdf](#)

[130382_draft ordinance_20140220.pdf](#)

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

[130776.](#)

Mayor Ed Braddy - Update on Washington D.C. Trip (NB)

Modification - Added item

RECOMMENDATION

The City Commission hear an update from Mayor Ed Braddy regarding his trip to Washington D.C.

CITIZEN COMMENT (If time available)

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