

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**December 3, 2015**

**1:00 PM**

**MODIFIED AGENDA**

**City Hall Auditorium**

## **City Commission**

***Mayor Ed Braddy (At Large)***  
***Commissioner Harvey Budd (At Large)***  
***Commissioner Helen Warren (At Large)***  
***Commissioner Charles Goston (District 1)***  
***Commissioner Todd Chase (District 2)***  
***Mayor-Commissioner Pro Tem 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****ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)****CITY MANAGER, CONSENT AGENDA ITEMS**

[150207.](#)

**Interlocal Agreement for Transition of Services for Fire Station 19 and Forest Park (B)**

**This item recommends that the City Commission approve the Interlocal Agreement Between the City of Gainesville, Florida and Alachua County, Florida for the transition of services for Fire Station 19 and Forest Park.**

*Explanation: At the Joint City and County Commission meeting on August 10, 2015, staff were directed to develop an implementation plan for the transition of fire rescue services in the area of Alachua County Fire Rescue (ACFR) Station 19 from the County to the City and to include development of an operation and maintenance plan by the City for Forest Park, which is adjacent to Fire Station 19.*

*During their November 10, 2015 meeting, the Alachua County Board of County Commissioners (BOCC) received a presentation from Alachua County Fire Rescue Chief Northcutt which included the draft language for an Interlocal Agreement which has been reviewed by the law offices of both the City and the County. The agreement specifies:*

1. *The suspension of payments under the Fire Services Assistant Agreement (FSAA) Section 5 from October 1, 2015 through September 30, 2017;*
2. *That effective October 1, 2017 the City will be assigned fire rescue responsibility for the SW 20th Avenue area and the FSAA agreement will become compensable. The GFR unit assigned to the area will be recognized as a compensable unit. If Engine 19 has not been relocated it will continue service but not be recognized as a compensable unit;*
3. *That the County maintains ownership of Station 19 and agrees to explore the co-location of units; and,*
4. *That ownership and responsibility for Forest Park will be transferred to the City on October 1, 2017.*

*The BOCC directed County staff to send the agreement to the City for first approval. City staff recommends the City Commission approve the agreement and forward it to the BOCC for approval.*

*Fiscal Note: The fiscal impact of the proposed transition plan is based on the suspension of payments in the FSAA for a two year period. Per the FSAA, the City has regularly been paying the County \$350,000 or more annually. Over the last year, the impact of the City's Squad 2 has significantly reduced payments to the County. In FY 15, consistent with the FSAA, it is expected the County will have paid the City approximately \$102,500. In terms of FSAA payments, this represents a net financial impact to the City of \$450,000 (reduction in payments of \$350,000 plus over \$100,000 in revenue) in FY 15.*

*The FY 16 budget adopted by the City Commission doesn't budget FSAA payments to the County or revenue to the City, which is consistent with the proposed temporary suspension of FSAA payments. In FY 17, the City will need to fully fund the positions supported by the SAFER grant that helped fund staffing for Squad 2. The expectation is that Squad 2 staffing will be used to help staff an engine as the fire rescue service responsibility transitions to the City. Expected costs for maintenance of Forest Park are approximately \$150,000 annually. Funding for operation and maintenance of Forest Park will need to be provided in the City's FY 18 budget.*

**RECOMMENDATION**

*The Commission approve the Interlocal Agreement and authorize the Mayor to execute the agreement subject to approval by the City Attorney as to form and legality.*

**Legislative History**

8/4/15	City Commission	Heard
9/17/15	City Commission	Approved as Recommended

[150207A Fire EMS Transition SW 20th Ave area 20150810.pdf](#)  
[150207B Medical Unit Response in City presentation 20150810.pdf](#)  
[150207C Fire Services Assistance Agreement Oct 2006 20150810.pdf](#)  
[150207 Joint Proposal for Transition of Fire Rescue Services DRAFT 2015091](#)  
[150207 Interlocal Agreement Station 19 and Forest Park 20151203.pdf](#)

[150539.](#)

**Porter's Neighborhood Speed Limit (B)**

**This is a request for City Commission approval to implement a speed reduction in the Porter's neighborhood.**

*Explanation:* Staff received a referral to examine the speed limits in the Porter's Neighborhood. In accordance with Florida Statute §316.189 and Florida Department of Transportation (FDOT) standards, the Public Works Department commissioned an Engineering Study (Study) of the streets in the Porter's Neighborhood.

Under the FDOT criteria, a street must be substandard for the limit to be posted below 25 MPH. The Study determined that many of the streets in Porter's Neighborhood are substandard in width (less than 18" wide). The Study further determined that it would be appropriate to reduce the speed limit to 20 MPH based upon that criterion.

*Fiscal Note:* The fiscal impact associated with this request is \$ 2,100, the cost of materials and labor to install 12 signs at the perimeter of the Porter's Neighborhood. Funding for this project is available in the Public Works Department operating budget FY 2016.

**RECOMMENDATION**      The City Commission: 1) accept the findings of the Engineering Study; and 2) authorize the Public Works Department to implement a 20 MPH speed limit in the Porter's Neighborhood.

[150539 Porters Speed Study 20151203.pdf](#)

[150542.](#)

**2015 National Society Daughters of the American Revolution Grant (NB)**

**This is a request for City Commission approval for the Department of Parks, Recreation and Cultural Affairs (PRCA) to submit a grant application in the amount of \$3,000 to support the historic Evergreen Cemetery for conservation of cemetery monuments and gravesites.**

*Explanation:* The City of Gainesville Parks, Recreation and Cultural Affairs (PRCA) Department will submit an application to the National Society Daughters of the American Revolution on December 31, 2015 for funding to support the conservation of cemetery monuments. PRCA recommends

*the conservation of the historic monuments to preserve them for future generations as well as to permit the Department to be good stewards of the public trust. In the "Old Yard," some of the earliest interments have headstones that are leaning or have fallen over, and headstones and monuments that have accrued dirt and mold. This grant would allow PRCA to clean and reposition some of these headstones.*

*Fiscal Note: There is a required one-to-one match for the grant funds requested. If awarded, the matching fund requirement of \$3,000 will be met with funds from the department's cemetery budget or the Cemetery Trust Fund.*

**RECOMMENDATION**

*The City Commission: 1) approve the request to accept the grant, if awarded, from the National Society Daughters of the American Revolution; and 2) if the grant is awarded, authorize the City Manager or designee to execute the grant award agreement and other grant related documents, subject to approval by the City Attorney as to form and legality.*

[150543.](#)

**2015 Pop Warner National Travel Grant Application (NB)**

**This item requests approval of the City Commission for the Parks, Recreation and Cultural Affairs Department to accept, if awarded, a grant from the 2015 Pop Warner Travel Grant Program to support the Gainesville Pop Warner Cheer Team to travel and compete in the National Competition in Orlando, FL.**

*Explanation: The City of Gainesville Parks, Recreation and Cultural Affairs (PRCA) Department will submit a grant application to the 2015 Pop Warner National Travel Grant Program to support the Pop Warner Cheer Team to attend the National Competition in Orlando, FL. The Gainesville Pop Warner Association has been programming events in the PRCA for more than four years. The PRCA Vision 2020 has identified the need to provide young girls with athletic programs that incorporate life skills as well as building self-esteem. In the fall of 2013, the cheer team placed 5th in the nation for their competition at Nationals held in Orlando, FL. Most recently, in October 2014, the Gainesville Pop Warner Cheer Squads, the Gator Midgets and Jr. Pee Wee, placed first and second respectively in their divisions in the Mid-Florida League Cheer Championships in Kissimmee, FL. Additionally, the Midget Cheer Squad received the Mid-Florida Association Royal Scepter award earning the highest score of the day out of the 82 cheer and dance squads competing. The grant funds, if received, will permit PRCA to be able to include students whose parents have economic difficulty.*

*Fiscal Note: There are minimum administrative costs associated with this travel grant. Staff will need to make reservations at the host hotel and follow-up with parents of those students who will be traveling. There is no funding match required.*

**RECOMMENDATION**

*The City Commission: 1) approve the request to accept the travel grant voucher, if awarded, from the Pop Warner Travel Grant Program, and 2) if the grant is awarded, authorize the City Manager or his designee to execute the travel grant voucher agreement and other related documents, subject to approval by the City Attorney as to form and legality.*

[150564.](#)

**City Commission Authorization to Pursue Competitive Process for City Parking Lot #2 (B)**

**This is a request for the City Commission to authorize staff to develop a competitive process for City Parking Lot #2 that would result in a Licensing Agreement for Parking Spaces associated with stimulating redevelopment.**

*Explanation: City Parking Lot #2 is located on NW 2nd Avenue and is currently utilized to accommodate City employee parking needs. In addition, a portion of Parking Lot # 2 is metered as well. Parking Lot # 2 is currently underutilized particularly during the week and regular office hours.*

*Staff is seeking authorization from the City Commission to pursue a competitive process to allow for the licensing of City Parking Lot # 2. This would be designed to stimulate urban redevelopment in the general area.*

*It is anticipated that the competitive process would be developed and executed upon in the first quarter of calendar year 2016.*

*Fiscal Note: A standard License for Parking Spaces Agreement would be entered into by a selected participant in the competitive process and business terms and fiscal impacts would be reviewed with the City Commission at the appropriate time.*

**RECOMMENDATION**

*The City Commission authorize staff to develop and pursue a competitive process for the licensing of parking spaces in City Parking Lot #2.*

[150564 Map 20151203.pdf](#)

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

[150544.](#)

**Amendment to Contract for HVAC Services for GRU Facilities (NB)**

*Explanation: The City Commission authorized staff to enter into a contract with Johnson Controls, Inc. on October 18, 2012 for heating, ventilation and*

air conditioning (HVAC) preventive maintenance and repair services for all GRU facilities. The contract focuses on preventive maintenance to reduce the potential for unforeseen equipment downtime to ensure continuous operation of HVAC equipment. The contract includes a provision to add and delete equipment maintained under the contract when units are retired or when newer units are no longer covered under their initial warranty.

Facilities covered under this contract include the GRU Administration Building, Springhill Service Center, Deerhaven and Kelly Generating Stations, Kanapaha and Main Street Water Reclamation Facilities, Murphree Water Treatment Plant, Boulware Springs, electric substations and radio towers. The annual cost of the services at the beginning of the contract was estimated to be \$134,100; however, with over 100 pieces of equipment being added to the contract, the cost is anticipated to be approximately \$192,000 per year. This increase in covered equipment is due to newer equipment whose initial warranties expired and can now be serviced under this contract. Such equipment includes ice machines and HVAC equipment at the Eastside Operations Center and HVAC equipment at electric substations and the Deerhaven Generating Station. In addition, maintenance is now being performed on the chiller, fan coil units and cooling tower at the GRU Administration Building due to expired warranties. Units that were previously maintained by GRU at the Waldo radio tower are currently being maintained by the county and have been removed from the contract. Since the number of units requiring service fluctuates, staff is seeking authorization to amend the contract for the expenses as needed as units are added or removed from the contract.

Johnson Controls, Inc. has done a good job maintaining this critical equipment and has been very responsive to GRU's service needs. Other than Consumer Price Index adjustments to pricing as allowed by the contract's terms, no other price increases have been made. In addition to performing monthly services, Johnson Controls, Inc. is required to respond to emergencies within four hours to minimize the cost impact to operations. Because some of the equipment is located in facilities where a failure can cause electronic equipment to quickly overheat in a matter of hours and lead to costly equipment repairs failure in a matter of hours, it is essential to have a contractor with adequate staffing and material resources to respond expeditiously.

*Fiscal Note:* Funds are available in the FY 2016 budget and will be requested in subsequent year budgets.

**RECOMMENDATION**

The City Commission: 1) authorize the General Manager, or his designee, to amend the contract with Johnson Controls, Inc. for servicing additional HVAC equipment at various GRU facilities, subject to approval of the Utilities Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services to Johnson Controls, Inc. not to exceed budgeted amounts, subject to the final appropriation of funds for these services in

each fiscal year.

[150545](#)

### Agreement for Telecommunications Consulting Services (NB)

*Explanation: GRU has been providing telecommunications services since 1995 under the brand name of "GRUCom." Services provided by GRUCom include interconnection and local access data transport circuits for use by private business enterprises, local, state and federal government agencies, Internet service provider companies (ISPs) and other telecommunication carrier companies. GRUCom personnel directly manage the business relationships with most locally-based private business and government agency customers. However, the primary company contacts and points-of-influence with ISPs and other telecommunication carrier companies are highly decentralized and most business interactions occur almost exclusively outside of the Gainesville area. The process of conducting business in this customer space requires broad experience with an industry-wide national perspective. GRUCom employs the use of specialized consultants in this area of its business dealings.*

*The current agreement was approved by the City Commission on January 17, 2013. This agreement expires in January 2016 and contains an option for a two year extension upon mutual agreement. HIKE & Co., Inc. has agreed to offer their services at the same rates and has served as GRUCom's primary telecommunications consultant since 1995, assisting with national business development activities.*

*The consultant has assisted GRUCom through the start-up phase of its Competitive Access Provider and Internet Service Provider businesses and has been instrumental in developing and maintaining successful business relationships with ISPs and other telecommunication carrier companies and the down-line key customers with whom they have strategic business relationships. The interface the consultant provides between GRUCom and the various agents who represent these ISPs and carrier companies enables GRUCom to respond effectively to the complex and unique issues of the highly competitive telecommunications industry. These ongoing business relationships, and the consultant's historical, documented work output, have been invaluable to GRUCom and have aided in its expansion and sales growth over the years. The consultant's in-depth knowledge of the telecommunications industry, coupled with working experience and understanding of GRUCom's operations, customer needs and other pertinent issues has significantly contributed to GRUCom's business.*

*Fiscal Note: Funds for these services are available in the approved GRUCom capital and operating budgets for FY2016 and will be requested in subsequent fiscal years of the agreement.*

#### RECOMMENDATION

*The City Commission authorize the General Manager or his designee to: 1) execute a two year amendment to the professional service agreement*



with HIKE & Co., Inc., as a specified source, for telecommunications consulting services on an as needed basis, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services in amounts not exceeding \$75,000 for each year of the agreement, subject to final approval of funds.

## CITY ATTORNEY, CONSENT AGENDA ITEMS

[150569.](#)

### **BONEUR JEAN-PHILLIPE V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-4000 (B)**

*Explanation:* On November 19, 2015, the City was served with a Summons and Complaint filed by Boneur Jean-Phillipe. Boneur Jean-Phillipe alleges that he was involved in an automobile accident with a City vehicle on October 9, 2014 at the intersection of South Main Street and SR 26, in Gainesville. Boneur Jean-Phillipe claims to have suffered bodily injury and resulting pain and suffering, mental anguish, loss of capacity for the enjoyment of life, expenses of hospitalization, medical treatment, aggravation or acceleration of pre-existing injury, loss of earnings and loss of ability to earn money and property damage. Mr. Boneur Jean-Phillipe seeks money damages in excess of \$15,000.00.

#### **RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Boneur Jean-Phillipe v. City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-4000.

[150569\\_Boneur Phillippe Consent\\_20151203.pdf](#)

[150581.](#)

### **Erica Martin v. City of Gainesville; Presuit claim arising from an automobile accident that occurred in Gainesville, Alachua County, Florida. (NB)**

*Explanation:* On April 5, 2013, Erica Martin was a seat-belted driver of a vehicle travelling south on 34th Street at the intersection with West University Avenue. A Gainesville Police Department vehicle driven by Officer Steven Carter was westbound on University Avenue. As Officer Carter approached the intersection, he activated his emergency lights and proceeded through the red light in pursuit of a motorist that he suspected ran the red light before him. Officer Carter did not activate his siren. Ms. Martin's view from the north was obscured by a sports utility vehicle that was properly stopped in the inside left-turn lane on 34th Street, and the bright lights of a gas station on the northeast corner of the intersection. Officer Carter proceeded into the path of Ms. Martin's vehicle in the middle of the intersection.

*Ms. Martin incurred facial lacerations and suffered post-traumatic headaches for months after the accident. She accrued medical bills in excess of \$23,000.00 for treatment related to the automobile accident, non-inclusive of potential, future surgery to alleviate scarring of her forehead. In addition to past and future medical treatment, Ms. Martin enunciated claims for pain and suffering and lost wages.*

*Due to the nature of the accident and injuries, and with the cooperation of the claimant and her attorneys, the City Attorney's Office and Risk Management Department conducted a thorough evaluation and investigation of these claims prior to the filing of a lawsuit. Per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes, the City's liability and authority to settle claims such as this is limited to \$200,000.00 per person and \$300,000.00 per incident. Both parties participated in mediation, and reached an agreement. Representatives for the City agreed to recommend a payment in the amount of \$45,000.00 to Ms. Martin, subject to approval by the City Commission. In return, Ms. Martin will provide a full and complete Release to the City. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.*

*Fiscal Impact: Funds are available in the City's General Insurance Fund.*

**RECOMMENDATION**

*The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the claim of Erica Martin arising from an accident that occurred on or about April 5, 2013.*

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

[150575.](#)

### **Resignation of James Jim East from the Regional Transit System Advisory Board (B)**

*MODIFICATION - Changed Text File Language*

**RECOMMENDATION**

*The City Commission accepts the resignation of James Jim East, effective immediately.*

[150575 Resignations 20151203.pdf](#)

[150603.](#)

### **Draft Gainesville Regional Utilities Governance "Bill" (NB)**

*MODIFICATION - Added Item*

**RECOMMENDATION**

*The City Commission refer to Regional Utilities Committee to schedule workshop and invite rest of the City Commission.*

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA**

**ADOPTION OF THE GENERAL GOVERNMENT REGULAR AGENDA (Read if any, each item added or modified)**

**GENERAL GOVERNMENT-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)**

**GENERAL MANAGER FOR UTILITIES****UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)**

**UTILITY ADVISORY BOARD/COMMITTEE REPORTS.** Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.

**UTILITY-RELATED ITEMS FROM OUTSIDE AGENCIES.** Must be submitted by a Charter Officer. Update limited to ten (10) minutes.

**UTILITY-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION****UTILITY-RELATED COMMISSION COMMENTS (if time permits)**

**GENERAL GOVERNMENT items of a time-sensitive or important nature or pulled from Consent.** Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.

[150540.](#)

**Plum Creek Time Extension (B)**

**This is a request to extend the timeframe for which a PD (planned development) zoning ordinance must be adopted to implement the Plum Creek PUD (Planned Use District) land use. The applicant is requesting that the timeframe be extended to July 26, 2017.**

**\*\*ESTIMATED STAFF PRESENTATION 5 MINUTES\*\***

*Explanation: This is the third requested extension by the applicant. The first extension was approved on October 21, 2010 when the City*

Commission approved Ordinance 100189 amending Ordinance 070447 extending the deadline for which a PD zoning ordinance consistent with the Planned Use District land use must be adopted by the City Commission on or before July 26, 2012. The second requested extension was filed on January 16, 2012 and was granted on May 3, 2012 when the City Commission approved Ordinance 110700. Ordinance 110700 extended the deadline for which a PD zoning ordinance consistent with the planned use district must be adopted by the City Commission on or before July 26, 2012, to July 26, 2016. On August 18, 2015, the applicant's agent submitted a request to extend the timeframe by one year to July 26, 2017. The applicant in their request stated that "Plum Creek is currently working on a proposed Comprehensive Plan Amendment (CPA) and an implementing PD for the property governed by the Ordinance. A submittal is now anticipated in early 2016. It is not realistic to expect that the CPA and PD can be considered and acted upon by the City Commission by the July 26, 2016 deadline in the Ordinance. While the applicant has not submitted an application for the Comprehensive Plan Amendment and implementing PD, the applicant has been engaged in conversation with City Staff regarding transportation related issues.

It is staff's recommendation that the City Commission approve the extension request.

*Fiscal Note: None*

**RECOMMENDATION**

Staff to the City Commission- Direct the City Attorney to draft and the Clerk to advertise an ordinance extending the timeframe to July 26, 2017.

[150561.](#)

**2016 Canvass Board (NB)**

**RECOMMENDATION**

The City Commission select a member of the Commission and a citizen to serve on the April 12, 2016 Election Canvass Board (if needed).

[150563.](#)

**Amendments to Ground Lease for Cade Museum at Depot Park (B)**

**This is a request for the City Commission to approve lease amendments at Depot Park.**

*Explanation: The Cade Museum was selected in a 2013 RFP process to locate a new museum for creativity and invention on an approximately 2.155 acre parcel at the western edge of Depot Park along Main Street. A 50 year ground lease was executed in July 2015 ahead of completion of a final development agreement so that the museum could be eligible to apply for a significant Cultural Facilities grant sponsored by the Florida*

*Department of State, Division of Cultural Affairs, Florida Council on Arts and Culture.*

*The Cade Museum is requesting a change to the museum boundary area to accommodate the design of the hardscape elements that surround the museum's unique building shape. The extended boundary would add approximately .40 acres to the museum boundaries, and the museum would be solely responsible for the maintenance of this extended boundary area for the entire term of the ground lease.*

*The Cade Museum has subsequently pursued construction financing and may be eligible for New Markets Tax Credits (NMTC). The lender has requested changes to the terms of the lease in order for the Cade Museum to qualify for this financing, including extending the lease term, the ability to assign the lease to an affiliate, allowing leasehold financing and broadening the use of the property. Staff has worked with the City Attorney to mitigate risk to the City with the adoption of these potential changes. In its presentation, Staff will describe the proposed lease changes in detail and detail its efforts to work with the Cade Museum to meet significant milestones required for them to qualify for \$3.2mm in construction financing.*

*Fiscal Note: None at this time.*

**RECOMMENDATION**

*City Manager to City Commission: 1) authorize lease amendments to include extended boundary area; and 2) authorize lease amendments requested by Cade Museum to qualify for construction financing subject to approval by the City Attorney as to form and legality.*

[150563a LEASE AMEND 20151203.pdf](#)

[150563b NOTES 20151203.pdf](#)

[150563c BOUNDARY SKETCH 20151203.pdf](#)

[150583.](#)

**Addition to the 2016 State Legislative Agenda (B)**

**This is a request for the City Commission to approve and include a section titled Citizens System of Care Program into the 2016 State Legislative Agenda.**

**MODIFICATION - ADDED ITEM**

*Explanation: On November 19, 2015 the Commission heard a presentation from the Alachua County Schools and the Juvenile Justice Council requesting the City's support to include the Alachua County Public Schools System of Care in its Legislative Packet for FY 2016.*

*Fiscal Note: At this time no funds are being requested by the Alachua County Juvenile Justice Council to support this request for funding for a Pilot*

*Program. In-kind Services from various City departments and divisions are currently supporting the Alachua County System of Care Program.*

**RECOMMENDATION**

*The City Commission approve including the Alachua County Public Schools System of Care to the 2016 City of Gainesville's State Legislative Agenda.*

[150583-MOD\\_Statement\\_20151203.pdf](#)

**5:30 P.M.**

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by  
Commissioner or Charter Officer**

[150558.](#)

**Special Recognition for Belinda Smith, Gina Hawkins and Dr. Nancy E. Herievich, O.D. and Dr. Norah L. Krol, O.D., of Gainesville Family Eyecare (B)**

**RECOMMENDATION**

*The City Commission hear the Special Recognitions.*

**6:00 P.M.**

**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**

**WAIVE RULES TO HEAR FILE #150568 AT A TIME CERTAIN OF 6:30 PM**

[150568.](#)

**Blue Ribbon Advisory Committee for Economic Competiveness Final Report and Recommendations (B)**

**This is a request for the City Commission to receive the final report from the Blue Ribbon Advisory Committee on Economic Competitiveness (BRACEC) , which includes changes needed to achieve the goal of making Gainesville the most citizen-centered city in the country. \*\*ESTIMATED STAFF PRESENTATION 45 MINUTES\*\***

*Explanation: At the February 19, 2015, City Commission meeting, Mayor Ed Braddy presented an agenda item on his initiative to re-imagine economic development in the City. On April 19, 2015 the City Commission adopted*

*a resolution creating the Blue Ribbon Advisory Committee on Economic Competitiveness (BRACEC) and appointed 23 members to the quasi-judicial board.*

*On April 16, 2015, the Blue Ribbon Committee held an all-day retreat and asked, how can Gainesville create the best user experience? The retreat was facilitated by Alan Webber, the co-founder of technology business magazine, Fast Company and former managing editor and editorial director of the Harvard Business Review.*

*The following week, the Executive Director and Chair of the Blue Ribbon Committee traveled to Silicon Valley with members of the Chamber of Commerce with the goal of attracting business to the City Of Gainesville. At that time, they visited IDEO, a human centered design and innovation firm. A few weeks later, the Blue Ribbon Committee met with IDEO and talked about how the design and innovation firm could help Gainesville think through creating the best user experience in Gainesville. The Board, with assistance from stakeholders throughout the community, hired IDEO to assist the committee in designing a plan for a citizen-centered Gainesville.*

*BRACEC members and IDEO representatives interviewed hundreds of citizens, business owners, and city employees in order to determine key issues and hurdles citizens and business owners encounter while doing business with the City. IDEO also hosted several brainstorming and design sessions to develop its recommendations for Gainesville. On September 30, 2015, IDEO presented its findings and recommendations to BRACEC. Since then, committee members have been working together to determine what positive changes could be implemented for Gainesville to become more citizen-centered.*

*Today, after several meetings, interviews, retreats, and brainstorming sessions, The Blue Ribbon Advisory Committee on Economic Competitiveness presents its final report to the City Commission, along with changes needed for Gainesville to be successful in its mission of being the most citizen-centered city in America.*

*Fiscal Note: There is no fiscal impact at this time.*

**RECOMMENDATION**

*The City Commission: 1) hear a presentation from staff; 2) accept the Blue Ribbon Advisory Committee on Economic Competitiveness final report; 3) and provide direction on an implementation plan.*

[150568A-MOD\\_Memo\\_20151203.pdf](#)

[150568B-MOD\\_Draft Report\\_20151203.pdf](#)

**RESOLUTIONS- ROLL CALL REQUIRED**







[150303.](#)**INCREASING THE MAXIMUM LIMIT FOR THE NUMBER OF PARKING SPACES FOR MULTI-FAMILY DEVELOPMENT WITHIN THE URBAN VILLAGE AREA OF THE UMU-2 ZONING DISTRICT (B)**

Ordinance No. 150303, Petition PB-15-72 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-65.2 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to increase the maximum limit for the number of parking spaces for multi-family development within the Urban Village area of the UMU-2 zoning district; 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 will amend the Land Development Code to increase the maximum limit for the number of parking spaces for multi-family development within the Urban Village area of the UMU-2 zoning district. Currently, the maximum number of residential surface parking spaces that may be provided for a development in the Urban Village is limited to one parking space per residential unit. The minimum is also set at one space per residential unit. As a result, sites must be designed to include the exact number of parking spaces mandated by the same minimum and maximum requirement.*

*This ordinance will change this maximum limit from one space per unit to one space per bedroom. This change will provide greater flexibility for site design and is consistent with how maximum parking limits are set in other zoning districts. This change will also be more appropriate for the current market conditions for student-oriented developments.*

*The City Plan Board on August 27, 2015, held a public hearing and recommended the City Commission approve this Petition.*

**CITY ATTORNEY MEMORANDUM**

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

**RECOMMENDATION**

*The City Commission: 1) approve Petition No. PB-15-72 TCH; and 2) adopt the proposed ordinance.*

[150303A\\_draftordinance\\_20151203.pdf](#)

[150303B\\_Staff report\\_20151203.pdf](#)

[150303C\\_ExhA-1\\_Proposed amendment to LDC Section 30-65\\_20151203.pdf](#)

[150303D\\_ExhA-2\\_Urban Mixed-Use UMU2 Zoning regulations\\_20151203.pdf](#)

[150303E\\_ExhB-1\\_Application\\_20151203.pdf](#)

[150303F\\_CPB minutes\\_20151203.pdf](#)

## ORDINANCES, 2ND READING- ROLL CALL REQUIRED

### PLAN BOARD PETITIONS

[150418.](#)

Rezone from UMU-2 (10-100 units/acre and up to 25 additional units/acre by special use permit, urban mixed-use district) to PD (Planned development district) (B)

**Petition PB-15-69 PDV.** City Plan Board. Rezone property from UMU-2 (10-100 units/acre and up to 25 additional units/acre by special use permit, urban mixed-use district) to PD (Planned development district) to allow a restaurant with a drive-through. Located at 1206 W. University Avenue. \*Expected presentation time 10 minutes\*

*Explanation: This is a request to rezone .64 acres of land from UMU-2 (10-100 units/acre and up to 25 additional units/acre by special use permit, urban mixed-use district) to PD (Planned development district). The applicant is proposing to construct a restaurant with a drive-through facility on the subject property; however, a drive-through facility is prohibited in the UMU-2 zoning district. The proposed PD rezoning will allow eating places with or without a drive-through facility on the subject property, as well as other uses appropriate for the surrounding area. It will also allow the applicant to use flexible design standards that are unique to the subject property and consistent with the City's Comprehensive Plan.*

*The property is the former Texaco gas station that was demolished in 2004. The property is located on the north side of West University Avenue (SR 26), between NW 12th Street and NW 12th Terrace. A tax parcel that contains a single-story, residential structure abuts on the north, along with the University Heights - North Historic District. W. University Avenue (SR 26) abuts on the south. NW 12th Street abuts on the east. NW 12th Terrace abuts on the west.*

*The proposed PD rezoning is consistent with the City's Comprehensive Plan because it will allow a mixture of retail, service, research and office uses that the underlying Urban Mixed Use (UMU-2: 10-100 units per acre; and up to 25 additional units per acre by special use permit) land use on the property supports. According to Future Land Use Element,*

*Policy 4.1.1, one of the essential components of the UMU-2 land use district is the multi-modal character of the area. Therefore, by allowing multi-modal transportation facilities (i.e., sidewalks, bike racks, parking spaces and drive-throughs) the proposed PD rezoning is also consistent with the intended character of the UMU-2 land use district.*

*Public notice was published in the Gainesville Sun on September 8, 2015. The City Plan Board held a public hearing on September 24, 2015 and voted 3-2 to approve the petition with conditions.*

*Fiscal Note: None.*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve Petition PB-15-69 PDV with the proposed PD Report and PD Layout Plan Map, subject to the conditions in the staff report and Appendix E (Technical Review Committee Conditions), with the provision that driveways and interior circulation can be adjusted at development plan review, if necessary, and subject to final development plan review by the City Plan Board.*

*The City Plan Board voted 3-2.*

*Staff to City Commission - The City Commission approve the City Plan Board recommendation.*

*Alternative Recommendation - The City Commission approve the City Plan Board recommendation with final development plan review by staff in accordance with the City Land Development Code.*

**Legislative History**

11/5/15      City Commission      Continued (Petition)

[150418A\\_staff report\\_20151105.pdf](#)  
[150418B\\_Append A\\_Comp Plan Exh A-1 Exh A-2\\_20151105.pdf](#)  
[150418C\\_Append B\\_LDC Exh B-1 Exh B-2\\_20151105.pdf](#)  
[150418D\\_Append C Supplemental Docs\\_20151105.pdf](#)  
[150418E\\_Append D Application\\_Neighborhood Workshop\\_20151105.pdf](#)  
[150418F\\_Append E TRC Conditions\\_20151105.pdf](#)  
[150418G\\_CPB minutes draft\\_20151105.pdf](#)  
[150418H\\_staff ppt\\_20151105.pdf](#)  
[150418\\_PB-15-69 PDV\\_MOD\\_City Commission Presentation\\_11-5-15.pdf](#)  
[150418A\\_staff report\\_20151203.pdf](#)  
[150418B\\_Append A\\_Comp Plan Exh A-1 Exh A-2\\_20151203.pdf](#)  
[150418C\\_Append B\\_LDC Exh B-1 Exh B-2\\_20151203.pdf](#)  
[150418D\\_Append C Supplemental Docs\\_20151203.pdf](#)  
[150418E\\_Append D Application\\_Neighborhood Workshop\\_20151203.pdf](#)  
[150418F\\_Append E TRC Conditions\\_20151203.pdf](#)  
[150418G\\_CPB minutes draft\\_20151203.pdf](#)  
[150418H\\_staff ppt\\_20151105.pdf](#)  
[150418\\_MOD\\_PB-15-69 PDV\\_City Commission Presentation\\_20151203.pdf](#)

[150440.](#)

**Butler Planned Development Amendment 2015 (B)**

**Petition PB-15-92 PDA. Causseaux, Hewett, & Walpole, Inc., agent for S. Clark Butler Properties Land Trust. Amend Planned Development Ordinance 121108 to revise the Town Center requirements, PD Development Standards, and other standards related to the development of the PD, and amend the PD layout map to include tax parcel06810-001-020. Related to PB-15-91 LUC, PB-15-93 ZON and PB-15-102 CPA. \*\*ESTIMATED PRESENTATION TIME 10 MINUTES\*\***

*Explanation: This is a request by S. Clark Butler Properties Land Trust to revise standards and requirements related to the overall development of the Planned Development. While the applicant did not provide any specific explanations for the proposed changes within their application, staff discussed each of the proposed changes with the applicant's agent. Based on staff's review the proposed changes will not increase the intensity of development or impact the levels of services anticipated when the Planned Development was approved. The Plan Board reviewed the petition and voted 6-0 to approve as modified by staff and the applicant.*

*Fiscal Note: None.*

*..Recommendation*

*Plan Board to the City Commission- Approve Petition PB-15-92 PDA, as modified and agreed to by the applicant.*

*Staff to the Plan Board- Approve Petition PB-15-92 PDA, as modified and agreed to by the applicant.*

**RECOMMENDATION**

*Plan Board to the City Commission- Approve Petition PB-15-92 PDA, as modified and agreed to by the applicant.*

*Staff to the Plan Board- Approve Petition PB-15-92 PDA, as modified and agreed to by the applicant.*

[150440A staff report 20151022.pdf](#)

[150440B Butler Enterprises PD Report 20151022.pdf](#)

[150440C Application 20151022.pdf](#)

[150440D FDOT Letter 20151022.pdf](#)

[150440A staff report 20151203.pdf](#)

[150440B Butler Enterprises PD Report 20151203.pdf](#)

[150440C Application 20151203.pdf](#)

[150440D FDOT Letter 20151203.pdf](#)

[150440E CPB minutes draft 20151203 .pdf](#)

[150441.](#)

**Butler Planned Use District Amendment 2015 (B)**

**Petition PB-15-102 CPA. Causseaux, Hewett, & Walpole, Inc., agent for S. Clark Butler Properties Land Trust. Amend the Future Land Use Element Policy 4.3.6 of the Gainesville Comprehensive Plan to modify conditions related to FDOT requirements, and amend the Butler PUD Future Land Use Overlay Map to include tax parcel 06810-001-020. Related to PB-15-91 LUC and PB-15-93 ZON.**

**\*Estimated Presentation Time- 5 minutes.\***

*Explanation: This is a request to delete the requirement that the S. Clark Butler Properties Land Trust construct improvements to the Archer Road/I-75 interchange in Policy 4.36 of the Future Land Use Element of the Comprehensive Plan. Based on a letter to Mayor Ed Braddy from Greg Evans, FDOT District Two Secretary, FDOT determined that they will complete the work necessary to the address this issue. Based on the letter from FDOT the language should be deleted from the Comprehensive Plan. The Plan Board reviewed the petition and voted 6-0 to approve.*

*Fiscal Note: None*

**RECOMMENDATION**      *Plan Board to the City Commission - approve the petition.  
Staff to the Plan Board - approve the petition.*

[150441A Staff report 20151022 20151022.pdf](#)

[150441B Exh1\\_FOT Letter 20151022.pdf](#)

[150441C Exh2 Application 20151022.pdf](#)

[150441A Staff report 20151203.pdf](#)

[150441B Exh1\\_FOT Letter 20151203.pdf](#)

[150441C Exh2 Application 20151203.pdf](#)

[150441D CPB minutes draft 20151203 .pdf](#)

[150456.](#)

### **Butler Plaza/Olive Garden Land Use Amendment (B)**

**Petition PB-15-91 LUC. Causseaux, Hewett, & Walpole, Inc., agent for S. Clark Butler Properties Land Trust. Amend the City of Gainesville Future Land Use Map from Commercial (C) to Planned Use District (PUD). Located at 3440 SW Archer Road. Related to PB-15-93 ZON and PB-15-102 CPA. \*Estimated Presentation Time 5 minutes\***

*Explanation: This petition proposes to change the land use from Commercial (C) to Planned Use District (PUD) for the Olive Garden Restaurant located at 3440 S.W. Archer Road. The property (Olive Garden Restaurant) was purchased with the intent to include it in the Planned Use District (PUD) owned by S. Clark Butler Properties Land Trust. The current land use is Commercial (C) and the property is currently developed.*

*The Future Land Use Element has two associated maps that are related to Butler Plaza (Butler Plaza PUD Future Land Use Overlay and Subareas and Butler Plaza Underlying Future Land Use). These maps will be modified to include the property in Subarea 1 of the e Planned Use District (PUD).*

*The Plan Board reviewed the petition and voted 6-0 to approve.*

*Fiscal Note: None*

**RECOMMENDATION**      *Plan Board to the City Commission- approve the petition.  
Staff to the Plan Board- approve the petition.*

[150456A\\_staff report\\_20151022.pdf](#)  
[150456B\\_ExhA1 Maps Comprehensive Maps\\_20151022.pdf](#)  
[150456C\\_ExhB1\\_Proposed Comprehensive Maps\\_20151022.pdf](#)  
[150456D\\_ExhC1\\_Aerial Photo map\\_20151022.pdf](#)  
[150456E\\_ExhD1\\_Neighborhood Workshop info\\_20151022.pdf](#)  
[150456F\\_ExhE1\\_Application\\_20151022.pdf](#)  
[150456A\\_staff report\\_20151203.pdf](#)  
[150456B\\_ExhA1 Maps Comprehensive Maps\\_20151203.pdf](#)  
[150456C\\_ExhB1\\_Proposed Comprehensive Maps\\_20151203.pdf](#)  
[150456D\\_ExhC1\\_Aerial Photo map\\_20151203.pdf](#)  
[150456E\\_ExhD1\\_Neighborhood Workshop info\\_20151203.pdf](#)  
[150456F\\_ExhE1\\_Application\\_20151203.pdf](#)  
[150456G\\_CPB minutes draft\\_20151203.pdf](#)  
[150456H\\_staff ppt\\_20151203.pdf](#)

[150457.](#)

### **Butler Plaza/Olive Garden Zoning (B)**

**Petition PB-15-93 ZON. Causseaux, Hewett, & Walpole, Inc., agent for S. Clark Butler Properties Land Trust. Rezone property from General business district (BUS) to Planned Development District (PD). Located at 3440 SW Archer Road. Related to PB-15-91 LUC and PB-15-102 CPA. \*Estimated Presentation Time 5 minutes\*.**

*Explanation: This petition proposes to rezone the Olive Garden property from General business district (BUS) to Planned Development District (PD).located at 3440 SW Archer Road. The property (Olive Garden Restaurant) is a developed parcel and was purchased with the intent to include it in the Planned Use District (PD) owned by S. Clark Butler Properties Land Trust. The current zoning is General business district (BUS). The Plan Board reviewed the petition and voted 6-0 to approve.*

*Fiscal Note: None*

#### **RECOMMENDATION**

*Plan Board to the City Commission- Approve the petition.*

*Staff to the Plan Board- Approve the petition.*



[150457A\\_staff report\\_20151022.pdf](#)  
[150457B\\_ExhA1 Comp Plan Policy 4.3.6\\_20151022.pdf](#)  
[150457C\\_ExhB1\\_Maps\\_20151022\\_.pdf](#)  
[150457D\\_ExhC1\\_General business district\\_20151022.pdf](#)  
[150457E\\_ExhD1\\_Neighborhood Wkshop meeting\\_20151022.pdf](#)  
[150457F\\_ExhE1\\_Application\\_20151022.pdf](#)  
[150457A\\_staff report\\_20151203.pdf](#)  
[150457B\\_ExhA1 Comp Plan Policy 4.3.6\\_20151203.pdf](#)  
[150457C\\_ExhB1\\_Maps\\_20151203\\_.pdf](#)  
[150457D\\_ExhC1\\_General business district\\_20151203.pdf](#)  
[150457E\\_ExhD1\\_Neighborhood Wkshop meeting\\_20151203.pdf](#)  
[150457F\\_ExhE1\\_Application\\_20151203.pdf](#)  
[150457G\\_CPB minutes draft\\_20151203\\_.pdf](#)

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

## **CITIZEN COMMENT (If time permits)**

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