

City of Gainesville

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



Meeting Agenda

April 05, 2012

1:00 PM

City Hall Auditorium

City Commission

Mayor Craig Lowe (At Large)

Mayor-Commissioner Pro Tem Thomas Hawkins (At Large)

Commissioner Scherwin Henry (District 1)

Commissioner Todd Chase (District 2)

Commissioner Susan Bottcher (District 3)

Commissioner Randy Wells (District 4)

Commissioner Jeanna Mastrodicasa (At Large)

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

CALL TO ORDER

AGENDA STATEMENT

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

ROLL CALL

INVOCATION

Prophet George Young

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

110035.

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

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, (i.e., 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 expire April 1, 2013, unless renewed by commission action. In addition, the amended policy clarifies the process for determining the amount of supplemental pay due to an employee who is called to active military duty.

Fiscal Note: Policy L-8 funds are currently budgeted for the Fiscal Year 2012-2013.

RECOMMENDATION

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

Legislative History

6/16/11 City Commission Approved as Recommended

110035B_HR Poliy L8, Military Leave.pdf
 110035A_HR L-8 Military Leave Policy Strikeout_20120405.pdf
 110035A_HR L-8 Military Leave Policy Strikeout_20120405.pdf
 110035B_HR L-8 Military Leave Policy_20120405.pdf

110530.

Amended Memorandum of Understanding Between the Alachua County Sheriff's Office (ACSO) and the Gainesville Police Department for the Problem Oriented Policing Grant (POP) Awarded Through the Edward Byrne Memorial Justice Assistance Grant (B)

Explanation: The City Commission approved the original request for \$15,000.00 on 12/15/11 file number 110530. This grant also had a component that has overtime for non-sworn personnel to receive overtime up to \$3,000.00 that was not included in the original MOU for \$15,000.00. This is to request approval for the additional \$3,000.00.

The Gainesville Police Department is a sub-recipient of the Problem Oriented Policing Grant (POP) for fiscal year 2011-12. As a part of the Memorandum of Understanding from the Alachua County Sheriff's Office (ACSO) acting as the program administrator, the Gainesville Police Department is eligible to receive up to \$18,000 for reimbursement for overtime pay for specific services associated with this Edward Byrne Memorial Justice Assistance Grant.

Fiscal Note: The Gainesville Police Department is eligible for up to \$18,000 for reimbursement for overtime pay for specific services associated with the grant for the period of October 1, 2011 through September 30, 2012.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the grant award and any other necessary documents, subject to the approval by the City Attorney as to form and legality; and 2) approve the overtime expenditures as outlined in the approved grant award and the Memorandum of Understanding between the Alachua County Sheriff's Office and the Gainesville Police Department.

Legislative History

12/15/11 City Commission Approved as Recommended (5 - 0 - 2 Absent)

110530_POPGrantMOU_20111215.pdf
 110530_POPGrantMOUAmended_20120405.pdf

110784.

Transition Study for Alachua County Fire Station 19 (NB)

This item requests that the City Commission provide direction to the City Manager to identify the potential impacts of transitioning the provision of fire and rescue services in the SW Gainesville area currently covered by Alachua County Fire Station 19 to the City of Gainesville.

Explanation: The City of Gainesville and Alachua County provide automatic aid services in

each others' jurisdictions under the Fire Services Assistance Agreement (FSAA) entered into on October 10, 2006. The FSAA outlines the level of service and how each agency will be reimbursed for the services they provide in each others' jurisdiction.

On June 1, 2009, the City of Gainesville annexed property surrounding SW 20th Avenue, which included Alachua County Fire Rescue Station 19. Alachua County currently operates one engine and one rescue unit out of Station 19. Since the annexation, the cost to the city for Alachua County fire unit responses covered by the FSAA continues to increase annually and is approaching the same level of expense that the City might incur by operating an additional fire station. The greatest proportion of these automatic aid responses are in southwest Gainesville surrounding Alachua County Fire Station 19 at 1800 SW 43rd Street.

On March 13, 2007, Alachua County and the City of Gainesville entered into an interlocal agreement for the transition of services upon annexation. The transition agreement was extended on May 12, 2009 until September 30, 2014. In the agreement, Section XI Fire Rescue Services and Public Safety/Police Protection provides options for the ownership, location or transfer of fire rescue stations and Section XII provides direction regarding the personnel positions affected by the purchase or transfer of county services.

Based on what appears to be consistently escalating costs to the City for automatic aid assistance from Alachua County Fire Rescue, staff believes that it is timely to conduct an assessment of the potential impacts of transitioning fire-rescue services in the annexed area currently provided by Station 19 from Alachua County to the City of Gainesville.

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

RECOMMENDATION

The City Commission direct the City Manager to initiate discussions with Alachua County regarding the impact of transitioning fire rescue services in the SW Gainesville area currently covered by Alachua County Fire Station 19 to the City of Gainesville and provide a report to the City Commission.

110816.

Economic Development Administration FY12 Public Works and Economic Adjustment Assistance (NB)

This is a request for the City Commission to authorize staff to submit a grant application to the Economic Development Agency (EDA), U.S. Department of Commerce, for the funding of stormwater infrastructure upgrades in the Innovation District.

Explanation: The EDA Public Works and Economic Adjustment Assistance Grant Program is a competitive grant opportunity that provides funding to projects that foster job

creation and attract private investment. There is a total of \$11,640,000 available in the program for national distribution in FY12; the average awards in FY11 ranged between \$500,000 and \$2,000,000. The grant requires a minimum of a 20% local match. EDA's intent is to 'leverage regional assets to support the implementation of regional economic development strategies designed to create jobs, leverage private capital, encourage economic development, and strengthen America's ability to compete in the global marketplace.'

Infrastructure investments in the Innovation District align well with the grant's intent. The project proposes to replace existing, undersized stormwater piping with new, upsized stormwater piping in three locations and construct a trash trap and enhanced wetland along the Tumblin Creek. The investment will provide enhanced flood control and improved water quality by utilizing sustainable techniques and innovative strategies for stormwater management. The project is identified as a priority in the Tumblin Creek watershed master plan and the Innovation District master plan. The total project cost is estimated at \$3,250,000.

Fiscal Note: There are no fiscal impacts for FY12. There are sufficient funds in the Stormwater Management Utility (SMU) fund to meet the \$650,000 match requirement.

RECOMMENDATION

The City Commission authorize the City Manager or designee to execute the grant applications, grant awards and any other documents needed to complete this project subject to the approval by the City Attorney as to form and legality.

110817.

Request to Release Reverter Rights (B)

This item is a request to release the Reverter Right provisions contained in deeds to Santa Fe Community College Endowment Corporation, Inc.

Explanation: In 1989, the City of Gainesville conveyed Tax Parcel 14497-000-000 to Santa Fe Community College Endowment Corporation, Inc., now known as Santa Fe College, Santa Fe College Foundation, Inc. (SFCF), by deed recorded in Official Records Book 1745, page 569. The deed contained a restrictive covenant that the property be used only as an educational facility. It also contained a reverter provision requiring SFCF to complete and operate an educational facility on the property within three years.

In 1997, the City conveyed Tax Parcels 14496-000-000 and 14493-000-000 to SFCF by deed recorded in Official Records Book 2147, page 1391. The City also conveyed Tax Parcels 14474-000-000 (now 14474-001-000) and 14490-000-000 to SFCF, by deed recorded in Official Records Book 2147, page 1394. These two deeds contained a reverter if the properties failed to be used exclusively to provide and render educational services and/or ancillary services.

The two deeds also contained a reverter clause requiring completion of an education facility and or ancillary facility on the properties within fifteen years from the date of the deed (i.e., December 30, 2012). The City executed a Quit Claim Deed to SFCF for Tax Parcel 14492-000-000 as recorded in Official Records Book 2147, Book 1399. This deed did not include a reverter clause. A map depicting all of the parcels is provided in the back-up.

The City Manager and the City Attorney have received requests from SFCF, asking for the release of the right of reversion contained in the deeds from the City to SFCF. City staff believes the release of the reverter rights pertaining to the completed construction of an education facility on parcels 14497-000-000 and 14474-001-000 is warranted, as Santa Fe has constructed and occupies its downtown campus buildings on those parcels.

The only improvements on Tax Parcels 14490-000-000 and 14493-000-000 is the installation of an aluminum ornamental fence, allowing space for unimproved parking. As a result, City staff recommends granting a fifteen year extension of the reverter provision requiring an education and/or ancillary facility be constructed on the parcels.

City staff also believes it would be in the City's best interest to retain a restrictive covenant over all of the parcels requiring them to be used solely for educational and/or ancillary facilities.

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

RECOMMENDATION

The City Commission: 1) approve the release of the reverter on Tax Parcels 14497-000-000 and 14474-001-000; 2) approve extending, until December 30, 2027, the requirement for completion of educational and/or ancillary facilities on Tax Parcels 14490-000-000, 14492-000-000, and 14493-000-000; 3) retain a restrictive covenant limiting the use of all of the properties to educational and/or ancillary uses; and 4) authorize the Mayor to execute, and the Clerk to attest such deeds or other documents as are necessary to effectuate the foregoing, subject to approval as to form and legality by the City Attorney.

110817A_WarrantyDeed_20120405.pdf
 110817B_QuitClaimDeed_20120405.pdf
 110817C_WarrantyDeed_20120405.pdf
 110817D_WarrantyDeed_20120405.pdf
 110817E_Aerial_20120405.pdf
 110817F_Correspondence_20120405.pdf

110825.

Referral to Community Development Committee regarding the process of Improving existing Non-Conformities (NB)

Explanation: Recently, an owner of property located on West University Avenue received a

zoning compliance permit to allow a tenant that would continue to operate under a similar SIC (Standard Industrial Classification) group under the existing permit with proposed remodeling and alterations to the existing building.

Section 30-346(b) of the Land Development Code allows a non-conforming building to be remodeled by right. Section 30-346(d)(1), however, requires a special use permit before a building that houses a non-conforming use be remodeled. Currently, the owner is proceeding forward to request a Special Use Permit from the Plan Board for the proposed project.

The property in question is within the UMU-2 district surrounding Innovation Square and the proposed change seems reasonable and will result in a better situation regarding the appearance and use of the subject property.

The policy question for the Committee and then ultimately the City Commission is whether or not the requirement to secure a Special Use Permit in cases following this fact pattern makes sense.

Fiscal Note: No impact at this time.

RECOMMENDATION

The City Commission refer this item to the Community Development Committee for discussion.

070790.

Land Conservation and Acquisition Program (B)

This item involves a request for the City Commission to approve an update to the priority list of the Land Conservation and Acquisition Program.

Explanation: This item was referred to the Recreation, Cultural Affairs and Public Works Committee at the January 14, 2008, City Commission meeting for review and recommendation to the Commission as a whole. The item was initiated by the City Commission Goals for FY 07. Under the Goal Infrastructure, a Tier One Objective is "Complete capital projects at parks - improve programs; develop land conservation and acquisition program (for biodiversity and passive recreation)." With this goal in mind, the City Commission approved \$200,000 to be budgeted in FY 07 and \$425,000 to be budgeted each year beginning in FY 08 for land acquisition purposes and directed staff to identify undeveloped land within or near the City of Gainesville that could provide habitat for wildlife and plants, protect creeks and wetlands and that could provide passive recreational opportunities for the public.

The Recreation, Cultural Affairs and Public Works (RCAPW) Committee heard this item on August 14, 2008, and September 11, 2008, and received a final presentation from the Nature Operations staff with input from Alachua Conservation Trust and Alachua County Forever on October 9, 2008. Following discussion, the Committee voted in favor of pursuing acquisition of recommended conservation lands as prioritized. The Committee also

recommended staff continue to evaluate and update the priority list as new areas are annexed into the City of Gainesville. On November 20, 2008, the City Commission heard the referral from the RCAPW Committee on this item and approved the Committee's recommendation to accept the priority list for the Land Conservation and Acquisition Program.

Since 2009, the City has been attempting to acquire the top and second priority properties. Some landowners have been willing to sell, but others have not. Since many of the priority landowners are unwilling to sell or are at an impasse on price, staff has reevaluated undeveloped parcels within City limits that are contiguous with existing park land, or that would provide corridor connections for the Hogtown Creek Greenway. Thirteen parcels of interest were identified and added to the land acquisition priority listing under the "2012 Additions" heading.

Fiscal Note: \$ 2.1 million combined remains in the Greenspace Acquisition Fund and in the Wild Spaces Public Places Land Acquisition Fund, and is available for continued acquisition of conservation and/or passive recreation lands. A land-buying program is viewed favorably by potential partners, and better enables the City of Gainesville to protect more land by leveraging funds from local and state land acquisition programs.

RECOMMENDATION

The City Commission: 1) approve the updated priority list for the Land Conservation and Acquisition Program; and 2) authorize the City Manager or designee to negotiate with landowners for acquisition.

Alternative Recommendation: The City Commission not approve the Land Conservation and Acquisition Program priority list and direct staff to reevaluate undeveloped lands within or near the City of Gainesville that could provide habitat for wildlife and plants, protect creeks and wetlands and that could provide passive recreational opportunities for the public.

Legislative History

1/14/08	City Commission	Approved as Recommended (6 - 0 - 1 Absent)	
1/14/08	City Commission	Referred	Recreation, Cultural Affairs and Public Works Committee
8/14/08	Recreation, Cultural Affairs and Public Works Committee	Discussed	
9/11/08	Recreation, Cultural Affairs and Public Works Committee	Continued	
10/9/08	Recreation, Cultural Affairs and Public Works Committee	Approved	

11/20/08	City Commission	Approved as Amended (5 - 0 - 2 Absent)
6/18/09	City Commission	Withdrawn
1/7/10	City Commission	Approved as Recommended (6 - 0 - 1 Absent)
6/17/10	City Commission	Approved as Recommended (5 - 0 - 2 Absent)
2/16/12	City Commission	Approved as Recommended (7 - 0)

070790a_20080114130.pdf
 070790b_20080114130.pdf
 070790_CORRESPONDENCE_20081120.pdf
 070790_MAP_20081120.pdf
 070790_Interagency Agreement_20090618.PDF
 070790a_Evaluation-AlachuaCo_20100107.pdf
 070790b_Evaluation-COG_20100107.PDF
 070790c_Priority Table_20100107.PDF
 070790d_LA Summary 01_20100107.PDF
 070790e_LA Summary 02_20100107.PDF
 070790f_LA Summary 03natcomm_20100107.PDF
 070790_agreement_20100617.pdf
 070790a_agreement_20100617.pdf
 070790_Jurecko Termination Letter_20120216.pdf
 070790A_Priority Table_20120405.pdf
 070790B_Maps_20120405.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

110847.

CITY OF GAINESVILLE v. STEPHEN A. SCOTT, P.A., EIGHTH JUDICIAL CIRCUIT, CASE NO. 2011-CA-1883 (NB)

Explanation: On April 26, 2010, the City filed a small claims complaint against Defendant Stephen A. Scott, P.A. for delinquent business taxes for years 2008-2009, and 2009-2010. Subsequently, Scott filed an Answer, Affirmative Defenses and Counterclaim, along with a Motion to certify the action as a class action. Mr. Scott is an attorney who believes that the City does not have the legal authority to impose a business tax against him as an attorney. Defendant Scott is seeking declaratory and injunctive relief and alleges that the City's business tax ordinance is unconstitutional. Scott seeks refunds on behalf of all lawyers who paid the tax after March 2007.

A hearing was held on the Motion to Certify on February 22, 2012. The Court has not yet ruled on the Motion.

Funds are available in the General Fund.

RECOMMENDATION

The City Commission authorize the City Attorney, assisted by Special Counsel, to represent the City of Gainesville in the case styled City of Gainesville v. Stephen A. Scott, P.A.; Eighth Judicial Circuit, Case No. 2011-CA-1883.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

110841.

City Commission July 5th Meeting (NB)

RECOMMENDATION

The City Commission waive the City Commission Rules and cancel the July 5, 2012, City Commission meeting.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

110019.

Outdoor "Doggie Dining" (B)

Explanation: On May 19, 2011, Warehouse Restaurant Manager Ryan Premdas brought the issue of Outdoor Doggie Dining forward during Citizen Comment. The Commission referred this issue to the Community Development Committee for review.

At the October 25, 2011 Community Development Committee meeting, Planning Manager Ralph Hilliard presented the committee with Florida Statute rules and regulations on outdoor "doggie dining." Warehouse Restaurant Manager Ryan Premdas addressed the Committee on this issue and that meeting discussion resulted in the following Motion. MOTION: A motion was made by Commissioner Susan Bottcher and seconded by Commissioner Scherwin Henry to: 1) direct staff to move forward in presenting a model ordinance with any appropriate modifications to the City Commission.

RECOMMENDATION

The City Commission direct staff to initiate a Petition to the Plan Board to allow opportunities for public food service establishments that provide outdoor dining to allow patrons' dogs within certain designated outdoor portions of the establishment when application is made and a permit is approved subject to the requirements of State Statute.

Legislative History

5/19/11	City Commission	Referred (7 - 0)	Community Development Committee
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10/25/11 Community Development Committee Approved as shown above (See Motion)
110019_Public Food Service-Dogs_20111025.pdf
110019A_FL Statues Public Food Service-Dogs_20120405.pdf
110019B_Public Food Service Establishment_20120405.pdf

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

110752.

Stephen Foster Neighborhood Blight Study (B)

This item requests that the City Commission authorize staff to develop a Request for Qualifications to conduct a Blight Study of the Stephen Foster Neighborhood, or a portion thereof.

Explanation: The Stephen Foster Neighborhood (Map A) is an important neighborhood in Gainesville. It is located near major roads, natural features, schools and commercial areas. It is also adjacent to the Koppers Superfund site. Given the relevance of this neighborhood, and its proximity to the Superfund site, some have asked if the City should consider having a study done to determine if the area meets the state's definition of slum or blight, and is therefore, eligible to be a Community Redevelopment Agency (CRA) Area.

Although some lots in the Stephen Foster Neighborhood date back to the 1900's, the neighborhood, like much of Northern Gainesville, is essentially a first ring residential suburb. Annexed into the City in 1961, the neighborhood's biggest development boom occurred during the 1940's and 1950's.

As population and commerce moved away from the center of Gainesville, many first ring suburban areas suffered from moderate to severe lack of investment. The Stephen Foster Neighborhood contains several examples of both investment and disinvestment, which should be expected, given the relatively large size of the neighborhood. The close proximity between well-kept, attractive homes and dilapidated structures, however, is unusual. Generally, when taken as a whole,

the area does not appear to be particularly blighted.

Without conducting an in depth study, it is impossible to determine which factors most contribute to blight in the area. However, based solely on a recent windshield survey, it appeared that homes on larger lots and on lots located closer to the interior of the neighborhood (away from major roads) were better maintained than homes on smaller lots or lots located near the perimeter of the neighborhood. The windshield survey also indicated that the portion of the Neighborhood that is located east of 6th Street does not appear to be as well maintained as the portion located west of 6th Street. That observation suggests that proximity to the Koppers Superfund site may be a blighting factor; although some might suggest that that may be true for any industrial use, not just superfund sites.

When determining whether or not an area meets the state's definition of blighted, many factors other than the visual appearance of the area can be considered. Those factors include incidence of crime, number of calls for emergency services, changes in property values, changes in lease rates and other factors. Without studying all those factors, it is not possible to determine whether or not an area would meet the criteria.

Past experience shows that when redevelopment occurs, commercial/industrial/mixed-use areas redevelop faster than solely residential areas. Additionally, their values increase more than solely residential properties. In other words, in terms of property value, they have a higher ceiling, and thus eventually generate more TIF funds. For that reason, successful CRA Areas generally, include a large proportion of commercial/industrial/mixed-use areas.

As shown by Map B, the Proposed Stephen Foster Neighborhood/Koppers Superfund CRA Area map, including the entire Stephen Foster Neighborhood and the Koppers Superfund Site in one CRA Area would result in a relatively large CRA Area (± 661 acres including rights-of-way). Additionally, a large portion (± 294 acres including rights-of-way, or $\pm 44.5\%$) of that area would be zoned exclusively for residential use. In contrast, Map C, the Alternative Stephen Foster/Koppers CRA Area Map, depicts a potential CRA Area that is ± 215 acres smaller (± 446 acres including rights-of-way) and contains a smaller proportion of solely residential land (± 101 acres including rights-of-way, or $\pm 22.6\%$).

Additionally, the previously referenced windshield survey suggests that the area shown in Map C, the Alternative Map, is more likely to meet the State's definition of a blighted area.

Finally, compared to the rest of the Stephen Foster Neighborhood, the area depicted in Map C, the Alternative Map, is more closely associated with, and impacted by, the Koppers Superfund Site. In contrast to Map C, the Alternative Map Area, the balance of the Stephen Foster Neighborhood is more closely linked to the NW 13th Street Corridor, which may be studied as a potential CRA Area in the future.

Fiscal Note: Currently, the City has designated four CRA Areas which cover $\pm 3,276.5$ acres, or a little more than 8% of the City's $\pm 40,109.7$ acres. None of these existing CRA Areas are located near or adjacent to the Stephen Foster Neighborhood. As such, they cannot be expanded to include the Stephen Foster Neighborhood. A new, fifth CRA Area, however, could be created.

Based on the most recent information available, approximately \$1.845 million are transferred from the City's General Fund to CRA Area trust funds each year. Those funds equal $\pm 8.3\%$ of the City's total property tax revenue.

Depending on whether or not the entire Stephen Foster Neighborhood is studied, staff estimates that a blight findings study will cost up to \$25,000. Currently, there are no City funds designated for this purpose in FY 2011-12.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff; 2) authorize staff to develop a Request for Qualifications to conduct a Blight Study of the entire Stephen Foster Neighborhood, or a portion thereof; and 3) direct the City Manager to include a discussion to fund a blight study for the Stephen Foster Neighborhood in the FY12/13 and/or FY13/14 Budget Presentation.

110752A_Memo_20120405.pdf

110752B_Maps_20120405.pdf

110752C_Presentation_20120405.pdf

110787.

Authorization to transmit Evaluation and Appraisal Notification Letter to the State Land Planning Agency (B)

Explanation: Planning and Development Services Department staff is requesting authorization to transmit the required Evaluation and Appraisal notification letter to the State Land Planning Agency. The City's notification letter is due by May 1, 2012.

As a result of House Bill 7207 (now known as Chapter 2011-139, Laws of Florida), the entire Evaluation and Appraisal Report process was significantly amended. Despite completing the Evaluation and Appraisal Report under the old process in October 2010 (with approval by the state in December 2010), the City now has to complete the new evaluation process and submit a letter to the State Land Planning Agency in the Florida Department of Economic Opportunity by May 1, 2012. Failure to meet the required deadline will result in the City being unable to amend its comprehensive plan until the City comes into compliance.

The required letter must contain a review of the City's comprehensive plan that determines whether amendments are needed to comply with the new state law requirements stated in Chapter 2011-139, Laws of Florida. It is important to note that the City is not required to state what the amendments will be. Rather, we merely need to state whether the City's comprehensive plan needs amendment

to comply with the new provisions in Chapter 2011-139, Laws of Florida.

In order to meet the May 1, 2012 deadline, Planning and Development Services Department staff is seeking authorization to transmit the notification letter to the State Land Planning Agency in the Florida Department of Economic Opportunity.

The preliminary determination is that amendments will be needed to the following elements to comply with HB 7207:

Future Land Use

Transportation Mobility

Concurrency Management

Housing

Capital Improvements

Public Schools Facilities

Conservation, Open Space & Groundwater Recharge

The Plan Board discussed this item at the February 23, 2012 Plan Board meeting and there was a consensus that the letter should be moved forward to the City Commission.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission: Consensus was to move the notification letter forward to the City Commission.

Staff to City Commission: Authorize staff to transmit the Evaluation and Appraisal notification letter to the State Land Planning Agency.

Staff to the Plan Board: Provide comments on the notification letter and provide a consensus decision on moving the notification letter forward to the City Commission.

110787A_Proposed Letter_20120405.pdf

110787B_Email_20120405.pdf

110787C_Staff PPT_20120405.pdf

110815.

Main Street Streetscaping Project Update (B)

This item is a request to update the City Commission on the progress of the Main Street Streetscaping project and request input on some design elements

Explanation: On April 21, 2011 the City Commission approved the reallocation of \$1,616,984.73 in gas tax funds to the Main Street Streetscaping and Lighting project. These funds were savings from previous projects already constructed.

The first phase of the project is going to address the inadequate lighting in the corridor and the second phase is going to address streetscaping and hardscaping elements in the corridor.

This presentation will focus primarily on the first phase of the project and will discuss the design, costs and benefits of the design. In this presentation, staff is also asking for direction on the streetscaping and hardscaping elements the City Commission would like to see.

Fiscal Note: Funding in the amount of \$1,616,984.73 is available from gas tax funds and \$98,271.00 from the EECBG Grant.

RECOMMENDATION

The City Commission hear presentation from staff and provide input as desired.

110815_Presentation_20120405.pdf

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE

080466.

Status Update on the City Commission Strategic Initiative to continue to position the City to take advantage of innovation economy and identify plan for innovation zone near University (B)

Explanation: At the January 24, 2012 Economic Development University/Community Committee meeting the Committee heard a report from Linda Dixon on changing the UMU-2 ordinance regarding surface parking as a temporary use which resulted in the following approved motion. MOTION: Commissioner Mastrodicasa moved and Commissioner Wells seconded to allow surface parking as a temporary use in UMU-2 by Special Use Permit.

At the same January 24, 2012 EDUCC meeting, the Committee also heard a presentation from Ed Poppell on the Business Improvement District (BID) concept resulting in an approved motion. MOTION: Commissioner Wells moved and Commissioner Mastrodicasa seconded to ask that this item be an informational item to the full City Commission and ask that the Commission recommend staff to work with the stakeholders to organize neighborhood meeting processes and if the Commission is prepared, request a draft proposal authorization for consideration back to this Committee.

The Innovation Square District, a business improved district, provides a higher level of oversight which ensures the vision for the district is maintained.

The BID is used to monitor and guide development to ensure that each project reinforces the basic goals and vision of the district. The BID process allows development to proceed quickly and efficiently while providing creativity and originality. This process ensures the district is maintained and responds to needs unique to the district, creates partnerships among stakeholders, validates needs and matches them with available resources and prioritizes and coordinates development and other district projects.

The services provided by a BID are supplemental to those already provided by the municipality but are more focused on the specific needs of the district: construction; marking capital improvements; pedestrian & streetscape enhancements; district-wide security & maintenance and marketing of the district.

The value of the BID is central coordination that ensures the greatest degree of collaboration and clarity through the development process: various partners work toward a single goal; services are different by complementary; boundaries between each of the partners may overlap; and coordination will include all partners working collaboratively.

RECOMMENDATION *The City Commission hear presentations from staff and from the University of Florida and the University of Florida Development Corporation (UFDC) to report on changing the UMU-2 ordinance regarding temporary structured parking and on the Business Improvement District (BID) concept .*

Legislative History

10/2/08	City Commission	Referred	Economic Development/University Community Com
1/6/09	Economic Development/Univ ersity Community Com	Approved	

- 080466A_Parking Strategy_UF_20120124.pdf
- 080466B_BID - UF Presentation_20120124.pdf
- 080466A_Parking Strategy-UF_20120405.pdf
- 080466B_BID-UF Presentation_20120405.pdf
- 080466C_Proposed Parking Changes_20120405.pdf

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

110853. Election District Committee (NB)**RECOMMENDATION**

The Mayor and City Commission make one appointment each.

OUTSIDE AGENCIES**MEMBERS OF THE CITY COMMISSION****110868.** Mayor-Commissioner Pro Tem Thomas Hawkins - Regional Water Coalition Membership Discussion (B)**RECOMMENDATION**

The City Commission discuss the Regional Water Coalition and take appropriate action.

110868_interlocalagreement_20120405.pdf

COMMISSION COMMENTS (if time available)**RECESS****RECONVENE****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****110827.** National Volunteer Month - April 2012 (B)**RECOMMENDATION**

Cultural Affairs Division Dr. Ellen West, Recreation Division Mr. Jade Sutherland and Nature Operations Division Ms. Emma Brady to accept the proclamation.

110827_VolunteerMonth_20120405.pdf

110829. National Public Safety Telecommunications Week - April 8 - 14, 2012 (B)**RECOMMENDATION**

Alachua County Combined Communications Center to accept the proclamation.

110829_TelecomWeek_20120405.pdf

110830. Jazz Appreciation Month - April 2012 (B)

RECOMMENDATION *Gainesville Friends of Jazz, Inc. President Scott Koons to accept the proclamation.*

110830_JazzMonth_20120405.pdf

110831. Child Abuse Prevention Month - April 2012 (B)

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

110831_ChildAbusePrevent_20120405.pdf

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

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

ADOPTION READING-ROLL CALL REQUIRED

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

110283. ITINERANT FOOD VENDORS (B)

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, related to vending booths and itinerant vendors by amending Chapter 19, Article IV, section 19-93(b) to extend the permissible hours of operation for itinerant food vendors; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

MODIFICATION: Revised recommendation to withdraw from the agenda.

Explanation: At its meeting on March 15, 2012, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the current Itinerant Food Vendors Ordinance to extend the hours of operation from 10:00 P.M. to 3:00 A.M.

RECOMMENDATION *The City Commission withdraw this item from the agenda.*

Legislative History

8/18/11 City Commission Referred (6 - 0 - 1 Absent) Public Safety Committee

9/28/11	Public Safety Committee	Discussed
10/26/11	Public Safety Committee	Discussed
2/29/12	Public Safety Committee	Discussed
3/15/12	City Commission	Approved as Recommended (5 - 0 - 2 Absent)

110283_Chapter 19_20110928.pdf
110283_PlanningMaps_20111026.pdf
110283b_FassEmail_20111026.pdf
110293c_JeffBabikInfo_20111026.pdf
110283_draft ordinance_20120405.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

110842.

Alachua County Health Department (NB)

MODIFICATION: Power Point added 4/4/2012.

RECOMMENDATION

*The City Commission hear a presentation on
Children's Oral Health issues.*

110842_ppt_20120405_.pdf

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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