

City of Gainesville

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



Meeting Agenda

March 03, 2011

1:00 PM

City Hall Auditorium

City Commission

Mayor Craig Lowe (At Large)

Mayor-Commissioner Pro Tem Jeanna Mastrodicasa (At Large)

Commissioner Scherwin Henry (District 1)

Commissioner Lauren Poe (District 2)

Commissioner Warren Nielsen (District 3)

Commissioner Randy Wells (District 4)

Commissioner Thomas Hawkins (At Large)

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

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

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

100670.

Funding for Gainesville Police Department Police Beat Television Show (NB)

Explanation: The Gainesville Police Department's (GPD) Police Beat Television Show is part of the Department's crime prevention program. The show is used to: 1) explain how the Department provides services; 2) explain its community oriented policing initiatives; and 3) showcase crime prevention activities. The Police Department also uses the show to highlight various specialty unit operations.

GPD has been producing the show for over ten years and has produced 120 episodes. In the past year, GPD has highlighted numerous features about the Department. Additionally, GPD continues to use the show as a format to give the citizens of Gainesville crime prevention information and highlight numerous unsolved crimes in the hopes of gathering useful leads or new information. The requested funds will cover the production and airing of 12 new thirty-minute shows to air the second and fourth Saturdays of each month on CBS Channel 4.

Fiscal Note: Funds for this one year agreement, covering the period October 1, 2010 through September 30, 2011, totaling \$49,000 are available in the Federal Law Enforcement Contraband Forfeiture Trust Fund. The balance in the account is \$1,954,187.79

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the extension to the contract, subject to the approval of the City Attorney as to form and legality; and 2) approve the expenditure and issuance of a

purchase order to Studio 601, Inc., Gainesville, Florida, in the amount of \$49,000 for the continuation of funding for the Police Beat Television show.

100673.**Settlement of Worker's Compensation Claim - Thomas Eimer (NB)**

This item involves the full and final settlement of Thomas Eimer's worker's compensation claim(s), which will include all future medical costs. The total settlement amount is \$195,000 and represents a significant cost advantage to the City.

Explanation: While employed by Gainesville Police Department, Mr. Eimer was involved in an accident involving his lower back and underwent surgery. As a result of his injury and subsequent permanent work restrictions imposed by his treating physicians, Mr. Eimer is unable to return to work as a police officer.

Recently, the City, Mr. Eimer and his attorney agreed to the settlement of his worker's compensation claim. The City Attorney's Office, the Risk Management Department, Special Counsel and our Worker's Compensation servicing agent all concur as to the full and final settlement of this claim. The total amount, \$195,000, includes all attorney fees, future medical costs, past and future indemnity payments, taxable costs.

Fiscal Note: The settlement of this case in the amount of \$195,000 will be paid by the General Insurance Fund.

RECOMMENDATION

The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of Thomas Eimer's Worker's Compensation Claim in the amount of \$195,000.

100700.**Agreement between the University of Florida (UF) and City of Gainesville Regional Transit System (RTS) (B)**

This item is a request for the City Commission to authorize City of Gainesville Regional Transit System (RTS) to provide additional transit services as part of the Agreement between the University of Florida (UF) and RTS.

Explanation: There is currently an agreement between the University of Florida (UF) and Regional Transit System (RTS) to provide unlimited access to public transit to UF students. RTS meets with the UF Transportation Fee Committee annually to evaluate current service and determine the need to modify or enhance transit services. At this year's meeting, the UF Transportation Fee Committee approved an increase in the student fee to pay for current and additional services.

These enhanced services will consist of an additional 10,593 hours of service during the 2011-2012 academic year as follows: 1) service hours will increase on City Routes 21 and 38; 2) implementation of new City Route 28 (Estates to Hub); 3) implementation of new City Route 46 (UF to Downtown); and 4) implementation of two (2) new Later Gator routes (303 and 305) in Spring and Fall semesters. City Routes 13, 21, 35, 36, 38, 43 and 117 will be enhanced in Summer, 2012. The projected cost of providing the new enhanced service is approximately \$646,206. RTS staff negotiated an hourly rate of \$61.00 per hour for Monday through Sunday service to cover service operating costs.

In order to continue current services and provide the additional services, six (6) new transit operators, two (2) clerks, one (1) supervisor, one (1) IT infrastructure designer and administrator, and one (1) mechanic II will be needed. The recruitment and training period for these new positions will require that current RTS staff operate the service until the new employees are available.

Fiscal Note: Based on the new hourly rates, the total revenue anticipated under this agreement is approximately \$10,923,193 and is projected to cover budgeted expenses and the additional RTS positions.

RECOMMENDATION

The City Commission: 1) authorize RTS to provide the additional transit services; 2) approve the additional RTS positions effective August 15, 2011; and 3) authorize the City Manager to execute any related documents, subject to approval by the City Attorney as to form and legality.

100700_Executed Agreement_20110303.pdf

100737.

Gainesville Chamber Orchestra Concert Funding (B)

This item involves a request from the Gainesville Chamber for their "Pops" concert event.

Explanation: In January 2004, the Gainesville Chamber Orchestra ("Orchestra") requested support for their outdoor free concert, "Pops on the Plaza." The City Commission elected to support the request, and in 2005, stipulated that the funding be included in the Cultural Affairs Division's annual budget. The amount of support was budgeted at \$5,000, with the intent that it assist with costs for support services necessary to have a large, outdoor community event on the scale the Orchestra envisioned. Support services for the venue included security (Gainesville Police Department) and various other city services for street closures and clean-up.

The Orchestra received \$5,000 each year until 2009, when the amount was reduced to \$4,748 due to overall budgetary reductions. An additional 10% cut occurred in FY 2010 due to budget constraints, bringing the amount to \$4,273.

On February 15, 2010, Orchestra Chief Operating Officer Thomas Rider sent a

letter to City Manager Russ Blackburn indicating that the Orchestra has encountered financial constraints, and had to reduce its performance season by one concert. They requested that the funds allocated for "Pops on the Plaza" used for City support services be applied instead toward the cost to produce their May performance concert, "The Planets" at the UF Phillips Center for Performing Arts. On March 18, 2010, the Gainesville City Commission approved the request.

On February 15, 2011, Mr. Rider sent a letter to staff indicating that the Orchestra plans a pops concert for Friday, March 4th, at the University Memorial Auditorium, and is requesting City support for this event on a recurring, annual basis.

Fiscal Note: Funds for this year's Orchestra are available in the Parks, Recreation and Cultural Affairs budget in the amount of \$4,273.

RECOMMENDATION

The City Commission approve the request from the Gainesville Chamber Orchestra, subject to availability of funding during the City's budget processes.

Alternative Recommendation

The City Commission not approve the request from the Gainesville Chamber Orchestra.

100737_Letter_20110303.pdf

100755.

Personal Storage Devices (NB)

This item seeks City Commission approval of a Community Development Committee (CDC) recommendation regarding the referral of the issue of Personal Storage Devices to the Committee for review.

Explanation: At the January 25, 2011 CDC regular meeting, the Committee discussed a recent request that had been forwarded to the Committee Chair regarding the issue of the location of a Personal Storage Device in a residential neighborhood.

The Committee recommended that this matter be brought forward to the full Commission for a referral to the CDC and that it be reviewed at the Committee's regular March meeting.

Fiscal Note: No fiscal impact.

RECOMMENDATION

The City Commission approve the referral regarding the location of Personal Storage Devices in residential neighborhoods to the Community Development Committee.

100757.**State Law Enforcement Forfeiture Funding Expenditure for Hiring Of One FTE for Reichert House Youth Academy (B)**

Explanation: Due to increased dynamics, grant requirements and the level of maintaining the Reichert House Youth Academy, the Black on Black Crime Task Force is requesting additional funding in the amount of \$ 28,000 to hire one FTE. This staff member would be an Intervention Specialist at the Reichert House and assist in supervising 90+ youth per day. Additional duties of this FTE would include working with youth during school hours, as well as after-school hours, home visits and weekend events. The FTE would also serve as a squad leader for a designated group of youth. In addition, this person would assist program participants in achieving the established standards, such as the F.C.A.T. preparation, prevention activities, sports and anger management.

Fiscal Note: Funds in the amount of \$28,000 for this expenditure are available in the State Law Enforcement Contraband Forfeiture Trust Fund and is allowable per Florida State Statute 932.7055. The balance in the account is \$123,051.

RECOMMENDATION

The City Commission approve the appropriation in the amount of \$28,000 from the State Law Enforcement Contraband Forfeiture Trust Fund for the hiring of one FTE for the Reichert House Youth Academy.

Alternative recommendation: The City Commission deny funding.

100757_BIkonBlkReq_20110303.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**100747.****Meter Reading Equipment (NB)**

Explanation: The Energy Delivery Department is responsible for reading all GRU electric, water and gas meters on a monthly basis. In order to accomplish this task specific meter reading sequences and associated route data are downloaded to handheld computers each workday morning. The utility's meter readers are given prescribed routes to complete and they enter each customer's meter information into the handheld computer as they complete their routes. At the end of each work day the information collected is downloaded for the purpose of calculating customer utility bills. The devices provide each meter reader with useful information to enhance their personal safety and efficiency. Such information includes: the location of meters, security gate codes, fenced or unfenced pets, and other special conditions.

This purchase includes replacing thirty devices which are approximately five years old and at the end of their useful life. The computerized device is regularly subject to harsh daily environmental elements, including inclement weather and temperature extremes.

The maintenance on the current units will expire in June 2011 and repairs thereafter may be costly for the obsolete units as repairs will be done on a time and materials basis. Historically, each unit is repaired about once every six months, but when excessive wet weather conditions occur, older devices are more subject to failing weather proof seals, potentially compromising the data contained in the units.

GRU has standardized on the use of Itron meter reading devices which can only be obtained from the original equipment manufacturer. The device must be compatible with GRU's existing software to successfully allow daily uploads and downloads of data. The use of this equipment eliminates the need to procure new software to accomplish the transfer of data. GRU meter readers are trained and skilled on the use of the handheld device, ensuring timely and accurate meter readings. New equipment would require retraining of personnel and a decreased production period.

Utilities Purchasing obtained a written quotation for the Itron handheld devices. Itron has provided solid performance assurance with technology innovations and good customer service.

Fiscal Note: Funds for this purchase has been included in the FY 2011 Energy Delivery budget.

RECOMMENDATION

The City Commission authorize the issuance of a purchase order to Itron, Inc., a specified source, for the purchase of handheld computers for meter reading and data transfer in an amount not to exceed \$141,888.

100748.

SAP Technology Consulting and Training Services (NB)

Explanation: With authorization from the City Commission, over the past five years GRU has replaced its Customer Information System (CIS) and Financial Management Information System (FMIS) with customized SAP software, thereby making significant advancements in the Utility's operations. Customization was necessary to meet utility-specific requirements. Together the two systems allow GRU staff to bill customers, create reports for strategic planning, track revenues and expenditures, manage debt, and oversee investments. As a result of implementing these systems, GRU has realized increased productivity and cost savings.

In order to properly maintain a software system, new software releases are applied to allow users to gain the greatest benefit from the system. This can be accomplished by installing Support Packs and/or Enhancement Packs recommended by the software provider. Staying up to date with new software releases, as part of a routine maintenance strategy, is important for ensuring stable daily operations.

GRU is in need of selecting and acquiring new software releases to ensure that the appropriate and most current functionality of the SAP software is obtained. To help identify the best products for GRU, staff requires technology consulting services to assist with ascertaining which specific purchase needs are best suited for GRU's customized software code. Working directly with the software provider for technology consulting and training is highly desirable to ensure that system maintenance concerns can be identified accurately while offering direct knowledge transfer from SAP to GRU staff. While other software consultants can perform technology consulting services, staff believes it is in the best interest of GRU to obtain information directly from SAP America, Inc. as the owner and licensor of SAP software. In doing so, staff will obtain the most accurate and the latest release information available.

Fiscal Note: Funds are available in the FY 2011 budget and will be requested in subsequent year budgets.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a three year contract with SAP America, Inc., a specified source, to provide technology consulting and training services for SAP software systems in an amount not to exceed \$450,000, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to SAP America, Inc. in an amounts collectively not to exceeding \$450,000 over the term of the agreement, subject to the final appropriation of funds in each fiscal year.

100750.

Contract for Post Duct Leak Repair Testing Services (B)

Explanation: GRU's Conservation Department has two programs for low income electric customers in GRU's service area. The programs make energy improvements to existing homes that focus on making duct leak repairs which reduces energy consumption. The goal of these programs is to make improvements to approximately 336 low income customers and 500 Home Performance with Energy Star ® homes annually.

Post duct leak repair testing services are needed to identify inefficiencies in the installation of a customer's heating and cooling system. If leaks are detected, repairs can be made which results in a reduction to the customer's energy use, improved system performance and subsequently, customer savings. Testing verification conforms with all relevant local, state or federal regulations. Based on the duct leak testing, a data results report is generated. To protect the integrity of such report, a series of redundancy audits are performed which ensure that manipulation of data has not occurred.

Utilities Purchasing issued a Request for Proposals to seven (7) prospective companies that perform this type of service. Six (6) companies submitted proposals which were evaluated based on the contractor's qualifications and

experience, acceptability of evaluation method, proposed cost, references, experience and local vendor. Enalaysys Corporation submitted the best evaluated bid. A tabulation of the evaluation results is attached for your reference.

Enalaysys Corporation is an information and verification services provider that performs post duct leak repair testing services and can identify inefficiencies in a customer's heating and cooling system using leading, state of the art, accurate instrumentation and remote data collection technologies and procedures. If leaks are detected, repairs can be made which results in a reduction to the customer's energy use.

Fiscal Note: Funds for this request are included in the Utilities Budget for FY11 and will be requested in subsequent year budgets

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a contract with Enalaysys Corporation for post duct leak repair testing services through September 30, 2013 in an amount not-to-exceed \$160,000 per year, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Enalaysys Corporation for these services in an amount not-to-exceed \$160,000 per year, subject to the final appropriation of funds.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

100689.

Appointments to City Commission Advisory Boards and Committees (NB)

RECOMMENDATION

The City Commission appoint the following:

Diann Dimitri to the Bicycle/Pedestrian Advisory Board for a term to expire 3/3/14.

Glenda Currie to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan for a term to expire 4/14/12.

Theodore Stover to the Citizens Advisory Committee for Community Development for a term to expire 11/1/11.

Byron Flagg to the Development Review Board for a term to expire 3/3/14.

Victor Perez to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 3/3/14.

Byron Flagg and Joe Wills to the Gainesville Energy Advisory Committee for a term to expire 3/3/14, and Osborne Hall, Student to the Gainesville Energy Advisory Committee for a term to expire 3/3/13.

Osborne Hall, Student to the Gainesville Human Rights Board for a term to expire 3/3/13.

Amy Carpus and Jon Reiskind to the Nature Centers Commission for a term to expire 11/1/13.

Francis Putz to the Tree Advisory Board for a term to expire 1/1/14.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

REGIONAL UTILITIES COMMITTEE, CONSENT

071148.

RUC Referral Item #071148 - Corn and Other Biofuels (NB)

Explanation: On April 14, 2008 the City Commission referred this item to the RUC. On November 10, 2010, the RUC heard a status report from staff on the market penetration, carbon footprint, and cost volatility for a variety of alternative transportation fuels. Staff reported they will continue to monitor developments in this area.

Given that staff is monitoring a much broader scope of alternative vehicle fuels and technologies than referral item #071148, the RUC decided it was appropriate to remove this item from the referral list.

RECOMMENDATION

The Regional Utilities Committee (RUC) recommends that the City Commission remove this item from the referral list.

Legislative History

4/14/08	City Commission	Referred (7 - 0)	Regional Utilities Committee
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COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA**ADOPTION OF THE REGULAR AGENDA****CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION****CITY MANAGER****GENERAL MANAGER FOR UTILITIES****100753.****Interlocal Agreement for Provision of Wastewater Service to the City of Waldo (B)**

Explanation: On March 4, 2010, the City Commission authorized the General Manager to negotiate an Interlocal Agreement for future consideration by the City Commission for the provision of wastewater service to the City of Waldo via a sewer force main. The Interlocal Agreement will be between the City of Waldo, Alachua County, and the City of Gainesville and will address land use and comprehensive planning issues. In order facilitate input from the elected commissions of each of the parties, a Draft of the Interlocal Agreement was presented as an informational item to each commission in November/December 2010. After receiving input from each commission, staff modified provisions in the Draft Interlocal Agreement.

The Draft Interlocal Agreement was considered by the Alachua County Board of County Commissioners (BoCC) on February 22, 2011. The BoCC approved the Draft Interlocal Agreement with the modifications that were made in response to the input received by the BoCC and Gainesville City Commission. The BoCC Chair will transmit the Draft Agreement with a cover letter to the Mayors of Gainesville and Waldo. It is anticipated that the BoCC will approve the Final Agreement after it is approved by the Gainesville and Waldo Commissions.

RECOMMENDATION

The City Commission: 1) Receive a brief presentation on the Interlocal Agreement between the City of Gainesville, City of Waldo and Alachua County for the provision of wastewater service to the City of Waldo via a force main; and 2) Review the Interlocal agreement as approved by Alachua County and approve the Agreement.

100753_MOD_Interlocal_20110303.pdf

CITY ATTORNEY

CITY AUDITOR**EQUAL OPPORTUNITY DIRECTOR****100705.****Affirmative Action Plan (B)**

Explanation: Pursuant to Resolution No. 951377, the Office of Equal Opportunity has now completed the 2011 Affirmative Action Plan and wishes to share the results, goals, and associated action steps with the City Commission.

RECOMMENDATION

The City Commission: 1) hear a summary of the Affirmative Action Plan; and 2) receive the 2011 Affirmative Action Plan as prepared.

100705_2011 AA Plan_20110303.pdf
100705a_2011 AA Plan_20110303.pdf
100705b_2011 AA Plan_20110303.pdf
100705c_2011 AA Plan_20110303.pdf
100705d_2011 AA Plan_20110303.pdf
100705e_2011 AA Plan_20110303.pdf
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100705k_2011 AA Plan_20110303.pdf
100705l_2011 AA Plan_20110303.pdf
100705m_2011 AA Plan_20110303.pdf
100705_Summary Rpt_20110303.pdf

COMMITTEE REPORTS (PULLED FROM CONSENT)**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE****100523.****City of Gainesville Registry of Protected Public Places Phase I Property Listing (B)**

This item is a referral response from the Recreation, Cultural Affairs and Public Works Committee (RCAPW) to the Gainesville City Commission regarding the potential listing of eleven (11) nature parks to the Registry of Protected Public Places as per Ordinance #080576.

Explanation: On December 18, 2008, the City Commission passed and adopted an amendment to Ordinance #080576. On March 24, 2009, the citizens of Gainesville voted in favor of the amendment. This ordinance pertains to the protection of City-owned lands acquired or used for conservation, recreation, or cultural purposes. The amendment specifically refers to the sale or

conversion of City-owned lands used or acquired for conservation, recreation, or cultural purposes and states that a registry will be created for the purpose of identifying fee simple properties owned by the City of Gainesville that are deemed to be worthy of the highest level of protection. It further states that properties placed on this registry may not be sold or converted to a use that will result in a loss of value for which the property was placed on the registry, except by a majority vote of the electors in a city-wide election.

Parks, Recreation and Cultural Affairs (PRCA) staff reviewed all fee-simple City-owned properties purchased for the purpose of conservation and/or passive recreation and identified properties that could be potentially listed on the registry. Of those properties, eleven were identified for immediate listing based on grant obligations, acquisition or deed restrictions, and/or exemplary natural habitats. Those eleven properties include 29th Road Nature Park, Alfred A. Ring Park, Bivens Arm Nature Park, Broken Arrow Bluff, Clear Lake Nature Park, Cofrin Nature Park, Forest Park, John Mahon Nature Park, Morningside Nature Center, Split Rock Conservation Area, and Sugarfoot Prairie. Staff supplied the listing plan to other City departments and GRU for review and comments. Based on that, revisions were made and all the City departments and GRU approved the listing as submitted.

In order to fulfill grant obligations as well as prepare for registry listing, PRCA staff completed Conservation land use and zoning applications for some of the aforementioned properties that were not already zoned as such. In addition, acquisition plans were created for each of the eleven properties in order to specify the purpose for which the property was acquired as well as intended uses of the property. The Phase I listing document provides legal descriptions, a location map, and acquisition plans as backup for each of the Phase I properties to be listed on the Registry of Protected Public Places.

On December 16, 2010 this matter was referred by the Gainesville City Commission to the RCAPW Committee, and on January 31, 2011, staff presented an update to the Committee. The Committee endorsed the Phase I listing and recommends City Commission approval. A five-sevenths vote of the membership of the City Commission is required to place properties in the City of Gainesville Registry of Protected Places.

Fiscal Note: There is no cost to the City to list properties on the Registry of Protected Public Places.

RECOMMENDATION

The City Commission direct the City Attorney to draft and the Clerk of the Commission to advertize an ordinance placing the recommended 11 Phase I properties in the City of Gainesville Registry of Protected Public Places.

Alternative Recommendation

The City Commission decline to initiate preparation and advertisement of an ordinance and provide other guidance as appropriate.

Legislative History

12/16/10 City Commission Approved as Recommended (6 - 0 - 1 Absent)
1/31/11 Recreation, Approved as Recommended
Cultural Affairs
and Public Works
Committee
100523_PPT_20110131.pdf
100523A_Land Registry Phase I Listing_20110303.pdf
100523B_Land Resistry Ordinance_20110303.pdf
100523C_PPT_20110303.pdf

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

100751.

STAR Volunteer Award Recipient Day (B)

RECOMMENDATION *Naomi Glaser and Nadia Peattie with the Junior Naturalist Program to accept the proclamation.*

100751_STARVolunteer_20110303.pdf

100752.

Albert "Ray" Massey Citizen Volunteer Award Recipient Day (B)

RECOMMENDATION *Will and Shelly Voelker with the Aquabilities Program; Otis Brown, Head Coach of the Pop Warner Football Program and the Babe Ruth Baseball Program; and Beverly Perry, Head Coach of the Pop Warner Cheerleading Program to accept the proclamations.*

100752_AlbertRayMasseyCitizenVolunteer_20110303.pdf

100754. Social Work Month - March 2011 (B)

RECOMMENDATION VHA Social Workers Associate Chief of SW Service,
Irby Ferguson to accept the proclamation.

100754_SocialWorkMonth_20110303.pdf

CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED****100665.** Resolution for a Joint Participation Agreement - Increase in State Block Grant Funds for RTS Operating Assistance for FY 2010-2011 (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to increase the allocation from the State Block Grant Funds for Gainesville for FY 2010-2011 from \$1,420,646 to \$1,453,384.

Explanation: FDOT allocates State Block Grant funds for public transit systems each year. The allocations are based on a three-part formula that includes population, ridership, and vehicle miles operated. For FY 2010-2011, the allocation for Gainesville was \$1,420,646; however, more funds are available increasing the allocation to \$1,453,384.

FDOT requires the governing board of each public transit system to adopt a Resolution authorizing the acceptance of these funds.

Fiscal Note: The Operating Assistance Joint Participation Agreement requires the City of Gainesville to match the funding. Funds in the amount of \$32,738 for the increased match are available in the FY 2010-2011 RTS operating budget.

RECOMMENDATION The City Commission adopt the Resolution.

100665_Resolution_03032011.pdf

100724. Designation of the Legacy Project as a Project for purposes of the Enterprise Zone Community Contribution Tax Credit Program (B)

Explanation: The Community Contribution Tax Credit is an incentive offered by the State of Florida as part of the Enterprise Zone program. The incentive allows businesses anywhere in state to take a 50% credit on their Florida corporate income tax, insurance premium tax, or sales tax refund for donations made to

designated local community-development Project Sponsors. Communities are permitted to designate multiple projects as Project Sponsors.

In 2009, the Gainesville Community Redevelopment Agency (CRA) initiated the Legacy Project: Stories of Hope and Determination in the Fifth Avenue/Pleasant Street (FAPS) Redevelopment Area. The project consists of the A. Quinn Jones Heritage Center and Fifth Avenue/Pleasant Street Heritage Trail. The overarching project theme is to tell the stories of the accomplishments and contributions made by A. Quinn Jones as well as other people who lived in the FAPS area.

The Gainesville CRA is planning a capital campaign to raise funds for the design and construction of the project. Funding is needed to rehabilitate the A. Quinn Jones house, develop exhibits and construct the Heritage Trail in the Fifth Avenue/Pleasant Street neighborhood. The estimated cost for design and construction is approximately \$400,000, with completion projected for late-2011 or early-2012. The Gainesville CRA wishes to leverage the Community Contribution Tax Credit to encourage private donations for the project.

The Legacy Project is consistent with the Fifth Avenue/Pleasant Street Redevelopment Plan and the City's Comprehensive Plan, specifically the Cultural Affairs Element (Objective 1.5), and the Historical Preservation Element (Objectives 1.5 and 2.2).

In order for a project to be designated as a Project, the State of Florida Office of Tourism, Trade and Economic Development (OTTED) must receive a completed Project Sponsor application, which CRA Staff is currently in the process of completing. As part of the application, OTTED requires a resolution from the local governing authority confirming that the proposed project is consistent with local plans and regulations.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

The City Commission: 1) approve the Resolution confirming that the Gainesville CRA project, The Legacy Project: Stories of Hope and Determination is consistent with local plans and regulations (including the Comprehensive Plan); and 2) authorize the Mayor to execute and the Clerk to attest the Resolution, subject to approval by the City Attorney, as to form and legality.

100724_Resolution_20110303.pdf

100724_Application_20110303.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

100243.

STREET VACATION – INNOVATION SQUARE (B)

Ordinance No. 100243, Petition PB-10-69SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a portion of the right-of-way located along Southwest 2nd Place between Southwest 10th Street and Southwest 7th Terrace, lying between lots 6, 7 and 8, as shown on the Plat of University Place, as more specifically described in this Ordinance; reserving a public utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF REPORT

This is a request to vacate a portion of Southwest 2nd Place, east of Southwest 10th Street. The vacation of this right-of-way has a two fold purpose: 1) facilitate the redevelopment of the new Innovation Square (AGH) property; and 2) allow for a land swap of physical land area for the development of a roundabout at the intersection of Southwest 6th Street and Southwest 2nd Avenue.

The Innovation Square is a long-term economic development project that could support 500,000 -1,000,000 square feet of mixed-use development, including technology research, retail and residential development. Additional right-of-way is needed as part of the Southwest 6th Street and Southwest 2nd Avenue traffic roundabout. Approximately 1,400 square feet is needed on the southwest corner of this intersection. The property needed is a portion of Tax Parcel 13327-000-000, owned by Shands Teaching Hospital & Clinics, Inc. (Shands). As a portion of its redevelopment (Innovation Square) adjacent to Southwest 10th Street, Shands has requested public interest in a segment of Southwest 2nd Place be vacated in exchange for the deed of the portion of its property needed for the roundabout. The portion of Southwest 2nd Place is approximately 20 feet wide by 157.2 feet deep and runs easterly from Southwest 10th Street along the south side of Lots 6, 7, and 8, and terminates at a portion of Southwest 2nd Place which was vacated in 1972 by Ordinance No. 1792.

The Plan Board's recommendation of approval of the street vacation is conditional upon the following:

A PUE, Public Utilities Easement shall be retained over the entire right-of-way being closed, vacated and abandoned.

Public notice was published in the Gainesville Sun on July 6, 2010. The Plan Board held a public hearing July 22, 2010.

CITY ATTORNEY MEMORANDUM

By adoption of this Ordinance, the City vacates whatever interest it may have in the right-of-way that is described in this Ordinance. The City makes no representation that the adoption of this Ordinance conveys any real property interest to the abutting property owners. The conveyance of the property for the roundabout at SW 6th Street and SW 2nd Avenue was made on March 5, 2010.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

9/2/10 City Commission Approved (Petition) with Conditions (7 - 0)

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED**PLAN BOARD PETITIONS****100679.****Southwest Annexation Large-Scale Land Use Amendment (B)**

Petition PB-10-135LUC. City of Gainesville. Southwest Annexation Land Use Amendment. Amend the City of Gainesville 2000-2010 Future Land Use Map for annexed areas from multiple Alachua County land use designations (Low Density Residential (1-4 DU/acre); Medium High Density Residential (8-14 DU/acre); High Density Residential (14-24 DU/acre); Commercial; Tourist/Entertainment; Office/Residential; Institutional; and Industrial/ Manufacturing) to multiple City of Gainesville land use designations (RL (Residential Low-Density (up to 12 units per acre)); RM (Residential Medium-Density (12-30 units per acre)); C (Commercial); CON (Conservation); E (Education); PF (Public Facilities); and BI (Business Industrial)). Located in the vicinity of Southwest 20th Avenue and Southwest Archer Road, east of Interstate 75 and west of Southwest 34th Street. Related to PB-10-136ZON.

Explanation: This petition is a large-scale land use amendment to change Future Land Use categories from Alachua County to City of Gainesville designations. It covers approximately 285 acres of southwest Gainesville in the vicinity of SW 20th Avenue, SW Archer Road, and SW 34th Street.

Proposed land use categories were selected to reflect existing conditions and to be compatible with surrounding uses: the Conservation land use category for the northern portion of the subject area, which includes Hogtown Creek, wetlands, and the ten-year flood channel; the Business Industrial land use category for the lands adjacent to the interstate along the southern portion of SW 43rd Street; the Commercial land use category for the parcels along SW 34th Street and SW Archer Road; and the Residential Low Density, Residential Medium-Density, Education, and Public Facilities land use categories, as appropriate, for several small parcels in the annexation area.

The original "Southwest Annexation" petitions (PZ-09-145LUC and PZ-09-146ZON) were presented to the Plan Board on December 7, 2009 and to the City Commission on January 21, 2010. The City Commission voted to continue the petitions to allow further exploration of implementation options for the Urban Village portion of the petition. Per the requirements of sec. 30-347.8

of the Land Development Code, "If a petition or recommendation for a change or amendment is not acted upon finally by the city commission within six months of the date upon which the report of the city plan board is filed with the city commission, the petition shall be deemed denied without prejudice. However, no petition shall be deemed denied if the city commission has continued its consideration to a date certain, or has stayed action on the petition by enactment of a moratorium ordinance." Since no action was taken during the 6-month time limit, the original land use petition (PZ-09-145LUC) and associated rezoning petition (PZ-09-146ZON) have been deemed denied without prejudice.

Given the opportunity to reintroduce this item, Planning staff chose to address the parcels that comprise the Urban Village as a separate petition, which is now PB-10-137LUC. Petition PB-10-135LUC represents only parcels located outside the Urban Village. The attached staff report reflects all of the Plan Board's recommended changes.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on January 27, 2011.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission- The City Commission approve Petition PB-10-135LUC with an amendment to remove parcel 06724-000-000 from the petition and update the staff report to reflect the change. The Plan Board voted 7-0.

Staff to City Commission - The City Commission approve Petition PB-10-135LUC as recommended by the City Plan Board.

Staff to City Plan Board - The City Plan Board approve Petition PB-10-135LUC with an amendment to remove parcel 06724-000-000 from the petition and update the staff report to reflect the change.

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100678.

Southwest Annexation Rezoning (B)

Petition PB-10-136ZON. City of Gainesville. Southwest Annexation Rezoning. Rezone the annexed lands from multiple Alachua County zoning districts (Agricultural (A); Single family, low density (R-1c); Multiple family, medium-high density (R-2a); Multiple family, high density (R-3); Highway oriented business services (BH); Planned development (PD); Residential professional (RP); and Industrial services and manufacturing (MS and MP)) to multiple City of Gainesville zoning districts (RMF-5: 12 units/acre single-family/multiple-family residential; RMF-7: 8-21

units/acre multiple-family residential; BUS: General business; BI: Business industrial; CON: Conservation; ED: Educational services; and PS: Public services and operations). Located in the vicinity of Southwest 20th Avenue and Southwest Archer Road, east of Interstate 75 and west of Southwest 34th Street. Related to PB-10-135LUC.

Explanation: This petition is a rezoning from Alachua County to City of Gainesville designations. It covers approximately 285 acres of southwest Gainesville in the vicinity of SW 20th Avenue, SW Archer Road, and SW 34th Street.

Proposed zoning categories were selected to reflect existing conditions and to be compatible with surrounding uses: CON (Conservation) zoning for the northern portion of the subject area, which includes Hogtown Creek, wetlands, and the ten-year flood channel; BI (Business Industrial) zoning for the lands adjacent to the interstate along the southern portion of SW 43rd Street; BUS (General Business) for the parcels along SW 34th Street and SW Archer Road; and RMF-5, RMF-7, ED (Education) and PS (Public services and operations) zoning, as appropriate, for several small parcels in the annexation area.

The original "Southwest Annexation" petitions (PZ-09-145LUC and PZ-09-146ZON) were presented to the Plan Board on December 7, 2009 and to the City Commission on January 21, 2010. The City Commission voted to continue the petitions to allow further exploration of implementation options for the Urban Village portion of the petition. Per the requirements of sec. 30-347.8 of the Land Development Code, "If a petition or recommendation for a change or amendment is not acted upon finally by the city commission within six months of the date upon which the report of the city plan board is filed with the city commission, the petition shall be deemed denied without prejudice. However, no petition shall be deemed denied if the city commission has continued its consideration to a date certain, or has stayed action on the petition by enactment of a moratorium ordinance." Since no action was taken during the 6-month time limit, the original land use petition (PZ-09-145LUC) and associated rezoning petition (PZ-09-146ZON) have been deemed denied without prejudice.

Staff has split the petitions so that Petition PB-10-136ZON represents only parcels located outside the Urban Village. The attached staff report reflects all of the Plan Board's recommended changes.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on January 27, 2011.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission- The City Commission approve Petition PB-10-136ZON with an amendment to remove parcel 06724-000-000 from the petition and update the staff report to reflect the change; and to waive the requirement for a preliminary development plan for PS (Public services and operations) rezonings. The Plan Board voted 7-0.

Staff to City Commission - The City Commission approve Petition PB-10-136ZON as recommended by the City Plan Board.

Staff to City Plan Board - The City Plan Board approve Petition PB-10-136ZON with an amendment to remove parcel 06724-000-000 from the petition and update the staff report to reflect the change.

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100696.

Amend Future Land Use Map Series to add an Urban Village Map (B)

Petition PB-10-141 LUC. City Plan Board. Amend the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Map Series to add a map designating the Urban Village. Located in the vicinity of Southwest 20th Avenue and Southwest 24th Avenue, east of Interstate 75 and west of Southwest 34th Street. Related to PB-10-137 LUC and PB-10-142 CPA

Explanation: This amendment to the Future Land Use Map Series is to add a map showing the boundaries of the Urban Village area. A separate petition, Petition PB-10-142 CPA, sets special policies for development and redevelopment within the area. Therefore, Planning staff determined that it is necessary to have a map identifying the specific area and the parcels within the Urban Village. In addition, a related petition, PB-10-137 LUC, designates land use categories for all parcels within the Urban Village (annexed into city limits effective June 2009).

The Staff Report and maps have been updated to reflect the changes recommended by the Plan Board and Staff at the February 2, 2011 hearing.

The Plan Board discussed the petition and recommended approval with a 7-0 vote.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on February 2, 2011.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission: The City Commission approve Petition PB-10-141 LUC with amendment to add parcel 06724-000-000; include a data and analysis map showing Proposed Hull Road Extension; and update the Staff Report. Plan Board vote 7-0.

Staff to City Commission: Approve Petition PB-10-141 LUC as amended by the Plan Board.

Staff to the Plan Board: Approve Petition PB-10-141 LUC with amendment to add parcel 06724-000-000; include a data and analysis map showing Proposed Hull Road Extension; and update the Staff Report.

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100697.

Amend Future Land Use Element to add a new Policy 4.3.7 to regulate the Urban Village (B)

Petition PB-10-142 CPA. City Plan Board. Amend the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element to add a new Policy 4.3.7 with regulating policies for the Urban Village. Related to PB-10-137 LUC and PB-10-141 LUC.

Explanation: This petition adds a new policy, Policy 4.3.7, to the Future Land Use Element that provides special regulations to support and implement the vision for redevelopment and infill development in the Urban Village (related Petition PB-10-141 LUC proposes adoption of a map showing the Urban Village location in the Future Land Use Element Map Series; and another related petition, PB-10-137 LUC, designates City future land use categories on all of the Urban Village properties).

This new policy is being added in recognition of the long-term vision for this area and how it will develop and redevelop, especially in terms of transportation mobility. The original concept for this area, as recommended by the Metropolitan Transportation Planning Organization (MTPO) vote in April 2008, was as a Multi-modal Transportation District (under State law provisions). After annexation of the Urban Village area, it was included within the City's TCEA, and it is a part of TCEA Zone M. Zone M was designated as a multi-modal zone, and the proposed Urban Village policy regulations in Policy 4.3.7 support that vision. The MTPO plan envisioned a build out/redevelopment of the area by 2050. In the current economic scenario, that may be a conservative estimate. Staff suggests that the future development scenario for the Urban Village may extend as long as 50 - 60 years.

In order to ensure that redevelopment and infill development occur consistent with a unified urban strategy that promotes multi-modal opportunities, staff recommends that the proposed policy be included in the Future Land Use Element to guide future development activity.

The Plan Board discussed the petition and had several questions and comments. They recommended the following changes: (a) Update the Staff Report due to the addition of parcel 06724-000-000 in the other Urban Village petitions; (b) Increase the minimum density for new, single-use multi-family development to 20 units per acre; (c) Require a perimeter block size of 2,000 feet, with exception for maximum perimeter block sizes of up to 3,200 feet, and for those

exception to be specified in the Land Development Code; and, (d) Investigate the possibility of renumbering within proposed Policy 4.3.7.

Within the backup is a document labeled "Plan Board and Staff Recommended Changes to Petition PB-10-142 CPA" that shows the above-mentioned Plan Board changes with comments and an alternative recommendation for perimeter block size from staff. In addition, the Staff Report in the backup has been updated to reflect the changes in data and analysis caused by addition of parcel 06724-000-000.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on February 2, 2011.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission: The City Commission approve Petition PB-10-142 CPA with amendment to: update the Staff Report due to the addition of parcel 06724-000-000 in the other Urban Village petitions; increase the minimum density for new, single-use multi-family development to 20 units per acre; require a perimeter block size of 2,000 feet, with exceptions for maximum perimeter block sizes of up to 3,200 feet, and for those exceptions to be specified in the Land Development Code; and require that staff investigate the possibility of renumbering within proposed Policy 4.3.7. Plan Board vote 7-0.

Staff to City Commission: Approve Petition PB-10-142 CPA with Plan Board recommended changes with the exception that Number 4 in Policy 4.3.7 be amended as shown in Staff's Alternative 1 or Alternative 2 proposal in the "Plan Board and Staff Recommended Changes to Petition PB-10-142 CPA" document in the backup.

Staff to the Plan Board: Approve Petition PB-10-142 CPA with amendment to update the Staff Report due to the addition of parcel 06724-000-000 in the other Urban Village petitions.

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100698.

Urban Village Large-Scale Land Use Amendment (B)

Petition PB-10-137LUC. City of Gainesville. Urban Village Land Use Amendment. Amend the City of Gainesville 2000-2010 Future Land Use Map for annexed areas from multiple Alachua County land use

designations (Medium Density Residential (4-8 DU/acre); Medium High Density Residential (8-14 DU/acre); High Density Residential (14-24 DU/acre); Recreation; Commercial; Institutional; and Industrial/Manufacturing) to multiple City of Gainesville land use designations (Urban Mixed-Use 2 (UMU-2: up to 100 units per acre), Conservation, and Public Facilities). Located in the vicinity of Southwest 20th Avenue and Southwest 24th Avenue, east of Interstate 75 and west of Southwest 34th Street. Related to PB-10-141LUC and PB-10-142CPA.

Explanation: This petition is a large-scale land use amendment to change Future Land Use categories from Alachua County to City of Gainesville designations. It covers approximately 396 acres of southwest Gainesville in the area of SW 20th Avenue and SW 24th Avenue, west of SW 34th Street. Staff proposes the Urban Mixed-Use 2 land use category for a majority of this area in order to implement the Urban Village land use scenario approved by the MTPO. The remaining area is proposed for the Conservation and Public Facilities land use categories, as appropriate. Proposed land use categories were selected to reflect existing conditions; be compatible with surrounding uses; and implement the redevelopment vision for this area as Gainesville's Urban Village by increasing densities and allowing a broad mix of uses.

The original "Southwest Annexation" petitions (PZ-09-145LUC and PZ-09-146ZON) were presented to the Plan Board on December 7, 2009 and to the City Commission on January 21, 2010. The City Commission voted to continue the petitions to allow further exploration of implementation options for the Urban Village portion of the petition. Per the requirements of sec. 30-347.8 of the Land Development Code, "If a petition or recommendation for a change or amendment is not acted upon finally by the city commission within six months of the date upon which the report of the city plan board is filed with the city commission, the petition shall be deemed denied without prejudice. However, no petition shall be deemed denied if the city commission has continued its consideration to a date certain, or has stayed action on the petition by enactment of a moratorium ordinance." Since no action was taken during the 6-month time limit, the original land use petition (PZ-09-145LUC) and associated rezoning petition (PZ-09-146ZON) have been deemed denied without prejudice.

Given the opportunity to reintroduce this item, Planning staff chose to address the land use amendment in the area that comprises the Urban Village as its own petition. Related to this land use amendment, staff has prepared a new map of the Urban Village to be added to the Future Land Use Element map series (PB-10-141LUC) and a comprehensive plan amendment (PB-10-142CPA) that adds a new policy to the Future Land Use Element regulating development and redevelopment in the Urban Village. The attached staff report reflects all of the Plan Board's recommended changes.

Public notice was published in the Gainesville Sun on January 11, 2011. The Plan Board held a public hearing on February 2, 2011.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission- The City

Commission approve Petition PB-10-137LUC with amendments to add parcel 06724-000-000 and apply Conservation and UMU-2 land use categories as indicated on map; to change parcel 06745-002-001 to the Public Facilities land use category; and to update the staff report. The Plan Board voted 7-0.

Staff to City Commission - The City Commission approve Petition PB-10-137LUC as recommended by the City Plan Board.

Staff to City Plan Board - The City Plan Board approve Petition PB-10-137LUC with amendments to add parcel 06724-000-000 and apply Conservation and UMU-2 land use categories as indicated on map; to change parcel 06745-002-001 to the Public Facilities land use category; and to update the staff report.

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DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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