

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, March 21, 2013

1:00 PM

City Hall Auditorium

City Commission

Mayor Craig Lowe (At Large)
Mayor-Commissioner Pro-Tem Lauren Poe (At Large)
Commissioner Thomas Hawkins (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Commissioner Todd Chase (District 2)
Commissioner Susan Bottcher (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.

- Present** 5 - Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls
- Absent** 2 - Mayor Lowe, and Commissioner Wells

AGENDA STATEMENT

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

[100523.](#) **City of Gainesville Registry of Protected Public Places Phase II-A Property Listing (B)**

This item is regarding the potential listing of four (4) nature parks to the Registry of Protected Public Places as per Ordinance #080576.

RECOMMENDATION *The City Commission direct the City Attorney to draft and the Clerk of the Commission to advertise an ordinance placing the recommended Phase II-A properties in the City of Gainesville Registry of Protected Public Places.*

This Matter was Approved as Recommended

[120899.](#) **American Recovery & Reinvestment Act of 2009 (ARRA), Homelessness Prevention and Rapid Re-housing (HPRP) Grant #S09-MY-12-0025 Closeout Report (B)**

This informational item is for the City Commission to receive a closeout report for the HPRP Grant #S09-MY-12-0025 in the amount of \$567,404 received from the U.S. Department of Housing and Urban Development (HUD).

RECOMMENDATION *The City Commission receive the Homelessness Prevention and Rapid Rehousing (HPRP) Grant HPRP Closeout Report.*

This Matter was Approved as Recommended

[120905.](#) **Settlement of Worker’s Compensation Claim - Michael Glidden (NB)**

This item involves the full and final settlement of Mr. Michael Glidden's workers' compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$35,000 and represents a significant cost advantage to the city.

RECOMMENDATION

The City Commission authorizes Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Glidden, in the amount of \$35,000.

This Matter was Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

120915. Cashiering System Upgrade (NB)

Staff recommends upgrading GRU's cashiering system with Systems Innovators.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate a contract with Systems Innovators, a specified source, to upgrade GRU's existing cashiering system to the current product line, subject to approval of the City Attorney as to form and legality; and 2) issue a purchase order to Systems Innovators in an amount not to exceed \$221,236 for software licenses, upgrade services, hardware and training.

This Matter was Approved as Recommended

120916. Kanapaha Odor Control Improvements Project (B)

Staff recommends awarding a contract to Sawcross, Inc. for construction services for the Kanapaha Water Reclamation Facility Odor Control Improvements Project.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to execute a contract with Sawcross, Inc. to perform construction services for the Kanapaha Water Reclamation Facility Odor Control Improvements Project, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Sawcross, Inc. for these services in an amount not to exceed \$492,000; and 3) authorize staff to procure services, equipment and materials, as required, to complete the project as budgeted, subject to the final appropriation of funds.

This Matter was Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

[120897.](#)

ANTHONY CLARK, JR; A MINOR BY AND THROUGH HIS PARENT AND NATURAL GUARDIAN AQUALIA CURTIS, AND AQUALIA CURTIS INDIVIDUALLY VS. CITY OF GAINESVILLE, A MUNICIPAL CORPORATION, AND GAINESVILLE REGIONAL UTILITIES A/K/A GRU; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2012-CA-1734 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Anthony Clark, Jr; a Minor by and through his Parent and Natural Guardian Aqualia Curtis, and Aqualia Curtis Individually vs. City of Gainesville, a Municipal Corporation, and Gainesville Regional Utilities a/k/a GRU; Eighth Judicial Circuit, Case No. 2012-CA-1734.

This Matter was Approved as Recommended

[120898.](#)

JAMES V. CROSBY VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2011-CA-4967 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled James V. Crosby vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2011-CA-4967.

This Matter was Approved as Recommended

[120900.](#)

KATHRYN KRAMER, INDIVIDUALLY VS. THE CITY OF GAINESVILLE, A FLORIDA MUNICIPAL CORPORATION; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2013-CA-690 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Kathryn Kramer, Individually vs. The City of Gainesville, a Florida Municipal Corporation; Eighth Judicial Circuit, Case No. 2013-CA-690.

This Matter was Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[120895.](#)

Appointments to City Commission Advisory Boards and Committees (NB)

RECOMMENDATION

The City Commission appoint:

Belinda Smith and Dejeon Cain to the Citizens Advisory Committee for Community Development for a term to expire 11/1/16.

Jeffrey Knee to the City Beautification Board for a term to expire 11/1/16.

Charles Goston and Belinda Smith to the Gainesville Human Rights Board for a term to expire 2/22/16.

Jon Reiskind to the Wild Spaces & Public Places Citizen Oversight Committee for a term to expire 12/31/14.

Jeffrey Knee to the Development Review Board for a term to expire 11/1/16.

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC SAFETY COMMITTEE, CONSENT

[110683.](#)

Alcohol Sales and Consumption Outdoors Downtown (NB)

This is a referral to address increasing interest in holding outdoor events in the downtown area that allow the sale and consumption of alcohol on City property.

RECOMMENDATION

The City Commission direct the City Attorney to prepare and the Clerk of Commission to advertise an ordinance allowing the use of Lot 10 as an outdoor venue allowing the sale and consumption of alcohol for the Fest Musical event to sell beer only.

This Matter was Approved as Recommended

[120347.](#)

Special Event Permits for Bars (B)

This is a referral to address the interest of businesses to provide for the temporary outdoor sales and consumption of alcoholic beverages beyond University of Florida Football Home Games.

RECOMMENDATION

The City Commission 1) direct the City Attorney to prepare and the Clerk of Commission to advertise an ordinance to expand the extension of premises Citywide and allow up to 4 Special Event Permits per year providing extension of premises for alcohol above and beyond UF Football Home Games; and 2) authorize the Plan Board Petition and first reading of the ordinance to occur at the same meeting.

This Matter was Approved as Recommended

Approval of the Consent Agenda

A motion was made by Commissioner Bottcher, seconded by Commissioner Hawkins, to Adopt the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Absent: 2 - Mayor Lowe, and Commissioner Wells

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

A motion was made by Commissioner Bottcher, seconded by Commissioner Hawkins, that this Matter be Adopted. The motion carried by the following vote:

Aye: 5 - Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Absent: 2 - Mayor Lowe, and Commissioner Wells

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

[120860.](#)

Contract Award with Tindale-Oliver & Associates, Inc. for Streetcar Conceptual Study for the Regional Transit System (RTS) (B)

This item is a request to approve rankings for Request for Qualifications (RFQ) #RTSX-130035-DS and execute a contract with Tindale-Oliver & Associates, Inc., to conduct a Streetcar Conceptual Study for the Regional Transit System (RTS).

Jesus Gomez made a presentation.

Donald Sheppard and Nathan Skop spoke to the matter.

Motion: Postpone until April 18th meeting

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking of the top four (4) firms; and 2) authorize the City Manager or his designee to negotiate and execute a contract with the top ranked firm, or next ranked firm if those negotiations are not successful, for the Streetcar Conceptual

Study for the Regional Transit System (RTS), subject to approval by the City Attorney as to form and legality.

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Bottcher, that this Matter be Postponed. The motion carried by the following vote:

Aye: 4 - Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Nay: 1 - Commissioner Chase

Absent: 2 - Mayor Lowe, and Commissioner Wells

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Commissioner Hinson-Rawls-GRU Governing Models

RECESS 2:12PM

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[120920.](#)

Jack Hughes Day - March 21, 2013 (B)

RECOMMENDATION

Gainesville Sports Commission Retired Executive Director Jack Hughes to accept the proclamation.

Heard

[120921.](#) **Children's Week - April 7-13, 2013 (B)**

RECOMMENDATION *Early Learning Coalition of Alachua County Executive Director Dr. Gordon Tremaine and Community Outreach Coordinator Sheryl Eddie to accept the proclamation.*

Postponed

[120922.](#) **Earth Hour - March 23, 2013 (B)**

RECOMMENDATION *City of Gainesville Energy Management Specialist Kinzon Hutchinson and Facilities Management Manager Gary Cothren to accept the proclamation.*

Heard

[120923.](#) **Doctor's Day - March 30, 2013 (B)**

RECOMMENDATION *Alachua County Medical Alliance President Barbara Kirby to accept the proclamation.*

Heard

[120932.](#) **Howard Douglas Stapp, III Day - March 31, 2013 (B)**

RECOMMENDATION *The Family of Howard Douglas Stapp, III to accept the proclamation.*

Postponed

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

Gabriel Hillel-City Issues

Wilbur Hollaway-City Commissioner e-mail and streetcar

Edward Earl Young-Mayor election

Nathan Skop-GRU governance

Walter Willard-City Issues

Mark Venske-Alcohol issues

[120988.](#) **Mark Venske Materials**

RECOMMENDATION *Place on File*

[120987.](#) **Gabriel Hillel Materials**

RECOMMENDATION *Place on File*

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED**[120881.](#)**Resolution for the Regional Transit System (RTS) FY2013 Program of Projects (POP) and FY2010-2011 Performance Measures (B)**

This item is a request to adopt a Resolution authorizing the filing of an application with the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT).

Jesus Gomez made a presentation.

RECOMMENDATION *The City Commission adopt the Resolution.*

A motion was made by Commissioner Bottcher, seconded by Commissioner Hawkins, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 5 - Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Absent: 2 - Mayor Lowe, and Commissioner Wells

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**ORDINANCES, 2ND READING- ROLL CALL REQUIRED**[110373](#)**LAND DEVELOPMENT CODE AMENDMENT - DEVELOPMENT REVIEW PROCESS AND FEES, SPECIAL USE PERMITS AND CITIZEN PARTICIPATION (B)**

Ordinance No. 110373, Petition No. PB-11-74TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code and Appendix A, Schedule of Fees, Rates and Charges of the City Code of Ordinances related to the development review process, special use permits and citizen participation; by deleting existing Sections 30-151 through 30-166; by creating new Sections 30-151 through 30-164 relating to the development review process; by amending Sections 30-234 and 30-235 relating to special use permits; by amending Section 30-350 relating to citizen participation; by amending Section 30-356 relating to the Development Review Coordinator and Technical Review Committee; by amending Appendix A. Schedule of Fees, Rates and Charges to reflect the new levels of and fees for the development review process; providing directions to the codifier; providing a severability clause; providing a repealing clause; and

providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance as amended on second reading.*

A motion was made by Commissioner Bottcher, seconded by Commissioner Hawkins, that this Matter be Adopted on Final Reading, as revised (Ordinance). The motion carried by the following vote:

Aye: 5 - Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Absent: 2 - Mayor Lowe, and Commissioner Wells

[120597.](#)

AMENDMENTS TO CHAPTER 27 AND APPENDIX A OF THE CITY CODE OF ORDINANCES RELATING TO NATURAL GAS (B)

ORDINANCE NO. 120597

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO NATURAL GAS, AMENDING ARTICLE VI, NATURAL GAS, OF CHAPTER 27, UTILITIES, SECTIONS 27-271, 27-272, 27-273, 27-275, 27-277, 27-283, 27-286 AND AMENDING APPENDIX A, UTILITIES (5) NATURAL GAS, OF THE CITY OF GAINESVILLE CODE OF ORDINANCES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Nathan Skop, Walter Willard and Donald Sheppard spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Hawkins, seconded by Commissioner Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 4 - Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Chase

Nay: 1 - Commissioner Hinson-Rawls

Absent: 2 - Mayor Lowe, and Commissioner Wells

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Hinson-Rawls-Teen age events in bars

Mayor Pro Tem Poe-City Commission texting

[120991.](#)

Teenage Events in Bars(NB)

RECOMMENDATION *Refer to Public Safety Committee*

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Hawkins, that this Matter be Referred to the Public Safety Committee, due back on 9/21/2013. The motion carried by the following vote:

Aye: 5 - Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Absent: 2 - Mayor Lowe, and Commissioner Wells

CITIZEN COMMENT (If time available)

Nathan Skop-City Commission e-mails

Donald Sheppard-City Commission e-mails

Wilbur Hollaway-City Commission e-mails

Walter Willard-City Commission e-mails

Mark Venske-City Commission e-mails

Mayor Pro-Tem Poe-Congressman Yoho

Commissioner Hawkins-Volunteer for Canvass Board 2014 and Congressman Yoho

Adjourn 7:23PM

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

