

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

April 2, 2015

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

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

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

CALL TO ORDER**AGENDA STATEMENT**

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

ROLL CALL**INVOCATION**

Prophet George Young

ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)**CITY MANAGER, CONSENT AGENDA ITEMS**

[140762.](#)

Bid Award - Maintenance of Traffic Signal Mast Arms to include Painting and Regalvanizing (B)

This item is a request for the City Commission to authorize the bid award to Viktor Construction Corp for the Maintenance of five Traffic Signal Mast Arms, to include painting, regalvanizing and other associated tasks along West University Avenue and SW 34th Street in the amount of \$84,750.

Explanation: On December 31, 2014, the City Purchasing Division solicited bids for the Maintenance of five Traffic Signal Mast Arms. Two (2) firms responded with bids. Viktor Construction Corp was the lowest and most qualified responsible and responsive bidder in the amount of \$84,750.

Fiscal Note: Funding in the amount of \$84, 750 is available in the City's Capital Improvement project accounts.

RECOMMENDATION

The City Commission: 1) award the bid award to Viktor Construction Corp for the Maintenance of five Traffic Signal Mast Arms; and 2) authorize the

City Manager to execute the contract and any necessary documents, subject to approval by the City Attorney as to form and legality.

[140762 Bid Tab 20150319.pdf](#)

[140763.](#)

License Plate Recognition (LPR) System Hardware for Parking Enforcement (B)

This item is a request to purchase License Plate Recognition (LPR) system hardware for parking enforcement.

Explanation: The Public Works Department - Parking Operations has sought out a system to more efficiently conduct parking enforcement rather than manual chalking of tires. Currently, vehicles are either manually marked with chalk or the license plate information is manually entered into a handheld device. Both processes are time consuming and/or inefficient.

The LPR system is an automated tracking system that captures parking times of vehicles while enforcement personnel drive down the street, using cameras mounted on a vehicle. This system is efficient and effective in that it continues to capture how long a vehicle is parked based on the number of times you drive that same street, thus verifying accurate times of a parked vehicle.

The City currently utilizes T2 Systems as its parking enforcement software and the LPR is a component of their services, thus not requiring any additional setup or purchase to operate other than the LPR system hardware. T2 Systems Inc. is the sole developer of software used by Dana Safety Supply for Auto Vu/Genetic. Genetic is the only company that can interface with the eticketbook system (mobile enforcement software for laptop) with T2.

Staff recommends purchase of the LPR system using Dana Safety as the specified source.

Fiscal Note: Funding in the amount of \$63,715 is available through CIP funds.

RECOMMENDATION

The City Commission authorize purchase of the License Plate Recognition system hardware.

[140763 Letter 20150319.pdf](#)

[140764.](#)

Human Resources Policy L-8, Military Leave (B)

This item is to amend HR Policy L-8, to renew Military Leave benefits through March 2016.

Explanation: Human Resources Policy L-8, Military Leave, is amended to extend the

previously ratified supplement to an employee's military pay by an amount not to exceed the employee's regular base pay (ie, no overtime, certification pay, educational incentive pay or special duty pay, etc.) for those employees called to active military duty. This amendment also extends the City health and basic life insurance coverage for employees called to active military duty at the same rates as for active employees. Both benefits expired April 1, 2015. In order to be effective, the benefits must be renewed by commission action.

Fiscal Note: Policy L-8 funds are currently budgeted for the Fiscal Year 2015.

RECOMMENDATION The City Commission approve revision to Human Resources Policy L-8, Military Leave.

[140764_L-8 Military Leave Policy_20150402.pdf](#)

[140773.](#)

Land and Water Conservation Fund Grant (NB)

This item involves a request for the Parks, Recreation and Cultural Affairs (PRCA) Department to accept a Land and Water Conservation Fund Grant from the National Park Service through the Florida Department of Environmental Protection, if awarded, to support development of Hogtown Creek Headwaters Nature Park.

Explanation: The City of Gainesville Parks, Recreation and Cultural Affairs (PRCA) Department submitted an application for a Land and Water Conservation Fund (LWCF) Grant from the National Park Service through the Florida Department of Environmental Protection on February 27, 2015. Should the grant be awarded, grant contracts will be executed in approximately December, 2015. The grant, if awarded, will fund half of the development of the recreational amenities at Hogtown Creek Headwaters Nature Park including: a tennis/volleyball court, a picnic pavilion, playground and shade structures, trail heads, a multi-purpose trail with boardwalks, connecting sidewalks, and bike racks.

Fiscal Note: A 50% match is required for this grant. The City is requesting \$200,000 in grant funds from LWCF which will be matched by \$200,000 in order to leverage Capital Improvement Funds already dedicated for Hogtown Creek Headwaters Nature Park, for a total project cost of \$400,000. No additional funds will be necessary to facilitate this request.

RECOMMENDATION The City Commission: 1) approve the request to accept a grant, if awarded, from the National Park Service through the Florida Department of Environmental Protection; and 2) if the grant is awarded, authorize the City Manager or designee to execute the grant award agreement and other grant-related documents, subject to approval by the City Attorney as to form and legality.

[140802.](#)**Grant Application to St. Johns River Water Management District - FY 2015-2016 Cost Sharing Funding Program (B)**

This item is a request for approval for Public Works to submit a grant application to the St. Johns River Water Management District's FY 2015-2016 Cost Sharing Funding Program.

Explanation: On December 15, 2014, the St. Johns River Water Management District (SJRWMD) announced the availability of approximately \$15 million in cost-share funding for projects that conserve water, contribute to developing alternative water supplies and sources, or improve surface water quality. The purpose of the grant funds is to support District strategic priorities that clean up waterways and provide for enhanced water supplies with a focus on water conservation.

Public Works desires to submit an application for the NE 2nd Street Reconstruction and Stormwater Pocket Park Project, which is currently at the 60% design phase. This project supports water quality initiatives and is only partially funded. The Public Works Department is requesting authorization to submit for the SJRWMD Grant for cost sharing of the project.

Fiscal Note: The SJRWMD funding request is for \$493,945.86. If the grant is awarded, the SJRWMD's share of the awarded project would not exceed 33% of the total project construction cost. The estimated project cost of the project is \$1,796,985.79. Funding in the amount of \$1,145,733 is available in the Capital Improvement Program.

RECOMMENDATION

The City Commission: 1) authorize the City Manager or designee to submit an application with the St. Johns River Water Management District Cost Sharing Funding Program for the NE 2nd Street Reconstruction and Stormwater Pocket Park Project; and 2) if the grant is awarded, authorize the City Manager to execute all related documents, subject to approval by the City Attorney as to form and legality.

[140802_Application_20150402.pdf](#)

[140815.](#)**Human Resources Policies E-1: Employment, G-2: Code of Ethical Standards, 28: Code of Ethical Standards, 31: Honorariums, L-2: General Leave Policies, L-3: Paid Time Off Leave System, and L-4: Designated Leave System (B)**

This item is to amend HR Policy E-1: Employment; implement HR Policy G-2: Code of Ethical Standards; sunset HR Policy 28: Code of Ethical Standards; sunset HR Policy 31: Honorariums; update HR Policy L-2: General Leave Policies; update HR Policy L-3: Paid Time Off Leave System; and update HR Policy L-4: Designated Leave Policy.

Explanation: Human Resources Policy E-1: Employment is amended to conform to the Motion adopted by the City Commission during its February 19, 2015 discussion regarding racially diverse interview panels. HR Policy E-1 is amended to require that, for appointment of regular supervisory positions and above, hiring managers create diverse interview panels.

Human Resources Policy G-2: Code of Ethical Standards is implemented to replace HR Policy 28: Code of Ethical Standards, to specifically reference Chapter 112 of the Florida statutes, to clarify that it is the appropriate Charter Officer who administers the policy, to clarify permissible use of City resources, to clarify what constitutes a breach of ethics under the policy, and to incorporate as a new section the policy dictates of Human Resources Policy 31 - Honorariums.

Human Resources Policy 28: Code of Ethical Standards is replaced by HR Policy G-2: Code of Ethical Standards.

Human Resources Policy 31: Honorariums is to sunset as described above.

Human Resources Policy L-2: General Leave Policies is amended to incorporate changes to Bereavement Leave that were ratified in the CWA agreement, to update the definition of Immediate Family for Bereavement Leave purposes, to include Witness Appearance in the section governing Jury Duty and to clarify how and when leave time may be taken for Jury Duty or Witness Appearance, to substitute "work week" for "five (5) days" under Administrative Leave, and to delete reporting the reporting requirement for Administrative Leave.

Human Resources Policy L-3: Paid Time Off Leave System is amended to eliminate obsolete reference to Communications center employees hired by Alachua County Sheriff's office; provide for cash-out through December 31, 2015, of any/all pensionable vacation when converting to from the Designated Leave System to Paid Time Off (PTO); specify that leave accruals are not earned in advance, not prorated, and earned in proportion to the employee's schedule; clarify that PCLB may be used when returning on a reduced-scheduled or intermittent basis; to eliminate verbiage found in ordinance regarding pension service credit; to change eligibility criteria for annual sell-back of PTO; and to provide for temporary waiver of the leave year cap requirements.

Human Resources Policy L-4: Designated Leave Policy is amended to eliminate reference to Annual Leave; to clarify when Vacation Leave may be used; to add reference to "departmental guidelines" which govern the use of Vacation; to require documentation when waiving the rule requiring the forfeiture of leave; to reference Risk Management as the custodian of record for beneficiary forms; to update the definition of immediate family for Sick Leave purposes; and to update Credited Service in accordance with the City's pension ordinances.

The changes proposed with respect to the conversion to PTO and the

sell-back of PTO arose from changes to pension benefits bargained in 2011. At the close of those negotiations for pension changes, it was agreed that these issues would be discussed and addressed in the CWA Labor Agreement and Human Resources policies.

Fiscal Note: There is no fiscal impact for the changes to HR Policies E-1, G-2, 31, L-2, and L-4.

The fiscal impact related to the conversion from the old leave system to the Paid Time Off System (PTO) is approximately \$40,000 and is a one-time cost and will be covered by the current budgets of both General Government and GRU. Since payment for vacation upon termination or entry into the DROP is calculated using an employee's current rate of pay, permitting cash-out of any/all pensionable vacation upon conversion to Paid Time Off will potentially enable payment at a lower cost, thus providing a savings in future cost. The fiscal impact of changing the threshold for eligibility to sell back Paid Time Off on an annual basis is approximately \$70,000 for both General Government and GRU and is covered as part of the personal services budget. This change may incent employees to accrue a leave balance sufficient to cover unanticipated absences thus reducing the need for leave banks.

RECOMMENDATION

The City Commission approve revisions to Human Resources Policies E-1, G-2, 28, 31, L-2, L-3 and L-4.

[140815A E-1 Employment Policy 20150402.pdf](#)

[140815B G-2 Code of Ethical Standards, strikeout 20150402.pdf](#)

[140815C G-2 Code of Ethical Standards, clean 20150402.pdf](#)

[140815D Policy 28 Code of Ethical Standards, sunset 20150402.pdf](#)

[140815E Policy 31 Honorariums, sunset 20150402.pdf](#)

[140815F L-2 General Leave Policies strikeout 20150402.pdf](#)

[140815G L-2 General Leave Policies clean 20150402.pdf](#)

[140815H L-3 PTO Leave System strikeout 20150402.pdf](#)

[140815i L-3 PTO Leave System clean 20150402.pdf](#)

[140815J L-4 Designated Leave System \(Old System\) strikeout 20150402.pdf](#)

[140815K L-4 Designated Leave System \(Old System\) clean 20150402.pdf](#)

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

[140807.](#)

AKIRA WOOD, INC. A FLORIDA PROFIT CORPORATION AND THE BAIRD CENTER ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT CORPORATION V. ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC. A FOREIGN

CORPORATION, CITY OF GAINESVILLE, A MUNICIPAL CORPORATION, D/B/A GAINESVILLE REGIONAL UTILITIES, TANKTEK, INC. A FLORIDA PROFIT CORPORATION D/B/A ENVIROTEK AND STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, A POLITICAL DEPARTMENT OF THE STATE OF FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-710 (B)

Explanation: On March 10, 2015, the City was served with a Summons and Complaint filed by Akira Wood and The Baird Center Association. Plaintiffs allege that the Defendants performed certain remedial actions relating to the cleanup of polluted soil and water, causing damage to the Plaintiffs' property. Plaintiffs claim to have suffered damage to the property and building, loss of property value, and damage associated with business interruption and disruption. Plaintiffs are seeking damages in excess of \$15,000.00.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Akira Wood, Inc. a Florida Profit Corporation and The Baird Center Association, Inc., a Florida not for profit corporation v. Environmental Consulting & Technology, Inc. a foreign corporation, City of Gainesville, a municipal corporation, d/b/a Gainesville Regional Utilities, Tanktek, Inc. a Florida profit corporation d/b/a Envirotek and State of Florida Department of Environmental Protection, a Political Department of the State of Florida; Eighth Judicial Circuit, Case No. 2015-CA-710

[140807 Akira Wood Consent 20150402.pdf](#)

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[140845.](#)

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of February 19, 23, 24, 25, 26, March 2, 5, and 9, 2015.

[140845_minutes_20150402.pdf](#)

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

END OF CONSENT AGENDA

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

UTILITY-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)

GENERAL MANGER FOR UTILITIES

[130621.](#)

Selection of General Manager-Utilities (NB)

Explanation: Kathy Viehe has been serving as Interim General Manager-Utilities since November 15, 2013. In order to hire a new General Manager, the City Commission authorized the Human Resources Department to engage the services of an Executive Search Firm to initiate a search to fill the position.

Mycoff, Fry & Prouse conducted a search and presented candidates for consideration. Selected candidates were interviewed on March 24th and 25th.

Fiscal Note: Salary is approved in the FY'15 budget.

RECOMMENDATION

The City Commission select the next General Manager-Utilities (and second choice if deemed appropriate), and authorize the Mayor to negotiate a contract with the successful candidate.

Legislative History

1/16/14	City Commission	Approved as Recommended
2/20/14	City Commission	Approved, as shown above
6/25/14	City Commission	Discussed
7/17/14	City Commission	Approved as Recommended
2/19/15	City Commission	Approved as Amended
3/5/15	City Commission	Approved as Recommended
3/19/15	City Commission	Approved as Recommended
3/24/15	City Commission	Heard

[130621 GM-Utilities Executive Search Plan 20140220](#)
[Item No130621 General Manager Utilities Job Description 20140220](#)
[103621 GM Search Mycoff Contract10-01-11 to 09-30-14-20140220](#)
[130621 GM-Utilities Draft Executive Search Plan for Discussion 20140625](#)
[130621 General Manager Utilities Job Description 20140625](#)
[130621 GM-Utilities Executive Search Plan 20140717](#)
[130621 General Manager Utilities Job Description 20140717](#)
[130621 General Manager Candidate List 20140219](#)
[130621 Bielarski Resume - GM Search 20150219](#)
[130621 Dickerson Resume - GM Search 20150219](#)
[130621 McGarrah Resume - GM Search 20150219](#)
[130621 Miller Resume - GM Search 20150219](#)
[130621 Stone Resume - GM Search 20150219](#)
[130621 Williams Resume - GM Search 20150219](#)
[130621 Wishart - Resume GM Search 20150305](#)
[130621 GM-Utilities Interview Schedule 20150305](#)

[140862.](#)

**Bid Protest for the Contract for Transportation and Beneficial Reuse
or Disposal of Dewatered Biosolids (B)**

Modification - Added Item

Explanation: Based on City Commission Agenda Item 100576 for a contract for transportation and beneficial reuse or disposal of dewatered biosolids, Watson C&D, LLC (hereinafter "Watson") have requested, through their attorney, an appeal of the General Manager's decision on their bid protest.

On January 7, 2015, GRU's Utilities Purchasing Department issued Solicitation Number 2015-024, a request for proposal (RFP) for the transportation and beneficial reuse or disposal of dewatered biosolids. Watson, with offices located in Archer, Florida, submitted a timely response to the RFP. On March 9, 2015, GRU Utilities Purchasing provided all RFP respondents with notice of intent to award the contract to the best evaluated respondent for Solicitation No. 2015-024. On March 16, 2015, Watson provided GRU's Utilities Purchasing Department, with timely written notice of intent to protest the contract award for Solicitation No. 2015-024 based on seven (7) issues outlined in detail.

Upon review of Watson's notice of bid protest, the Utilities Purchasing Manager determined that a bid protest hearing was warranted. Pursuant to the Utilities Purchasing Procedures Manual, protests for solicitations which require City Commission approval prior to award shall

be heard by a protest appeal board (hereinafter "the Board") consisting of three (3) board members. A public hearing took place on March 20, 2015.

During the public hearing, which was audio recorded and is currently available to all interested parties on GRU's website, the Board voted that David Richardson serve as the Chairperson and preside over the Board. During the public hearing, Watson was provided the opportunity to speak to the Board and present the basis for the bid protest in order to elaborate and clarify the written notice of protest. During the hearing, Watson further addressed each of the issues identified in Watson's written bid protest. GRU purchasing staff and other GRU employees that were part of the bid evaluation process presented an overview of the bid process, including the bid evaluation, and addressed all of the issues identified by Watson. Watson was afforded an opportunity to make rebuttal comments. Comment was solicited from other interested parties, and no such interested parties opted to provide comment. After approximately two (2) hours of discussion and after Watson provided rebuttal comments to the Board, the Board closed the public hearing and started deliberations.

During the Board's deliberations, each of the Board members provided comment, feedback, and voted unanimously to deny Watson's bid protest and uphold Utilities Purchasing's decision to award the contract to the most responsible responsive bidder for Solicitation No. 2015-024. The Board recommended that the General Manager review and concur with the Board's findings and recommendation to deny the bid protest and uphold GRU Utilities Purchasing's decision to award the contract to the best evaluated respondent for Solicitation No. 2015-024.

Pursuant to GRU's purchasing procedures, the Board notified the General Manager of its decision on March 23, 2015. The General Manager reviewed the recommendation of the Board and concurred with the Board and denied the protest. A letter was sent by the General Manager to Watson on March 24, 2015 denying the protest and informing Watson that Watson could appeal the General Manager's decision to the City Commission.

In response, the General Manger received correspondence dated March 26, 2015 from Mr. Jefferson Braswell, of the law office of Scruggs & Carmichael, P.A. indicating that the firm was retained on behalf of Watson and requesting a hearing before the City Commission in order to appeal the General Manager's decision on the bid protest.

Fiscal Note: None.

RECOMMENDATION

The City Commission hear the appeal from Watson C&D, LLC regarding a bid protest for the recommendation to award a contract for transportation and beneficial reuse or disposal of dewatered biosolids.

[140682 2015-024 Addendum 1 final with attachments 20150402](#)
[140682 Solicitation 2015-024 Award Letter 20150402](#)
[140862 GRU Purchasing Protest Procedure 20150402](#)
[140862 Notice of protest of 2015-024 20150402](#)
[140862 Protest Appeal Board Findings 20150402](#)
[140862 Solicitation 2015-024 Biosolids RFP FINAL BID Doc 20150402](#)
[140862 Solicitation 2015-024 CC Bid Tab 20150402](#)
[140862 Solicitation No 2015-024 - KV Ltr to Watson 20150402](#)
[140862 Solicitation No 2015-024 - KV Memo to CCom 20150402](#)
[140862 Watson Bid Protst Appeal Scruggs Ltr 20150402](#)
[140862 Watson CD LLC Proposal 20150402](#)

[100576.](#)

Contract for Transportation and Beneficial Reuse or Disposal of Dewatered Biosolids (B)

****Estimated Presentation Time 10 Minutes****

Explanation: Water/Wastewater Systems operates two water reclamation facilities which receive wastewater from customers throughout GRU's service area. The water reclamation process produces biosolids which are currently treated through a Class B aerobic digestion process and beneficially reused as a fertilizer and soil additive at a local agricultural site. Due to regulatory changes, the process can no longer be used. The City Commission authorized a settlement agreement and consent order with the Alachua County Board of County Commissioners to cease application of Class B biosolids at the agricultural site by February 21, 2016. To comply with the settlement agreement and consent order dated February 22, 2011, GRU has considered all viable alternatives for future reuse of biosolids. The City Commission approved the construction of biosolids dewatering facilities needed for the reuse of biosolids, and those facilities are currently under construction.

In August 2014, GRU Purchasing posted a Request for Information (RFI) on GRU's website to obtain information about alternative processes for future reuse of biosolids. In addition, an email notice about the posting of the RFI was sent to more than 50 companies that previously expressed or may have an interest in the project. Ten responses to the RFI were received. To respond to questions and concerns about the project, a public meeting was held on October 15, 2014 at the GRU Administration Building.

The RFI responses received were presented by GRU staff at the City Commission meeting on December 4, 2014 to allow for review, discussion, and public comment. At that meeting the City Commission authorized staff to issue a Request for Proposals (RFP) for a contract for transportation and beneficial reuse or disposal of dewatered biosolids

based on the following criteria and weighting for evaluation:

45%	Annualized Operating Cost
20%	Risk
20%	Flexibility
5%	Enhanced Environmental Benefit
5%	Local Preference
5%	Local Economic Benefit

GRU Purchasing posted the RFP on January 7, 2015 on GRU's website. Eight proposals were received, including two no bids. One respondent withdrew their proposal after the opening date. Seven proposals were evaluated in accordance with Florida Statutes by four GRU staff members with Purchasing staff oversight. GreenTechnologies, LLC, a small, local, minority-owned business, submitted the best proposal, as scored using the approved criteria. GRU received a protest from Watson C&D, LLC. A public protest hearing was held in accordance with GRU's procedures on March 20, 2015; however, the protest was denied. A summary of the scoring is attached along with a copy of the protest letter. Additional related documents are available on the GRU website at the following link:

<<https://www.gru.com/OurCommunity/Content/BiosolidsRecycling.aspx>>

Fiscal Note: Based on the proposed unit pricing and the estimated amount of biosolids, the cost of an annual contract is approximately \$1,000,000 per year. This cost will be partially offset by the discontinuation of the existing biosolids program. The new biosolids program will result in a net increase in annual operating and maintenance cost to the wastewater system of approximately \$300,000 per year.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to negotiate and execute a five-year contract with GreenTechnologies, LLC for transportation and beneficial reuse or disposal of dewatered biosolids and; 2) approve the issuance of purchase orders in amounts not to exceed budgeted amount for each year of the contract, subject to the final appropriation of funds for each year.

Legislative History

12/2/10	City Commission	Referred to the Regional Utilities Committee
1/21/14	Regional Utilities Committee	Placed on File
12/4/14	City Commission	Approved as Amended

[100575&100576 DwightAdams 20101202.pdf](#)

[RUC Item 100576 Biosolids Update 2-27-12 Mtg.pptx](#)

[100576 Biosolids RFP Presentation 20141204](#)

[100576 Proposed Criteria for Evaluating Proposals for Biosolids Reuse or Dispc](#)

[100576 Biosolids Reuse Solicitation No 2015-024 Packet 20150402](#)

[100576 Biosolids Vendor Selection Approval 20150402](#)

[140843.](#)

Gainesville Regional Utilities Internally Prepared Financial Statements for the Period Ended December 31, 2014. Gainesville Regional Utilities Supplementary Data for the Period Ended December 31, 2014 (B)

****Estimated Presentation Time is 20 Minutes****

Modification - Revised PowerPoint

Explanation: The following item is presented for review:

1. *Financial Statements for the Fiscal Year Ended September 30, 2014, internally prepared including management's discussion and analysis, and the net impact to rate stabilization.*
2. *Supplementary data for the period ended December 31, 2014.*

Fiscal Note: Internally prepared financial statements.

RECOMMENDATION

The City Commission receive and approve the financial statements and supplementary data.

[140843 Interim Financial Statements for Period Ended 12-31-14 20150402](#)

[140843 Supplemental Data for the Period Ended 12-31-14 20150402](#)

[140843 Interim Financials and Supplementary Information for PE12-31-14 2015](#)

[140680.](#)

Policy Direction on Alternative Budget for Fiscal Year 2016 (B)

****Estimated Presentation Time 20 Minutes****

Explanation: The City Commission received a report from Commissioner Poe, the chair of the Base Rates and Fuel Adjustment (BRFA) Committee, on March 5, 2015 outlining certain recommendations on several rate related topics. One topic addressed the recovery of GREC PPA Costs through Fuel Adjustment, as is current practice, compared to the option of recovering costs through base rates. The recommendation directed both GRU and General Government to develop two versions of the FY 16 Budget; one version recovering the GREC PPA costs in its current form through the Fuel Adjustment clause. The other alternative budget

version recovering the GREC PPA costs through the electric retail base rates.

Since base rates are subject to city and county utility taxes, as well as the electric surcharge in the unincorporated area, the second alternative budget scenario would result in a net increase in utility tax revenue to General Government and Alachua County. This would also result in a net increase to customers who pay those taxes and surcharge. Increased electric surcharge revenues would accrue to GRU, but due to the way the Fuel Adjustment is calculated in the City of Alachua wholesale contract, those revenues would decrease by a greater amount than the increased electric surcharge receipts (that are retained by GRU). Staff estimated this net difference to be approximately \$1.5 million based on the scenario preferred by BRFA members (\$1.5 million more would have to be collected by retail customers under alternative scenario). Various options were discussed by the committee on how to use the increased utility tax proceeds; some of which only impact General Government's budget. One option mentioned at the March 3 City Commission meeting, decreasing the General Fund Transfer to offset the utility tax increase, would impact both General Government and GRU's budgets.

Fiscal Note: Recovering the costs of the GREC PPA through base rates under the alternative scenario will increase utility taxes and surcharges that GRU electric customers pay, and will recover less revenue from GRU's wholesale electric contract with the City of Alachua. General Government and Alachua County would be the recipients of additional utility tax revenue.

RECOMMENDATION

1) The City Commission receive a presentation from staff on the factors related to a cost recovery shift of GREC PPA costs from Fuel Adjustment to Base Rates; the City Commission direct GRU and General Government staff, based on the BRFA recommendation, to develop two budget versions for City Commission review during budget hearings; and

2) The City Commission provide direction to GRU and General Government staff on how to use utility tax increases in the alternative budget, specifically whether increases in utility tax revenues should be used to reduce the General Fund Transfer or for some other purpose.

Legislative History

3/5/15 City Commission Approved, as shown above

[140680 Draft Report 20150127](#)

[140680 Draft Agenda Item for Final Report 20150127](#)

[140680 BRFA_SUMMARY REPORT_FINAL 20150305](#)

[140680 BRFA Report Presentation 20150305](#)

[140680 Policy Direction on Alternative Budget for FY16 20150402](#)

[130957.](#)

Power Supply Planning (Power 2020) (B)

This item is informational only.

****Estimated Presentation Time 15 Minutes****

Explanation: Across the country the power industry is seeing significant changes in both the volume and timing of customer demand for electricity and in the method of its delivery. GRU is no exception. Staff is requesting to make a presentation on the current status of GRU's plan to meet the changing demands of its customers while maintaining the reliability of the Bulk Electric System to regulatory standards. All aspects of both supply and demand are being studied to determine solutions that best meet customer needs while maintaining reliability. This effort includes, but is not limited to, central station power generation, GRU and/or customer owned distributed generation, power transmission (import/export), and demand side management.

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

RECOMMENDATION

The City Commission receive a presentation on GRU's plan to meet customers' future energy demands.

Legislative History

5/1/14 City Commission Referred to the Regional Utilities Committee

[130957 Power Supply Planning \(Power 2020\) 2014.09.11](#)

[130957 Fuel Cells 20140911](#)

[130957 Power 2020 - 20150402](#)

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

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

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

UTILITY-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION

UTILITY-RELATED COMMISSION COMMENTS (if time permits)

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

[140771.](#)

Development Services Center (DSC) (B)

This is a request for the City Commission to hear a presentation on implementing a Development Services Center. **ESTIMATED STAFF PRESENTATION 8 MINUTES**

Explanation: A key role of the City is to provide development review services. Over time there have been a number of concerns with these services including but not limited to consistency, timing, coordination, and accountability.

In order to address the concerns, a new approach to deliver these services must be deployed to ensure both, a world class built environment and the City's economic health. In the simplest explanation of providing these services, the city manufactures Entitlements and Building Permits. Like any manufacturing process, there are various tasks/disciplines/parts required to produce the end product. For instance, to manufacture a tractor disc, one needs the materials to be ordered, the machines to cut materials, the welders to assemble, the painters to paint and the sales team to sell. Everybody on this team knows that they are producing a specific product. Similarly, with the manufacturing of an entitlement various city departments/disciplines are necessary.

The existing process with the City to date has been arrived at and not necessarily thought out in terms of providing a specific deliverable, i.e. entitlements/building permits. Therein lays the opportunity to shift the thinking of service delivery and align the various disciplines/departments into a "company" that manufactures the aforementioned deliverables -See Attachment 1 (Legistar 140771A). This opportunity comes in the form of a fully integrated service delivery model, commonly referred to as a Development Services Center, where cradle to grave development services are produced. Fully integrated Development Services Centers across the country have their uniqueness due to various factors such as state enabling legislation and local legislation, yet the most successful of these entities have DSC commonalities that are critical for success.

These commonalities include:

- 1. Co-Location;*
- 2. Performance Tracking/Technology;*
- 3. Organizational Structure;*
- 4. Advisory Panel.*

In order to create and sustain a DSC, there are costs primarily with the co-location and technology components. There are one-time costs, such as systems furniture, relocation, rent, hardware and software, training, etc., and on-going costs, such as staffing, software licensing, technology maintenance, etc. Staff has compiled some preliminary estimates associated for both, one-time costs and on-going costs - Table 1 below is a summary and Attachment 2 (Legistar 140771B) provides much greater detail.

The preliminary estimates are not specific but rather intended to provide a range of potential costs to ensure that the Commission wants staff to proceed with this effort recognizing the estimated costs. Please note that there are multiple fund sources that would pay for the DSC such as the GG general fund, GRU, the Building Fund and potentially others. The pro-rata cost sharing allocated to each potential funding source would be presented with a draft final budget.

Table 1 - Summary Costs

One-Time Costs	Ongoing Costs (Rent Not Included)
\$2.3 - \$2.7 Million	\$450,000/year

Fiscal Note: a) None; b) Up to 100k; or c) (i) \$2.3 million to \$2.7 million - One Time Costs, (ii) 400k-450k - Annual Costs

RECOMMENDATION

City Commission: 1) Hear a presentation from staff to consider implementation of a proposed DSC; and 2) Take action deemed appropriate.

Staff to City Commission: The City Commission approve implementation of the proposed DSC and accept Staff's recommendations as follows: a) Authorize the City Manager to use undesignated reserves for professional services necessary to aid in the creation of a final draft budget (not to exceed \$100,000); b) Direct the City Manager to prepare and bring forward a Final Draft Budget for Commission approval to implement the DSC; and c) Authorize the City Manager, following budget approval, to prepare a Strategic Initiative to monument the creation of the DSC.

[140771A_DSC Diagram Overview_20150402.pdf](#)

[140771B_DSC Scenario A_20150402.pdf](#)

[140771C_Budgeting-CofG PDS at Downtown GRU 2nd Flr_Senario A & Senari](#)

[140737.](#)

State Infrastructure Bank (SIB) Loan Application (B)

This item is a request to authorize the City Manager or his designee to apply for a State Infrastructure Bank (SIB) loan agreement to purchase buses and cutaway vans for the Regional Transit System

(RTS).

MODIFICATION - Moved from the Consent Agenda to the Regular Agenda

Explanation: On August 18, 2011 the City Commission authorized the Regional Transit System (RTS) to apply for a Florida Department of Transportation (FDOT) State Infrastructure Bank (SIB) loan for the construction of its new Maintenance, Operations and Administration facility. The Metropolitan Transportation Planning Organization (MTPO) adopted a resolution on December 3, 2012 authorizing RTS to use Surface Transportation Program (STP) funds to repay the loan.

The STP provides flexible funding that may be used by states and localities for projects to preserve and improve the conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals (Statutory citation(s): MAP-21 §1108; 23 USC 133)

On May 16, 2013 the City Commission granted approval to execute the SIB loan agreement in the amount of \$3,800,000 for Phase II (final phase) of the RTS facility project, which included acquisition of property and construction of additional bus parking including demolishing existing structures, fencing, security equipment and landscape. Because RTS was able to receive grants in addition to the SIB loan, RTS only used approximately \$1,350,000 of the SIB loan proceeds.

The FDOT 5-year work program (Project 429927-2) for the RTS facility project has an allocation of \$4.0 million in FY16 (of which the \$3.8 SIB loan is part) and \$4.1 million for FY17. After paying the SIB loan, the STP funds of \$2,593,843.82 in FY16 and the \$4.1 million in FY17 become available for reallocation to another eligible project (as defined above). This request would need to be approved by the MTPO.

Fiscal Note: If approved by the MTPO and the Florida Department of Transportation Surface Transportation Program, funds could be used for repayment of any SIB loans.

RECOMMENDATION

The City Commission: 1) authorize the City Manager or his designee to apply for a State Infrastructure Bank (SIB) Loan with the Florida Department of Transportation (FDOT) to purchase buses and vans; and 2) authorize the City Manager or his designee to seek approval from the Metropolitan Transportation Planning Organization (MTPO) for use of Surface Transportation Program (STP) funds for SIB loan repayment.

[140737_Program_20150402.pdf](#)

5:30 P.M.

PLEDGE OF ALLEGIANCE (5:30pm)**PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by
Commissioner or Charter Officer**[140842.](#)**Special Recognition of GRU Camp EmPower Students (NB)**

Explanation: As part of its succession planning to address an aging workforce, GRU staff developed Camp EmPower, a spring break camp designed to expose middle school-aged students to careers in the utility industry. From March 23th through March 27, 2015, GRU held its 3rd annual camp. Twenty-five (25) students from local schools spent their spring break with GRU staff, learning about a different area of the utility each day. The students were given hands-on experience with different jobs and participated in mock job interviews at the end of the week, followed by graduation.

Fiscal Note: None

RECOMMENDATION

The City Commission hear a presentation from staff and Camp EmPower students.

[140822.](#)**Presentation to United Way of North Central Florida on Behalf of
General Government and GRU Employees (NB)**

This is a request for the City Commission to allow staff to make a presentation to the United Way of North Central Florida.

ESTIMATED STAFF PRESENTATION 10 MINUTES

Explanation: Beyond regular work duties, many General Government and GRU employees seek to support the Gainesville community in a variety of ways including volunteering for non-profit organizations and providing financial support for the efforts of these organizations. The City of Gainesville facilitates the ability of employees to provide financial contributions through the annual United Way Workplace Charitable Giving Campaign.

The City allows employees to make contributions to the Campaign through payroll deduction and one-time contributions. The recently concluded Fall 2014 Campaign raised a total of \$92,400.72. The funds raised through the General Government and GRU campaigns constitute one of the largest contributions by organizations participating in the United Way of North Central Florida's Workplace Charitable Giving Campaign.

Representatives of General Government and GRU will make a

presentation to the United Way of North Central Florida.

Fiscal Note: Contributions are made by individual employees through payroll deduction and/or one-time contributions.

RECOMMENDATION *General Government and GRU employees make a presentation to the United Way of North Central Florida.*

[140847.](#)

Child Abuse Prevention Month - April 2015 (B)

RECOMMENDATION *Alachua County Child Abuse Prevention Task Force Chair Cathy Winfrey and Member Jenn Petion to accept the proclamation.*

[140847_ChildAbuse_20150402.pdf](#)

6:00 P.M.

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

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[140827.](#)

RESOLUTION ACCEPTING REPORT OF BOARD OF CANVASSERS - ELECTIONS 2015 (B)

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 17, 2015; and providing an immediate effective date.

Explanation: On March 17, 2015, a city election was held for the election of a Commissioner for the At Large 1 seat and a Commissioner for the District 1 seat.

The Report of the Board of Canvassers for the City of Gainesville showing that there will be a run-off election between Harvey M. Budd and Jay Curtis for the At Large 1 Seat, and a run-off election between Charles Edward Goston, Sr. and Yvonne Hayes Hinson-Rawls for the District 1 Seat, is adopted by this resolution of the City Commission.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

[140827_draft resolution_20150402.pdf](#)

TRANSMITTAL HEARINGS - ROLL CALL REQUIRED[140693.](#)**COMPREHENSIVE PLAN AMENDMENT - HISTORIC PRESERVATION MAP SERIES (B)**

Ordinance No. 140693; Petition No. PB-14-166 LUC

An ordinance amending the Historic Preservation Map Series in the Future Land Use Element of the City of Gainesville Comprehensive Plan by deleting the five historic district maps and replacing with five new historic district maps; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: **PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

This ordinance will amend the Historic Preservation Map Series in the Future Land Use Element of the City of Gainesville Comprehensive Plan by deleting the five existing historic district maps and replacing with five new historic district maps. The five historic districts are: Pleasant Street, Northeast Gainesville Residential, Southeast Gainesville, University Heights-North, and University Heights-South.

The existing maps in the Future Land Use Element show both the boundaries of the historic districts as well as whether structures within the boundaries are deemed contributing or non-contributing. (The historic preservation/conservation regulations in Section 30-112 of the Land Development Code apply to structures within a historic district that are deemed "contributing".) When contributing structures within a historic district change because of either demolitions or additions of structures, the maps currently must be amended by a Comprehensive Plan amendment with associated high advertising costs due to the required size of newspaper ads.

Planning staff discussed this situation with the Florida Department of Economic Opportunity, which opined that it is acceptable to have the maps illustrate only the historic district boundaries and not include the individual structures (contributing/non-contributing) within the districts. As a result, Planning staff is recommending that the five existing historic district maps in the Comprehensive Plan be replaced with the maps shown in the backup materials that show only each historic district's boundaries. Maps of the contributing/noncontributing structures within the historic districts will continue to be maintained by the Planning and Development Services Department and will continue to be available to the public in the online GIS map series.

Planning staff recommends approval of this ordinance. After public notice was published in the Gainesville Sun on January 6, 2015, the City

Plan Board held a public hearing on January 22, 2015, and voted 6-0 to recommend adoption of this ordinance.

CITY ATTORNEY MEMORANDUM

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward comments to the City. The City must consider any written comments received during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-14-166 LUC; and 2) adopt the proposed ordinance.*

[140693B Staff report 20150402.pdf](#)

[140693C Append A Maps 20150402.pdf](#)

[140693D Append B Application 20150402.pdf](#)

[140693E CPB minutes 20150402 .pdf](#)

[140693F staff ppt 20150402.pdf](#)

[140693A draft ordinance 20150402.pdf](#)

[140379.](#)

LAND USE CHANGE - DEERHAVEN GENERATING STATION AREA (B)

Ordinance No. 140379; Petition No. PB-14-73 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 2,327.59 acres of property that is generally located west of State Road 121 and north and east of the GRU Deerhaven Generating Station, as more specifically described in this ordinance, from Alachua County Rural/Agriculture (AG) to City of Gainesville Public and Institutional Facilities (PF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This ordinance will amend the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 2,327.59 acres of property adjacent to the GRU Deerhaven Generating Station from Alachua County Rural/Agricultural (AG) to City of Gainesville Public and Institutional Facilities (PF). This subject property is City-owned and GRU-managed, undeveloped, commercially forested property that is generally located in the northern periphery of the City west of State Road 121 and north and east of the Deerhaven Generating Station (which is immediately east of US 441). The subject property is located within a regulated Floridan Aquifer High Recharge Area, with a majority of the property also located within a regulated Strategic Ecosystem (Hague Flatwoods), and contains extensive wetlands and several listed species throughout.

The property was incrementally acquired by the City in 2001, 2002, 2003 and 2005, and the majority of the property was annexed in 2007 (except for two relatively small parcels that were annexed in 2013). The purchase of the land did not include the underlying timber rights (except for a 50.8-acre portion) that were retained in perpetuity by Plum Creek Timberlands, L.P., although the City does have the option to purchase these timber rights.

The proposed PF land use category is what is currently assigned to the adjacent 1,061-acre GRU Deerhaven Generating Station and will allow for public utilities and is appropriate for GRU Deerhaven power plant operations. GRU has indicated that there are no immediate plans for the use of the property.

After public notice was published in the Gainesville Sun on September 9, 2014, the City Plan Board held a public hearing on September 25, 2014, and voted 4-0 to recommend approval of this ordinance.

CITY ATTORNEY MEMORANDUM

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at

least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward comments to the City. The City must consider any written comments received during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

RECOMMENDATION

The City Commission: (1) approve Petition No. PB-14-73 LUC; and (2) adopt the proposed ordinance.

[140379A draft ordinance 20150402.pdf](#)

[140379B Staff report 20150402.pdf](#)

[140379C Exh A Comp Plan GOPs 20150402.pdf](#)

[140379D Exh B Supplemental Documents 20150402.pdf](#)

[140379E Exh C1 Application 20150402.pdf](#)

[140379F CPB minutes 20150402 .pdf](#)

[140379G staff ppt 20150402.docx.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[140380.](#)

QUASI-JUDICIAL - REZONING - GRU DEERHAVEN GENERATING STATION AREA (B)

Ordinance No. 140380; Petition No. PB-14-74 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 2,327.59 acres of property that is generally located west of State Road 121 and north and east of the GRU Deerhaven Generating Station, as more specifically described in this

ordinance, from Alachua County Agriculture District (A) to City of Gainesville Public Services and Operations District (PS); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This ordinance will rezone approximately 2,327.59 acres of property adjacent to the GRU Deerhaven Generating Station from Alachua County Agriculture District (A) to City of Gainesville Public Services and Operations District (PS). This subject property is City-owned and GRU-managed, undeveloped, commercially forested property that is generally located in the northern periphery of the City west of State Road 121 and north and east of the Deerhaven Generating Station (which is immediately east of US 441). The subject property is located within a regulated Floridan Aquifer High Recharge Area, with a majority of the property also located within a regulated Strategic Ecosystem (Hague Flatwoods), and contains extensive wetlands and several listed species throughout.

The property was incrementally acquired by the City in 2001, 2002, 2003 and 2005, and the majority of the property was annexed in 2007 (except for two relatively small parcels that were annexed in 2013). The purchase of the land did not include the underlying timber rights (except for a 50.8-acre portion) that were retained in perpetuity by Plum Creek Timberlands, L.P., although the City does have the option to purchase these timber rights.

The proposed PS zoning district is what is currently assigned to the adjacent 1,061-acre GRU Deerhaven Generating Station, and is a zoning district that seeks to accommodate utilities, recreation and public facilities at appropriate locations that are compatible with surrounding land uses. PS zoning ordinances must specify what uses may be allowed on the property. Although GRU has indicated that there are no immediate plans for the use of the property for utilities, this ordinance will allow the following uses on the 2,327.59-acre property:

- 1. Electric power generating plants and ancillary systems and buildings as required for steam and combustion turbines, solar photovoltaic arrays, fuel cells, energy storage systems and other technologies as required to produce and manage electric power for retail consumption using fossil and renewable energy sources. Ancillary systems include water treatment and stormwater management, cooling systems, air emission controls, electric substations and transmission facilities, security management, water management and storage facilities, warehousing and maintenance facilities.*
- 2. Green industries that: 1) assist in reducing society's reliance on fossil fuels, 2) would benefit from the availability of waste heat or by-products of power generation, or 3) may have by-products that are beneficial to the production of electricity. Examples include but are not limited to: a facility that would use steam and electricity to produce ethanol from*

cellulosic materials with waste by-products able to be dewatered and used as a fuel; a facility that would sequester and compress carbon dioxide for a variety of industrial and food-use applications; or a facility that would make ice from steam.

3. Fuel and chemical transportation, loading, storage and handling systems as required for power generation or the management of power generation by-products, including rail and truck conveyance, unloading and loading facilities, conveyor belts, pipelines and metering stations.
4. Long-term storage and disposal of power generation by-products.
5. Communication towers and facilities, including monopole towers, in accordance with the provisions of the wireless communication facilities and antenna regulations of the Land Development Code.
6. Silviculture operations.
7. Wildlife management.
8. Training areas for municipal police and fire agencies.
9. Outdoor storage, as defined and regulated by the Land Development Code.

All future development within this property will be subject to the appropriate development review process and to any applicable regulations in this ordinance or the Land Development Code, including those pertaining to natural and archaeological resources and regulated surface waters and wetlands.

After public notice was published in the Gainesville Sun on September 9, 2014, the City Plan Board held a public hearing on September 25, 2014, and voted 4-0 to recommend approval of this ordinance.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 140379 becomes effective as provided therein.

RECOMMENDATION

The City Commission: (1) approve Petition No. PB-14-74 ZON; and (2) adopt the proposed ordinance.

[140380A draft ordinance 20150402.pdf](#)

[140380B Staff report 20150402.pdf](#)

[140380C Exh A Comp Plan GOPs 20150402.pdf](#)

[140380D Exh B Supplemental Documents 20150402.pdf](#)

[140380E Exh C1 Application 20150402.pdf](#)

[140380F CPB minutes 20150402.pdf](#)

[140380G staff ppt 20150402.docx.pdf](#)

TRANSMITTAL HEARING - ROLL CALL REQUIRED

[140695.](#)**LAND USE CHANGE - NORTH OF MORNINGSIDE NATURE PARK (B)**

Ordinance No. 140695; Petition No. PB-14-162 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 97.8 acres of property that is generally located north of Morningside Nature Center, as more specifically described in this ordinance, from Alachua County Institutional (INST) to City of Gainesville Conservation (CON); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will amend the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 97.8 acres of property located north of Morningside Nature Center from Alachua County Institutional (INST) to City of Gainesville Conservation (CON). This subject property was acquired by the City in 2013 with the City's Greenspace Acquisition Fund to allow for conservation and passive recreation compatible with the protection of natural resources. The property was subsequently annexed into the City in 2014. The property is undeveloped, wooded, and landlocked, but is accessible from Morningside Nature Center. The property is within the Plan East Gainesville area and is surrounded by undeveloped and wooded properties to the west, east, and north.

This property, and this land use change ordinance, will contribute to the protection of wildlife and water quality at the City's Morningside Nature Center. There is a potential for trails through dry areas and/or boardwalks over wet areas to provide public access and recreation. The property lies just east of the 40.2-acre property to the west that was acquired in April 2012 as part of the Wild Spaces Public Places land acquisitions. These two properties will expand Morningside Nature Center by a total of 138 acres. Together with the new State Forest lands to the north, the properties may be jointly managed for conservation and appropriate public use. This land use change ordinance is consistent with the City's Comprehensive Plan.

After public notice was published in the Gainesville Sun on January 6, 2015, the City Plan Board held a public hearing on January 22, 2015, and voted 6-0 to recommend adoption of this ordinance.

CITY ATTORNEY MEMORANDUM

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at

least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward comments to the City. The City must consider any written comments received during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

RECOMMENDATION

The City Commission: (1) approve Petition No. PB-14-162 LUC; and (2) adopt the proposed ordinance.

[140695A draft ordinance 20150402.pdf](#)

[140695B Staff report 20150402.pdf](#)

[140695C Append A Comp Plan GOPs 20140402.pdf](#)

[140695D Append B 20150402.pdf](#)

[140695E Append C Application 20150402.pdf](#)

[140695F CPB minutes 20150402 .pdf](#)

[140695G staff ppt 20150402.pdf](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[140697.](#)

QUASI-JUDICIAL " REZONING " NORTH OF MORNINGSIDE NATURE PARK (B)

Ordinance No. 140697; Petition No. PB-14-163 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 97.8 acres of property that is generally located north of Morningside Nature Center, as more specifically described in this ordinance, from Alachua County Agriculture (A) to City of Gainesville Conservation District (CON); providing

directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: **PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT**

This ordinance will amend the Zoning Map Atlas of the City of Gainesville by rezoning approximately 97.8 acres of property located north of Morningside Nature Center from Alachua County Agriculture (A) to City of Gainesville Conservation District (CON). This subject property was acquired by the City in 2013 with the City's Greenspace Acquisition Fund to allow for conservation and passive recreation compatible with the protection of natural resources. The property was subsequently annexed into the City in 2014. The property is undeveloped, wooded, and landlocked, but is accessible from Morningside Nature Center. The property is within the Plan East Gainesville area and is surrounded by undeveloped and wooded properties to the west, east, and north.

This property, and this rezoning ordinance, will contribute to the protection of wildlife and water quality at the City's Morningside Nature Center. There is a potential for trails through dry areas and/or boardwalks over wet areas to provide public access and recreation. The property lies just east of the 40.2-acre property to the west that was acquired in April 2012 as part of the Wild Spaces Public Places land acquisitions. These two properties will expand Morningside Nature Center by a total of 138 acres. Together with the new State Forest lands to the north, the properties may be jointly managed for conservation and appropriate public use.

After public notice was published in the Gainesville Sun on January 6, 2015, the City Plan Board held a public hearing on January 22, 2015, and voted 6-0 to recommend adoption of this ordinance.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 140695 becomes effective as provided therein.

RECOMMENDATION

The City Commission: (1) approve Petition No. PB-14-163 ZON; and (2) adopt the proposed ordinance.

[140697A_draft ordinance_20150402.pdf](#)

[140697B_Staff_report_20150402.pdf](#)

[140697C_Append A_Comp Plan GOPs_20150402.pdf](#)

[140697D_Append B_Supplemental Docs_20150402.pdf](#)

[140697E_Append C_Application Pkg_20150402.pdf](#)

[140697F_CPB minutes_20150402.pdf](#)

[140697G_staff ppt_20150402.pdf](#)

[140694.](#)**UPDATE THE 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS (B)**

Ordinance No. 140694; Petition No. PB-14-164 CPA
An ordinance updating Table 14: 5-Year Schedule of Capital Improvements in the Capital Improvements Element of the City of Gainesville Comprehensive Plan; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance is the state-required annual update of the City's 5-Year Schedule of Capital Improvements, which is found in the Capital Improvements Element of the Comprehensive Plan. This update will reflect the City's capital improvements projects that are scheduled through FY 2018/2019. Capital improvements are defined as: land, non-structural improvements to land, and structures (including the costs for design, permitting, construction, furnishings and equipment) with a unit cost of \$25,000 or more and that have an expected life of at least two years. The capital improvements in the 5-Year Schedule are primarily related to levels of service (LOS) adopted in the Comprehensive Plan and are needed to: correct existing deficiencies in LOS; maintain existing LOS; or deal with projected LOS deficiencies that will occur during the 5-year planning period of FYs 2014/2015 - 2018/2019. Planning staff finds that the proposed 5-Year Schedule is consistent with the various elements of the Comprehensive Plan.

After public notice was published in the Gainesville Sun on January 6, 2015, the City Plan Board held a public hearing on January 22, 2015, where it voted to recommend adoption of this ordinance.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-14-164 CPA; and 2) adopt the proposed ordinance.

[140694A draft ordinance 20150402.pdf](#)

[140694B Staff report 20150402.pdf](#)

[140694C Exh A-1 Table 14 5-year schedule of Capital Improvements 20150402.pdf](#)

[140694D Exh A-2 Map 20150402.pdf](#)

[140694E Exh A-3 Application 20150402.pdf](#)

[140694F CPB minutes 20150402 .pdf](#)

[140694G staff ppt 20150402.pdf](#)

[140190.](#)

ALLOWING AND REGULATING FOOD TRUCKS IN CERTAIN ZONING DISTRICTS (B)

Ordinance No. 140190, Petition PB-14-165 TCH

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to allow and provide regulations for food trucks as a temporary use on private property; by amending Section 2-339 to provide civil citation penalties for vending booths and food trucks; by amending Chapter 19, Article IV - Vending Booths and Itinerant Vendors to delete provisions regarding Itinerant Food Vendors; by amending the definition of Food Truck in Section 30-23; by amending the permitted uses in the following zoning districts to add Food Trucks as a permitted use by right: Office Residential District (OR), General Office District (OF), General Business District (BUS), Automotive-oriented Business District (BA), Tourist-oriented Business District (BT), Mixed Use Low Intensity District (MU-1), Mixed Use Medium Intensity District (MU-2), Urban Mixed-Use District 1 (UMU-1), Urban Mixed-Use District 2 (UMU-2), Central City District (CCD), Business Industrial District (BI), Warehousing and Wholesaling District (W), Limited Industrial District (I-1), General Industrial District (I-2), Public Services and Operations District (PS), Airport Facility District (AF), and Corporate Park District (CP); by amending Section 30-125 to provide regulations for food trucks; by amending Appendix A - Schedule of Fees, Rates and Charges to provide a permit fee for food truck special events; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will amend the Code of Ordinances to allow and provide regulations for food trucks as a temporary use on private property in certain zoning districts. This ordinance eliminates from the Code of Ordinances the concept of "itinerant food vendors" and carries forward any relevant allowances in the regulation of food trucks, which per this ordinance will be allowed by right in all zoning districts that currently allow either eating places (i.e., restaurants) or alcoholic beverage

establishments. In such zoning districts, this ordinance will allow one food truck per one-half (0.5) acre of private property or fraction thereof. This ordinance also provides certain operating criteria, including operating hours and a 50-ft buffer from any neighboring eating places.

On August 7, 2014, the City Commission adopted Ordinance No. 130319 to allow monthly special events to operate food trucks within the Central City District (CCD). During that process, staff received many requests from the public to address the operation of food trucks in a more comprehensive manner. The Community Development Committee discussed the issue and based on its recommendation, the City Commission on October 2, 2014, directed staff to initiate this petition/ordinance. In late 2014, City staff held multiple stakeholder meetings and incorporated feedback regarding this ordinance. Subsequently, the City Plan Board on February 26, 2015, held a public hearing and voted to recommend approval of this ordinance.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION The City Commission: 1) approve Petition No. PB-14-165 TCH; and 2) adopt the proposed ordinance.

Legislative History

7/17/14	City Commission	Assigned to the Community Development Committee
10/1/14	Community Development Committee	Approved, as shown above - See Motion(s)

[140190A Code Summary Attachment 'A' 20141001 .pdf](#)

[140190B_JFleming Email to Full Commission&CM 20141001.pdf](#)

[140190C Tyler Black Email to Comm L Poe 20141001.pdf](#)

[140190 draft ordinance 20150402.pdf](#)

[140190B Staff report 20150402.pdf](#)

[140190C Exhibit 1 Draft Food Truck Ordinance 20150402.pdf](#)

[140190D Application 20150402.pdf](#)

[140190E CPB minutes 20150402 .pdf](#)

[140190F staff ppt 20150402.pdf](#)

[140661](#)

TEXT CHANGE - ADOPTION OF PUBLIC WORKS DESIGN MANUAL (B)

Ordinance 140661; Petition No. PB-14-123 TCH

An ordinance of the City of Gainesville, Florida, adopting the City of

Gainesville Engineering Design and Construction Manual in accordance with Section 30-14 of the Land Development Code to provide detailed design guidelines and specifications for the construction of physical improvements in the City; amending Section 30-14 of the Land Development Code regarding adoption of the Design Manual; amending Section 30-192 to delete a reference to the Design Manual; deleting Section 30-270 of the Land Development Code regarding design guidelines and specifications for the construction of stormwater management facilities; amending Section 30-336 to update certain references to the Design Manual; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will adopt the City of Gainesville Engineering Design & Construction Manual ("Design Manual") in accordance with Section 30-14 of the Land Development Code. Section 30-14 of the Land Development Code requires adoption of the Design Manual to provide detailed design guidelines and specifications for the construction of physical improvements in the City. Specifically, the Design Manual addresses:

- 1. Selection of environmentally sound practices for the management of stormwater control of erosion and sedimentation;*
- 2. Construction specifications for stormwater facilities, streets, bridges, bikeways, sidewalks, and other physical improvements;*
- 3. Design criteria for wet and dry detention basins; and*
- 4. Local rainfall information.*

This ordinance also amends Sections 30-14, 30-192, 30-270, and 30-336 of the Land Development Code to update and provide clarity to the procedure for adopting and approving modifications from the terms of the Design Manual. In addition, this ordinance deletes stormwater management provisions in the Land Development Code, as they are now included in the Design Manual.

After public notice was published in the Gainesville Sun on February 10, 2015, the City Plan Board held a public hearing on February 26, 2015, and voted to recommend approval of the petition.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION

The City Commission: 1) approve Petition PB-14-123 TCH, and 2) adopt the proposed ordinance.

[140661B_Staff report_20150402.pdf](#)

[140661C_ExhA-1_Proposed LDC changes_20150402.pdf](#)

[140661D_Exh B-1 EDCM_2015_markup_wappx final_20150402.pdf](#)

[140661E_ExhC-1_Application_20150402.pdf](#)

[140661F_CPB minutes draft_20150402.pdf](#)

[140661A_draft ordinance_20150402.pdf](#)

[140618.](#)

**VOLUNTARY ANNEXATION - CITY AND STATE-OWNED
LAND THAT ENCOMPASSES THE PAYNES PRAIRIE
SHEETFLOW RESTORATION PROJECT (B)**

Ordinance No. 140618

An ordinance of the City of Gainesville, Florida, annexing a certain portion of the City of Gainesville urban reserve area that includes city-owned Tax Parcel Nos. 15672-002-001 and 16246-001-001, state-owned Tax Parcel No. 15672-001-000, and a portion of state-owned Tax Parcel Nos. 16246-003-001, 16246-001-000, 16258-042-000 and 16257-000-000, which are generally located south of Southeast Williston Road, west of the Gainesville-Hawthorne State Trail, north of Tax Parcel Nos. 16287-000-000 and 16286-000-000, and east of the intersection of South Main Street and Southwest Williston Road, as more specifically described in this ordinance, as petitioned for by the property owners pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; providing for inclusion of the area in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance will annex land into the City of Gainesville that is unincorporated, compact, and contiguous to the current boundaries of the City, and was voluntarily initiated at the request of the City of Gainesville and the State of Florida as the property owners. The property is within the City of Gainesville reserve area and is located south of Southeast Williston Road, west of the Gainesville-Hawthorne State Trail, north of Tax Parcel Nos. 16287-000-000 and 16286-000-000, and east of the intersection of South Main Street and Southwest Williston Road.

The adoption of an annexation ordinance is the final stage in the annexation process under the provisions of the Alachua County

Boundary Adjustment Act. On October 2, 2014, the City Commission received and accepted the petition for voluntary annexation. On December 18, 2014, the City Commission adopted the Urban Services Report for the area as mandated by the Boundary Adjustment Act as a prerequisite to the adoption of an annexation ordinance. Because this is a voluntary annexation pursuant to the Boundary Adjustment Act, no referendum is required.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

3/5/15 City Commission Continued (1st Reading)

[140618A_draft ordinance_20150305.pdf](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[140721.](#)

Hatchett Creek Planned Use District - Time Extension (B)

Ordinance No. 140721

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 100776 to extend certain time limits to apply for and obtain Planned Development District (PD) zoning for the Hatchett Creek Planned Use District (PUD); providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Planned Use District (PUD) is an overlay land use category created to allow the consideration of unique, innovative or narrowly construed land use proposals that because of the specificity of the land use regulations are compatible with the character of the surrounding land uses and environmental conditions of the subject land. Once a PUD is adopted, an associated Planned Development District (PD) zoning ordinance generally must be adopted within 18 months or the PUD overlay becomes null and void, leaving the land with the original and underlying land use category.

On December 17, 2009, the City Commission adopted Ordinance No. 070210, which overlaid the PUD land use category, with development conditions, on certain land that is the subject of this ordinance and is commonly known as "Hatchet Creek". Ordinance No. 070210 included a condition that within 18 months, Hatchett Creek's owner/developer

shall either apply for and obtain an associated PD zoning or file an application to extend the aforesaid 18 month period. Following Hatchet Creek's owner/developer timely filing an extension application per Ordinance No. 070210, the City Commission on July 21, 2011, adopted Ordinance No. 100776 granting the extension and establishing that Hatchet Creek's owner/developer shall either apply for and obtain PD zoning by June 30, 2015, or file an application by February 26, 2015, to extend such date. On February 3, 2015, Hatchet Creek's owner/developer filed an application to request a 3-year extension and cited market viability and revisions to the overall development plan concept as reasons for the request.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

3/19/15 City Commission Adopted on First Reading (Ordinance)

[140721 draft ordinance 20150319.pdf](#)

[140721A Request for Extension letter 20150319.pdf](#)

[140721B Existing Ord 100776 20150319.pdf](#)

[130515.](#)

QUASI-JUDICIAL - PLANNED DEVELOPMENT AMENDMENT - GAINESVILLE MIXED-USE DEVELOPMENT ON NW 13TH STREET" (B)

Ordinance No. 130515; Petition PB-13-85 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning to Planned Development District (PD) approximately 1.67 acres of property located at 1226 NW 3rd Avenue, 303 NW 13th Street, 1249 NW 4th Avenue and 1227 NW 4th Avenue, as more specifically described in this ordinance; adopting PD maps, a PD report, and development conditions; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

NOTE: The first reading of this ordinance was continued until March 19, 2015, with direction from the City Commission to amend the draft ordinance as discussed at the meeting on March 5, 2015. The following has been revised since the meeting on March 5, 2015:

1. *The building is no longer limited to 6 stories (or 5 stories for the parking garage), but the maximum height limit of 85 feet (and 60 feet for the parking garage) remains.*
2. *The maximum number of bedrooms has been specified, rather than stating the standard calculation equation for maximum number of bedrooms.*
3. *The building elevations have changed.*

This ordinance amends and supersedes an existing Planned Development District (PD) located on NW 13th Street that was originally adopted on January 19, 2012, by Ordinance No. 100897. A 0.14 acre parcel, located at 1226 NW 3rd Avenue and currently developed with a single-family residence, will be added to the southeast corner of the existing 1.53-acre PD. Both the new parcel and the approximately 0.3-acre parcel located at 1227 NW 4th Avenue are located within the University Heights Historic District-North, and both structures are considered contributing structures to the historical character of the district. The entire PD is located within the Traditional City Special Area Plan and the Fifth Avenue/Pleasant Street Redevelopment Area.

This ordinance will enable the applicant to construct a mixed-use redevelopment project that will include commercial and multi-family residential uses. The PD Report outlines the permitted uses within the development and some basic design standards. The permitted uses are a subset of the uses currently allowed by the UMU-2 zoning district, omitting certain uses such as rooming houses, day care facilities, limited automotive services, and hardware stores. The PD Report describes a 6-story building on the site that will transition to a lower height to the east adjacent to the University Heights North neighborhood. The building will use a parking garage that will be accessed from entrances on NW 3rd and 4th Avenues. Solid waste collection and freight access will be contained within the garage.

A basic layout for the site is shown on the PD Layout Map, which depicts the building envelope and setbacks from the streets and from the adjacent properties to the east. Development standards are also listed on the layout map, including the intensity of uses, maximum building height, building coverage, and setbacks. New building elevations are also included with this ordinance.

The major revisions from the existing approved PD include:

1. *Reduction of the overall maximum building height from 8 stories to 6 stories, and 106 feet to 85 feet.*
2. *An allowance for the highest portion of the building to extend further to the east (by approximately 50 feet), and for the parking garage to extend further to the east (by approximately 75 feet). This is made possible by the incorporation of the additional parcel.*
3. *Removal and relocation of a second historic house from the additional parcel.*

4. An increase in the maximum number of multiple-family units from 168 to 202, and an increase in the maximum number of bedrooms from 230 to a maximum average of 2.75 bedrooms per unit.
5. Removal of 20,000 square feet of office, and clarification that a total of 26,000 square feet of nonresidential uses is allowed.
6. Removal of a requirement to preserve an existing 56" heritage live oak tree on the site.
7. Revision of the building elevations and removal of requirements for exterior building materials to be a combination of brick, stone and stucco.

Staff finds this proposal to meet the minimum requirements for a rezoning to the Planned Development District (PD) as specified in Section 30-213 and Section 30-216 of the Land Development Code.

After public notice was published in the Gainesville Sun on October 8, 2013, the City Plan Board held a public hearing on October 24, 2013, and by a vote of 5-1 recommended approval of the petition with certain revisions. The City Commission held a public hearing on January 16, 2014, and approved the petition by a vote of 4-3.

Following a delay initiated by the land owner/agent, the land owner/agent has requested minor revisions to this ordinance and has requested that this ordinance now proceed to the City Commission for consideration. The changes requested include: the 202 allowable residential units are now calculated with a maximum average of 2.75 bedrooms per unit, and the condition requiring relocation of the existing historic structures has been revised to allow the owner/agent to apply for a demolition permit under Section 30-112 of the Land Development Code if relocation presents an undue hardship (i.e., financially or structurally infeasible).

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and, following adoption, shall become effective upon Planned Use District (PUD) Ordinance No. 130514 becoming effective as provided therein.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

12/19/13	City Commission	Continued (Petition)
1/16/14	City Commission	Approved (Petition)
3/5/15	City Commission	Continued (1st Reading)
3/19/15	City Commission	Adopted on First Reading (Ordinance)

[130515A_CPB_conditions_20131219.pdf](#)
[130515B_Revised_elevations_20131219.pdf](#)
[130515C_Staff_report_20131219.pdf](#)
[130515D_Append_A_Application_and_Workshop_information_20131219.pdf](#)
[130515E_Append_B_Supplemental_Documents_20131219.pdf](#)
[130515F_Append_C_TRC_Comments_20131219.pdf](#)
[130515G_CPB_Minutes_draft_20131219.pdf](#)
[130515H_staff_ppt_20131219.pdf](#)
[130515A_CPB_conditions_20140116.pdf](#)
[130515B_Revised_elevations_20140116.pdf](#)
[130515C_Staff_report_20140116.pdf](#)
[130515D_Append_A_Application_and_Workshop_information_20140116.pdf](#)
[130515E_Append_B_Supplemental_Documents_20140116.pdf](#)
[130515F_Append_C_TRC_Comments_20140116.pdf](#)
[130515G_CPB_Minutes_draft_20140116.pdf](#)
[130515H_staff_ppt_20140116.pdf](#)
[130515H-MOD_Staff_PPT_20140116.pdf](#)
[130515A_draft_ordinance_20150305.pdf](#)
[130515A_amended_draft_ordinancej_20150319.pdf](#)

PLAN BOARD PETITIONS

[140813.](#)

Appeal of Historic Preservation Board denial of Petition HP-15-02 (B)

Petition HP-15-02. Causseaux, Hewett, & Walpole, Inc., agent for RBLWP Parcel D, LLC. Demolish a single-family dwelling. Located at 1227 NW 4th Avenue. This building is contributing to the University Heights Historic District North. **expected presentation time 5 minutes**

Modification - Added PowerPoint Presentation

Explanation: On March 5, 2015, David Theriaque, attorney for RBLWP Parcel D, LLC, filed an appeal of the Historic Preservation Board's Order for denial of Petition HP-15-02. The Petition HP-15-02 request was for a Certificate of Appropriateness to demolish a single-family dwelling that is a contributing structure in the University Heights Historic District North. Appeals of Historic Preservation Board (HPB) decisions are heard by the City Commission.

Land Development Code Section 30-112 (d)(7)i. indicates that the City Commission hear and consider all evidence and testimony before it

regarding the appeal and shall render its decision promptly. The City Commission may affirm, amend or reverse the Historic Preservation Board's decision. The decision of the City Commission shall be reduced to writing and shall constitute final administrative review. Appeals from the City Commission may be made to the courts as provided by law.

The Historic Preservation Board heard the petition item at the February 3, 2015 HPB meeting. The staff recommendation was to approve a Certificate of Appropriateness (Petition HP-15-02) to demolish the contributing structure. The Historic Preservation Board voted 5-0 (with 2 members recusing themselves due to voting conflicts) to deny Petition HP-15-02.

Subsequent to the February 3, 2015 Historic Preservation Board meeting, the Board's denial was summarized in a written Order that included Findings of Fact and Discussion. On March 3, 2015, the Historic Preservation Board rendered its Order to deny Petition HP-15-02 by a vote of 5-0 (with 2 members recusing themselves).

Fiscal Note: None.

RECOMMENDATION

The City Commission: 1) hear the appeal of the decision of the Historic Preservation Board; and 2) affirm, amend, or reverse the decision of the Historic Preservation Board.

[140813A_Staff report_20150402.pdf](#)
[140813B_Exh1_Florida Master site file_20150402.pdf](#)
[140813C_Exh2_Code Enforcement Public Records_20150402.pdf](#)
[140813D_Exh3_Existing PUD Ord 100896_20150402.pdf](#)
[140813E_Exh4_Existing PUD Ord 100897_20150402.pdf](#)
[140813F_Exh5_Draft PUD Ord 130514_20150402.pdf](#)
[140813G_Exh6_Draft PUD Ord 130515_20150402.pdf](#)
[140813H_Exh7_Structural Assessment of house at 1227 NW 4th Ave_2015040](#)
[140813I_Exh8_House moving cost estimates_20150402.pdf](#)
[140813J_Exh9_Application and Affidavit_20150402.pdf](#)
[140813K_Exh10_Applicant's COA_20150402.pdf](#)
[140813L_Exh11_Historic Preservation Rehabilitation & Design guidelines_2015](#)
[140813M_Exh12_List of Florida Demo Salvage companies_20150402.pdf](#)
[140813N_Order of Denial_20150402.pdf](#)
[140813O_Denial letter HP-15-02_20150402.pdf](#)
[140813P_HP 150203 Minutes_20150402.pdf](#)
[140813Q_Petitioner letter request for appeal.3.5.15_20150402.pdf](#)
[140813R_Petitioner request letter for CCOM Mtg date.3.9.15_20150402.pdf](#)
[140813S_staff ppt_20150402.pdf](#)
[140813_Exhibit A_20150402.pdf](#)
[140813_MOD PRES_150203_4th Ave_20150402.pdf](#)

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

[140384.](#)

GRU Governance (B)

Explanation: On February 26, 2015, the City Commission last held a workshop to continue its discussion of GRU Governance. At that workshop, the Mayor and Commissioners discussed their individual ideas for changes to GRU governance. Several members indicated a preference for a Lakeland model or other type advisory board that would review and make recommendations to the City Commission on items of GRU business. The Commission requested that staff provide information on the Lakeland advisory board model for further consideration. The three Resolutions that created the Lakeland Electric Utility Committee, along with a Committee notice/agenda and its companion City Commission agenda are included in the backup.

On March 26, 2015, Commissioners Poe and Wells held a public meeting to further discuss, and obtain citizen input, on their visions for an advisory board. At the public meeting, key points were offered as the basis for an ordinance that would create such a board. An outline of these points is included in the backup. The shared objective seemed to be the formation of an advisory board that has/would develop expertise in utility governance, management and operation and would meet to hear GRU agenda items and make an informed recommendation on each item that would be placed on a City Commission agenda. Other thoughts discussed at the meeting included an expectation that the City Commission would be deferential to the advisory board's recommendations and after a period of operation that would allow the Commission and citizens to evaluate how the advisory board is functioning, perhaps even drafting a referendum question that would allow voters to decide whether they wish to retain the advisory board or convert that board to a final decision-making board for most GRU decisions.

RECOMMENDATION

The City Commission: 1) Discuss creating a utility advisory board; and 2) if consensus is reached, direct the City Attorney to prepare a conceptual ordinance and place it on the April 2 Regular City Commission Meeting for review and further discussion.

Legislative History

10/21/14	General Policy Committee	Approved, as shown above
1/21/15	General Policy Committee	Approved as shown above (See Motion)
2/26/15	City Commission	Discussed

[140384 FMEA Governance Presentation 2014.10.21](#)

[140384 Governance Chart 2014.10.21](#)

[140384 GRU Governance and APPA Workshop 2014.10.21](#)

[140384 GRU Governance Memorandum 2014.10.21](#)

[140384 Utility Governance Changes and Examples_20150121.pdf](#)

[140384 Outline of Proposed Advisory Committee_20150330.pdf](#)

[140384 Lakeland Information_20150330.pdf](#)

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