

City of Gainesville

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



Meeting Agenda

May 06, 2010

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Scherwin Henry (District 1)
Commissioner Lauren Poe (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)
Commissioner Thomas Hawkins (At Large)
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

CALL TO ORDER

AGENDA STATEMENT

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

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

090959.

Overtime Reimbursement From High Intensity Drug Trafficking Areas For Special Investigations Division (Combined Alachua Drug Enforcement Team) (B)

Explanation: This request is to approve reimbursement from High Intensity Drug Trafficking Areas (HIDTA) Program to the Gainesville Police Department. This is subject to the availability of annually appropriated funds by the Office of National Drug Control Policy (ONDCP) for payment of personnel expenses (overtime) and equipment. As a member of the Alachua County Combine Drug Taskforce Unit, the Gainesville Police Department is eligible for reimbursement of funds from the HIDTA program that are expended for overtime. The HIDTA program targets middle and upper level illegal narcotics traffickers; as well as, organized crime activities. The HIDTA program provides financial assistance to assist law enforcement organizations with protracted multi-jurisdictional investigations.

The mission of the CADET (Combined Alachua Drug Enforcement Team) initiative shall be to pursue, disrupt and dismantle major drug trafficking organizations by identifying, arresting and prosecuting individuals or networks responsible for the importation and distribution of illicit drugs in Alachua County. The CADET initiative will conduct multi-jurisdictional investigations in which the primary focus will be to achieve a significant reduction in both violent crime and the overall distribution of drugs through the implementation of a cooperative strategy with other North Florida High Intensity Drug Trafficking Areas (NFHIDTA) initiatives. The CADET initiative also includes

the domestic highway interdiction of illicit drugs and currency to, from and through Alachua County. In addition, all illegally obtained assets and proceeds associated with the organized trafficking and/or distribution of illicit drugs and controlled substances will be seized.

A Memorandum of Agreement (MOA) has been entered into by ASO, GPD and UPD, is valid through December 31, 2012. The Gainesville Police department will submit the appropriate paperwork to ask for reimbursement.

Fiscal Note: The City will receive overtime expenses associated with the aforementioned. The reimbursement is currently, budgeted at \$5,000 for each of three officers assigned to the HIDTA program. This amount may be adjusted to a maximum of \$10,000.

RECOMMENDATION

The City Commission approve the Gainesville Police Department's request to seek reimbursement.

Alternative Recommendation A: The City Commission deny seeking reimbursement.

090959a_HIDTAtr_20100506.pdf

090959b_HIDTAMOA_20100506.pdf

090960.

Ratification of the Agreement between the International Association of Firefighters Local 2157 Bargaining Unit and the City of Gainesville for October 1, 2009 through September 30, 2012 (B)

This item proposes the ratification of the Agreement between the International Association of Firefighters Bargaining Unit and the City of Gainesville.

Explanation: This Agreement has been reached through negotiations between the International Association of Firefighters Bargaining Unit and the City of Gainesville, and was ratified by the International Association of Firefighters Bargaining Unit on April 9, 2010. This Agreement extends the current Collective Bargaining Agreement through September 30, 2012.

A copy of the Agreement is on file in the Office of the Clerk of the Commission. After May 6, 2010, the Agreement will be on file in the Human Resources Department.

Fiscal Note: The one year general increase is 1% and the overall financial impact over current salaries is \$72,040. The funds for FY2010 are included in the budget. The costs for FY2011 and FY 2012 will be addressed in the budget preparation process and the collective bargaining process.

RECOMMENDATION

The City Commission ratify the Agreement between the International Association of Firefighters Bargaining Unit and the City of Gainesville extending the Agreement through September 30, 2012.

090960_Ratification of Agreement - IAFF and CoG_20100506.PDF

090975.

Third Extension to the Contract for Professional Civil Engineering Services and Approval of CHW's Services for the One Stop Project for a Value up to \$180,000 (B)

This item involves an extension to the Contract for Professional Civil Engineering Services with Causseaux, Hewett, and Walpole, Inc., and the approval of services in relation to the One Stop Project for a value up to \$180,000.

Explanation: Casseaux, Hewett and Walpole later referred to as "CHW" responded to RFQ PWDA060144-DH requesting qualifications for Annual Professional Engineering Services. Casseaux, Hewett, and Walpole, Inc. executed a contract with the City of Gainesville on November 9, 2006 for the services as outlined in the RFP. These services are outlined in the contract dated November 9, 2006 as provided in the backup for this agenda item. A few of the services provided are civil engineering, land surveying, planning, construction inspection services, permitting, geotechnical, environmental, and landscape architecture. The vendor has responded to the City's requests for services promptly and their services have been reliable and accurate, and as such the City wishes to execute a third extension to extend the contract for another period of one year. CHW's services are currently being used in major and minor projects, and can be completed up to the \$50,000 signing authority of the City Manager before coming back to the City Commission. One example of the need to continue the contract is for the services being provided by CHW to the City in relation to the One Stop Homeless Shelter. The General Services Department is currently using the services of CHW for permitting, surveying, civil engineering, planning, and various other services in order to complete the needs in relation to the One Stop Homeless Shelter. CHW is the agent for the City in the Design Plat, subdivision, and PD rezoning application for the One Stop Homeless shelter. These items are expected to be completed towards the latter part of the year, and rely on the extension of this contract to continue these services, and keep the project on schedule.

The contract allows for five one-year extensions. This is the third request for an extension to the contract.

Due to the signing authority limit for the City Manager, and the services that City needs CHW to perform for the One Stop, staff requests City Commission approval to continue services with CHW for up to \$180,000. If services are not completed by CHW and the City had to search for another engineer to complete the services, the project completion schedule would have to be extended. In addition, the City would have to pay another firm to re-do work that CHW has already performed, as one engineer won't sign and seal work of another engineer. Also, CHW has already performed a due diligence study for the project and is very familiar with the project area, and needs; as well as, where the project is in the process.

Fiscal Note: Funding sources will be identified as needed through the City's Capital

Improvement Plan capital project accounts, Public Works Department fiscal year operating budget, and CDBG funding accounts.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the Third Extension to the contract with Causseaux, Hewett, and Walpole, Inc. extending the term of the contract for a period of one year, subject to approval by the City Attorney as to form and legality; and 2) continue the services of Causseaux, Hewett, and Walpole, Inc. for the One Stop project with a value up to \$180,000.

Alternative Recommendation: The City Commission deny the recommendation for the Third Extension, and continuation of services for the One Stop Project and direct the City Manager to secure the services of individual firms on a project-by-project basis. This would result in project delays and additional administrative costs for both projects and routine tasks that require these services.

090975_Rev 3rd Extension_20100506.pdf

090975_CHW Agreement_20100506.pdf

090882.**Human Resources: Policy G-1, Policy and Procedure Promulgation and Policy G-5, Public Records (B)**

Explanation: Policy G-1, Policy and Procedure Promulgation: Over time, it may become apparent that the City's human resources policies and administrative procedures contain outdated references to industry terminology, obsolete department names or classifications, spelling and grammatical errors, or inappropriate formatting. The revision to Policy G-1 provides the Human Resources & Organizational Development Department with the authority to make non-material changes to human resources policies and administrative procedures to correct these types of issues upon approval of the Charter Officers. If given such authority, the Human Resources Director would notify the City Commission via memorandum of all such changes within 14 days of the effective date of the change(s).

Policy G-5, Public Records: It is important to have policies and procedures to guide employees in retaining public records and responding to public records requests. Policy G-5 provides that the policy of the City of Gainesville is to retain public records, provide the public access to public records in accordance with Florida law, and to require the Charter Officers to adopt administrative procedures to implement the public records policy and ensure that the City is in compliance with Florida's Public Records Law.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

Approve Policies G-1, Policy and Procedure Promulgation and G-5 Public Records.

090882_G-1 Policy & Procedure Promulgation revision.PDF
090882A_G-1 Policy & Procedure Promulgation - Final Revisions.PDF
090882B_ Public Records_20100506.pdf

090931.

U.S. Fish and Wildlife Service 2010 Grant Submittal (B)

This item involves the submittal of a grant application agreement to the U.S. Fish and Wildlife Service for the granting of \$25,000 to the City to conduct sandhill restoration at Boulware Springs Nature Park.

Explanation: In March 2010, City of Gainesville Parks, Recreation and Cultural Affairs staff was approached by a representative of the U.S. Fish and Wildlife Service (FWS) regarding a grant opportunity that would provide \$25,000 to the City for the implementation of restoration activities. No matching funds are required, however; FWS does require at least an equal amount of in-kind services be provided. City staff developed a project plan for sandhill restoration activities at Boulware Springs Nature Park. The grant application agreement and project plan have been reviewed by the FWS as well as the City's Legal Department. Both approved the plan as provided.

Boulware Springs Nature Park is unique in that the majority of the park acreage is of sandhill habitat type, which is a declining habitat in the State of Florida. It is also unique in that some rare plant and wildlife species have been able to exist on this oasis within the urban context. One such animal, the gopher tortoise (a State listed threatened species) is known on the site and is considered a keystone species. Restoration activities will center on creating improved habitat for this species.

In recent years, City staff has tried to implement restoration activities at Boulware Springs Nature Park in the form of hardwood removal, invasive exotic control, and prescribed burning. Efforts by staff have been small-scale and minor due to limited funding opportunities for this type of activity. Obtaining this grant will provide much needed funding to conduct large-scale restoration in a timely manner.

Fiscal Note: The Florida Fish and Wildlife Service grant application agreement provides for \$25,000 to be used solely on the Boulware Springs Nature Park restoration project. Only the use of in-kind services as outlined in the application project plan are required by the City, and can be accomplished with existing staff.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the Florida Fish and Wildlife Service application agreement and other grant-related documents, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation

The City Commission decline the request to execute a Florida Fish and Wildlife Service grant application agreement.

090931A_Map_20100506.pdf
090931B_Agreement_20100506.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

090991.

Amendments to Surveying/Mapping Services Agreements (NB)

Staff recommends extending amendments to contracts for surveying and mapping services for a two-year period.

Explanation: On March 26, 2007, the City Commission approved the ranking of George F. Young, Inc., Eng, Denman and Associates, Inc. and Causseaux, Hewitt and Walpole, Inc. as the top ranked firms under a Request for Statement of Qualifications (RFSQ) and authorized the General Manager to negotiate and execute agreements for surveying and mapping services for an initial three year period. The RFSQ authorized two additional two-year extensions. The recommended extension is the first of the two available under the agreements.

Surveying work is assigned to firms based on their expertise, past experience on a particular job and the ability of the firm to meet project deadlines. In addition to work assigned under these agreements, GRU will continue to use small firms and/or the surveyors of record for projects with costs below the CCNA threshold when it is in its best interest.

Fiscal Note: Funding for this request is included in the Operations and Maintenance and Capital Budgets for FY 2011 and will be requested in FY 2012.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute two-year amendments to the Professional Services Agreements with Eng, Denman, and Associates, Inc., George F. Young, Inc. and Causseaux, Hewett and Walpole, Inc. extending the term of the surveying and mapping services agreements through April 28, 2012, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to the firms in total amounts not to exceed budgeted amounts for these services, subject to the final appropriation of funds for FY 2011 and 2012.

CITY ATTORNEY, CONSENT AGENDA ITEMS

090984.

PARTIAL RELEASE OF LIEN AFFECTING 704 NW 6TH AVE., TAX PARCEL #13564-000-000 (B)

Explanation: This item requests that the City Commission release the above-referenced property from the lien arising from Code Enforcement Board Case No. CEB

2008-064, styled City of Gainesville v. Salvatore R. Gomes. Per section 162.09, Florida Statutes, fines ordered by the Code Enforcement Board may be recorded as liens "against the land on which the violation exists and upon any other real or personal property owned by the violator". On some occasions these liens serve as a barrier to those who would rehabilitate properties affected by a Code Enforcement Board lien that is recorded against multiple properties. In such cases, the greater need of the community may be served by the release of such properties from existing liens when the equity of the city lien is protected by other such properties. The authority of the Code Enforcement Board is limited, and only the City Commission may execute a release of lien entered pursuant to 162.09, Florida Statutes.

On January 21, 2010, during the Citizen Comment section of the meeting of the City Commission of the City of Gainesville, Kirk P. Reeb, on behalf of the Kirk P. Reeb Revocable Living Trust (hereinafter referred to as "Reeb Trust"), requested relief from two liens encumbering property located at 704 NW 6th Avenue, Gainesville, Florida (Tax Parcel #13564-000-000). The Reeb Trust acquired the property by way of an Alachua County Tax Deed Sale on September 25, 2009. The previous owner of the property was Salvatore Gomes. Upon bidding at the September 24, 2009 forced sale, the Reeb Trust relied on an Ownership and Encumbrance Search report dated June 14, 2009 issued to the Alachua County Tax Collector. The report included a reference to a lien established by a City of Gainesville Code Enforcement Board Order Imposing Fine recorded in O. R. Book 3814, page 17 on July 17, 2008, arising from Code Enforcement Board Case No. CEB 2008-064. Subsequent to the issuance of the Ownership and Encumbrance report, but prior to the Reeb Trust's acquisition of the property, the City of Gainesville Code Enforcement Division filed a Claim of Lien on July 16, 2009 recorded in O. R. Book 3893, page 2312, arising from the demolition of a dangerous building located on property then owned by Salvatore Gomes located at 704 NW 6th Avenue, Gainesville, Florida.

After consulting with City management, and learning that the demolition lien recorded in O. R. Book 3893, page 2312 was directly related, and provided direct benefit, to the acquired property, the Reeb Trust paid the full amount of the \$4,297.90 Claim of Lien on January 27, 2010.

Presently, the Reeb Trust seeks only relief from the lien established by Code Enforcement Board Case No. CEB 2008-64. This lien resulted from code violations occurring at another property owned by Salvatore Gomes, located at 710 NE 9th Street (Tax Parcel #12436-009-000). On June 12, 2008, the City of Gainesville Code Enforcement Board met at a properly-noticed, open hearing, and found Salvatore Gomes guilty of violating Section 30-57(a)(3) of the Gainesville Code of Ordinances for renting property located at 710 NE 9th Street without acquiring a landlord permit. Salvatore Gomes was given 10 days from the date of the June 18, 2008 Order to come into compliance. Salvatore Gomes failed to bring the property into compliance, so, per the Order, a running fine of \$25.00 per day began accruing and will continue to accrue until such time as the property is brought into compliance. Therefore, as provided for by F.S. 162.09(3) a lien was filed "against the land on which the violation exists and upon any real or personal property owned by the violator, including

the property located at 704 NW 6th Avenue that the Reeb Trust would later acquire by forced sale.

The Reeb Trust requests that the property located at 704 NW 6th Avenue be released from the lien placed on it by virtue of a Code violation occurring at 710 NE 9th Street. The City of Gainesville Code Enforcement Board Order Imposing Fine entered in Case No. CEB 2008-064 and recorded in O. R. Book 3814, page 17 would continue to encumber the property located at 710 NE 9th Street and any other property owned by Salvatore Gomes located in Alachua County.

Fiscal Note: No additional costs other than staff time. This is a partial release only as to the foregoing described property; as to all other property encumbered by the lien, the order imposing fine continues to be in full force and effect.

RECOMMENDATION

The City Commission authorize the Mayor to execute the Partial Release of Lien on property located at 704 NW 6th Avenue, Tax Parcel 13564-000-000, from a City of Gainesville Code Enforcement Board lien related to Case No. CEB 2008-064.

090984_Kirk Reeb Partial Release of Lien_20100506.pdf

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

090980.

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of April 15, 2010, as circulated.

090980_april, 15,2010.pdf

090992.

Resignations of Advisory Board/Committee Members (B)

RECOMMENDATION

The City Commission accept the resignation of Randy Wells from the Affordable Housing Advisory Committee, Bicycle-Pedestrian Advisory Board, and the City Plan Board effective immediately, of Shawn Gaston from the City Beautification Board, of Sheila Dickison from the Gainesville/Alachua County Cultural Affairs Board. The City Commission expresses its appreciation for these member's service.

090992_Bd-Comm-Resignations.pdf

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS & PUBLIC WORKS COMMITTEE, CONSENT

090736.

Memorial for Former Mayor-Commissioner Roberta Lisle (NB)

This item identifies a location for honoring former Mayor-Commissioner Roberta Lisle, the first female elected to the Gainesville City Commission and the first to serve as Mayor.

Explanation: This issue was brought forward at the January 21, 2010 City Commission meeting under Commission Comment by Commissioner Jack Donovan. Roberta "Bobbie" Lane Lisle Kline attended the University of Florida and received her B.A. in Interior Design in June 1961; she later received her Law Degree from the University of Florida. She has three children: Marcus, Catherine and Nathan. She was a member of the City's Board of Adjustment from 1974 - 76 and was active in the City's buying the Thomas Hotel which is now known as the Thomas Center. Ms. Kline was the first female to be elected to the Gainesville City Commission in 1976. She served from 1976 until 1982. She was appointed by her colleagues to serve as Mayor from 1978 - 1979. She was active in the creation of the historic district during the preservation movement. During her time on the Commission, she was very vocal and involved with neighborhood protection and preventing discrimination.

The Recreation, Cultural Affairs and Public Works Committee discussed this referral at its April 8, 2010 meeting and approved staff's recommendation to honor former Mayor-Commissioner Roberta Lisle by naming City Hall Room 16 the "Roberta Lisle Kline Conference Room".

Fiscal Note: None

RECOMMENDATION

The City Commission approve honoring former Mayor-Commissioner Roberta Lisle by naming City Hall Room 16 the "Roberta Lisle Kline Conference Room".

Legislative History

1/21/10	City Commission	Referred (5 - 0 - 2 Absent)	Recreation, Cultural Affairs and Public Works Committee
4/8/10	Recreation, Cultural Affairs and Public Works Committee	Approved as Recommended	

090777.

Recreation Master Plan (NB)

This item involves authorizing staff to solicit a Request for Proposal to

develop a Recreation Master Plan.

Explanation: Commissioner Scherwin Henry brought forth the concept of a Parks and Recreation Master Plan at the February 4, 2010 City Commission Meeting. Parks, Recreation and Cultural Affairs staff supports development of a Parks, Recreation and Cultural Affairs Master Plan. Wild Spaces Public Places funding is available to support this project.

A Master Plan would include a community needs assessment and an inventory of existing park and recreation facilities, recreation programs, maintenance operations, staffing and funding sources. Based on analysis of this data, information and recommendations can be formulated for: 1) improvements to existing parks, 2) acquisition and development of new active parks and recreation facilities, 3) acquisition of environmentally sensitive lands/nature parks, 4) recreation and cultural arts programming needs, 5) estimated operating cost impacts, and 6) identification of funding sources for implementation of the Master Plan.

The goal would be to develop a ten-year implementation plan for the various recommendations to serve the parks, recreation and cultural needs of Gainesville's citizens and create a framework for a well-balanced parks, recreation and cultural system for the City.

The Recreation, Cultural Affairs and Public Works Committee discussed this referral at its April 8, 2010 meeting and would like to move forward with development of a Recreation Master Plan.

Fiscal Note: Funding for this project is available in the Wild Spaces Public Places Program. A portion of the funds dedicated for the Neighborhood Park Improvements Recreation Master Planning Development will be used, which is an approved Priority 1 project.

RECOMMENDATION

The City Commission approve the committee's recommendation authorizing staff to solicit a Request for Proposal and the expenditure of hiring a consultant to develop a Recreation Master Plan.

Legislative History

2/4/10	City Commission	Referred (6 - 0 - 1 Absent)	Recreation, Cultural Affairs and Public Works Committee
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090777_Priority List_20100408.PDF

**ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE,
CONSENT****090824.**

City of Gainesville - Strategic Action Plan for Economic Development Five Year Update and Council for Economic Outreach (CEO) - Innovation Gainesville (B)

This item is a recommendation from the Economic Development University Community Committee (EDUCC) requesting the City Commission endorse a five year update to the City's Strategic Action Plan for Economic Development and CEO Innovation Gainesville effort.

Explanation: In August 2004, the City Commission adopted a Strategic Action Plan for Economic Development designed to guide staff efforts in pursuing economic development with community partners. The Plan focuses on Infrastructure, Business Environment, Workforce, Diversified Economy and Quality of Life considerations. Recently, the EDUCC has spent the past few months updating the Plan in line with perceived City Commission priorities and in the context of current economic conditions.

Concurrently, the Council for Economic Outreach (CEO) unveiled its Innovation Gainesville effort. This is a community initiative to strengthen the local economy and make Gainesville a leader in emerging technological fields. This planning effort revolves around Partnership, Communication, Connectivity and Talent Development considerations.

Over the past five years, there have been many positive developments for the City of Gainesville in terms of facilitating the Innovative Economy. The community has established a critical mass of private firms, partnership entities, physical facilities and economic development mechanisms to take the City to the next level in this regard.

These overlapping planning efforts are designed to fortify the area's Innovative Economy platform and provide a road map for further progress over the next several years in concert with the City's private industry, education, non-profit and economic development partners.

Fiscal Note: No fiscal impact at this time.

RECOMMENDATION

EDUCC to the City Commission: 1) approve the five year update to the City's Strategic Action Plan for Economic Development and CEO's Innovation Gainesville effort; 2) direct staff to work to implement these efforts with community partners in subsequent years; 3) approve removal of the referral from the Committee's referral list; and, 4) direct staff to present quarterly reports to the EDUCC on the City's Strategic Action Plan for Economic Development.

Legislative History

3/18/10	City Commission	Continued
4/1/10	City Commission	Continued
4/15/10	City Commission	Continued (5 - 0 - 2 Absent)

090824a_Plan & EDUCC Minutes_20100318.pdf
090824b_Innovation G'ville_20100318.pdf
090824c_CEO PPT_20100318.pdf
090824_Final ED Strategic-Action Plan_20100506.pdf
090824a_EDUCC Miinutes_20100506.pdf
090824b_Innovation G'ville_20100506.pdf
090824c_CEO PPT_20100506.pdf

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

090994.

2011 City Election (B)

RECOMMENDATION

The City Commission schedule the 2011 election for March 15, 2011 with run-off scheduled for April 12, 2011 (if needed) and authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance setting election dates.

Alternative Recommendations

-March 1/March 29

-March 22/April 19

090994_electiondates_20100506.pdf

CITY MANAGER

080621.

Update on "First Butterfly City" Activities (B)

This item is in response to a City Commission request to receive regular updates at appropriate times on "First Butterfly City" activities.

Explanation: On April 1, 2010, the City Manager received a request that staff place on an upcoming City Commission agenda an update on the Butterfly City Project. The following is a brief synopsis of the most recent development in regard to "First Butterfly City" activities.

At the direction of the City Manager, on June 23, 2009, Communications Manager Bob Woods arranged a meeting with Traffic Operations Manager Phil Mann, and Traffic Operations Supervisor Chris Dolan to discuss possible

options in support of a Butterfly Education Project (BEP) request for the placement of Butterfly City signage in Gainesville. As an outcome of this meeting and as part of the city's in-kind contribution to the placement of butterfly city signage, Communications staff began to develop a Butterfly City mock-up sign, based on input from BEP representatives and Traffic Operations staff. Traffic Operations Manager Phil Mann agreed to additional in-kind support for this project by assuming responsibility for staff and equipment costs associated with the installation of up to six signs on existing sign poles at gateway sites entering the city.

On August 25, 2009, the Communications Manager met with Mr. Gabe Hillel and Mr. Pete Johnson of the BEP to discuss the extent of city support for the development and installation of Butterfly City signage. At a subsequent meeting, BEP representatives were provided with and verbally accepted the design mock up of the Butterfly City signage and cost estimates (approximately \$750-\$1000 total cost) for the fabrication of butterfly city signs to be located at up to six gateway sites around the city.

According to the Traffic Operations staff, the procedure followed by other non-profit organizations (such as the Arbor Day Foundation) whose past requests for street signage have been approved by the city, is for the external organization to assume the cost to have the signs fabricated externally. The only cost to the Butterfly Education Project for its signage request is for the actual cost of sign fabrication. It was the understanding of city staff that as an outcome of the meeting, BEP representatives will contact the city when the group had raised sufficient funds for an external vendor to fabricate the signs. Subsequent to this meeting, the Communications Office has not been contacted by the BEP regarding the status of signage issue.

Fiscal Note: There is no additional fiscal impact associated with providing identified in-kind support for this project.

RECOMMENDATION

The City Commission receive this update on "First Butterfly City" activities.

Legislative History

12/4/08	City Commission	Approved as Amended (6 - 0 - 1 Absent)
3/5/09	City Commission	Approved as Amended (6 - 0 - 1 Absent)
4/16/09	City Commission	Placed on File
5/21/09	City Commission	Approved as Recommended (6 - 0 - 1 Absent)

080621_WHITE PAPER_20081204.PDF
 080621A_Power Point_20090305.pdf
 080621B_Implementation Plan_20090305.PDF
 080621C_White Paper_20090305.pdf
 080621_butterflyproj_20090305.pdf
 080621_Criteria_doc_20090416.pdf
 080621_Butterfly City Requirements_20090521.PDF
 080621_Butterfly Signs_20100506.pdf

This is a request for the City Commission to authorize the City Manager to submit a letter to the County Commission outlining City's comments about the project.

Explanation: The SantaFe Village DRI is located on NW 39th Avenue immediately west of NW 83rd Street. The DRI was originally approved in 1986, and amended in 1993, to include primarily medical related land uses. The owner now proposes land use changes that will add a mix of uses including office, retail, residential and hotel. The proposed change will result in additional traffic that will impact transportation facilities within City limits. The mitigation for the development centers on the provision of transit facilities and service according to the County's adopted capital improvement element with recommended roadway modification options. The County Planning Commission recommended approval of the petition in December 2009; a date has not been set for the petition to be heard by the County Commission. City staff has drafted a letter to be sent to the County Manager outlining the City's comments on the project; the City Commission discussed this item on April 1, 2010, and recommended revisions to the letter.

Fiscal Note: No fiscal impact.

RECOMMENDATION

The City Commission: 1) hear a presentation; and 2) authorize the City Manager to send the revised letter to County Manager outlining the City's comments on the SantaFe Village DRI.

Legislative History

4/1/10 City Commission Approved as Amended (6 - 0 - 1 Absent)

090834_Letter_20100318.pdf

090834_Revised Letter_20100506.pdf

090981.

Alachua County Charter Review Commission Public Hearings (B)

This agenda item provides an opportunity for the City Commission to consider whether to provide testimony at the upcoming Alachua County Charter Review Commission public hearings on proposed charter amendments.

Explanation: On April 19, 2010, the Alachua County Charter Review Commission (CRC) approved seeking public comment on a total of seven proposed charter amendments during the Commission's series of three public hearings on May 12, May 26 and June 9. The CRC has indicated that it still may consider additional charter amendments based on public comment. Based on CRC member interest, the CRC could also revisit decisions on charter amendments previously discussed but not approved to carry forward to public hearing. By a vote of eleven in favor and four opposed, the Home Rule Dual Vote supported by the City was approved to carry forward to public hearing.

The backup includes the draft minutes from the April 19, 2010, CRC meeting reflecting the votes on the proposed charter amendments. A separate document

provides the updated draft ballot language for the proposed charter amendments as drafted by the CRC's legal counsel with the exception of the Home Rule Dual Vote charter amendment.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

The City Commission provide guidance on what, if any, testimony should be provided on behalf of the City at the CRC's public hearings.

090981A_DRAFT Charter-minutes-4-19-10_20100506.pdf

090981B_DRAFT Ballot Language 4-20-10_20100506.pdf

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

RESOLUTION/PUBLIC HEARING (3:00 PM TIME CERTAIN) - Waive CCOM Rules

090985.

T.E.F.R.A. PUBLIC HEARING AND RESOLUTION RELATING TO I.D.B. BONDS FOR PROVIDENT GROUP - UF CONTINUUM PROPERTIES, L.L.C. (B)

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF GAINESVILLE, FLORIDA TO LOAN FUNDS FOR THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A GRADUATE STUDENT HOUSING FACILITY IN THE CITY OF GAINESVILLE, FLORIDA; PROVIDING FOR THE LENDING OF FUNDS FOR SUCH PURPOSE TO PROVIDENT GROUP - UF CONTINUUM PROPERTIES L.L.C., A FLORIDA LIMITED LIABILITY COMPANY, OR A RELATED ENTITY OR SUCCESSORS OR ASSIGNS; PROVIDING FOR THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS (THE CONTINUUM PROJECT) BY THE CITY IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$82,000,000 FOR THE PURPOSE OF MAKING SUCH LOAN OF FUNDS TO FINANCE ALL OR A PORTION OF THE COST OF SUCH PROJECT; AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT PERTAINING TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO.

Explanation: This Resolution provides preliminary approval of the issuance of Industrial Development Revenue Bonds (The Continuum Project) (the "2010 Bonds"), in one or more series in an aggregate principal amount not exceeding \$82,000,000, for the purpose of making a loan of funds to Provident Group - UF Continuum Properties L.L.C. (the "Borrower") in order to finance the acquisition and construction of graduate student housing facilities and related facilities on University Avenue in Gainesville. The 2010 Bonds shall not

constitute a debt, liability of obligation of the City of Gainesville, Florida or the State of Florida or any political subdivision thereof, but shall be payable solely from the amounts paid by the Borrower to the City under the terms of a loan agreement between the City and the Borrower. This Resolution approves (i) the holding of a public hearing regarding the issuance of the bonds and the facilities being financed, and (ii) the form of a Memorandum of Agreement between the Borrower and the City and the execution and delivery thereof.

The Borrower is a wholly-owned entity of a Georgia corporation that is a not-for-profit corporation for federal income tax purposes. The Bonds will provide the Borrower with lower debt service than would otherwise be the case because the interest on the bonds received by the bondholders will not be subject to federal income tax so such bondholders will be willing to accept a reduced rate of interest.

The developers of the project have met with the City and informed us that the Project will be owned and operated by a not-for-profit corporation and thus the property is expected to be exempt from ad valorem taxes. If the property is tax exempt, then the municipal services that would need to be provided to the occupants and the developed property must be addressed. The City Manager has requested the developers consider entering into an agreement with the City to obligate an annual payment to the City in lieu of taxes to fund the costs for municipal services. The developers have agreed to consider the City's request.

Fiscal Impact:

All Costs and expenses associated with the issuance of these bonds will be paid by the Borrower.

RECOMMENDATION

The City Commission: (1) Hold a public hearing; and (2) adopt the proposed Resolution.

090985_draft resolution_20100506.pdf

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****091004.****Commissioner Scherwin Henry - Jerald Fields Old Glory Rockets Summer Sports Camp (B)****RECOMMENDATION**

The City Commission hear a presentation from Commissioner Scherwin Henry and take appropriate action.

091004_presentation_20100506.pdf

COMMISSION COMMENTS (if time available)**RECESS****RECONVENE****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****090996.****Gainesville Fire Rescue's 2010 Poison Prevention Week Public Service Announcement Contest - First Prize Award (B)****RECOMMENDATION**

The City Commission recognize Loften High School Students Daniel White and Darian Lovett who dedicated their time and effort to developing, producing, and editing a 20-30 second video Public Service Announcement about the dangers of poisonings and overdoses.

090996_Rec_20100506.pdf

090997.**Gainesville Fire Rescue's 2010 Poison Prevention Week Public Service Announcement Contest - Honorable Mentions (B)****RECOMMENDATION**

The City Commission recognize Loften High School Students Ben Durrance, Warren Hancock, Nick Slade, Alec Blair, Brittany Crawford, Natanael Guterrez,

John Fletcher, Logan Smith, Zachary Hartjes, Patrick Jernigan, Kara Lippert, Katie Woeller, Jessica Myers, Toby Lytle, Nickolas Richardson, Amanda McIntosh, Enas Osman, and Alexis Jasper for also dedicating their time and effort to developing, producing, and editing the 20-30 second video Public Service Announcement.

090997_Rec_20100506.pdf

090998.

Internal Audit Awareness Month - May 2010 (B)

RECOMMENDATION

Institute of Internal Auditors - North Central Florida Chapter Past President John Byrd and Member Brent Godshalk to accept the proclamation.

090998_Audit_20100506.pdf

091000.

Little Jack Mitchell Day - May 6, 2010 (B)

RECOMMENDATION

Entertainer Arnold Jake Mitchell to accept the proclamation.

091000_Jake_20100506.pdf

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

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

090884.

BOARD OF CANVASSERS REPORT - RUN-OFF ELECTION (B)

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, run-off election held April 13, 2010; and providing an immediate effective date.

Explanation: On April 13, 2010, a city run-off election for the election of the Mayor and Commissioner for District 4 was held.

The Report of the Board of Canvassers for the City of Gainesville, showing that Craig Lowe was elected Mayor and Randy Wells was elected to the District 4 Seat, is adopted by this resolution of the City Commission.

RECOMMENDATION

The City Commission adopt the proposed resolution.

090884_resolution_20100506.pdf

090971.

Resolution for a Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 38 (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive Service Development Funds for the operation of new Route 38.

Explanation: FDOT allocates service development funds to transit agencies each year. The allocations are given at FDOT discretion on a competitive basis for agency projects that meet FDOT Service Development Grant (SDG) criteria. FDOT requires the governing board of each public transit system to adopt a Resolution authorizing the acceptance of these funds.

Currently, only one route (Route 22) provides service on Old Archer Road immediately south of Archer Road. Several other routes provide service in the general area (Routes 1, 12 and 21) but all are over capacity during peak hours while class is in session at the University of Florida (UF). These overcrowded conditions have forced some passengers to wait at the bus stop and watch several full buses pass by before capacity is finally available. Route 38 is a new fixed-route that will provide 19 roundtrips from 7:00 a.m. to 9:00 p.m. on weekdays. One bus will provide service with 45-minute headways during peak hours. Route 38 will make transit more convenient along Archer Road, assist overcrowded buses, and relieve traffic congestion by providing transit service from the high density housing area on Archer Road and Old Archer Road to UF via State Road 24 (Archer Road). Because Route 38 will be marketed citywide RTS estimates approximately 63,000 passengers at the end of the first year of service.

Total operating costs for Route 38 will be \$150,000 with a 50/50 match from RTS. Initially, the service will operate for two (2) years from August 2010 through July 2012 and may be continued with funding from UF if successful.

RTS and UF desire to continue expanding service on Old Archer Road to provide more direct access to the numerous apartment complexes located on the south side of Archer Road.

Fiscal Note: This Joint Participation Agreement requires the City of Gainesville to match funding in the amount of \$75,000. The matching funds will be provided by the University of Florida.

RECOMMENDATION

The City Commission adopt the Resolution.

090971_Resolution_20100506.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

ORDINANCES, 2ND READING- ROLL CALL REQUIRED**090733.****URBAN SERVICES REPORT OF CITY-OWNED PROPERTY - NW & NE 53RD AVE. (B)****Ordinance No. 0-10-08**

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to two areas owned by the City of Gainesville and comprised of Tax Parcels 07874-001-001 and a portion of 07871-000-000. Tax parcel 07874-001-001 is generally located south of tax parcel 07874-001-000 and tax parcel 07872-008-000, west of tax parcel 07872-008-000 and the vicinity of NE Waldo Road, north of the city limits and NE 53rd Avenue, and east of the city limits and tax parcel 07875-000-000. The portion of tax parcel 07871-000-000 is generally located south of tax parcels 07876-002-000 and 07876-000-000, west of the city limits, tax parcel 07875-000-000 and NE 15th Street, north of the city limits and the northern boundary of Section 21, Township 09, Range 20, and east of the city limits and tax parcel 07877-000-000; the areas are proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

Explanation: The Alachua County Boundary Adjustment Act requires a municipality to prepare and adopt by nonemergency ordinance a report setting forth plans to provide urban services to any reserve area to be annexed prior to commencing the annexation procedures under the Act.

The report must generally include the following information:

- 1) a map or maps of the City and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, and the general land use pattern in the area to be annexed;*
- 2) a statement indicating to what extent services to existing residents would need to be reduced within the next 5 years because of the annexation; to what extent taxes would need to be adjusted within the next 5 years to provide services to the areas to be annexed, including services required by the comprehensive plan of the municipality; and to what extent the area to be annexed meets the criteria of Section 9 of the Alachua County Boundary Adjustment Act;*
- 3) a statement setting forth the plans of the City for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation, including:*

- a) *plans for extending urban services on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation.*
- b) *plans for the extension of existing municipal water and sewer services into the area to be annexed so that, when such services are provided, property owners in the area to be annexed will be able to secure public water and sewer service according to the policies in effect for extending water and sewer lines to individual lots or subdivisions.*
- c) *if extensions of major trunk water mains and sewer mains into the area to be annexed are necessary, set forth a proposed timetable for construction of such mains as soon as possible following the effective date of annexation.*
- d) *set forth the method under which the City plans to finance extension of services into the area to be annexed.*

If adopted on first reading, this ordinance shall be heard on second reading on May 6, 2010. After final adoption by the City Commission, a copy of this Report will be filed with the Alachua County Board of County Commissioners.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/18/10 City Commission Approved as Recommended (5 - 0 - 2 Absent)
4/15/10 City Commission Adopted on First Reading (Ordinance) (7 - 0)

090733_Voluntary Annexation Petition_20100218.pdf
090733A_Voluntary Annexation Petition_20100218.pdf
090733_53rd Annexation USR Ordinance_20100415.pdf
090733_voluntary annexationpet_20100218.pdf

090829.

VOLUNTARY EARLY SEPARATION INCENTIVE PROGRAM (B)

Ordinance No. 0-10-10

An ordinance of the City of Gainesville, Florida, amending Article VII, Division 5 of Chapter 2 of the City of Gainesville Code of Ordinances relating to the City of Gainesville Employees Pension Plan; creating a subsection (m) of Section 2-523, providing for additional service credit or waiver of certain actuarial reductions associated with an early separation incentive; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: At its meeting on March 18, 2010, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending the General Employees Pension Plan to provide additional credited service or waive certain actuarial reductions associated with an early separation incentive to employees participating in a voluntary early separation program.

This ordinance requires two hearings. Should the Commission adopt this ordinance on first reading, second and final reading of the ordinance will be May 6, 2010.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

3/18/10 City Commission Approved as Recommended (6 - 1)

4/15/10 City Commission Adopted on First Reading (Ordinance) (6 - 1)

090829_early separation incentive ordinance_20100415.pdf

PLAN BOARD PETITIONS

090878.

Landscaping and Tree Preservation Regulations (B)

Petition PB-10-7 TCH. Jack Putz, agent for City Tree Advisory Board. Text change to Land Development Code to amend the landscaping and tree protection regulations.

Explanation: This proposed text amendment to the Land Development Code is designed to improve the City's regulations for landscaping and tree protection. It has been prepared by the Tree Advisory Board in coordination with the City Arborist, Public Works Department, Planning Department, Gainesville Regional Utilities, and members of the development community. The primary goals of the petition include:

- *Bringing requirements for tree protection, tree planting, and invasive exotic plant control into alignment with the practices that yield the best results based on scientific research.*
- *Providing sufficient protection for Heritage trees in all zoning classes (including giving the City Commission's Advisory Boards authority to recommend financial mitigation under very specific circumstances for very valuable trees).*
- *Creating sufficient space for new shade trees so that they can grow to maturity without disrupting buildings, sidewalks or streets.*
- *Emphasizing that required shade trees, Gainesville Regional Utilities line separation requirements, and Public Works clear zone safety requirements are all equally important, so that future development allows sufficient space for all three.*
- *Reducing Gainesville's vulnerability to Southern Pine Beetle epidemics through post-development spacing of pines at 25' which diminishes the insects' capacity for rapid and relentless population increase.*
- *Updating the Gainesville Approved Tree list that was first assembled by the Tree Advisory Board in 1976 and then revised in 2000.*
- *Clarifying the role of the Tree Advisory Board and the Tree Appeals Board, especially with respect to potential financial mitigation decisions that might result from the proposed Code changes.*

These proposed changes to the Land Development Code will serve to implement the goals and policies of the Comprehensive Plan regarding landscaping and

tree protection.

Public notice was published in the Gainesville Sun on February 9, 2010. The City Plan Board considered petition PB-10-7 TCH at a public hearing on February 25, 2010, and recommended approval of the petition with revisions, by a vote of 4-0.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve petition PB-10-7 TCH, with recommended clarifications from the City Plan Board.

Staff to City Commission - The City Commission approve the Plan Board's recommendation, with additional minor revisions as noted by City staff.

090878_cpb recommendations_20100506.pdf
090878A_staff report_20100506.pdf
090878B_tree advisory bd application_20100506.pdf
090878C_summary of proposed code changes_20100506.pdf
090878D_proposed code changes to landscape_20100506.pdf
090878E_gville approved tree list_20100506.pdf
090878F_100225 cpb minutes draft_20100506.pdf
090878G_petitioner ppt_20100506.PDF

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

090993.

Mayor Pegeen Hanrahan (NB)

RECOMMENDATION

The City Commission conduct an appreciation ceremony to include comments from the City Commissioners, the public and Mayor Hanrahan.

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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