

# **City of Gainesville**

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



## **Meeting Agenda**

**March 26, 2007**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

***Mayor Pegeen Hanrahan (At Large)  
Mayor-Commissioner Pro Tem Craig Lowe (District 4)  
Commissioner Rick Bryant (At Large)  
Commissioner Jeanna Mastrodicasa (At Large)  
Commissioner Scherwin Henry (District 1)  
Commissioner Ed Braddy (District 2)  
Commissioner Jack Donovan (District 3)***

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

## CALL TO ORDER

## AGENDA STATEMENT

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

## ROLL CALL

## INVOCATION

## CONSENT AGENDA

## CITY MANAGER, CONSENT AGENDA ITEMS

### 060975.

#### **Innovation Campus Task Force (B)**

**This item involves the proposed establishment of an Innovation Campus Task Force to examine aspects of redevelopment associated with the Gainesville Regional Utilities (GRU) maintenance property.**

*Explanation: On January 25, 2007, staff briefed the EDUCC on the existing situation regarding the Gainesville Regional Utilities (GRU) maintenance property located adjacent to the GRU Administration building in downtown Gainesville. Over the next two to three years, GRU anticipates that it will be relocating its maintenance operation northeast of the intersection of NW 39th Avenue and Main Street.*

*Staff recommended the GTEC Advisory Board be contacted informally for participation in this facet of the proposed redevelopment opportunity because one component of the proposed redevelopment on the downtown GRU site may involve establishment of a facility for capture of Innovative firms in the City of Gainesville and members are broadly representative of entities involved in local efforts at building the Innovative Economy.*

*The Innovation Campus Task Force itself is proposed to serve in an ad hoc capacity and have membership from a variety of fields important to this effort as well as from the effected neighborhood (the Task Force will be staffed by the ED*

Director with appropriate GRU staff). Slotted Task Force positions would include the following and will be advertised utilizing the appropriate City Clerk procedures including appointing seven members:

- Developer
- Entrepreneur
- Finance (Venture/Conventional)
- UF Representative
- EDUCC Representative
- Citizen at Large

The EDUCC directed staff to: 1) utilize the existing GTEC Advisory Board with additional slotted positions as the entity associated with initial pre-planning efforts; 2) begin the due diligence process with respect to the subject property (title, environmental, site analysis); and 3) report back to the EDUCC on a regular basis.

It is anticipated that the Task Force would meet over the course of the next year (quarterly with appropriate Public Notice) to examine various aspects of the redevelopment project, report to the City Commission via the EDUCC and then discontinue its activities. These meetings will begin as soon as possible. Over the course of subsequent years, it is expected that a variety of other boards and citizen groups will review the redevelopment potential of the GRU site most notably within the context of the upcoming Master Plan for Depot Park and surrounding areas.

*Fiscal Note:* There are no fiscal ramifications associated with establishment of this Task Force for pre-planning activities.

**RECOMMENDATION**

*Recommended Motion:* The City Commission follow the recommendation of the EDUCC: 1) endorse the establishment of an Innovation Campus Task Force comprised of slotted positions as outlined above to review preliminary redevelopment of the GRU Maintenance property; 2) direct staff to begin the due diligence process with respect to the subject property (title, environmental, site analysis); 3) direct staff to report back to the EDUCC on a regular basis; and 4) authorize the City Clerk to advertise the vacant Innovation Campus Task Force slotted positions.

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**061027.**

**Release of Easement onto Park Central Holdings of Gainesville, LLC (B)**

**This item involves the Mayor authorizing the execution of a Release of Easement onto Park Central Holdings of Gainesville, LLC for an existing sidewalk easement.**

*Explanation:* In 2003, the City acquired a Sidewalk Easement from James D. Henderson, II, as Trustee under the provisions of that certain Trust Agreement dated July 27, 1988, know as Henderson Land Trust. The easement area is generally located

on the north side of Northwest 7th Avenue, running between Northwest 12th Street and up to a point 120 feet east of Northwest 13th Street. There is currently no sidewalk constructed within this easement area. Park Central Holdings of Gainesville, LLC, successors in title has requested the Sidewalk Easement granted by Henderson Land Trust be released as it conflicts with their proposed development plan. The proposed development plan includes the construction of a new sidewalk along NW 7th Avenue as well as NW 12th Street. The Public Works Department concurs with the request to release the easement.

*Fiscal Note:* Funding in the amount of \$200 for administrative costs is available in the Public Works FY 07 operating budget.

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) approve the release of easement for the Sidewalk Easement and; 2) authorize the Mayor to execute the Release of Easement onto Park Central Holdings of Gainesville, LLC.*

*Alternative Recommendation: The City Commission deny this request and the City retains this Sidewalk Easement which would conflict with future development.*

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**061037.**

**Ranking for Engineering Services for Gainesville Area Advanced Traffic Management System (B)**

**This item involves a request for the City Commission to approve the ranking of Engineering Firms/Teams and authorization for a contract for providing engineering services for the Traffic Management System.**

*Explanation:* On December 13, 2006, the City Purchasing Division solicited written statements of qualifications to provide engineering services for the Traffic Management System. Seven engineering firms submitted statements. Evaluation of the written submittals resulted in the invitation of four (4) firms to present orally to the selection committee. These presentations, on March 9, 2007, further established the qualifications, project approach and methodology for the project.

*The selection committee evaluated each of the oral interview teams and developed the following ranking:*

1. Vanus, Inc.
2. PBS&J
3. Dyer, Riddle, Mills and Precourt
4. Telvent Farradyne

*Fiscal Note:* Funding in the amount of \$400,000 is available in the CIRB of 2005-CIP Fund for the Traffic Management System. The contract amount is subject to negotiations.

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) accept the selection of the four most qualified firms in the order of ranking; 2) authorize the City Manager or designee to initiate contract negotiations and execute a contract for professional services in accordance with Consultants Competitive Negotiation Act (CCNA); and 3) authorize the City Manager or designee to execute all contract documents and other necessary documents subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation: The City Commission not accept the ranking and direct staff to begin a new selection process. Note: A new process will delay the project start by about six (6) months.*

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**061038.****Bid Award for Provision of Concrete Storm Pipe for the Lincoln Estates Ditch Piping Project (B)**

**This item involves a request for the City Commission to authorize the bid award to HD Supply Waterworks for the provision of concrete storm pipe for the Lincoln Estates Ditch-Piping Project.**

*Explanation: On March 15, 2007, the City Purchasing Division received bids for the provision of reinforced concrete pipe, meeting the Florida Department of Transportation specifications for Class - S pipe. Of four (4) plan holders, two (2) firms responded with a bid. HD Supply Waterworks was the lowest responsible and responsive bidder with a bid of \$49,290.72.*

*Fiscal Note: Funding in the amount of \$107,000 is available in the CDBG Fund FY07 for the Lincoln Estates Drainage Capital Improvement Project.*

**RECOMMENDATION**

*The City Commission: 1) authorize the bid award to HD Supply Waterworks, in the amount of \$49,290.72 for the provision of reinforced concrete pipe; and 2) authorize the City Manager to execute the related purchase order.*

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**061040.****Purchase of the Dentist Office and land at 635 NW 6th Street, Gainesville, from the Federal Law Enforcement Contraband Forfeiture Trust Fund. (B)**

**This item requests the City Commission approval of funding not to exceed \$280,000 for the purchase of property located at 635 NW 6th Street, Gainesville.**

*Explanation:* On June 13, 2005, the City Commission approved the contract and purchase for the Walker Building, located directly adjacent to the current GPD facility. On September 12, 2005, the City Commission approved the contract and purchase of the Voyles property, which is directly adjacent to the Walker property. With the remodeling of the old Walker Furniture Building to accommodate GPD's administrative offices, the purchase of the Food Bank to be remodeled to a firing range, and the added addition onto the Food Bank to create a training/community oriented policing center, additional parking is needed. The acquired property, .38 acres, would be utilized for this additional parking. The existing structure, 2500 square feet, would be evaluated for future office/working space. The layout of the parking area will be done in such a way to ensure no harm is done to the property's oak trees. The negotiated price of \$275,000 corresponds with the appraisal of the property by the City's agent and is within City guidelines with respect to price versus appraisal. An additional \$5,000 is being allocated for closing costs related to this purchase.

*Fiscal Note:* Funds of an amount not to exceed \$280,000 are available from the Federal Law Enforcement Contraband Forfeiture Trust Fund and is allowable per Federal 121 U.S.C. 881, found in the U.S. Department of Justice "A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies." The balance in the account is \$883,127.52.

**RECOMMENDATION**

The City Commission (1) approve the appropriation of an amount not to exceed \$280,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund; (2) authorize the issuance of a purchase order to Banks, Cosby and Cosby Associates, Florida General Partnership, in the amount of \$275,000 for the purchase of the property located at 635 NW 6th Street; and (3) authorize the City Manager or designee to execute the contract and any other necessary documents, subject to the approval of the City Attorney as to form and legality.

*Alternative Recommendation A:* The City Commission decline to appropriate the funds to purchase the property and limit the renovation project to currently appropriated levels.

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**061049.**

**ACCION USA Micro-Lending in the City of Gainesville and North Central Florida (B)**

**This item reflects an informal partnership effort between the City of Gainesville, ACCION USA and other local small business assistance providers to work with an organization that provides micro-lending services.**

*Explanation:* ACCION USA is a non-profit organization that provides micro loans between \$500 to \$25,000 to entrepreneurs who do not qualify for traditional bank loans

to start or expand their business. In early February, staff met with ACCION USA representatives to learn about the organization and its plans to build a presence in North Central Florida. A representative from ACCION USA presented the organization's program to the GEZDA Board at its regular meeting on Wednesday, February 14th and the Board recommended that staff work with ACCION USA and other local small business assistance partners to raise awareness regarding ACCION USA's micro-lending services.

*Fiscal Note: None.*

**RECOMMENDATION**

*The City Commission: 1) Review the attached ACCION USA back-up material and direct staff to work with ACCION USA and other area small business assistance partners to offer micro-lending services in this area.*

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**060468.**

**Approve Change Order No. 2 for Gainesville Police Department Administrative Office Construction at 413 NW 8th Avenue (B)**

**This item includes proposed changes by the City and additional costs for extended project completion time as there was a delay on the critical path of the contractors.**

*Explanation: During demolition an asbestos survey identified the presence of the product in the building, and also discovered damages which were caused by termites. This resulted in a (45) day delay in the contractor's schedule so that the asbestos could be abated and the roof replaced. This request for change order includes the City's proposal to change the door schedules, to repair damage caused by termites, to modify the mechanical closets, and to change the adhesive for roof felts. It also includes the major portion of the request which is the contractor's fee as a result of the delay. The construction drawing is also being revised to increase the amount of brick veneer from its original design. Staff is requesting a 15% contingency in the amount of \$230,383. One of the expenditures projected to be paid from the contingency is increasing the amount of brick on the front façade. The lead time for delivery of the brick is approximately (6) weeks; in order to avoid further delay in the construction schedule this request is being made prior to the receipt of the revised drawings.*

*Fiscal Note: Additional funds in the amount of \$40,244 and 15% contingency in the amount of \$230,383 are available in account number 332-810-M650-5210-6020.*

**RECOMMENDATION**

*The City Commission authorize the City Manager to: 1) prepare change order number 2 to the contract with BBI Construction Management, Inc. in the amount of \$40,244 which will bring the new contract amount to \$1,535,891; and 2) allow a 15% contingency of \$230,383.*

*Alternative Recommendation A: The City Commission deny the request for change order and contingency and*

*further delay the project.*

Legislative History

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

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## GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

### 061091.

#### **Amendment to Asplundh Contract (NB)**

**Staff recommends a six-month extension of the contract with Asplundh Tree Expert Company through September 2007 and approval of a change order for expenses under the current contract.**

*Explanation: On November 13, 2001, the City Commission approved a contract to Asplundh Tree Expert Company for electric distribution line clearance, tree trimming, right-of-way maintenance, weed control, and related work through March 31, 2005. The City Commission approved a one year extension of the contract on March 28, 2005. The estimated cost of services for the requested six month extension is \$832,000 and will extend the term through September 2007. This will be the final extension of the contract. Due to increases in capital projects and increased costs associated with wood hauling and landscape repairs throughout the Utility, a change order to the existing term's purchase order is required in the amount of \$469,000 to cover expenses through March 2007.*

*The purpose of the contract is to provide a program for vegetation management services to the electric transmission and distribution systems according to approved arboricultural standards. The City's Recreation and Parks Department also uses Asplundh's services to supplement their own crews, however; the amount of their services does not exceed the threshold for City Commission approval. Asplundh has performed these services well and is readily available to assist with storm restoration, if needed, as occurred after the hurricanes of 2004.*

*This contract is subject to the Living Wage Ordinance and Asplundh's wage rates have been adjusted to reflect the new rates published by the U.S. Department of Health and Human Services in 2006. The fiscal impact of the Living Wage Ordinance on this Contract will be reported to the City Commission in an annual report. GRU estimates that the fiscal impact of the Living Wage for this contract is an additional \$13,270.*

*Fiscal Note: Funding for this request is included in the Operations and Maintenance and Capital Budgets for FY 2007.*

**RECOMMENDATION**

*The City Commission: 1) authorize the General Manager or her designee to execute an amendment to extend the contract with Asplundh Tree Expert Company through September 30, 2007; and 2) approve the issuance of a purchase order to Asplundh Tree Expert Company for these services in an amount*



*not to exceed \$832,000 through September 2007, subject to approval of the City Attorney as to form and legality; and 3) approve a change order to Asplundh Tree Expert Company for \$469,000 for additional services required under the current contract term.*

**061092.****Professional Surveying and Mapping Services (B)**

**Staff recommends approval of the final ranking of the professional surveying and mapping firms and authorization to negotiate a contract with the three top-ranked firms in accordance with the Consultants' Competitive Negotiations Act (CCNA).**

*Explanation: Professional surveying and mapping services are required by the various utility departments in connection with budgeted projects throughout the year and when required for unplanned utility work. Surveying work is assigned to a contracted firm based on past experience and ability to meet project deadlines. The Utility requires at least three firms under contract to meet scheduled and unscheduled project demands.*

*Utilities Purchasing issued a Request for Statement of Qualifications (RFSQ) for Professional Surveying and Mapping Services for an initial contract period of three years. Nine firms submitted Statements of Qualifications which were evaluated and ranked in accordance with specific selection criteria as outlined in the RFSQ and the CCNA. A tabulation of the ranking is attached for your reference. Staff wishes to initiate negotiations with the top three ranked firms. If unable to negotiate acceptable contracts with the top three ranked firms, staff may initiate negotiations with the other firms in order of ranking. The top-ranked firms are as follows: Eng, Denman & Associates, Inc; Causseaux & Ellington; and George F. Young, Inc.*

*Fiscal Note: Funding for this request is included in the Operations and Maintenance and Capital budgets for FY 2007 and will be requested in future fiscal years.*

**RECOMMENDATION**

*The City Commission: 1) approve the final ranking of the qualified firms in the given order of preference for the provision of professional surveying and mapping services; 2) authorize the General Manager, or her designee, to initiate contract negotiations with the three top-ranked firms in accordance with the Consultants' Competitive Negotiations Act (CCNA); and 3) authorize the General Manager or her designee, upon successful negotiations, to execute three year contracts with a maximum of three firms, subject to approval of the City Attorney as to form and legality and final appropriation of funds for each year of the contracts.*

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**061093.****Replacement Outage Management System (B)****Staff recommends approval to purchase the "Responder" Outage Management System (OMS) by Telvent Miner & Miner.**

*Explanation: The Energy Delivery Department uses an Outage Management System (OMS) to facilitate and expedite the identification, restoration, and documentation of electric system service interruptions. The existing application is no longer being developed and support for the product will cease in the near future. The recommended OMS solution incorporates desirable new features, significant application enhancements, and productivity gains for the management of electrical system incidents as well as adding the ability for management of incidents for gas, water, wastewater, and telecommunication systems.*

*Purchasing issued a Request for Proposal for an Outage Management System for the Energy Delivery Department. The Request for Proposal was sent to nine prospective proposers and received seven responses, including three no bids. Telvent Miner & Miner submitted the best-evaluated proposal for the OMS based on the following criteria: system platform requirements, system functional requirements, interface requirements, project implementation, maintenance and support, and local vendor preference. A tabulation of the scoring is attached for your reference.*

*Fiscal Note: Funds are available in the FY 2007 Energy Delivery budget and will be requested in future fiscal years.*

**RECOMMENDATION**

*The City Commission: 1) authorize the General Manager, or her designee, to negotiate and execute a contract and a software license agreement with Telvent Miner & Miner to install and configure a new Outage Management System (OMS), subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Telvent Miner & Miner in the amount of \$388,012 for the OMS, which includes system maintenance and support for the first year of the contract.*

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**CITY ATTORNEY, CONSENT AGENDA ITEMS****CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****061077.****City Commission Minutes (B)****RECOMMENDATION**

*The City Commission approve the minutes of March 12, 2007, as circulated.*

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**061084.****Resignation of City Plan Board Member Adam Techler (B)****RECOMMENDATION**

*The City Commission accept the resignation of Adam Techler from the City Plan Board effective March 8, 2007.*

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**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****REGIONAL UTILITIES COMMITTEE, CONSENT****060168.****Regional Utilities Committee Outstanding Referral Item (NB)**

*Explanation: On March 13, 2007 the Regional Utilities Committee heard an update regarding the status of the review of current standards for construction, retrofit and maintenance of City buildings performed by the City of Gainesville Energy and Water Efficiency Team. The RUC agreed to request that the item be removed from the referral list. Future updates on this issue will be given to the City Commission during the Quarterly Energy Conservation Report.*

**RECOMMENDATION**

*The City Commission remove item #060168, Review of Current Standards for Construction, Retrofit and Maintenance of City Buildings from the referral list.*

**Legislative History**

6/12/06	City Commission	Referred (7 - 0)	Regional Utilities Committee
6/12/06	City Commission	Referred	General Manager for Utilities
6/13/06	City Commission	Referred	City Manager
9/20/06	Regional Utilities Committee	Deferred	
10/12/06	Regional Utilities Committee	Discussed	
11/27/06	City Commission	Approved as Recommended (7 - 0)	
3/13/07	Regional Utilities Committee	Approved, as shown above - See Motion(s)	

**061048.****Regional Utilities Committee Outstanding Referral Items (NB)**

*Explanation: At the meeting of March 13, 2007 the Regional Utilities Committee agreed to request the City Commission remove the following items from the outstanding*



**The City Commission will receive a report from staff regarding legislative affairs.**

*Explanation: The City Commission will receive a report from staff regarding legislative affairs.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission receive the legislative update and take action as appropriate.*

**Legislative History**

2/12/07	City Commission	Heard
2/26/07	City Commission	Approved as shown above (See Motion) (6 - 0 - 1 Absent)
3/12/07	City Commission	Approved as shown above (See Motion) (5 - 0 - 2 Absent)

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**061019.**

**Request for City Commission Contingency Funds from Gainesville Commission of the Status of Women (GCOSW) (B)**

**This item is a request from the Sexual Battery Committee of the Gainesville Commission on the Status of Women for City Commission Contingency Funds.**

*Explanation: The GCOSW Sexual Battery Committee is hosting the 26th annual conference, Embracing Diverse Voices: Confronting the Culture of Silence on May 8, 2007. A donation from the City of Gainesville will provide scholarships to survivors of violence and to other individuals who would not otherwise be able to attend the conference. The conference focuses on child abuse, sexual abuse, domestic violence, sexual harassment and issues of diversity and hate crimes.*

*The committee is requesting \$3,000.*

*Fiscal Note: The GCOSW is requesting a total of \$3,000 from the City Commission Contingency Fund.*

**RECOMMENDATION**

*The City Commission consider the request for funds and take action as appropriate.*

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**061050.**

**Meters for Donations to the Homeless (B)**

**This agenda item would authorize the City Manager to initiate a pilot "donation meter" program as an alternative for citizens who wish to assist the homeless through established agencies instead of giving to panhandlers.**

*Explanation: Staff has researched a "donation meter" program that was implemented in Athens, Georgia. According to the Executive Director of the Athens Downtown*

*Development Authority, their donation meter program was started in September 2003 in response to problems with panhandling in the downtown area. It was created to give business patrons, downtown area employees, and others the option of giving to a program that helps homeless persons rather than to an individual who may or may not be homeless.*

*The Downtown Development Authority, which is responsible for parking meters in the downtown Athens area, collects approximately \$200 each quarter using old parking meters that are painted bright white to distinguish them from regular parking meters. The donation meters are also signed so that donors are aware of their purpose. Donations collected by the Downtown Development Authority are given to the Athens Homeless Coalition, which then distributes the funds to member organizations that help the homeless.*

*Staff has determined that a pilot donation meter program could be implemented in the downtown area of Gainesville for less than \$100. This would cover the costs of refurbishing old parking meters by removing their timing and coin mechanisms, painting them, and installing them at selected locations with appropriate signage. We recommend installing the meters at the following locations with high foot traffic:*

*NE corner of East University & NE 1 Street, next to the Clock Tower  
SE or NW Corner of SE 1 Street & 1 Avenue  
NE or SW Corner of SE 1 Street & 2 Avenue*

*This proposal was reviewed by the Downtown Redevelopment Advisory Board (DRAB) twice within the last six months. The Board did not support this proposal, but suggested that if it was initiated, locations other than just the downtown be considered. In light of this request, staff identified the following possible locations for donation meters in the College Park/University Heights Redevelopment Area:*

*NW or NE corner of NW 15th Street & University Avenue  
NW or NE corner of NW 16th Street & University Avenue*

*The College Park/University Heights Redevelopment Advisory Board reviewed this proposal in December 2006 but voted to not support this initiative. Staff recommends proceeding with a pilot program in the downtown area, and in another high-traffic retail area, to be accompanied by a publicity campaign to make the public aware of this alternative to giving to panhandlers. Additional locations could be added in time (such as the two in College Park) if the pilot proves successful.*

*If a decision is made to proceed with this pilot program, the Transportation Services Division could have the donation meters installed in about two-three weeks. Monies would be collected on a weekly basis, along with other parking meter collections and deposited in a designated account. Once sufficient funds were collected (e.g., \$200), they would be given to the Alachua County Coalition for the Homeless and Hungry, Inc., which has agreed to distribute them to homeless service providers.*

**Fiscal Note:** *The initial cost of preparing and installing donation meters (less than \$100) would be covered by the Transportation Services Division operating budget.*

*Funds collected in these donation meters would be distributed to local homeless service providers through the Alachua County Coalition for the Homeless and Hungry, Inc.*

**RECOMMENDATION**

*Recommended Motion: The City Commission authorize the City Manager to initiate a pilot donation meter program with a campaign to urge citizens to use the meters as an alternative to donating directly to panhandlers, and report back on the results of the program after one year of its operation.*

*Alternative Recommendation A: The City Commission defer action on implementing a pilot donation meter program.*

*Alternative Recommendation B: The City Commission decline to implement a pilot donation meter program.*

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**061076.****Request for City Commission Contingency Funds from the Suwannee-St. John's Sierra Club (B)**

**This is a request for City Commission Contingency Funds in the amount of \$750 from the Suwannee-St. John's Sierra Club.**

*Explanation: Rob Brinkman, chair of the Suwannee-St. John's (SSJ) Sierra Club, is requesting that the City co-sponsor the Energy Film Festival event to be held on Saturday, April 21st. According to Mr. Brinkman, the Energy Film Festival seeks to inform the community about energy issues, particularly as they relate to the impact of climate change on the community and what steps can be taken locally. The only film currently selected for the festival is the TBS production, Earth to America, a 90-minute comedy.*

*Fiscal Note: Should the City Commission approve this request, the City Commission Contingency Fund balance will be reduced by \$750 to a balance of \$102,583. Please note that the City Manager's memo regarding the "soft freeze" recommended the City Commission consider a similar step be taken for the City Commission Contingency Fund.*

**RECOMMENDATION**

*The City Commission approve \$750 from City Commission Contingency Fund for co-sponsorship of the Energy Film Festival event.*

*Alternative Recommendation A:  
The City Commission not approve \$750 for co-sponsorship of the Energy Film Festival event.*

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**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**COMMUNITY DEVELOPMENT COMMITTEE**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**061103.**

**Mayor-Commissioner Pro-Tem Craig Lowe - LED Lighting (NB)**

**RECOMMENDATION**

*The City Commission hear a presentation regarding LED lighting at the Gainesville Regional Airport from Mac McEachern.*

**COMMISSION COMMENTS (if time available)**

**RECESS**

**RECONVENE**

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**061086.**

**Robert Truere Bryan Day - March 26, 2007 (B)**

**RECOMMENDATION**

*University Florida student Robert Truere Bryan to accept the proclamation.*

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**061087.****Small Business Week - March 26-30, 2007 (B)****RECOMMENDATION**

*Small & Minority Business Development and Procurement Coordinator Shaad Rehman to accept the proclamation.*

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**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**

**PUBLIC HEARINGS****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****ORDINANCES, 2ND READING- ROLL CALL REQUIRED****060233.****PLANNED DEVELOPMENT AMENDMENT - PARK CENTRAL HOLDINGS 700 BLOCK OF N.W. 13TH STREET (B)****Ordinance No. 0-06-107, Petition No. 30PDA-06PB**

**An Ordinance of the City of Gainesville, Florida; amending the Planned Development formerly known as "Park Central Holdings Planned Development" and now known as "University House"; located in the vicinity of the 700 block of N.W. 13th Street, east side; amending the permitted uses, allowable density, terms, conditions and requirements of the planned development as adopted by Ordinance No. 030904; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: STAFF REPORT*

*This is a request by the applicant to modify the approved Park Central Holdings Planned Development for property located in the 700 block of Northwest 13th Street, east side. Map 1 shows the currently approved Planned Development Layout Plan and Map 2 shows the proposed Planned Development Layout Plan (see attached Map 1 and Map 2). The applicant has changed the name of the Planned Development project to University House. On July 12, 2004, the City Commission adopted Ordinance 030904, approving Petition 10PDV-04PB with a Planned Development Layout Plan and a Development Plan Report. The development was approved with a maximum of 225 dwelling units at a density of approximately 30 units per acre. It also included an option for development of 15,000 square feet of commercial use along Northwest 13th Street. The project subsequently received preliminary development plan approval on July 15, 2004, but has not obtained final development plan approval. A request to extend the Planned Development was considered and approved by the City Commission on June 26, 2006.*

*The requested modification includes surface parking within the interior of the development, shifting the location and configuration of building footprints, changing the access points off Northwest 12th Street, shifting the parking structure, defining development options for the areas north of Rattlesnake Creek Branch, changing the mix of bedrooms and increasing the number of bedrooms.*

*Staff addressed the criteria for approving a Planned Development and presented findings and recommendations as included in the Plan Board report. The Board and neighborhood representatives raised issues related to the proposed increase in the number of bedrooms from 492 to 583 and the associated increases in trip generation. The Board expressed support for the proposal to remove all development options from the areas north of the creek. The applicant expressed concerns about contributions to address traffic impacts of the development on Northwest 13th Street and sought clarification on conditions related to parking, conducting a traffic study and limitation on the bedroom mix. The Board reviewed those concerns and got clarification from staff.*

*The Plan Board heard the petition and recommended that it be approved, with staff conditions as modified by the petitioner and staff.*

*The City Commission reviewed the petition at a public hearing on September 11, 2006 and recommended approval with conditions recommended by the Plan Board. The commission also requested that Condition 11, pertaining to mass transit, should be rewritten for consideration at First Reading. Staff submits a modified Condition 11 with an executed Agreement. During the public hearing, the applicant stated that 188 units will be constructed. Based on that statement the allowable density on the subject property was adjusted to reflect a total of 188 dwelling units. The former list of allowable uses is modified as Attachment "A". The development is not required to include any commercial uses and a limit is placed on the amount of floor area that can be used for any individual commercial use, Condition "1" of Section 3. Additionally, if commercial is included in any proposed development, the amount of residential will be reduced in accordance with Condition "1" of Section 3. A new Condition 13 is added offering the dedication of the area north of the creek for conservation or urban park purposes, subject to acceptance by the city.*

*Public notice was published in the Gainesville Sun on July 4, 2006. Letters were mailed to surrounding property owners on July 5, 2006. The Plan Board held a public hearing July 20, 2006.*

#### *CITY ATTORNEY MEMORANDUM*

*The City Commission, at its meeting of September 11, 2006 directed the City Attorney's Office to prepare and the Clerk of the Commission to advertise the proposed ordinance. At first reading, the City Commission revised the ordinance as requested by City staff. The revisions changed development plan approval from the jurisdiction of the City Plan Board to the jurisdiction of the Development Review Board, and changed the word "minimum" to "maximum" in Condition 10, page 9.*

#### **RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

#### **Legislative History**

9/11/06 City Commission Approved (Petition) with Staff Conditions as Modified (4 - 3)  
 3/12/07 City Commission Adopted on First Reading, as revised (Ordinance) (4 - 1 - 2 Absent)

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**060275.****CIVIL CITATION/MUNICIPAL PROSECUTION - URINATING IN PUBLIC (B)****Ordinance No. 0-07-05**

**An ordinance of the City of Gainesville amending Chapter 17, Article I, Section 17-8(c) relating to enforcement of urinating in public violations by either civil citation or by municipal ordinance prosecution; adding Section 17-8(d) designating the act of urinating or defecating in public as a serious threat to public health, safety, or welfare and declaring the action irreversible; amending Chapter 2, Article V, Division 6, Section 2-339 by adding the above-referenced violation to the list of those violations that can be enforced by civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.**

*Explanation: The City Commission on November 27, 2006 authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending sections 17-8 and 2-339 relating to civil citations and municipal ordinance prosecution. This ordinance provides enforcement of public urinating violations by civil citation or municipal ordinance prosecution.*

*The Public Safety Committee, on August 17, 2006 and October 19, 2006, discussed the enforcement issues and differences between civil citation violations and municipal ordinance violations regarding open alcohol containers and urinating in public.*

*The Public Safety Committee, on October 19, 2006, referred to the City Commission a recommendation of using the civil citation process for some of the municipal ordinance violations.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

7/18/06 City Commission Referred (6 - 0 - 1 Absent) Public Safety Committee  
 8/17/06 Public Safety Discussed  
 Committee

10/19/06	Public Safety Committee	Discussed
11/27/06	City Commission	Approved as Recommended (7 - 0)
3/12/07	City Commission	Adopted on First Reading (Ordinance) (5 - 0 - 2 Absent)

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**060613.****GRU - DEPOSIT REQUIREMENTS FOR RESIDENTIAL AND NONRESIDENTIAL SERVICES (B)****Ordinance No. 0-07-19**

**AN ORDINANCE AMENDING CHAPTER 27, ARTICLE 1, SECTION 27-7 OF THE CODE OF ORDINANCES OF GAINESVILLE, FLORIDA RELATING TO DEPOSIT REQUIREMENTS FOR RESIDENTIAL AND NONRESIDENTIAL SERVICE; AMENDING CHAPTER 27, ARTICLE 1, SECTION 27-14 OF THE CODE OF ORDINANCES OF GAINESVILLE, FLORIDA RELATING TO THE DATE PAYABLE FOR COMBINED STATEMENTS, LATE FEE PENALTIES, AND THE DELINQUENT ELIGIBILITY DATE AND SERVICE RECONNECTION POLICIES; AMENDING APPENDIX A, UTILITIES SECTION (7), SUBSECTION a RELATING TO DEPOSITS FOR RESIDENTIAL SERVICE; AND AMENDING APPENDIX A, UTILITIES SECTION (7), SUBSECTION b(4)(i) SERVICE CHARGES BY INCREASING CERTAIN ADDITIONAL CHARGES FOR SAME DAY OR AFTER HOURS RECONNECTION OF SERVICE FOR DELINQUENT DISCONNECTIONS; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

*Explanation: Executive Summary:*

*On February 26, 2007, the City Commission approved the recommendation of the Regional Utilities Committee and authorized the City Attorney to prepare and the Clerk to advertise the above entitled ordinance. The ordinance revises certain provisions of Chapter 27, Gainesville Code of Ordinances, relating to customer utility deposits.*

*Explanation:*

*In general, the revisions address utility deposits, cut for nonpayment timing and delinquent reconnection. The revisions require modifications to current ordinance language which need to be in effect with the implementation of the new Customer Information System (CIS) in April, 2007.*

*A self-directed work team was chartered to research each of the ten (10) stages of the current Collections process: Initial Deposit, Late Fees/Penalties, Delinquent Processing, GRU Payment Assistance, Additional Deposit, Agency Payment Assistance, Convert to Final Pending, Credit Bureau Referral, Credit Bureau Collections and Bad Debt Write-off. At each stage of the process,*

*business and customer measurements used to identify improvement opportunities were calculated for cost, quality, service and speed. This data helped the team identify the process elements and constraints that must be met or changed when re-engineering the process. After evaluating all the opportunities, the team agreed that the following strategies would provide the highest gain: 1) Cost - create processes to minimize the amount in an account referred to the credit bureau or for delinquent processing; 2) Speed - create a process to reduce cycle time for the delinquent and credit bureau referral processes; 3) Quality/Service - provide better communication for delinquent accounts.*

*After developing the strategies for re-engineering, the team then sought input from the key community stakeholders by hosting a social service summit. Representatives of local government, churches, and social services agencies were present to discuss re-engineering alternatives. In general, the participants were supportive of proposals to: 1) revise the initial and additional deposit policies; 2) shorten the delinquent and credit bureau referral processes; 3) mail a separate delinquent notice letter. The proposal to shorten the credit bureau referral process by seven (7) days was implemented in February, 2006. However, adoption of the remaining proposals was deferred until the new CIS could be implemented: 1) replacing combined utility deposits with deposits for each utility service provided; 2) shortening the delinquent eligibility date by seven (7) days; and, 3) mailing separate delinquent notice letters.*

*Revisions to the ordinance are needed to complete these process changes.*

*Fiscal Impact:*

*Funds are available in the FY 2007 budget to implement the proposed process changes.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

10/9/06	City Commission	Referred (7 - 0)	Regional Utilities Committee
11/9/06	Regional Utilities Committee	Discussed	
2/8/07	Regional Utilities Committee	Approved as Recommended	
2/26/07	City Commission	Approved as Recommended (5 - 0 - 2 Absent)	
3/12/07	City Commission	Adopted on First Reading (Ordinance) (5 - 0 - 2 Absent)	

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## RESOLUTIONS- ROLL CALL REQUIRED

## PLAN BOARD PETITIONS

**060856.**

**Street Vacation Northeast 8th Place and Northeast 20th Street (B)**

**Petition 195SVA-06 PB, City of Gainesville/Public Works Department.  
Vacate, abandon and close the westerly 100 feet of Northeast 8th Place, west  
of Northeast 20th Street.**

*Explanation: The purpose of this request is to vacate a portion of the right-of-way of Northeast 8th Place, west of Northeast 20th Street. The right-of-way to be vacated is approximately the westerly 100 feet of Northeast 8th Place, running between Lots 5 and 6 of Block "A," and Lots 1 and 2 of Block "D" of the plat of the Thomas and Steenburg Subdivision, Plat Book "B", page 91 of the Public Records of Alachua County, Florida. The right-of-way is not paved, is not open for public use, and is surrounded by other lots owned by the Bartley Temple. Upon vacation of the right-of-way, Bartley Temple would be responsible for maintenance and liability. The right-of-way is an unimproved "paper street."*

*The Plan Board heard the petition and recommended approval with the staff condition.*

*Public notice was published in the Gainesville Sun on January 30, 2007. Letters were mailed to surrounding property owners on January 31, 2007. The Plan Board held a public hearing February 15, 2007.*

*Fiscal Note: None*

**RECOMMENDATION**

*City Plan Board to City Commission -The City Commission approve Petition 195SVA-06 PB, with the condition that a utility easement be retained over the vacated area. Plan Board vote 5-0.*

*Staff to Plan Board - Approve, with the condition that a utility easement be retained over the vacated area.*

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## **DEVELOPMENT REVIEW BOARD PETITIONS**

### **SCHEDULED EVENING AGENDA ITEMS**

**061074.**

**Site Recommendations for One-Stop Assistance Center for the Homeless (B)**

**This item includes a detailed explanation of the site evaluation and selection process and presents the City Commission with recommendations for a site for the One-Stop Assistance Center for the Homeless.**

*Explanation: Pursuant to the award of the Request for Proposals (RFP) for the One-Stop Assistance Center, staff has completed a search for appropriate sites. More than 125 sites, public and private, in all quadrants of the City were identified and reviewed (see Attachment A in back-up materials). In addition to considering public property owned by the City, City staff also contacted the County Manager and the Executive Director of Facilities for the Alachua County School Board to determine if these entities had surplus property which*

could be considered.

*The site selection process evaluated sites based upon the criteria approved by the City Commission at the December 11, 2006 meeting. The process also evaluated the suitability of sites based on the services to be provided at the Center, which include, but are not limited to, case management, personal care including showers and laundry facilities, and meal distribution. These services are expected to be provided to more than 100 clients per day.*

*As a result of the above factors, most of the sites were eliminated for one or more of the following reasons:*

- 1) Many existing facilities could not be renovated at a reasonable cost to accommodate the personal care services (showers, laundry) to be provided.*
- 2) Many existing facilities and sites could not provide adequate space for the large number of clients expected for meal distribution and/or social interaction.*
- 3) Even if the site and/or facility were adequate in size for the one-stop center services, appropriate buffers to protect existing neighborhoods could not be provided. This was especially true of leased spaces which are primarily located in existing neighborhoods.*
- 4) Some sites and facilities which could accommodate the services were too expensive. For example, a building on ten acres for sale in northwest Gainesville was more than \$10 million. Another 10,000 square foot building in southwest Gainesville was more than \$2 million.*

*The back-up materials include a detailed explanation of the process utilized for site evaluation and recommendations, including:*

- 1. Description of an alternate approach to site selection.*

*Due to the difficulty in finding existing lease space that meets the program needs and site criteria, this approach utilizes vacant land for placement of a modular building.*

- 2. The rezoning process which will be required for all sites.*
- 3. Site recommendations*

*Six sites were evaluated against the approved site selection criteria (Attachment B in the back-up materials).*

*Staff is recommending that the City Commission select one of two sites for the One-Stop Assistance Center for the Homeless:*

- a) 3335 N. Main Terrace, a leased facility OR*
- b) City-owned land north of 39th Avenue on Waldo Road.*

*Details on each site are provided in the back-up materials in Attachments C and*

D.

*As requested, staff is also providing four alternative sites for consideration (Attachment E). However, these sites do not meet the programmatic needs or the approved site evaluation criteria as well as the recommended sites.*

*Photographs of sample modular buildings which could be placed on vacant land are shown in Attachment F of the back-up materials.*

4. *A recommended process for selection of the site by the City Commission.*

*This process would decrease neighborhood anxiety over sites that will not be considered by the City Commission. The process is detailed in the back-up materials and provides for the City Commission to identify two sites which will be considered for the Center, utilizing a rank voting process if needed. All other sites would be eliminated from consideration prior to the public discussion.*

*Fiscal Note: Based on the budget needs and current funding identified for the operation of the one-stop center, approximately \$67,000 per year is available for all costs associated with the lease or purchase of the facility. In addition, the City Commission has been setting aside \$50,000 per year for capital costs associated with the one-stop center; approximately \$100,000 is currently available for building renovation and/or site development costs. The costs vary by site and approach and estimates have not been provided at this time. The City Commission action would be contingent upon negotiations, funding commitments from the County and identification of any additional funds that might be needed based on these cost estimates.*

**RECOMMENDATION**

*The City Commission: 1) Select a site for the One-Stop Assistance Center for the Homeless, subject to City Attorney approval, authorize staff to negotiate a lease, lease with a purchase option or lease-purchase agreement for the selected site, contingent upon: a) Confirmation of adequate funding, divided equally between the City and Alachua County Board of County Commissioners; b) Rezoning of the property; and c) Conducting due diligence to confirm environmental and engineering suitability of site for intended use; and 2) Authorize staff to proceed with rezoning of the property, including development or execution of needed documents and conducting a neighborhood meeting pursuant to rezoning process.*

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**UNFINISHED BUSINESS**



**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**

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