City of Gainesville

City Hall 200 East University Avenue Gainesville, Florida 32601



Meeting Agenda - Final

March 17, 2016

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Harvey Budd (At Large)
Commissioner Helen Warren (At Large)
Commissioner Charles Goston (District 1)
Commissioner Todd Chase (District 2)
Mayor-Commissioner Pro Tem 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 - 1: 05 PM

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

ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)

CITY MANAGER, CONSENT AGENDA ITEMS

150759.

State Law Enforcement Contraband Forfeiture Trust Funding of Youth Programs (NB)

This is a request for the City Commission to approve the use of \$35,000 from the State Law Enforcement Contraband Forfeiture Trust Fund for two Youth Programs.

Explanation: The Gainesville Police Department is requesting to use \$35,000 from the State Law Enforcement Contraband Forfeiture Trust Fund to fund two events for this upcoming summer.

> The first being the Gainesville Police Explorers Post who will be competing in the 2016 Florida Association of Police Explorers State Competition from June 19-25, 2016. The total cost will be approximately \$7,000. In preparation for this event, some equipment and materials and supplies may need to be purchased and additional overtime for staffing of two officers to attend and supervise the youth for the week. The Gainesville Police Explorer Program is a young adult program for high school students. The intent of the Police Explorer Program is to educate and involve youth in police operations and to interest them in law enforcement functions. Through youth involvement they become aware of the many facets of the law enforcement career field. The

program also aids them in becoming aware of the community around them and how to be involved as citizens in their neighborhood. Their participation in the program is voluntary. The members meet twice a week to discuss future events and to train on a variety of topics.

The next program is the Summer Heatwave basketball program which is a collaborative effort between the Gainesville Police Department and City of Gainesville Parks, Recreation and Cultural Affairs Department to provide youth with positive summer time activities. The Heatwave program offers organized competitive basketball as well as alternative activities in the teen lounge program in a safe, structured and supervised environment when school is out during the months of June, July and August. One of the requirements for participating in the program is that each team coach is required to instruct their players in weekly positive life skill components using the "Character Counts" curriculum. Last year, the participation in the Heatwave program almost tripled in size from 183 youth in 2014 to 515 youth in 2015. Additionally, the number of juvenile arrests in the City of Gainesville dropped 40% from 2014 to 2015 during this same time. Based on the positive feedback from the youth, it is anticipated that the Heatwave program will grow again in 2016. We are requesting \$28,000 for this summer program, which will include contractual services, materials and supplies and overtime.

Fiscal Note: Funds for this expenditure in the amount of \$35,000 are available in the State Law Enforcement Contraband Forfeiture Trust Fund and are allowable under State of Florida Statue 932,7055.

> The balance is \$115.917 unreserved fund balance as of January 31. 2016.

RECOMMENDATION

The City Commission approve the appropriation of \$35,000 from the State Law Enforcement Contraband Forfeiture Trust Fund to pay for the operational expenses.

150774.

Release of Lien Affecting 512 NW 26th Avenue, Tax Parcel #08481-003-000 (B)

This item requests that the City Commission release the above-referenced property from the lien arising from costs incurred by the City of Gainesville to abate a violation.

Explanation: The City of Gainesville received a request on behalf of Alachua Habitat for Humanity (Habitat) requesting the city release a lien on a property Habitat holds title to located at 512 NW 26th Avenue. Habitat's title originated from Santa Fe College Foundation's conveyance of the property to Habitat to begin construction of a home for a Gainesville family.

The City of Gainesville has a Claim of Lien against the property due to

the city's administrative abatement of a city ordinance violation against a prior owner. In this case, the city demolished and removed the remains of a fire damaged structure. The owner was billed the cost of the abatement that went unpaid and resulted in a \$772 lien which is the cost incurred by the city to correct the violation. This lien differs from a lien resulting from Code Enforcement Board levied fines in that it is an attempt to recover actual costs for the abatement of a violation by the city.

Generally the release of administrative liens is not recommended for approval by staff as they are real costs incurred by the city to abate a hazardous condition on private property. However, in some cases the release may be appropriate due to the benefit gained through the release such as with this request which will provide affordable housing and add value to a property that has been vacant.

Fiscal Note: If the request for release of lien is approved, staff will prepare the required paperwork and facilitate the release of lien at no additional cost to the City.

RECOMMENDATION

The City Commission: 1) approve the request from Alachua Habit for Humanity for the release of lien on 512 NW 26th Avenue, tax parcel #08481-003-000; 2) direct staff to prepare the release of lien document, and authorize the City Manager to execute such document, subject to review and approval by the City Attorney as to form and legality; and 3) direct the Clerk to record the document in the public records.

150774 Request for Release of Lien 20160317.pdf

150818.

Voluntary annexation petition for property owned by the Emory Group and Prairie View Trust south of SW Williston Road and west of the Gainesville city limits (B)

This is the submission of petition for voluntary annexation of parcel 07176-002-000, owned by the Emory Group LTD and a portion of parcel 07176-000-000, owned by Prairie View Trust. The property is 12 acres and located south of SW Williston Road and west of the Gainesville city limits.

Explanation: The Emory Group and Prairie View Trust, property owners, have submitted a petition to the City of Gainesville for voluntary annexation. The property is generally located south of SW Williston Road, west of parcel number 07176-006-000 and the existing city limits, north of SW 56th Avenue and east of I-75.

Staff has reviewed the requirements of the the Municipal Annexation or

Contraction Act (Chapter 117, Florida Statutes). This area meets the requirements of the Act and is appropriate for annexation.

In order to annex these parcels into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation.

Fiscal Note: There is no fiscal impact associated with acceptance of the voluntary annexation petition.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

150818 Petition 20160317.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

150805.

DIANA INWOOD VS. GAINESVILLE REGIONAL TRANSIT SYSTEM; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-4088 (B)

Explanation: On March 2, 2016, the City was served with a Summons and Complaint filed by Diana Inwood. Diana Inwood alleges that she was involved in an automobile accident with a City bus on November 15, 2011 at the intersection of SW 2nd Avenue and SW 12th Street, in Gainesville. Diana Inwood claims to have suffered bodily injury and resulting pain and suffering, disability or physical impairment, disfigurement, mental anguish, inconvenience, loss of the capacity for the enjoyment of life, and medical expenses. Ms. Diana Inwood seeks money damages in excess of \$15,000.00.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Diana Inwood vs. Gainesville Regional Transit System; Eighth Judicial Circuit, Case No. 2015-CA-4088.

150805 Diana Inwood Consent 20160317

150809.

KLM PROPERTIES, INC. v. THE CITY OF GAINESVILLE, A MUNICIPAL CORPORATION, COLEN M. RATLIFF, JR., DAVID L. RATLIFF, TINA M. HINSON AND JAMES E. RATLIFF,

PERSONAL REPRESENTATIVES OF THE ESTATE OF GLORIA M. RATLIFF, DECEASED, AND UNNAMED INTERESTED PARTIES; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2016-CA-441 (B)

Explanation: On March 3, 2016, the City was served with a Summons and Petition for Declaratory Judgment filed by KLM Properties, Inc. KLM Properties, Inc. allege that two parcels of real property they own have deed restrictions pursuant to Declarations of Restrictive Covenants and a Restrictive Covenant Agreement recorded in the Public Records. KLM Properties, Inc. is seeking a declaration that the property be free and clear of all deed restrictions.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled KLM Properties, Inc. v. The City of Gainesville, a municipal corporation, Colen M. Ratliff, Jr., David L. Ratliff, Tina M. Hinson and James E. Ratliff, Personal Representatives of the Estate of Gloria M. Ratliff, deceased, and Unnamed Interested Parties; Eighth Judicial Circuit, Case No. 2016-CA-441.

150809 KLM Properties Consent 20160317

150817.

DARLENE HENRICHS VS. CITY OF GAINESVILLE AND ANTHONY LYONS, IN HIS OFFICIAL CAPACITY AS INTERIM CITY MANAGER, CASE NO. 2016-CA-0513 (NB)

Explanation: On February 18, 2016, the City of Gainesville received an Order to Show Cause, resulting from a Petition for Writ of Mandamus filed on February 12, 2016, with the Eighth Judicial Circuit Court by Darlene Henrichs, a former City employee. Ms. Henrichs alleges she was unjustly terminated and claims her due process rights were violated.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Darlene Henrichs vs. City of Gainesville and Anthony Lyons, in his official capacity as Interim City Manager, Case No. 2016-CA-0513.

150849.

RETENTION OF WINSTON & STRAWN LLP, TO REPRESENT THE CITY OF GAINESVILLE D/B/A GAINESVILLE REGIONAL UTILITIES (GRU) IN GAINESVILLE RENEWABLE ENERGY CENTER, LLC'S ARBITRATION DEMAND AGAINST THE CITY D/B/A GRU (B)

MODIFICATION - Added Item.

Explanation: On March 10, 2016, Gainesville Renewable Energy Center ("GREC")

filed an Arbitration Demand with the American Arbitration Association ("AAA"), AAA Case No. 01-16-0000-8157, to resolve a dispute between GREC and GRU concerning GREC's Planned Maintenance Outage in April of 2016.

The City Attorney's Office worked with the General Manager for Utilities to select qualified outside counsel to represent the City d/b/a GRU in the arbitration proceedings. Winston & Strawn LLP has extensive expertise in Power Purchase Agreement ("PPA") related litigation and AAA arbitration. In addition, Winston & Strawn LLP is familiar with the GREC/GRU PPA, having been previously retained by the City d/b/a GRU to assist GRU Management in the review and evaluation of the GREC/GRU PPA.

Fiscal Note: The rates quoted by Winston & Strawn LLP are hourly rates of \$310-\$935. It is unknown at this time exactly how many hours of work will be required, but outside counsel estimates that if this arbitration proceeds to a full two week hearing, the cost could be as high as \$900,000-\$1,000,000. The City Attorney's Office will remain engaged in this matter, and assist outside counsel, in an effort to contain costs. Funding for outside counsel will be paid either from GRU budgeted funds for legal expenses or from unanticipated cost savings that GRU realizes.

RECOMMENDATION

Authorize the Office of the City Attorney, on behalf of the General Manager for Utilities, to retain Winston & Strawn LLP for representation of the City d/b/a GRU in this arbitration.

150849 MOD Retention of Winston & Strawn 20160317

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT AND FINANCE COMMITTEE, CONSENT

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

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

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

CLERK OF THE COMMISSION

CITY MANAGER

150723.

Approve the Regional Transit System Award Recommendation for **Acquisition of Scheduling and Operations Software (B)**

This is a request for the City Commission to approve the Regional Transit System (RTS) award recommendation.

Explanation: RTS currently maintains and updates schedules and operational information in multiple databases and spreadsheets. For an agency of RTS's size this is highly inefficient and cost ineffective. Most agencies that implement professional scheduling and operations software potentially see annual savings between 1% and 5% of their operations budget.

> RTS received four proposals. Of these, RTS requested a Best and Final Offer (BAFO) from two vendors. The selection committee is recommending that the award be granted to GIRO, Inc. based on the information received regarding proposed software functionality. Funding for the project will come from RTS's FY2015 Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Program grant award. In subsequent years if RTS elects to procure support for the software funding will come from existing revenue streams in the budget for such items.

> The documentation related to the bid is included in the back-up. Portions of the information are "claimed by bidder" to be confidential and cannot be made public.

Fiscal Note: RTS's FY2015 FTA Section 5307 Urbanized Area Formula Program award was \$4,675,344 and has funding available for this project. The proposed cost of the software is \$1,167,593 with annual maintenance in year 2 at \$100,666 with a maximum escalation rate of 2.5%.

RECOMMENDATION

The City Commission: 1) award the bid to GIRO. Inc. and authorize the City Manager or designee to finalize negotiation of the contract; and 2) authorize the City Manager to execute the agreement, subject to approval by the City Attorney as to form and legality.

150723A RFP Bid Tab 20160317.pdf

150723B Fixed Route Scheduling Software RFP 20160317.pdf

150723C RFP Addendum 1 20160317.pdf

150723D RFP Addendum 2 20160317.pdf

150723E RFP Addendum 3 20160317.pdf

150723F RFP Addendum 4 20160317.pdf

150723G RFP Addendum 5 20160317.pdf

150723H Award Public Notice 20160317.pdf

150723I BAFO Bid Record 20160317.pdf

150723J BAFO Tech & Oral Eval Score Summary 20160317.pdf

150723K Bid Record RTSX160004DS 20160317.pdf

150723L DoubleMap Proposal 20160317.pdf

150723M GIRO INTERVIEW 20160317.pdf

150723N Trapeze Oral Presentation 20160317.pdf

150723O Oral Sign In Sheets for Presenters 20160317.pdf

150723P Oral Evaluation Scores 20160317.pdf

150723Q Technical Evaluation Score Summary 20160317.pdf

150782. Fire Station Alerting System Replacement (NB)

This item requests that the City Commission authorize the City Manager or designee to negotiate a contract to replace the current Fire Station Alerting System.

MODIFICATION - New Back-up.

Explanation: A Fire Station Alerting System is used to dispatch first responders to calls for service. A dispatcher at the Combined Communication Center (CCC) receives the incident information from the Computer Aided Dispatch (CAD) system and sends an alert to the required station or units. The current system was installed nearly a decade ago as a requirement to maintain Gainesville Fire Rescue's (GFR) Public Protection Classification by the Insurance Services Office (ISO). In anticipation of technological improvements and limited service life for the electronic equipment and software, GFR and Alachua County Fire Rescue (ACFR) jointly began submitting applications in 2013 for Federal grant funding to prepare for replacement of the aging system; however, none of the applications have been funded.

The Problem: The current Station Alerting System is: 1) an aging analog platform; 2) unable to interface with CAD; 3) not compatible with ACFR; and 4) subject to more frequent failures requiring delays moving to and from a back-up system.

Recommended Solution: Address aging equipment failures and provide a higher degree of reliability through increased redundancy; add turnout timers at stations to visually aid crew members in assessing their performance; and, interface with the CAD to speed call processing by reducing the number of steps required by dispatchers to perform an alert. These technological improvements will also support more rapid dispatching of multiple incidents and jurisdictions (ACFR) in succession and will provide a benefit to our citizens by seeking to reduce overall emergency response time.

GFR staff consulted with the City Legal and Purchasing departments and are recommending the system be purchased from Purvis Systems through a contract established with the State of Oregon's Public Procurement Authority (comprised of three fire districts) through a NPPGov FireRescue GPO contract. This contracted vendor has a demonstrated and tested capability with the existing CAD system at the CCC. The recommended specified source assures compatibility and performance with existing infrastructure, and the use of an existing competitive bid provides efficiency and compliance with the City's purchasing policy.

Not replacing the existing Station Alerting System will, over time, result in increasing failure of the system and station components until the platform is unsustainable and without support from its vendor. The lack of compatibility with ACFR and CAD will prevent efficiencies and interoperability gains to reduce emergency response time.

Fiscal Note: GFR seeks approval to expend approved Capital Funds of \$488,160 on a new Fire Station Alerting System. Congruent with the grant requests, a capital improvement project was submitted for the FY15-19 CIP and approved. This request is for a base-system cost of \$425,579 and the remaining amount to fund license and support fees.

The grant requests were substantially higher for more capable systems, but a scaled-down and minimal design is estimated to cost \$425,579. This includes equipment and a first-year software license and warranties with remote support. GFR has been in discussion with ACFR regarding their interest to connect with this system by purchasing the same equipment and requesting fiscal support of ongoing fees.

Later phases for improvements will be presented as funding and needs are prioritized. Installation of the system would be coordinated with GFR and City Facilities staff for an additional cost of approximately \$10,000. Spare equipment to allow for immediate replacement while parts are shipped to the manufacturer would add approximately \$7,000. Beyond year one, there are annual required license fees of \$2,145 and optional warranty/remote support fees starting at \$25,773. Warranty/remote support fees are anticipated to increase annually by two percent.

Staff recommends applying remaining CIP funds beyond the initial purchase and installation towards license and warranty/remote support fees for years two, three, and possibly four in advance. Alternately, the

required license fees will be funded through increments to the department's operating budget. The repair and support costs outside of warranty items would be covered on an as-needed basis from increments to the department's operating budget.

RECOMMENDATION

The City Commission authorize the City Manager or designee to enter into a contract with Purvis Systems for purchase of the Fire Station Alerting System, spare parts, and license and support fees not to exceed the approved FY15-19 CIP amount of \$488,160.

150790.

Ranking for Construction Management at Risk Services for the **Depot Avenue Segment 4 Project (B)**

This item is a request for the City Commission to approve the ranking of Construction Management Firms and authorize a contract for Construction Management services for the Depot Avenue Segment 4 Project that includes Depot Avenue from SE 7th Street to SE Williston Road.

Explanation: On January 6, 2016 the City Purchasing Division solicited written statements of qualifications to provide Construction Management services for the Depot Avenue Segment 4 Project (RFQ No. PWDA160015-DH). Three (3) Construction Management firms submitted statements on February 4, 2016. Evaluation of the written submittals resulted in the invitation of three (3) firms to present orally to the evaluators. These presentations, held on February 24, 2016, further established the qualifications, project approach, and methodology for the project.

The evaluators ranked the firms as follows:

- 1. Charles Perry Partners, Inc.
- 2. Scherer Construction of North Florida, LLC
- 3. Oelrich Construction, Inc.

An alternative to proceeding with the Construction Manager (CM) project delivery method is the traditional Design-Bid-Build (DBB) process. Staff does not recommend proceeding with this path for several reasons:

1. There are several subcontractor trade packages involved in this project, including landscaping, brick paver installation, concrete sidewalks, structural concrete, asphalt paving, sitework, electrical, and roadway signing and marking. The CM process allows for an open and competitive bidding process for each trade package. This allows DBE vendors who might not be able to bid on the entire project to bid on smaller trade packages. DBB does not require the prime contractor to engage in a competitive or open bidding process for any subcontractors.

- 2. By bidding the trade packages separately, the City can avoid multiple layers of markup and overhead that can exist in the DBB process. It also ensures that the City is receiving the most competitive bid for each individual package instead of one large bid.
- 3. The CM process provides a mechanism for constructability reviews prior to releasing for bid, avoiding design changes in the latter stages of the process.
- 4. The CM procurement process can be performed in parallel with the design in progress instead of in series as the DBB process requires. This shortens the overall project schedule by several weeks.
- 5. The CM process allows for direct owner purchasing of materials, such as light fixtures. This saves the City the tax paid by a DBB contractor that is passed on to the City, often with a markup.

Fiscal Note: Funding is available in the City's Capital Inprovement Program with funding through the County Incentive Grant Program (CIGP) as well as the Local Option Gas Tax (LOGT) that provides about \$3,800,000 for the construction of this project.

RECOMMENDATION

The City Commission: 1) accept the selection of the three most qualified firms in the order of ranking; 2) authorize the City Manager or designee to initiate contract negotiations and execute a contract for Construction Management 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.

150790A BID TABULATION 20160317.pdf 150790B_EVALUATION-ORALS_20160317.pdf 150790C_AWARD_RECOMMENDATION_20160317.pdf

150609. A Partnership to Provide Services for Homeless Veterans (B)

This is a request for the City Commission to consider and approve the City of Gainesville entering into a partnership with the Alachua County Coalition for the Homeless and Hungry (ACCHH) and the local Veteran's Administration Office (VA) to provide services for homeless veterans in Gainesville-Alachua County. **ESTIMATED STAFF PRESENTATION 15 MINUTES**

Explanation: On June 18, 2015, Mayor Ed Braddy, Intergovernmental Affairs

Coordinator Kelly Ferrel, and Assistant City Manager Fred Murry met
with local VA officials, Thomas Wisnieski, Director, Nancy Reissener,

Deputy Director, and Vianne Marchese, Chief of Community Care Services, to discuss this subject. The VA officials expressed a need for supportive housing for veterans and asked if that need could be addressed at the Empowerment Center. The VA was interested in providing case management services but they did not have the mechanism to provide supportive housing. The City of Gainesville has the ability to provide buildings and construction funds for VA housing but not the other supportive services.

Recently, ACCHH entered into a contract to provide up to \$900,000 in emergency transitional residential services for homeless Veterans. These services are to be provided on a per diem basis and include indoor shelter, meals, case management, showers, laundry, transportation, and other services as may be needed while the Veteran is in residency. With the execution of that contract, the creation of a partnership between the ACCHH, the VA, and the City of Gainesville to provide support services to veterans and their families became a possibility.

In this partnership, ACCHH would be responsible for providing supportive services (shelter, meals, etc.), and for the management of (and all expenses related to) the building. In addition to payments of up to \$180,000 per year for the next five years to ACCHH for those services, the local VA would provide case management services to veterans, with the intent to move the veterans to permanent housing in the community. The City's role in the partnership would be to renovate one of the dorms at the Empowerment Center. The City already has designated funds for water and wastewater improvement through the Connect Free Program at the Empowerment Center. Furthermore, the City could use general funds to install an air conditioning system and plumbing in the building. This partnership would create a place at the Empowerment Center that is specifically designated for veterans who are homeless.

This partnership would require a separate agreement between the City and ACCHH for the use of the building. That agreement would ensure that, in the event the City Commission decides to not renew the contract with ACCHH to operate GRACE Marketplace, ACCHH would still manage the Veterans' Dorm, under a separate contract with the VA.

In keeping with the recommendation from the United States Department of Housing and Urban Development (HUD) that homelessness is and should be addressed as a community-based project, this partnership is an excellent example of government, non-profit, and community collaboration. It proposes 3,597 days of community-based transitional environment for homeless veterans the first year of the agreement, with the number of days decreasing annually as costs increase. This partnership creates a win-win for the community.

When considering this request, the City Commission should consider the following Critical Issues:

- 1. In the past, other Gainesville nonprofit organizations have applied and received funding for VA housing but were unable to use the funds, which were then reallocated to other communities. The negative perception that could be created by the rejection of another HUD grant is of great concern. It is highly possible that this geographic area would not receive grant awards from HUD in the future.
- 2. We are currently in the second quarter of FY16 and no funds have been expended for the project. Other alternatives would have to be considered if ACCHH is unable to partner with the City for a building.
- 3. City staff requests that the City Commission consider naming the building/dormitory after a local veteran, on such terms as the Commission deems appropriate, as a way of recognizing that veteran's contribution to the community, as well as to the Country. City staff would work with the local veterans' organizations to identify potential names for the building. City staff would present those names to the City Commission for their consideration and approval at a later date.

Fiscal Note: Staff estimates that the necessary repair and construction activities would cost \$380,000. The ACCHH would be responsible for interior remodeling costs, and the VA would contribute up to \$900,000 in Federal funding for the provision of shelter and other services for homeless veterans, on a per diem basis. Additionally, the VA would provide case management services. The total cost of the project would be more than \$1.2 million, including case management. This agreement would be for five years, which is the life of the ACCHH's grant, and subject to the availability of funding from the VA.

RECOMMENDATION

The City Commission: 1) consider and authorize the City of Gainesville to enter into an agreement with Alachua County Coalition for the Homeless and Hungry, Inc. to lease one dormitory for five years, subject to the VA's provision of funding and case management; 2) authorize City staff to utilize Connect Free Funds in the amount of \$247,223 for water, wastewater, and plumbing improvements for the building and utilize up to \$132,777 from general or bond funds for HVAC repairs for the dorm; 3) authorize the City Manager to execute the agreement between the City and ACCHH, subject to the City Attorney's review and approval as to form and legalit; and 4) direct City staff to identify possible names for the dorm and bring them back to the City Commission for consideration and approval on such terms as the Commission deems appropriate.

Legislative History

12/17/15 City Commission Tabled

150609 ACCHH - VA Per Diem agreement 20151217.pdf 150609 Homeless Veterans presentation 20160317.pdf 150640.

Authorization for Construction of the Tumblin Creek Sediment Facility (B)

This item is a request for the City Commission to approve the Guaranteed Maximum Price in the amount of \$1,773,018.10 for the construction of the Tumblin Creek Sediment Facility with The **Brentwood Company, Inc.**

Explanation: The Tumblin Creek Sediment Facility (TCSF) was identified as a project in the Tumblin Creek Watershed Management Plan. The location of the project is east of SW 13th Street with access being provided through the property located at 1880 SW 13th Street. It was identified as a facility to collect sediment and trash within Tumblin Creek prior to discharging into Bivens Arm and also as a means to re-hydrate approximately 6 acres of wetlands located immediately to the north of this section of Tumblin Creek. The project was also identified as a possible Water Quality (WQ) credit.

> The original budget for the project was \$1,250,000 and was funded from the Stormwater Management Utility. Additional funding was received from Florida Department of Transportation (FDOT) in the amount of \$190,785 and the Florida Department of Environmental Protection (FDEP) in the amount of \$393,357. The current total budget for the project is \$1,834,142.

Jones Edmunds was selected as the design firm. The planning, design, and land acquisition phases based on the above items utilized approximately \$500,000 of the budget. This results in approximately \$1,334,142 funds available for construction. All of the pre-construction costs are from the Stormwater Management Utility (SMU) funds; bring the remaining available SMU funding to approximately \$750,000.

The Tumblin Creek Regional Stormwater Treatment Facility project includes the removal of a spoil berm to rehydrate wetlands, as well as sediment and trash trap. Due to the proximity of the sheet pile and trash trap to GRU's 24-inch gravity sewer main, it was determined that the gravity main should be sliplined to provide additional structural integrity to the main. The City has agreed to pay half of the cost of sliplining related to this project.

The Guaranteed Maximum Price (GMP) proposal from Brentwood Company is in the amount of \$1,773,018.10. This exceeds the engineer's estimate based off of the 60% plans completed in January 2014. Based on the complexity of the design and construction, staff is requesting approximately \$400,000 in additional SMU funding. However, with this facility also being utilized as a water quality credit facility, some portion of the SMU funding will be able to be recovered.

Additional details for each of the above items are provided in the Project Timeline Summary as backup.

Fiscal Note: Funding in the amount of \$1,773,018.10 is available through the City of Gainesville's Capital Improvement Plan for Tumblin Creek Sediment Facility (\$764,166.00) and utilizing undesignated stormwater management utility funds (\$354,710.10), a grant from FDOT (\$190,785.00), and a grant from FDEP (\$393,357.00).

RECOMMENDATION

The City Commission: 1) approve the project task; and 2) authorize the City Manager or designee to execute the appropriate documents, subject to City Attorney approval as to form and content to The Brentwood Company, Inc.

150640A Tumblin Creek GMP 20160317.pdf

150640B_Tumblin Creek GMP Schedule_20160317.pdf

150640C Tumblin Creek Exhibits for GMP 20160317.pdf

150640D_Tumblin Creek Project Timeline Summary_20160317.pdf

150640E Tumblin Creek Presentation 20160317.pdf

150784. 2015 Strike Out Hunger Food Drive Outcomes (B)

This is a request for the City Commission to hear a presentation on the results and outcomes of the 2015 Strike Out Hunger Food Drive for Gainesville/Alachua County and to ask for continued support from the City during the 2016 Strike Out Hunger Food Drive.

ESTIMATED PRESENTATION 10 MINUTES

Explanation: The City of Gainesville and its employees have participated in the Strike Out Hunger Food Drive since 2012. The City of Gainesville has been a committed partner in the effort to reduce poverty in Gainesville/Alachua County for a number of years. In addition, the City has been a major partner in the creation and development of the Hunger Abatement Plan for Gainesville/Alachua County. The Strike Out Hunger Food Drive collects food and donations to restock food pantries throughout

Gainesville/Alachua County for needy families. Without the annual food drive, many of the local food pantries would run out of food during one of the most critical times of the year, which is the holiday season.

The food drive is organized by former Alachua County Commissioner Rodney Long. Mr. Long has requested an opportunity to report the results and outcomes of the 2015 Strike Out Hunger Food Drive and to request continued support from the City during the 2016 Strike Out Hunger Food Drive.

Fiscal Note: There is little or no cost to the city to participate in the annual food drive other than minimal staff time.

RECOMMENDATION The City

The City Commission: 1) hear a presentation on the 2015 Strike Out Hunger Food Drive for Gainesville/Alachua County; and 2) approve the request for continued City support and participation in the 2016 Strike Out Hunger Food

150784A 2015 Food Drive Outcomes Report 20160317.pdf
150784B 2016 Strike Out Hunger Food Drive Brochure 20160317.pdf
150784C 2016 Strike Out Hunger proposal 20160317.pdf

150738. Bo Diddley Plaza Café Lease and Business Case (B)

Explanation: The Gainesville Community Redevelopment Agency (CRA) was tasked with considering the Downtown Bo Diddley Plaza (BDP) as a whole and its potential to function as a successful, well-used public space. This process began with initial meetings with the Downtown Redevelopment Advisory Board and an extensive list of community stakeholders beginning in December of 2008. The redevelopment strategy has always been place-driven instead of utilizing a "project approach" in order to achieve lasting success; a usable space, not merely formulating a new design.

The Bo Diddley Plaza (BDP) construction improvements reached completion in early February; an initial pre-opening concert was performed as part of the frank conference on February 25, 2016 and the Plaza officially reopened for the public on March 1, 2016.

A major addition to the Plaza was the creation of a new café space that will be utilized to activate the northeast corner of the Plaza. At the December 2015 CRA Board meeting, Jan Patterson of "Patticakes, Inc." was chosen as the top respondent for the new Plaza café space. Negotiations with the potential tenant focused on three areas: 1) interior buildout 2) leasable area 3) a desired year one rental rate of \$1,300.00 per month. Staff consulted with CRE Property Tax Group to receive an opinion on a fair rental rate for the new café space. After reviewing the CRE report and negotiating with the potential tenant CRA and Patticakes reached mutually agreeable terms. These terms fall within the parameters of the CRE recommendations and include a 5-year lease that increases throughout the life of the contract. CRA staff will present the lease terms to the Board for review and consideration.

Through the context of an overall business case CRA staff will present an overview of how the Plaza functioned prior to the North Side Project, the changes made and how that altered the current financial picture and finally, the potential revenue generation possible with the new and improved BDP.

Fiscal Note: Potential CRA build-out participation has been budgeted for in the Downtown Plaza account W201.

RECOMMENDATION City Manager to City Commission: 1) Approve the

Lease Agreement with Patticakes, Inc. for the café space located at 105 SE University Avenue and 2)

Authorize the City Manager to execute the Lease Agreement and all related documents with Patticakes, Inc., subject to approval by the City Attorney as to form and legality.

<u>150738 PRESENTATION 20160317.pdf</u> <u>150738 LEASE 20160317.pdf</u>

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

140187. Bike Share Program Update (B)

The City Commission provided one-time funding for FY16 for a bike share pilot program. Staff identified a vendor and anticipates a program launch by May 2016. **ESTIMATED PRESENTATION 10 MINUTES**

Explanation: This item is one of several related to bicycles that was referred to the Recreation, Cultural Affairs and Public Works (RCAPW) Committee for review and consideration. Bike share, specifically, has been discussed in the January and February RCAPW meetings. A representative from Zagster, the vendor chosen for this pilot program, will make a presentation on how his company works.

The ultimate goal of public bike sharing is to expand and integrate cycling into transportation systems, so that it can more readily become a daily transportation mode (for commuting, personal trips, and recreation). The National Association of City Transportation Officials (NACTO) indicates that "bike share systems complement existing transit, make one-way bike trips possible, and reduce barriers to riding such as bike ownership, storage, maintenance and concerns about theft". According to a 2012 report from the Mineta Transportation Institute, bike sharing benefits include: increased mobility; cost savings from modal shifts; lower implementation and operational costs when compared to other transportation demand management strategies such as shuttle services; reduced traffic congestion; reduced fuel use; potential for increased use of public transit and alternative modes (e.g., rail, buses, taxis, car sharing, ride sharing); increased health benefits; and greater environmental awareness.

Installation of a bike share program advances the City Commission's Strategic Inititative 5.1 that seeks to promote an integrated, safe and accessible transportation system. The City Commission allocated funding for a pilot program implementation in FY16. Zagster was selected as the vendor to provide bike share services to Gainesville. The pilot program will allow for the establishment of two bike share stations with 16 bicycles for a one-year term. The stations will be placed in high visibility locations to increase awareness of the program and ensure the bikes are readily accessible to the general public; the proposed locations are at Downtown Plaza and along the 6th St Rail Trail near its intersection with SW 2nd Avenue.

According to NACTO successful bike share systems should have stations uniformly distributed, have a high density of stations within service areas (approximately 28 stations per square mile), and locate stations no more than 1,000 ft apart to increase convenience and system ridership, suggesting that "ridership at a station ... increases exponentially the more stations there are in close proximity". In order to establish a successful bike share program, additional stations are needed beyond the initial implementation. Staff is coordinating with the vendor and local stakeholders, including the University of Florida, to identify opportunities for additional funding for system expansion to ensure that bike sharing is easily accessible and convenient at several points of interest, and to promote equitable use.

The City has control over the fee structure for usage of the bicycles, with options for one-year, one-month, or one-week memberships, and for hourly one-time rentals. It is recommended that some period of rental time (such as the first half-hour) be provided free for riders, in order to encourage use of the system. Riders would then be charged an hourly rate for additional time over that period.

The City and Zagster will seek to expand the program through community partnerships in which entities can pay funds to the city, which could be used to expand the program with Zagster.

Fiscal Note: Funding for this project in the amount of \$34,000 is available in the Public Works FY2016 operating budget. Sample bike share fee structures are included in the backup.

RECOMMENDATION

The Recreation, Cultural Affairs and Public Works Committee recommends that the City Commission: 1) hear a presentation about the bike share system; 2) approve a fee structure range similar to the City of Lakeland, FL, which includes a period of free usage to a maximum of \$30 per day, and the provision for monthly and annual memberships; and 3) authorize the City Manager or designee to expand the system beyond the city-provided seed funding, through partnerships in the community.

Legislative History

7/17/14	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee			
9/11/14	Recreation, Cultural Affairs and Public Works Committee	Approved as Recommended			
5/14/15	Recreation, Cultural Affairs and Public Works Committee	Discussed			
2/11/16	Recreation, Cultural Affairs and Public Works Committee	Discussed			
140187A MAP-Bike Racks by Ownership 20140911.pdf					
140187B BFC Spring2014 Feedback 20140911.pdf					
140187C_BFC Spring2014 ReportCard_20140911.pdf					
140187D_Proposed Action Steps_20140911.pdf					
140187E_Bike Efforts PPT_20140911.pdf					
140187_BikeParking_20150514.pdf					
140187 Zagster Bike Share Presentation 20160211.pdf					
140187A_Bike Share presentation_20160317.pdf					
140187B What you get with Zagster 20160317.pdf					
140187C Bike Share sample rates 20160317.pdf					

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

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

GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION

GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)

GAINESVILLE REGIONAL UTILITIES 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.

150841.

Amended and Restated Agreement between the City of Gainesville, d/b/a GRU, and the City of Alachua for the Purchase and Sale of Wholesale Electric Service (B)

^{**}Estimated Presentation Time 10 minutes **

MODIFICATION - Added Item.

Explanation: Staff will provide background information on the Wholesale Electric

Service Agreement with the City of Alachua.

Fiscal Note: The agreement is projected to provide net revenue of \$30.7 million and gross margin of \$9.2 million between April 1, 2016 and March 31, 2022, which will help mitigate upward rate pressure to retail customers.

RECOMMENDATION

The City Commission (1) receive a presentation related to the Amended and Restated Agreement between the City of Gainesville, d/b/a Gainesville Regional Utilities (GRU), and the City of Alachua for the purchase and sale of wholesale electric service; (2) authorize the General Manager, or his designee, to execute the form Amended and Restated Agreement between the City of Gainesville, d/b/a GRU, and the City of Alachua for the purchase and sale of wholesale electric service, subject to the approval of the City Attorney as to form and legality; and (3) authorize the General Manager, or his designee, to execute such other documents as may be necessary or desirable to proceed with the transaction authorized above, subject to the approval of the City Attorney as to form and legality, and to take such other actions as may be necessary or advisable to proceed with such transaction in accordance with this City Commission authorization.

150841 Draft City of Alachua Agreement 20160317
150841 City of Alachua Agreement Presentation 20160317

RECESS

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by Commissioner or Charter Officer

150810. Ms. Esther A. Jones Day - March 17, 2016 (B)

RECOMMENDATION Ms. Esther A. Jones to accept the proclamation.

150810 MsEstherJones 20160317.pdf

150769. Maria Huff-Edwards Day and Shirley, Andy, Arthur and Alex Baker

Day - March 3, 2016 (B)

RECOMMENDATION Star Volunteer The Baker Family and Star Good

Neighbor Maria Huff-Edwards to accept the

proclamation.

150769 StarVolunteer 20160303.pdf

150770. 2015 Albert "Ray" Massey Citizen Volunteer Award Recipients Day
- March 3, 2016 (B)

RECOMMENDATION City of Gainesville Football Program Citizen

Volunteer Carrie Russell, City of Gainesville Living History Citizen Volunteer Barbara, Steve, Nathan and Sage and City of Gainesville Football and Basketball Program Citizen Volunteer Fredrick

Doby to accept the proclamation.

150770 RayMassey 20160303.pdf

150811. Iryna Kanishcheva Day - March 17, 2016 (B)

RECOMMENDATION Public Art Curator Iryna Kanishcheva to accept the

proclamation.

150811 IrynaKanishcheva 20160317.pdf

150812. Vicki J. Sabatella, Joseph Saccocci and David Arrighi and the

Thornebrook Gallery Day - March 17, 2016 (B)

RECOMMENDATION Promoter Joseph Saccocci, Gainesville Youth

Chorus Executive Director Vicki J. Sabatella and Thornebrook Gallery Owner David Arrighi to

accept the proclamation.

150812 CulturalAffairsAwards 20160317.pdf

150813. Help a Horse Month - April 2016 (B)

RECOMMENDATION Horse Protection Association of Florida Volunteer

Coordinator Karen Curran to accept the

proclamation.

150813 HelpaHorseMonth 20160317.pdf

RECONVENE

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

140739. Welcoming Gainesville (B)

This is a request for the City Commission to adopt a Resolution designating Gainesville as a Welcoming City and become a part of the Welcoming America Network.

Explanation: At the February 5, 2015 City Commission meeting, the City Commission approved a referral to the Recreation, Cultural Affairs and Public Works (RCAPW) Committee on Gainesville potentially becoming a "Welcoming City". Welcoming cities support locally-driven efforts to create more welcoming, immigrant-friendly environments that maximize opportunities for economic growth and cultural vitality and position communities as globally competitive, 21st century leaders. Led by Welcoming America and launched in June 2013, the Initiative convenes U.S. city and county governments to share good ideas, develop new tools, and receive recognition for efforts to create more welcoming communities that improve the quality of life and economic potential for all residents.

The RCAPW Committee initially discussed this topic on March 12, 2015 and continued discussion with interested citizens and representatives from Welcome America through January 2016. On February 18, 2016, the City Commission heard a presentation from citizen stakeholders on the work they had done to organize the non-profit, Welcoming Gainesville, Inc. The City Commission approved the designation of Gainesville as a Welcoming City and asked that a formal resolution be brought forward.

City staff has worked with the City Attorney's Office to prepare the resolution based on the draft prepared by Welcoming Gainesville. Questions were raised about the impact to the City of a resolution joining the Welcoming America network. Welcoming Gainesville has established itself as a community based non-profit organization dedicated to leading community efforts to make Gainesville an even more welcoming community. As such, Welcoming Gainesville will fulfill almost all of the responsibilities of Gainesville becoming a Welcoming City (similar to Gainesville Sister Cities for the Sister City Program).

Welcoming America requires that Welcoming Cities do the following as included in a commitment form:

Advance a municipal or county-level proclamation or resolution

declaring our locality to be a welcoming one.

- · Find ways to institutionalize welcoming efforts through the adoption of policies and practices that promote inclusion within local government and the broader community,
- Join a cohort of cities and counties that have pledged to become more welcoming,
- Appoint at least one key municipal staff contact for the project,
- Participate in three conference calls each year to share and learn from promising practices from other Welcoming Cities and Counties, and
- Participate in an annual in-person meeting with other Welcoming Cities and Counties (dependent upon available travel resources).

City staff believes these requirements are all readily achievable through the efforts of Welcoming Gainesville with minimal City staff time needed interacting with Welcoming Gainesville and occasionally Welcoming America. The City's efforts to become the most "citizen-centered" city in the world will also assist the City to become a more welcoming city by making the City government and processes more user-friendly and easily understandable to all.

City staff checked with Welcoming America to see if Welcoming Gainesville's participation in conference calls and the annual person meeting would meet the City's obligation and Welcoming America staff indicated that it would although they did indicate a preference for City staff participation as well.

Fiscal Note: Minimal staff time and an annual \$50 membership fee are the required fiscal contributions.

<u>RECOMMENDATION</u> The City Commission adopt the proposed Resolution #140739.

Legislative History

2/5/15	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
3/12/15	Recreation, Cultural Affairs and Public Works Committee	Approved as shown above (See Motion)
11/12/15	Recreation, Cultural Affairs and Public Works Committee	Discussed
1/14/16	Recreation, Cultural Affairs and Public Works Committee	Discussed
2/18/16	City Commission	Approved, as shown above

140739A Program Overview 20150312.pdf

140739B Commitment Form 20150312.pdf

140739C Welcoming Cities Report 20150312.pdf

140739A Getting Started - Local Gov 20151112.pdf

140739B WCC Framework 20151112.pdf

140739 Welcoming City Draft Resolution 20160114.pdf

140739A Welcoming City Resolution 20160218.pdf

140739B Welcoming Gainesville Presentation 20160218.pdf

140739A Welcoming Gainesville Resolution FINAL 20160317.pdf

140739B Draft resolution 20160317.pdf

140739C Welcoming America Dues 20160317.pdf

140739D Welcoming America Commitment 20160317.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

110541. INFRASTRUCTURE IMPROVEMENT AREAS FOR WATER AND WASTEWATER (B)

Ordinance No. 110541

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances, relating to utilities, by amending Chapter 27 to provide for the creation and designation of infrastructure improvement areas for water and wastewater gravity collection improvements and to designate the Innovation District Infrastructure Improvement Area; by amending Appendix A, Schedule of Fees, Rates and Charges, to add infrastructure improvement area user fees for water and wastewater gravity collection in the Innovation District Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

Explanation: WATER/WASTEWATER DEPARTMENT STAFF REPORT

On December 15, 2011, the City Commission authorized the City Attorney to draft, and the Clerk of the Commission to advertise an ordinance designating infrastructure improvement areas for water and wastewater, and adding capital recovery connection user fees for new and existing customers who construct new structures or construct new additions to existing structures within a designated infrastructure improvement area.

At its meeting on December 5, 2013, the City Commission heard a presentation from GRU staff on the proposed Innovation District Infrastructure Improvement Area for constructing and funding water and wastewater system capacity improvements in the Innovation District

Area. At the meeting, it was explained that the costs for these improvements will be recovered through the Innovation District Infrastructure Improvement user fees which will apply to new development and certain redevelopment within the designated Innovation District Area.

Since that time, GRU staff has worked with stakeholders and the City Attorney's Office to refine the approach to infrastructure improvement areas. Based on input from the stakeholders, GRU also designed and constructed infrastructure improvements in the Innovation District Area. These improvements are currently benefitting customers in the area. The infrastructure improvement area user fees for the water and wastewater gravity collection systems are calculated and assessed based on the total heated and cooled building square footage, number of hotel rooms, number of motel rooms, or number of bedrooms of the new structure, and/or any addition to an existing structure.

This ordinance passed first reading on August 20, 2015. Prior to the second reading scheduled for September 3, 2015, GRU pulled the ordinance. Due to the passage of time, GRU felt it beneficial to the City Commission to reconsider the proposed ordinance for first reading, although no changes have been made to the ordinance since it passed first reading on August 20, 2015.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and, upon adoption, shall take effect retroactively as of December 5, 2013. The first reading is scheduled for March 17, 2016. The second reading is scheduled for April 7, 2016.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

Legislative History

12/15/11	City Commission	Approved as Recommended
6/4/15	City Commission	Striken From the Agenda (Ordinance)
8/20/15	City Commission	Adopted on First Reading (Ordinance)
9/3/15	City Commission	Striken From the Agenda (Ordinance)

110541A Innovation Square District 20111215.pdf

110541B_GRU PPt_20111215.pdf

110541 Draft Ordinance 20150604.pdf

110541 Proposed iDistrict ISIA Presentation 20150604

110541 Draft Ordinance 20150820.pdf

110541 Proposed iDistrict IIA Presentation 20150820

110541 iDistrict IIA Presentation 1st Reading 20160317

110541 Draft Ordinance 20160317

150456.

LAND USE CHANGE - BUTLER DEVELOPMENT/OLIVE GARDEN 3440 SW ARCHER ROAD (B)

Ordinance No. 150456, Petition No. PB-15-91 LUC
An ordinance of the City of Gainesville, Florida, amending the Future
Land Use Map of the Comprehensive Plan by overlaying the Planned Use
District (PUD) land use category on approximately 1.1 acres of property
that has an underlying land use category of Commercial (C) and that is
generally located at 3440 SW Archer Road, as more specifically
described in this ordinance; assigning the subject property to Subarea 3
within the Butler Development PUD as regulated by Policy 4.3.6 of the
Future Land Use Element of the Comprehensive Plan; providing
directions to the City Manager; providing a severability clause; providing
a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance amends the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 1.1 acres of property that includes the Olive Garden restaurant located at 3440 SW Archer Road. The property will be included in the Butler Development PUD that is governed by Policy 4.3.6 of the Future Land Use Element of the Comprehensive Plan. The property will retain an underlying land use category of Commercial (C). The PUD land use category is an overlay that may be applied to any specific property in the City to allow the consideration of unique, innovative or narrowly construed land uses that might otherwise not be allowed in the underlying land use category.

The City Plan Board on October 22, 2015, voted to recommend approval of this amendment to the Comprehensive Plan, and on December 3, 2015, the City Commission approved the associated petition (Petition No. PB-15-91 LUC).

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.

Fiscal Note: None

<u>RECOMMENDATION</u> The City Commission: adopt the proposed ordinance.

Legislative History

12/3/15 City Commission Approved (Petition)

150456A staff report 20151022.pdf

150456B ExhA1 Maps Comprehensive Maps 20151022.pdf

150456C ExhB1 Proposed Comprehensive Maps 20151022.pdf

150456D ExhC1 Aerial Photo map 20151022.pdf

150456E ExhD1 Neighborhood Workshop info 20151022.pdf

150456F ExhE1 Application 20151022.pdf

150456A staff report 20151203.pdf

150456B ExhA1 Maps Comprehensive Maps 20151203.pdf

150456C ExhB1 Proposed Comprehensive Maps 20151203.pdf

150456D ExhC1 Aerial Photo map 20151203.pdf

150456E ExhD1 Neighborhood Workshop info 20151203.pdf

150456F ExhE1 Application 20151203.pdf

150456G CPB minutes draft 20151203 .pdf

150456H staff ppt 20151203.pdf

150456 draft ordinance 20160317

150457. QUASI-JUDICIAL REZONING - BUTLER DEVELOPMENT/OLIVE GARDEN 3440 SW ARCHER ROAD (B)

Ordinance No. 150457, Petition No. PB-15-93 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1.1 acres of property that is generally located at 3440 SW Archer Road, as more specifically described in this ordinance, from General Business District (BUS) to Planned Development District (PD); adopting development terms and conditions by assigning the subject property to the Butler Development PD, as may be amended from time to time; 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 the Zoning Map Atlas by rezoning approximately 1.1 acres of property that includes the Olive Garden restaurant located at 3440 SW Archer Road from General Business District (BUS) to Planned Development District (PD). The property will be included in the Butler Development PD that is governed by Policy 4.3.6 of the Future Land Use Element of the Comprehensive Plan and by Ordinance No. 121108, until such time as it is repealed and superseded by Ordinance No. 150440, as may be further amended from time to time. The City Plan Board on October 22, 2015, voted to recommend approval of this rezoning, and on December 3, 2015, the City Commission approved the associated petition (Petition No. PB-15-93 ZON).

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 150456 becomes effective as provided therein.

Fiscal Note: None

<u>RECOMMENDATION</u> The City Commission: adopt the proposed ordinance.

Legislative History

12/3/15 City Commission Approved (Petition)

150457A staff report 20151022.pdf

150457B ExhA1 Comp Plan Policy 4.3.6 20151022.pdf

150457C ExhB1 Maps 20151022 .pdf

150457D ExhC1 General business district 20151022.pdf

150457E ExhD1 Neighborhood Wkshop meeting 20151022.pdf

150457F ExhE1 Application 20151022.pdf

150457A staff report 20151203.pdf

150457B ExhA1 Comp Plan Policy 4.3.6 20151203.pdf

150457C ExhB1 Maps 20151203 .pdf

150457D ExhC1 General business district 20151203.pdf

150457E ExhD1 Neighborhood Wkshop meeting 20151203.pdf

150457F ExhE1 Application 20151203.pdf

150457G CPB minutes draft 20151203 .pdf

150457 draft ordinance 20150317

150441. COMPREHENSIVE PLAN AMENDMENT - BUTLER DEVELOPMENT PUD (B)

Ordinance No. 150441, Petition No. PB-15-103 CPA An ordinance of the City of Gainesville, Florida, amending Policy 4.3.6 of the Future Land Use Element of the City of Gainesville Comprehensive Plan relating to a condition about transportation impacts to Florida Department of Transportation facilities resulting from the Butler Development Planned Use District (PUD) that is generally located north of Archer Road, west of SW 34th Street, east of I-75, and south of SW 24th Avenue; 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 Policy 4.3.6 of the Future Land Use Element in the Comprehensive Plan relating to the Butler Development Planned Use District (PUD) to delete the requirement that the developer shall construct improvements to the Archer Road/I-75 interchange. The elimination of this requirement is because the Florida Department of Transportation (FDOT) has since determined that they will complete the work necessary to the address this issue. The City Plan Board on October 22, 2015, voted to recommend approval of this amendment to the Comprehensive Plan, and on December 3, 2015, the City Commission approved the associated petition (Petition No. PB-15-102 CPA).

CITY ATTORNEY MEMORANDUM

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

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

this amendment may be issued or commenced before this amendment has become effective.

Fiscal Note: None

RECOMMENDATION The City Commission: adopt the proposed

ordinance.

Legislative History

12/3/15 City Commission Approved (Petition)

150441A Staff report 20151022 20151022.pdf

150441B Exh1 FOT Letter 20151022.pdf

150441C Exh2 Application 20151022.pdf

150441A Staff report 20151203.pdf

150441B Exh1 FOT Letter 20151203.pdf

150441C Exh2 Application 20151203.pdf

150441D CPB minutes draft 20151203 .pdf

150441 draft ordinance 20160317

150440.

QUASI-JUDICIAL REZONING - BUTLER DEVELOPMENT PLANNED DEVELOPMENT (PD) (B)

Ordinance No. 150440, Petition No. PB-15-92 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning certain property known as the Butler Development that is generally located north of Archer Road, west of SW 34th Street, east of I-75, and south of SW 24th Avenue, as more specifically described in this ordinance, to Planned Development District (PD); adopting a PD report with land development regulations; 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

Planned Development District (PD) zoning is an entirely voluntary method for landowners or developers to submit unique proposals that are not provided for or otherwise achievable in the zoning districts established by the City of Gainesville Land Development Code. The Land Development Code provides that, with certain exceptions, an amendment to a previously approved Planned Development District (PD) may only be accomplished by a rezoning ordinance accompanied by a new proposed Planned Development District (PD).

The subject property is commonly referred to as the "Butler Development" and is generally located between SW Archer Road and SW 24th Avenue and between SW 40th Boulevard and SW 34th Street. The City Commission on January 5, 2012, adopted Ordinance No. 090538 and rezoned the Butler Development to PD. Subsequently, the

City Commission on November 21, 2013, adopted Ordinance No. 121108 and amended the Butler Development PD by adding several additional outparcels along Archer Road and revising the overall layout and certain development requirements. The property owner now has requested to amend the Butler Development PD to add another outparcel along Archer Road (the current site of the Olive Garden restaurant) and to make certain revisions to the regulations related to the overall development of the Butler Development PD. For ease of City Commission review, the specific amendments requested are shown in strike-through and underline format in the document titled "Marked PD Report" that is included in the backup to this agenda item.

The City Plan Board on October 22, 2015, voted to recommend approval of this rezoning, and on December 3, 2015, the City Commission approved the associated petition (Petition No. PB-15-92 PDA).

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective when the amendments to the City of Gainesville Comprehensive Plan adopted by Ordinance Nos. 150441 and 150456 both become effective as provided therein.

Fiscal Note: None

RECOMMENDATION

The City Commission: adopt the proposed ordinance.

Legislative History

12/3/15 City Commission Approved (Petition)

150440A staff report 20151022.pdf

150440B Butler Enterprises PD Report 20151022.pdf

150440C Application 20151022.pdf

150440D FDOT Letter 20151022.pdf

150440A staff report 20151203.pdf

150440B Butler Enterprises PD Report 20151203.pdf

150440C Application 20151203.pdf

150440D FDOT Letter 20151203.pdf

150440E CPB minutes draft 20151203 .pdf

150440 draft ordinance 20160317

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

150162. TEXT CHANGE - NAMING OF PRIVATE ROADS (B)

Ordinance No. 150162

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to the designation of street names; by amending Section 23-16 Definitions; by amending Section 23-17 regarding the map of streets within the city; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance amends Chapter 23. Article II of the Gainesville Code of Ordinances, which establishes a uniform naming system for all streets within the City. The purpose of this ordinance is to clarify that the City has the authority to designate privately owned roads in the same manner that it designates publicly owned roads.

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

8/20/15 City Commission Approved as Recommended

3/3/16 City Commission Adopted on First Reading (Ordinance)

150162A draft ordinance 20160303

150444.

LAND USE CHANGE - 1600 BLOCK OF SE 8TH AVENUE (B)

Ordinance No. 150444; Petition No. PB-15-89 LUC An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 15 acres of property that is generally located in the 1600 block of SE 8th Avenue, as more specifically described in this ordinance, from Residential Medium-Density (RM) to Residential Low-Density (RL); 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

> Update since first reading: On January 7, 2016, the City Commission approved this ordinance on first reading. City staff then transmitted this ordinance to the state reviewing agencies in accordance with the statutory expedited review process for comprehensive plan amendments. During the 30-day comment period, the City received letters from the Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, St. Johns River Water Management District, and Florida Department of Transportation. The

comments received did not identify any adverse impacts to important state resources and facilities within the scope of review of the respective state agencies, and therefore did not necessitate any changes to the ordinance.

This ordinance will change the land use category of a 15-acre property from Residential Medium-Density (RM) to Residential Low-Density (RL) to allow a single-family housing development (with attached and detached units) on the site of the former Kennedy Homes apartment complex, which suffered a major fire in the previous decade. The site, which was purchased by the City and cleared in 2007, is located on the south side of SE 8th Avenue, approximately 400 feet to the east of SE 15th Street (near Lincoln Middle School and Williams Elementary School).

The redevelopment plan for this site was developed by the Community Redevelopment Agency (CRA) and was approved in December 2014. The proposed land use change and rezoning are needed because the redevelopment plan for 38 single-family units (attached and detached) on approximately 15 acres is below the 8-unit per acre minimum density requirement of the property's current land use and zoning categories.

Both City staff and the City Plan Board recommend approval of this amendment to the Comprehensive Plan.

CITY ATTORNEY MEMORANDUM

Section 163.3184, Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven (7) days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five (5) days prior to the hearing. Within ten (10) working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward comments to the City. The City must consider any written comments received during the second hearing. If adopted on second reading, the City will forward the amendment within ten (10) working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of this amendment, 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 not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this

amendment is in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

RECOMMENDATION

The City Commission: (1) receive letters from the Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, St. Johns River Water Management District, and Florida Department of Transportation, and (2) adopt the proposed ordinance.

Legislative History

1/7/16 City Commission Approved (Petition) and Adopted on First Reading

(Ordinance)

150444A Staff report 20151022.pdf

150444B Append A Comp Plan GOPs 20151006.pdf

150444C Append B Supplemental Docs 20151006.pdf

150444D Append C LUC and Rezoning App revised with NM materials 20151

150444A draft ordinance 20160107.pdf

150444B Staff report 20160107.pdf

150444C Append A Comprehensive Plan GOPs 20160107.pdf

150444D Append B Supplemental docs Exh B-1 Ex B-5 20160107.pdf

150444E Append C LUC and Rezoning App revised with NM materials2 2016

150444F CPB minutes 20150107 .pdf

150444G staff ppt 20160107.pdf

150444A draft ordinance 20160317

150444B State Review Letters 20160317

150445. QUASI-JUDICIAL - REZONING - 1600 BLOCK OF SE 8TH AVENUE (B)

Ordinance No. 150445, Petition No. PB-15-90 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 15 acres of property that is generally located in the 1600 Block of SE 8th Avenue, as more specifically described in this ordinance, from Multiple-Family Medium-Density Residential District (RMF-7) to Residential Low-Density District (RMF-5); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

This ordinance will rezone a 15-acre property from Multiple-Family Medium-Density Residential District (RMF-7) to Residential Low-Density District (RMF-5) to allow a single-family housing development (with attached and detached units) on the site of the former Kennedy Homes apartment complex, which suffered a major fire in the previous decade. The site, which was purchased by the City and cleared in 2007, is located on the south side of SE 8th Avenue, approximately 400 feet to the east of SE 15th Street (near Lincoln Middle School and Williams Elementary School).

The redevelopment plan for this site was developed by the Community Redevelopment Agency (CRA) and was approved in December 2014. The proposed land use change and rezoning are needed because the redevelopment plan for 38 single-family units (attached and detached) on approximately 15 acres is below the 8-unit per acre minimum density requirement of the property's current land use and zoning categories.

Both City staff and the City Plan Board recommend approval of this rezoning.

CITY ATTORNEY MEMORANDUM

The City Commission approved this ordinance on first reading on January 7, 2016.

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 150444 becomes effective as provided therein.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

Legislative History

1/7/16 City Commission Approved (Petition) and Adopted on First Reading (Ordinance)

150445A staff report 20151022.pdf

150445B Append A GOPs Exh 1 20151022.pdf

150445C Append B Exh B-1 thru Exh B-4 20151022.pdf

150445D Append C Rezoning Application 20151022.pdf

150445A draft ordinance 20160107.pdf

150445B staff report 20160107.pdf

150445C Append A Comprehensive Plan GOPs 20160107.pdf

150445D Append B Supplemental Docs Exh B-1-Exh B-4 20160107.pdf

150445E Append C Rezoning Application 20160107.pdf

150445F CPB minutes 20160107.pdf

150445G staff ppt 20160107.pdf

150445 draft ordinance 20160317

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

150524. Proposed Charter Amendment for GRU Governance (NB)

MODIFICATION - Additional Back-up.

Explanation: At the March 3, 2017 City Commission meeting, the Commission agreed to have the chair of the Regional Utilities Committee (RUC) invite Chamber of Commerce staff to the March 10th RUC meeting to discuss the City's proposed charter amendment to create a new governing board for GRU. The Commission asked that the RUC report back on the discussion at the March 17, 2016 Commission meeting.

RECOMMENDATION The City Commission hear a report from the

March 10, 2016 Regional Utilities Committee meeting discussion on the city's proposed charter

amendment, and discuss the issue further.

Legislative History

12/10/15 Regional Utilities Discussed

Committee

2/18/16 City Commission Postponed

150524 Draft Charter Amendment 20151112

150524 Charter Amendment Revised Draft 20160114

150524 Draft 1-19-16 Charter Amendment Ordinance 20160218

150524 Draft 1-19-16 Charter Amendment Ordinance 20160310

150524 Draft 3-10-16 Charter Amendment Ordinance 20160317

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time permits)

ADJOURNMENT