

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

March 5, 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

[140689.](#)

Evaluation Rankings for SW 62nd Blvd 4-Lane Arterial Connector (B)

This item is a request for the City Commission to approve the ranking of Engineering firms/teams and authorizing staff to begin negotiations for the Project Development & Environmental Study (PD&E) for the SW 62nd Blvd project.

Explanation: On February 2, 2015 the City Purchasing Division solicited written statements of qualifications from professional engineering consultants to revise the Preliminary Engineering Report and Environmental Assessment (PD&E) and obtain a Finding of No Significant Impact from the Federal Highway Administration for the locally preferred alignment for SW 62 Boulevard (RFQ No. PWDA-150033-DS). The locally preferred alternative selected by the Metropolitan Transportation Planning Organization widens WSW 62 Blvd/SW 52nd Blvd from SR 26/Newberry Road to its current terminus south of SW 20th Avenue and constructs a new roadway south of SW 20th Avenue to connect to SR 24/Archer Road. The project also includes the extension of SW 24 Avenue and SW 40th Blvd enhancing connectivity in the area.

Two (2) professional engineering consulting firms submitted statements on February 2, 2015. Evaluation of the written submittals resulted the ranking of the two firms.

The evaluators rank the firms as follows:

1. HNTB Corporation
2. Chen Moore & Associates

Fiscal Note: Federal Earmark funding through the Florida Department of Transportation is available for the PD&E. The amount of the contract will be determined through negotiations.

RECOMMENDATION

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

[140689A_RFQBidTab_20150305.pdf](#)

[140689B_Memo_20150305.pdf](#)

[140703.](#)

Strategic Plan Quarterly Report - 1st Quarter of Fiscal Year 2015 (B)

This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 1st quarter of Fiscal Year 2015.

Explanation: As part of the City of Gainesville Fiscal Year 2015 - 2016 Strategic Planning process, the City Manager prepares a quarterly report on accomplishments related to the City Commission strategic goals and initiatives for each quarter of the Fiscal Year. This is the first quarter report for Fiscal Year 2015.

Fiscal Note: None

RECOMMENDATION

The City Commission receives a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 1st quarter of FY 2015.

[140703_Strategic Update Quarterly Report_1st Qtr of FY2015_20150305.pdf](#)

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[140743.](#)**Easement to the State of Florida Department of Transportation (B)**

Explanation: The State of Florida Department of Transportation (FDOT) requested that the City of Gainesville grant a perpetual easement to allow for the construction and maintenance of a traffic signal mast arm and traffic signal conduit at the corner of SW 37th Boulevard and SW Archer Road.

In 1997, FDOT transferred to the City a strip of property abutting SW Archer Road beginning at the east right-of-way of SW 37th Boulevard and extending east for approximately 500 feet. The total strip of property contains 0.812 acres. The property was not needed by FDOT and, due to the existence of a sanitary sewer lift station and GRU's plans to install an underground electric duct bank through the property, FDOT transferred the title to the City.

Currently, improvements for the intersection of SW Archer Road and SW 37th Boulevard are planned in conjunction with the ongoing Butler Development. These improvements include the installation of a new traffic mast arm at the southeast corner of the intersection. The proposed easement is approximately 13 feet x13 feet and will allow for the construction and maintenance of a new traffic mast arm and related equipment within the strip of property owned by the City.

Staff has reviewed this request and has no objection to the granting of the easement.

Fiscal Note: Granting this easement has no fiscal impact on the City.

RECOMMENDATION

The City Commission: 1) Authorize the Mayor to execute a perpetual easement on behalf of the City of Gainesville to the Florida Department of Transportation for a traffic mast arm and related equipment at the SE corner of SW 37th Boulevard and SW Archer Road, subject to approval as to form and legality by the City Attorney.

[140743 Sketch - Easement 20150305](#)

[140743 Perpetual Easement - P822.1 FDOT 20150305](#)

[140746.](#)**Annual Contract for Horizontal Directional Drilling (B)**

Explanation: GRU's water, wastewater, and natural gas systems install underground pipe, conduit and cable through a trenchless technology known as horizontal directional drilling. This type of drilling is used when trenching or excavating is not practical at a work site, such as a roadway or sidewalk. Work can be performed at the site to repair or install water, wastewater and natural gas infrastructure equipment with fewer open

cuts, reducing repair costs, expediting service restoration and improving public safety. Establishing annual contracts for these services allows GRU departments to have contractors available to perform horizontal directional drilling services as needed to facilitate repairs. Since the primary contractor may not be available to respond to an unanticipated and urgent repair, having a contract with a secondary contractor helps to reduce work delays. The combined annual cost for these services is approximately \$750,000.

An Invitation to Bid for this work was sent by Utilities Purchasing to the known companies that perform this type of work and the bid was posted on GRU's web page. Four bids were received which were evaluated based on pricing, availability and contractor experience. D&D, Inc., a small business, submitted the best bid and is being recommended for award of a contract as the primary contractor. General Underground, LLC, a small minority-owned business, submitted the next best bid and is recommended for award of a secondary contract. A tabulation is attached for reference.

Fiscal Note: Funding for this work is included in GRU's Capital Improvements budget for FY 2015 and will be requested in future fiscal year budgets.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to execute annual contracts for a three-year period with D&D, Inc. as the primary contractor, and General Underground, LLC as the secondary contractor, for horizontal directional drilling services, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to D&D, Inc. and General Underground, LLC in amounts not exceeding budgeted amounts for each year of the contract, subject to the appropriation of funds for these services for each fiscal year of the contract.

[140746 Bid Tab - Directional Drilling 20150305](#)

CITY ATTORNEY, CONSENT AGENDA ITEMS

[140748.](#)

Cornelius Minafield and Eula Daniels v. City of Gainesville; Case No. 2014-CA-1958; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)

Explanation: On November 25, 2012, Ms. Daniels was driving a vehicle with Mr. Minafield as a front-seat passenger when she collided with a Gainesville Police Department marked vehicle at the intersection of SE 4th Avenue and SE 3rd Street, in Gainesville. The police vehicle was responding to an emergency call with lights activated. The traffic light was green for Ms. Daniels and Mr. Minafield, and they denied observing the police vehicles lights. The Gainesville Police Department conducted an

internal Vehicle Incident Review Board administrative investigation into the accident, and found that the officer could have prevented the accident. The officer was disciplined as a result of the accident.

Emergency vehicles responded to the scene of the accident, and transported Mr. Minafield and Ms. Daniels to the Shands Hospital Emergency Room. Mr. Minafield claimed extensive spinal injuries related to the accident, and underwent surgery for a three-level spinal fusion. In total, Mr. Minafield incurred medical bills in excess of \$228,000 after the accident. Ms. Daniels' medical bills exceeded \$14,000. Both Mr. Minafield and Ms. Daniels asserted that their injuries resulted in permanent impairments that would lead to future medical expenses, lost wages and/or the ability to earn wages, and past and future pain and suffering.

During the course of discovery, counsel for both the City and Mr. Minafield and Ms. Daniels conducted depositions of the parties and witnesses. A complete review of the applicable medical records was performed, as well as a review of the City's policies and practices regarding emergency response vehicles. Per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes, the City's liability and authority to settle claims such as this is limited to \$200,000.00 per person and \$300,000.00 per incident. At court-ordered mediation, a negotiated settlement was achieved. Representatives for the City agreed to recommend a total settlement in the amount of \$217,500 (\$180,000 to Mr. Minafield and \$37,500 to Ms. Daniels), subject to the approval of the City Commission. In exchange, Mr. Minafield and Ms. Daniels will provide full and complete Releases to the City. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.

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

RECOMMENDATION

The City Commission: 1) approve the terms of the mediated settlement; and 2) authorize the City Attorney to settle the claims of Cornelius Minafield and Eula Daniels arising from an accident that occurred on or about November 25, 2012.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[140760.](#)

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of January 15 and February 5, 2015.

[140760_minutes_20150305.pdf](#)

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS**AUDIT & FINANCE COMMITTEE, CONSENT**[140598.](#)

Fire Assessment Hardship Assistance Program (B)

Explanation: On September 16, 2010 the City adopted Ordinance No. 100244, to create an Economic hardship program to assist residential property owners, who are living below the or close to the poverty level and are at risk of losing title to their homes as a result of the imposition of the fire services special assessment.

The program outlines eligibility for both low income seniors and low income families. Eligibility is based on household income and cash or cash equivalents (see attached). Applicants must apply each year and supply the City with all required documentation.

The initial application period begins January 1 and ends May 1 of each year. All prior applicants are sent a reminder notification by the City in January. An additional application period is available from the date when TRIM notices are mailed in August until September 1st. If staff are contacted by the property owner after they have received their tax bill in November, we allow them to submit a late application. If they meet the eligibility requirements, staff files a DR-409 with the Tax Collector to remove the assessment from the tax bill. The Tax Collector then sends a corrected tax bill to the property owner.

In 2014, 72 applicants were approved for assistance, 24 of which were low income families and 48 low income seniors. Four applicants were denied based on eligibility. The assistance provided totaled less than \$10,000.

Fiscal Note: None at this time.

RECOMMENDATION

The Audit and Finance Committee recommends the City Commission:

1) Direct staff to enhance outreach to low income families and seniors regarding the Fire Assessment Hardship Assistance Program through communication methods such as ElderCare, the Senior Recreation Center, the Alachua County Schools Free and Reduced Lunches program, neighborhood watch programs, local churches and ministerial alliances, etc.; and

2) Remove this item from the referral list.

Explanation: City Commission Resolution 970187, City Auditor Responsibilities and Administrative Procedures, requires the City Auditor to notify the appropriate Charter Officer of recommendations projected for implementation in the following six months. The responsible department managers prepare a written status report to the appropriate Charter Officer who then provides this information to the City Auditor. The City Auditor's Office verifies that corrective action has been taken and summarizes the results to the Audit and Finance Committee.

During the past several months, the City Auditor worked with the appropriate Charter Officers in preparing a status report on 33 outstanding audit recommendations. We have reviewed management's feedback on the implementation of outstanding recommendations and prepared the attached status report summarizing the results of our review.

We would like to express our thanks to the City Manager, Equal Opportunity Director, Interim General Manager for Utilities and the various departments participating in this review process.

RECOMMENDATION

The Audit and Finance Committee recommends that the City Commission:

- 1) accept the City Auditor's report, and*
- 2) Establish a referral to the Legislative and Organizational Policy Committee regarding "Rehiring of Retirees" and direct the Charter Officers to provide a draft policy to the Committee codifying the parameters in which City retirees may be rehired.*

Legislative History

2/17/15	Audit and Finance Committee	Approved as Recommended
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[140735 - February 2015 Status of Outstanding Audit Recs .pdf](#)

[140710.](#)

External Quality Control Review of the City Auditor's Office for the period October 2011 through September 2014 (B)

Explanation: The City Auditor's Office conducts all audits in accordance with Government Auditing Standards issued by the Comptroller General of the United States. These standards are broad statements of auditors' responsibilities and provide an overall framework for ensuring that auditors have the competence, integrity, objectivity and independence in planning, conducting and reporting on their work. In order to maintain compliance with Government Auditing Standards, the City Auditor's Office is required to undergo an external quality assurance review every three years.

The Association of Local Government Auditors (ALGA) has an established peer review program intended to assist member organizations in their efforts to comply with Government Auditing Standards. ALGA assigned Jim Yerich, CPA, CGFM, Director of Internal Audits, Fulton County, Georgia Board of Education and Catrina McCollum, CICA, Supervising Auditor, City of Memphis, Tennessee Internal Audit Department to conduct an external quality control review of the City Auditor's Office.

The review team began their work in late 2014, reviewing the operating policies and procedures of the City Auditor's Office and relevant background information. During the week of February 2nd, 2015, the team conducted a site visit in Gainesville, examining the internal quality control system and a sample of audit reports issued, including the audit workpapers supporting the reports. The primary objective of the examination was to determine whether audit work performed by the City Auditor's Office during the three year period from October 2011 through September 2014 complied with Government Auditing Standards issued by the Comptroller General of the United States.

Conclusion

We are pleased to report the review team found that the City Auditor's internal quality control system was suitably designed and operating effectively to provide reasonable assurance of compliance with Government Auditing Standards. The review team's report, as well as a written response from the City Auditor, is attached.

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission accept the External Quality Control Review report prepared by the Association of Local Government Auditors Review Team and the City Auditor's response.*

Legislative History

2/17/15 Audit and Finance Approved as Recommended
 Committee

[140710 - 2015 Peer Review Report.pdf](#)

[140710 - Peer Review Certification of Compliance.pdf](#)

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

[140733.](#)

Depot Park Construction Administration Contract (B)

This item is for a Construction Administration contract for Depot Park construction by the CRA, acting as agent for the City of Gainesville. This item was previously approved by the CRA Board on February 16, 2015 and due to City Funding sources being utilized, requires City Commission

approval.

Explanation: At the December 2014 CRA Board meeting, the CRA Board heard a presentation from staff and approved the Depot Park Construction Documents and Guaranteed Maximum Price (GMP) for Construction. As was presented during that meeting, one of the next steps in the process towards the park's construction is to contract with the design team for construction administration services throughout the duration of the construction phase of the project.

CRA staff has requested a proposal from the JBrown Professional Group (JB Pro), the lead consultant on the Depot Park project, for construction administration services. The proposal is for the amount of \$179,654.00. The scope of work under this contract includes the Depot Park design team to be under contract throughout the duration of construction. Construction is scheduled to begin by April 1, 2015 and have one year duration (the park construction start date is dependent upon the Public Works Department's close out of the stormwater and Non-MGP remediation projects). JB Pro has within the construction administration proposal to provide the following services during the construction phase of the project (the full proposal is included as backup to this item):

- *Includes the following design trades for Depot Park:*
 - o *Civil Engineering and Team Lead: JBrown Professional Group*
 - o *Landscape Architecture: JOLA, Inc.*
 - o *Electrical Engineering: John Searcy & Associates, Inc.*
 - o *Architecture: Bender & Associates, P.A.*
 - o *Structural Engineering: Southard Engineering, Inc.*
- *Coordination with the Owner and the Construction Manager*
- *Bidding and sub-contractor selection phase coordination with Owner and Construction Manager*
- *Weekly construction meetings (for select design team members during select phases of construction)*
- *Review submittals and shop drawings*
- *Review and address Requests for Information (RFIs) from the Construction Manager*
- *Field Orders and Engineering Supplemental Instructions (ESIs)*
- *Review and response to Change Use Authorization (CUAs) Requests by the Construction Manager*
- *Review Construction Manager pay applications and inspect/verify work completed*
- *Review material selections and mock-ups*
- *Site inspections*
- *Substantial completion walk-through and punch list*
- *Final completion walk-through and punch list*
- *Permit close out*
- *As-built drawings*
- *Organization of all warrantee documents, submittals, and product information into the draft Maintenance Manual*
- *Completion of the park Maintenance Manual*

..Fiscal Note

Funding for Depot Park, Park and Recreation Improvements is currently available from sources allocated specifically to the project over a number of years. Specifically, funding for this construction administration proposal will be encumbered from the 2015 CIP Depot Park funds. The remaining funds in Depot Park project accounts after this encumbrance will be approximately \$467,000.00. Of that remaining balance, \$106,500.00 has been earmarked for equipment start-up and maintenance for the first year of park operations, as was presented in the FY 2015 City Budget. Please note that due to the use of City funding for this project, this item will require approval from the City Commission.

Fiscal Note: Funding for Depot Park, Park and Recreation Improvements is currently available from sources allocated specifically to the project over a number of years. Specifically, funding for this construction administration proposal will be encumbered from the 2015 CIP Depot Park funds. The remaining funds in Depot Park project accounts after this encumbrance will be approximately \$467,000.00. Of that remaining balance, \$106,500.00 has been earmarked for equipment start-up and maintenance for the first year of park operations, as was presented in the FY 2015 City Budget. Please note that due to the use of City funding for this project, this item will require approval from the City Commission.

RECOMMENDATION

CRA Board to the City Commission: Approve the JBrown Professional Group proposal for Depot Park Construction Administration for the amount of \$179,654.00, and authorize the CRA Executive Director to execute all pertinent documents subject to form and legality by the CRA Attorney.

[140733_PROPOSAL_20150216.pdf](#)

[140733_PROPOSAL_20150305.pdf](#)

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 MANAGER FOR UTILITIES**

[140744.](#)

Gainesville Regional Utilities Fiscal Year 2014 Audited Financial Statements (B)

Explanation: In accordance with the City's contract for external auditing services with Purvis Gray and Company, the following items are presented for review:

1. *The Independent Auditors' Report of Gainesville Regional Utilities for the Fiscal Year Ended September 30, 2014;*
2. *Financial Statements and Supplementary Information for the year ended September 30, 2014;*
3. *Independent Auditors Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards; and*
4. *Communication with those Charged with Governance.*

Fiscal Note: Funds for the audited financial statements are included in the approved fiscal year 2015 budget.

RECOMMENDATION

The City Commission receive and accept the financial report, financial statements, auditors' reports, and communication with those charged with governance.

[140744 FY14 Financial Stmt-Auditors Rpt 20150305](#)

[140744 Auditors Required Communication 20150305](#)

[140749.](#)

Fiscal Year 2014 Operating Results (B)

Explanation: Following the presentation of the Fiscal Year 2014 audit, staff will present the Fiscal Year 2014 operating results.

Fiscal Note: This item is informational only.

RECOMMENDATION

The City Commission receive a presentation from staff discussing the operational results.

[140749 FY14 Operating Results 20150305](#)

[FY 2014 Financial Statements 20150305](#)

[140747.](#)

Engineering Services for Water Plant Electrical System (B)

Explanation: The Murphree Water Treatment Plant, GRU's only water treatment facility, was designed and commissioned in the early 1970s. The plant is powered by two separate electrical systems: one high voltage system supplies power to the high service pumps and one low voltage system handles all other plant loads. The electrical system has two Motor Control Centers (MCC), which are critical infrastructure systems that operate the plant's process equipment. The MCCs have been in service since the original construction was completed in 1976. Due to the age of the equipment, finding available repair parts is difficult and parts are costly. Updating the electrical system by adding redundancy to the system and replacing the outdated electrical components will help to ensure the reliable operation of the water plant.

To assist GRU staff with the project, professional engineering services

are required which will include developing preliminary design documents, drawings and technical specifications as well as assistance with permitting requirements with the City of Gainesville, St. Johns River Water Management District, and Florida Department of Environmental Protection. In addition, the engineering firm will provide oversight of construction and commissioning services. Staff will seek City Commission approval to award a contract for construction of the new electrical system through a separate bid process.

Utilities Purchasing issued a Request for Statement of Qualifications (RFSQ) to fifteen engineering firms. The RFSQ was publically advertised and was posted on the GRU website. Six firms responded, two with no bids. Of the four firms that submitted a Statement of Qualifications, presentations were made by the top three firms. In accordance with the Consultants' Competitive Negotiations Act (CCNA) F.S. 287.055 and City of Gainesville Purchasing Policies, the firms were ranked in the following order:

1. CH2MHill, Inc.
2. TLC Engineering for Architecture
3. Stanley Consultants, Inc.

Staff is recommending initiating contract negotiations with the top-ranked firm as required by Florida statute. If staff is unable to negotiate an acceptable contract with the top-ranked firm, negotiations will be made with the next firm in the order of ranking. A summary of the scoring for each firm is attached.

Fiscal Note: Estimated funding for this request is included in the Water/Wastewater Capital Improvements budget for FY2015 and will be requested in future fiscal years. The total projected costs for design and construction of the project are estimated at \$8,500,000 over FY 2015 through FY 2019.

RECOMMENDATION

The City Commission:

1. Approve the final ranking of engineering firms in the given order of preference for professional engineering services for the design of the Murphree Water Treatment Plant Electrical System Upgrade Project; and
2. Authorize the Interim General Manager, or her designee, to initiate contract negotiations with the top ranked firm in accordance with the Consultants' Competitive Negotiation Act (CCNA); and
3. Authorize the Interim General Manager, or her designee, upon successful negotiations, to execute a contract with the top ranked firm, subject to approval of the City Attorney as to form and legality, and final appropriation of funds for each year of the project.

[140747 MWTP Elec Syst Upgrade Presentation 20150305](#)

[140747 Eng Svcs MWTP Elec Syst RFSQ 20150305](#)

[140750.](#)

Kanapaha Water Reclamation Facility Screen Replacement Project (B)

Explanation: Water/Wastewater Systems operates two water reclamation facilities, the Kanapaha Water Reclamation Facility (KWRF) and the Main Street Water Reclamation Facility (MSWRF), 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. While this method has been used successfully for over 30 years, due to regulatory changes, the process must be changed. As a result, 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. Currently, staff is reviewing proposals from interested parties for this purpose.

Several segments of the project are happening concurrently so that GRU will meet the project schedule and its obligations as required. GRU has completed the equipment selection and design for the enhanced screening facilities at the KWRF and is currently working on a study to determine subsequent improvements for the MSWRF. Some equipment to be procured has long lead times so GRU has begun bidding those items. Contracts are also needed to install the new equipment so that the system is operational when needed. The project involves procuring new screening equipment which will prevent premature degradation of the centrifuge equipment that dewater the biosolids. The screening equipment will reduce the size of inorganic solids that pass through the treatment process. Based on existing plant infrastructure and project design specifications, staff researched various screening equipment options and determined that band screening offers the best solution. There are two requirements for the project: one for the purchase of the screening equipment, the other for construction services by a General Contractor to modify the headworks channel and prepare for the installation of the new screening equipment.

GRU Purchasing issued an Invitation to Bid for the new screening equipment which was posted on GRU's web page and was listed on the Mid State Builders Exchange. One bid was received from Hydro-Dyne, Inc., a Florida based manufacturer. The bid price of \$847,000 is consistent with the budgeted amount. In addition, having a Florida based manufacturer is beneficial to future maintenance and equipment costs.

A separate Invitation to Bid for general contractor services for the project has been issued by GRU Purchasing with bids due on March 25, 2015.

In order to maintain the project schedule, GRU will be submitting a consent agenda item to the City Commission in April for approval of the contract with a general contractor for the project based on the lowest, responsive, responsible bidder.

Fiscal Note: Funding for this project is included in the FY 2015 Water/Wastewater Capital Improvements budget.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to execute a contract for screening equipment with Hydro-Dyne Engineering, Inc., subject to approval by the City Attorney; and 2) approve the issuance of a purchase order for the screening equipment to Hydro-Dyne Engineering, Inc. in the amount of \$847,000.

[140750 KWRF Screen Replacement Presentation 20150305](#)

[140750 KWRF Screen Bid Tab 20150305](#)

[130621.](#)

Discuss General Manager-Utilities Interview Scheduling and Candidates (B)

Explanation: During the February 19, 2015 City Commission Meeting, the City Commission selected candidates to be interviewed for the General Manager-Utilities position. The Commission requested the H. R. Department to work with the Clerk of Commission to find suitable dates for interviewing those candidates.

Fiscal Note: Funds required upon placement of the General Manager-Utilities have been allocated in the FY15 budget.

RECOMMENDATION

The City Commission (1) discuss General Manager-Utilities candidates and interview scheduling, and take any action deemed appropriate; and (2) authorize the H. R. Department to work with the Clerk of Commission to schedule special meetings to interview General Manager-Utilities candidates on March 24 and 25, 2015.

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

[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](#)

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

BASE RATES & FUEL ADJUSTMENT COMMITTEE

[140680.](#)

BRFA Final Report and Recommendations (B)

Explanation: During the FY15 GRU budget presentations, the Gainesville City Commission established a sub-committee to discuss and make recommendations to the City Commission on several items related to the Base Rates and the Fuel Adjustment, and other bill-related items.

Fiscal Note: Recovering the costs of the GREC PPA through base rates will potentially increase utility taxes and surcharges that GRU electric customers pay along with recover less revenue from GRU wholesale service electric customer City of Alachua.

RECOMMENDATION

- 1) The City Commission receive a report from Commissioner Poe (Chair of the BRFA Committee) and determine which of the following recommendations can likely be determined by the City Commission most expeditiously;
- 2) which recommendations, if any, warrant a more comprehensive discussion at a future meeting; and
- 3) identify a schedule to consider these items prior to, and in preparation for budget meetings

starting in July. [Note: GRU Staff anticipates presenting the Cost of Service Study results at the April 9th RUC meeting, and the May 7th City Commission Meeting].

The approved recommendations from the BRFA are as follows:

*Strategy on Connect-Free Program Options
BRFA recommends that the committee seek consensus from the full City Commission in order to create a dedicated fund for FY 16 under General Government control. BRFA recommends the focus of the program be low income residents, feasible locations, dense population and possibly non-profits that offer significant public benefit. Currently, only city residents can participate in Connect-Free. BRFA recommends that the City Commission allow both city and county residents to participate. The City Commission should develop criteria for use of program funds by non-profits and also discuss whether to establish a per customer cap and evaluate that cap annually.*

*Recovery of GREC PPA Costs Through Fuel Adjustment vs. Base Rates
BRFA recommends that upcoming 2015 cost of service study report prepared by the rate consultant outline the pros and cons of recovering GREC PPA fixed costs through fuel adjustment rates or retail base rates. BRFA recommends having GRU & GG present the upcoming FY 16 Budget under two sets of circumstances: 1) Recover fixed costs of GREC's PPA as it currently exists through the Fuel Adjustment rate; 2) Recover fixed costs of GREC's PPA through 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 latter scenario would result in a net increase in taxes to General Government and Alachua County. This would also result in a net increase to customers who pay those taxes and surcharges. Increased electric surcharge revenues would accrue to GRU, but due the way the Fuel Adjustment is calculated in the City of Alachua wholesale contract, those revenues would decrease by a larger amount than the increased electric surcharge receipts (that are retained by GRU). There are other options the committee discussed that could exempt a portion of electric usage from utility tax assessment or*

lower the utility tax and surcharge rates in order to keep utility tax and surcharge revenues neutral should the Commission desire that as an outcome.

Residential Electric Rate Structure - Tiering Alternatives

BRFA recommends a policy that the range for cost vs. revenue of residential versus non-residential rate classes be limited to 0 - 5 percent as determined by the cost-of-service study. BRFA recommends establishing residential electric rate structure at two tiers, breaking at 750 kWh per month for both the base rate and fuel adjustment rate - with a one cent per kWh differential on the fuel adjustment tiered rate. BRFA recommends referring a citizen suggestion - that a discussion on equity issues regarding those residential customers with natural gas and without natural gas be referred to the Regional Utilities Committee.

Multi-family Water Rate Structure

BRFA recommends developing appropriate cost recovery methodologies for this group of water customers whether through consumption charges, customer charges, or combination of the two. Utilize the results of the upcoming cost of service study by consultant for determination of cost-based service in relation to other users within the water system. BRFA recommends considering an additional phase-in approach to any future increases in revenue requirements and rate designs in upcoming budget cycles specific to this subset of water customers. Finally, maintain involvement and keep interested stakeholders informed and engaged of the rate setting and budget process.

Billing and Collection of General Government Stormwater & Refuse Services on GRU Bill

BRFA recommends that the suggestion to bill and collect stormwater and refuse services through an alternate method not be given further consideration and that these services continue to be billed on GRU's monthly bill. The basis for this recommendation is that the current classification of these fees as user charges to the tenant on the monthly utility bill is reasonable and allowable by law. A move to billing and collecting through the tax collector's office categorizes the charges as

special assessments to property owners, to be collected in one annual lump sum. It was determined that there was not sufficient reason to support changing the billing and collection process for stormwater and refuse services to an alternative method.

[140680 Draft Report 20150127](#)

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

[140680 BRFA SUMMARY REPORT FINAL 20150305](#)

[140680 BRFA Report Presentation 20150305](#)

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 BY THE MAYOR, A CITY COMMISSIONER OR A CHARTER OFFICER.

[140761.](#)

Nominations - Library District Board of Trustees (B)

RECOMMENDATION

The City Commission nominate both applicants for consideration of appointment by the Library District Governing Board.

[140761_Library Nominations_20150305.pdf](#)

[130847.](#)

Request for Proposal - Mixed Use Development for City Parking Lot #10 (B)

This item involves a request for the City Commission to approve staff's ranking of mixed use development proposals for City Parking Lot #10.

Modification - New back-up.

Explanation: On April 17, 2014, the City Commission adopted a Resolution declaring City Parking Lot #10 surplus property and directing that the property be

disposed of in a competitive manner.

Staff released a Request for Proposals (RFP) for the property in August, 2014 and received one proposal however the process was subsequently discontinued.

The same RFP was released again in November, 2014 and on December 17, 2014, the City's Purchasing Division received proposals from two entities for development of a mixed use project on City Parking Lot #10.

Staff has evaluated the two proposals and is recommending the following ranking:

- 1) Horizon Hospitality Management, Inc.*
- 2) Bedford Lodging, LLC.*

Fiscal Note: An updated property appraisal conducted in March, 2014 for City owned parking lot #10 indicated an appraised market value of \$760,000.

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking of the firms; 2) authorize the City Manager or designee to negotiate a Contract for Sale and Purchase, a Disposition and Development Agreement, and any related documents with Horizon Hospitality Management, Inc., subject to approval from the City Attorney as to form and legality; and 3) return to the City Commission with said documents for review and approval.

Legislative History

4/17/14 City Commission Adopted (Resolution)

[130847A_3-10-14_Appraisal_Lot10_20140417.pdf](#)
[130847B_Resolution_for_Lot_10_20140417.pdf](#)
[130847C_Exhibit_A_to_Resolution_20140417.pdf](#)
[130847D_Exhibit_B_to_Resolution_20140417.pdf](#)
[130847C-MOD_Exhibit_A_-_Legal_Description_for_Lot_10_20140417.pdf](#)
[130847_Resolution_20140417.pdf](#)
[130847A_Horizon_Hospitality_Mgmt_Proposal_20150305.pdf](#)
[130847B_Horizon_Hospitality_Mgmt_Artist_Rendering_20150305.pdf](#)
[130847C_Horizon_Hospitality_Mgmt_Sample_Hotel_Conceptual_Planning_Efforts](#)
[130847D_Horizon_Hospitality_Mgmt_Gainesville_Hotel_Oral_Ppt_Presentation_20](#)
[130847E_Horizon_Hospitality_Mgmt_Economic_Impact_Analysis_20150305.pdf](#)
[130847F_Horizon_Hospitality_Mgmt_Prototype_siteplan_drawings_20150305.pdf](#)
[130847G_Bedford_Lodging_Proposal_20150305.pdf](#)
[130847H_Bedford_Lodging_Ppt_Presentation_20150305.pdf](#)
[130847i_FINAL_ADD_#1_20150305.pdf](#)
[130847j_FINAL_RFP_20150305.pdf](#)
[130847K_Oral_Eval_Evaluator_#1_#2_and_#3_20150305.pdf](#)
[130847L_Written_Eval_Evaluator_#1_#2_and_#3_20150305.pdf](#)
[130847M_Lot_#10-BID_TAB_20150305.pdf](#)
[130847N_Proposal_Eval_Summary_20150305.pdf](#)
[130847o_Memo_to_City_Commission_dated_02-12-15_Recordings_of_Lot_10_RFP](#)
[130847N_MOD_Proposal_Eval_Summary_20150305.pdf](#)

LEGISLATIVE AND ORGANIZATIONAL POLICY COMMITTEE

140512.

Hiring Middle Managers (B)

This is a request for the City Commission to hear a presentation from staff and remove the agenda item from the Committee's referral list.

Explanation: At the September 18, 2014 City Commission meeting, the City Commission referred to the Legislative and Organizational Policy Committee a discussion of the City's policies and practices on hiring middle managers.

At the December 2, 2014 Legislative and Organizational Policy Committee meeting, the members heard a presentation from staff on Recruiting and Hiring Middle Management and requested that staff make the presentation to the full City Commission.

Following the presentation to the City Commission, no further action is needed and committee members recommended this referral be removed

from the Legislative and Organizational Policy Committee's referral list. Minutes from the December 2, 2014 committee meeting are attached as back-up.

RECOMMENDATION

The City Commission: 1) Hear a presentation from staff; and 2) Remove Hiring Middle Managers from the Legislative and Organizational Policy Committee's referral list as requested by the Committee.

Legislative History

12/2/14 Legislative and Approved as Recommended and Referred to the Equal
 Organizational Opportunity Committee
 Policy Committee

[140512A_E-1 Employment Policy_20141202.pdf](#)

[140512B_Ppt Hiring Middle Mngrs_20141202.pdf](#)

[140512A_Ppt Hiring Middle Mngrs_20150305.pdf](#)

[140512B_Dec 2 2014 Meeting Minutes_20150305.pdf](#)

RECESS

RECONVENE - 5:30 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[140755.](#)

Doug Hornbeck, Dr. Jack Putz and Danny Lyons Day - March 5, 2015 (B)

RECOMMENDATION

Star Volunteer Dr. Francis E. "Jack" Putz, Canopy Climbers, LLC Mr. Danny Lyons and Star Good Neighbor Mr. Doug Hornbeck to accept the proclamation.

[140755_StarAwards_20150305.pdf](#)

[140756.](#)

Lauren Caldwell and Jessica Layne Hurov, Satchel's Pizza and Gary Langford Day - March 5, 2015 (B)

RECOMMENDATION

Satchel's Pizza Owner Satchel Raye, The Hippodrome Theatre Artistic Director and Managing Director Lauren Caldwell and Jessica Hurov and Musician Gary Langford to accept the proclamation.

[140756 ArtsAward 20150305.pdf](#)

[140757.](#)

Richard Heipp Day - March 5, 2015 (B)

RECOMMENDATION *Public Artist Richard Heipp to accept the proclamation.*

[140757_RichardHeipp_20150305.pdf](#)

[140758.](#)

Annie McKoy Day - March 5, 2015 (B)

RECOMMENDATION *Phoenix Neighborhood Volunteer Annie McKoy to accept the proclamation.*

[140758_AnnieMcKoy_20150305.pdf](#)

[140759.](#)

National Transit Driver Appreciation Day - March 18, 2015 (B)

RECOMMENDATION *Amalgamated Transit Union Local 1579 and Active Streets Alliance Executive Director Joseph Floyd to accept the proclamation.*

[140759_TransitDrivers_20150305.pdf](#)

6:00 PM

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

ADOPTION READING-ROLL CALL REQUIRED

[130514.](#)

LAND USE CHANGE - SMALL SCALE - MIXED-USE DEVELOPMENT ON NW 13TH (B)

Ordinance No. 130514; Petition No. PB-13-86 LUC

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Comprehensive Plan, Future Land Use Map, by overlaying the Planned Use District (PUD) land use category on 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; providing development conditions; 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 amends an existing 1.53 acre Planned Use District (PUD) located on NW 13th Street by adding an additional 0.14 acres, reducing the maximum building height limit, increasing the allowable residential units, and clarifying provisions for nonresidential square footage. The added parcel is located at 1226 NW 3rd Avenue and is currently developed with a single-family residence. This amendment will allow the applicant to develop a mixed-use redevelopment project that will include commercial and multiple-family residential uses.

The PUD land use overlay was created to allow unique, innovative and narrowly construed land use proposals that are compatible with the character of the surrounding land uses. The PUD overlay allows for a mix of residential and nonresidential uses and unique design features that may not otherwise be provided for in the underlying land use category.

This ordinance makes the following specific changes to the development conditions for the PUD:

- 1. Remove the requirement for 20,000 square feet of office and clarify that a total of 26,000 square feet of nonresidential uses are allowed.*
- 2. Increase the maximum number of multiple-family residential units from 168 to 202, and increase the maximum number of bedrooms from 230 to a maximum average of 2.75 bedrooms per unit.*
- 3. Reduce the overall maximum building height from 8 stories to 6 stories, and 106 feet to 85 feet.*
- 4. Allow for the maximum building height to extend further to the east.*

The staff recommendation is based on the factors stated in the Future Land Use Element and state statute criteria, which are: conformance with the comprehensive plan; compatibility with surrounding land uses; environmental impacts and constraints; infill and redevelopment; impacts on affordable housing; impacts on the transportation system; an analysis of the availability of facilities and services; need for the additional acreage in the proposed future land use category; discouragement of urban sprawl; need for job creation, capital investment, and economic development; need to modify land use categories and development patterns within antiquated subdivisions.

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.

CITY ATTORNEY MEMORANDUM

This proposed amendment to the Comprehensive Plan involves a use of 10 acres or fewer and qualifies as a small-scale development amendment. The City Commission may adopt small-scale development amendments with a single public hearing.

Within 30 days following the City's adoption of this amendment, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of this amendment with Chapter 163, Florida Statutes. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining that the adopted amendment is in compliance with Chapter 163, Florida Statutes. If unchallenged, this amendment shall become effective 31 days after adoption.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

12/19/13	City Commission	Continued (Petition)
1/16/14	City Commission	Approved (Petition)

[130514A_CPB_conditions_20131219.pdf](#)
[130514B_Staff_report_20131219.pdf](#)
[130514C_Append_A_Comprehensive_Plan_GOPs_20131219.pdf](#)
[130514D_Append_B_Reference_Maps_20131219.pdf](#)
[130514E_Append_C_Application_and_Neighborhood_Workshop_information_20131219.pdf](#)
[130514F_Append_D_Comprehensive_Plan_Amendment_Report_20131219.pdf](#)
[130514G_CPB_minutes_draft_20131219.pdf](#)
[130514H_staff_ppt_20131219.pdf](#)
[130514A_CPB_conditions_20140116.pdf](#)
[130514B_Staff_report_20140116.pdf](#)
[130514C_Append_A_Comprehensive_Plan_GOPs_20140116.pdf](#)
[130514D_Append_B_Reference_Maps_20140116.pdf](#)
[130514E_Append_C_Application_and_Neighborhood_Workshop_information_20140116.pdf](#)
[130514F_Append_D_Comprehensive_Plan_Amendment_Report_20140116.pdf](#)
[130514G_CPB_minutes_draft_20140116.pdf](#)
[130515H_staff_ppt_20140116.pdf](#)
[130514_and_130515_MOD_PRES_20140116_CCPH.pdf](#)
[130514A_draft_ordinance_20150305.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[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

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)

[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](#)

[130557.](#)

QUASI-JUDICIAL - BUTLER DEVELOPMENT CONDITIONAL VACATION OF PUBLIC RIGHT-OF-WAY (B)

Ordinance No. 130557; Petition No. PB-14-148 SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close a portion of SW 42nd Street generally located between SW 24th Avenue and the 3200 block of SW 42nd Street, together with two stormwater parcels associated with SW 42nd Street, as more specifically described in this ordinance; providing terms and conditions; providing a severability clause; providing a repealing clause; providing directions to the Clerk of the Commission; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This ordinance will conditionally vacate a public right-of-way located in the Butler Development, which is an approximately 267 acre private development located north of SW Archer Road, south of SW 24th Avenue, east of SW 40th Boulevard, and west of SW 34th Street. Specifically, this ordinance will vacate a portion of SW 42nd Street between the northern and southern boundaries of the Butler Development (approximately from SW 24th Avenue to the 3200 block of SW 42nd Street) together with two stormwater parcels associated with SW 42nd Street. As a condition of this public right-of-way vacation, the Butler Development will construct and dedicate to the public use and

benefit certain road improvements, including an extension of SW 62nd Boulevard from Archer Road to the western boundary of the Butler Development. The request satisfies the requirements for a street vacation and complies with the appropriate policies of the Comprehensive Plan.

The City Plan Board held a public hearing on January 22, 2015, and voted to recommended approval of this petition.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective immediately upon adoption; however, the vacation of public right-of-way and associated stormwater parcels that are the subject of this ordinance will not become effective until this ordinance together with the executed affidavit of completion described in the ordinance has been recorded in the Public Records of Alachua County, Florida.

RECOMMENDATION *The City Commission: (1) approve Petition No. PB-14-148 SVA, and (2) adopt the proposed ordinance.*

[130557A draft ordinance 20150305.pdf](#)

[130557B Staff report 20150305.pdf](#)

[130557C Plan Board Draft Ordinance 20150305.pdf](#)

[130557D CPB minutes 20150305.pdf](#)

[140023.](#)

TEXT CHANGE - CONCURRENCY AND TRANSPORTATION MOBILITY AMENDMENTS FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN (B)

Ordinance 140023; Petition No. PB-13-127 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code regarding concurrency and transportation mobility for consistency with the Comprehensive Plan; by amending definitions in Section 30-23; by amending the title of Article III; by amending concurrency management provisions in Article III, Division 2; by repealing and deleting in its entirety Article III, Division 3 regarding proportionate fair-share; by repealing and deleting in its entirety Article III, Division 4 regarding the State Mandated Transportation Concurrency Exception Area (TCEA); by creating a new Article III, Division 3 regarding the Transportation Mobility Program (TMP); by amending excess parking requirements in Section 30-333; by amending provisions in Appendix A, Section 4 regarding the Special Area Plan for Traditional City Minimum Development Standards; by amending provisions in Appendix A, Section 5 regarding the Special Area Plan for Central

Corridors Minimum Development Standards; 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 amends the Land Development Code to update it for consistency with the recently adopted Comprehensive Plan. On August 15, 2013, the City Commission adopted Ordinance No. 120370 (which became effective on October 12, 2013) and amended the Comprehensive Plan pursuant to a state requirement to comply with changes to Florida Statutes, address changes in local conditions, and correct internal inconsistencies. As a result, this ordinance will amend the Land Development Code for consistency as follows:

- * Transportation concurrency and the Transportation Concurrency Exception Area (TCEA) have been rescinded, and these provisions are being replaced with a new program called the Transportation Mobility Program (TMP).*
- * Deleted provisions for Proportionate Fair-Share due to rescinding transportation concurrency and changes in state law.*
- * Clarified that transportation mobility levels of service (LOS) is for planning purposes and not for transportation concurrency.*
- * Revised the LOS standard for Public Schools Facilities (School Concurrency).*
- * Timing requirements for meeting concurrency have been amended based on new state law provisions.*
- * Obsolete references to the 2000-2010 Comprehensive Plan have been deleted.*

After public notice was published in the Gainesville Sun on April 8, 2014, the City Plan Board held a public hearing on April 24, 2014, and recommended approval of the petition by a vote of 6-0.

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-13-127 TCH, and (2) adopt the proposed ordinance.*

[140023A_draft ordinance_20150305.pdf](#)

[140023B_Staff report_20150305.pdf](#)

[140023C_ Exh A-1 Amendments to LDC_20150305.pdf](#)

[140023D_ Exh A-2 Application_20150305.pdf](#)

[140023E_CPB minutes_20150305.pdf](#)

[140023F_staff ppt_20150305.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.

Modification - Change in recommendation.

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

Continue first reading to April 2, 2015 and second reading to April 16, 2015 to avoid the necessity of creating a new precinct for the 2015 City election.

[140618A_draft ordinance_20150305.pdf](#)

[140578.](#)

TEXT CHANGE - ELIMINATING FIVE-ACRE MINIMUM SIZE REQUIREMENT FOR CLUSTER SUBDIVISIONS (B)

Ordinance No. 140578; Petition No. PB-14-144 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code Section 30-190 Cluster Subdivisions to eliminate the five-acre minimum size requirement; 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 amends the Land Development Code Section 30-190 to eliminate the minimum size requirement and allow Cluster Subdivisions to be less than the current acreage requirement of five acres. This will allow for greater flexibility on urban parcels that may not meet the five acre requirement and may provide opportunities for more infill development or redevelopment of areas. Cluster subdivisions are subject to development standards that are classified as either environmental or infill based on a criteria that includes the provision of open space, tree preservation, and the protection of environmentally sensitive areas.

After public notice was published in the Gainesville Sun on November 17, 2014, the City Plan Board held a public hearing on December 3, 2014, and recommended approval of the petition by a vote of 5-0.

CITY ATTORNEY MEMORANDUM

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

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-14-144 TCH; and 2) adopt the proposed ordinance.

[140578A_draft ordinance_20150305.pdf](#)

[140578B_Staff report_20150305.pdf](#)

[140578C_Exh A-1 Land Development Sec 30-190_20150305.pdf](#)

[140578D_Exh B-1 Application_20150305.pdf](#)

[140578E_CPB minutes_20150305.pdf](#)

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[140495.](#)

TEXT AMENDMENT - FIRE PREVENTION AND PROTECTION CODE (B)

Ordinance No. 140495

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to fire prevention and protection; amending Section 2-339 related to civil citations for fire prevention and protection; amending Sections 10-9 through 10-13 to provide for local amendments to the Florida Fire Prevention Code; amending Sections 10-15 through 10-18 to update provisions related to emergency access to gated developments and restricted access occupancies; amending Sections 10-36, 10-38, 10-40, and 10-41 to update provisions related to false fire alarms; amending Sections 10-50 and 10-51 to update provisions related to assembly occupancy safety; amending Sections 10-61, 10-63, 10-64, 10-66, and 10-68 to update provisions related to open and outdoor burning; amending Appendix A. Schedule of Fees, Rates and Charges related to Fire/Rescue; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: FIRE OFFICIAL STAFF REPORT

The draft ordinance was amended after first reading as follows: (1) on page 15 line 31, removed the strike-through for "Failure to respond when requested by the fire department (section 10-36)61.00" and (2) on page 15 line 32 and page 16 line 1, amended the revision to read "Resetting of an activated fire alarm prior to receiving approval from the fire department....152.00."

The Fire Chief, City of Gainesville, requests to amend the City of Gainesville Code of Ordinances to supplement the State Fire Marshal's adoption of the latest edition of the Florida Fire Prevention Code. The State of Florida engages in triennial adoption of the latest edition of the Florida Fire Prevention Code, which encompasses NFPA Fire Code 1 and NFPA Life Safety 101. Associated with this process is the opportunity for the City to memorialize any desired amendments that afford a greater level of fire and life safety protection. Historically, the City of Gainesville has maintained an elevated standard related to

ensuring an adequate water supply for critical firefighting, fire alarm reduction, open burning and assembly occupancy safety. Due to the sunseting of the City's current ordinances when the State of Florida adopted the revised Florida Fire Prevention Code, the City's Code requires revisions to ensure the inclusion of such components.

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

12/4/14	City Commission	Approved as Recommended
2/19/15	City Commission	Adopted on First Reading, as amended (Ordinance)

[140495A_Proposed_Revisions_to_Fire_Code_20141204.pdf](#)

[140495A_draft_ordinance_20150219.pdf](#)

[140495A_draft_ordinance_20150305.pdf](#)

[130769.](#)

PROHIBITING SYNTHETIC DRUGS (B)

Ordinance No. 130769

An Ordinance amending the Code of Ordinances of the City of Gainesville, Florida to prohibit synthetic drugs; by creating Section 17-6 relating to the sale of synthetic drugs and drug paraphernalia and providing for enforcement and penalties; by amending Section 2-339 to specify a penalty class and amount; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of August 21, 2014, directed the City Attorney to draft an ordinance to combat the rise in the sale and use of dangerous synthetic drugs, including substances commonly known as "spice" and "bath salts" by prohibiting the possession with intent to sell, display for sale, or manufacture of synthetic drugs in Gainesville.

This ordinance provides for civil penalties of a fine for each package of synthetic drugs and a possible lien on the offender's property, as well as other forms of legal action or enforcement methods.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

4/3/14	City Commission	Approved as Recommended
5/7/14	Public Safety Committee	Discussed

7/28/14 Public Safety Discussed
 Committee
8/21/14 City Commission Approved as Recommended
2/19/15 City Commission Adopted on First Reading (Ordinance)

[130769 HillsboroughCo SyntheticDrugOrd 20140403](#)

[130769a SYNTHETIC ORDINANCE DRAFT 20140728](#)

[130769b AlternativeSpiceOrdinanceOption 20140728](#)

[130769 SYNTHETIC ORDINANCE DRAFT 20140821](#)

[130769 MOD presentation 20140821.pdf](#)

[130769 draft ordinance 20140219.pdf](#)

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

TIME CERTAIN - 8:00 PM

[140765.](#)

Mayor Ed Braddy - Economic Competitiveness Initiative (NB)

RECOMMENDATION

The City Commission make appointments to the committee.

CITIZEN COMMENT (If time permits)

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