

City of Gainesville

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



Meeting Agenda - Final

April 4, 2013

1:00 PM

Modified Agenda

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-1:03PM**AGENDA STATEMENT**

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

ROLL CALL**INVOCATION****Prophet George Young****CONSENT AGENDA****CITY MANAGER, CONSENT AGENDA ITEMS**[120902.](#)**Human Resources Policy L-2, General Leave Policy (B)**

Explanation: Human Resources Policy L-2, General Leave Policy - this amendment adds Domestic/Sexual Violence Leave to other available leave types offered by the City Of Gainesville.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

The City Commission approve revisions to Human Resources Policy L-2, General Leave Policy.

[120902A_L-2 Gen'l Lv Policies_20130321.pdf](#)

[120902B_L-2 Policies-Strikeout_20130321.pdf](#)

[120904.](#)**Award Contract for Collection, Transportation, Storage and Auction Services to Weeks Auction Company, Inc. (B)**

This is a request for City Commission approval to establish a contract with Weeks Auction Company for collection,

transportation, storage and auction services to dispose of surplus property items as needed.

Explanation: Every year, there are approximately 2,500 surplus property items stored at the City's Surplus Lot located at the Public Works Compound on NW 39th Avenue. These surplus items consist of office equipment and furniture, construction and yard equipment, vehicles, abandoned and unclaimed property and miscellaneous items. In the past five years, the City has reduced storage costs and increased revenues by using an auctioneer service monthly, bi-monthly or quarterly to dispose of surplus property items. All surplus property items are transported to the auctioneer's site in Ocala. This process has increased the cash flow for the surplus process; as well as, reduced storage and personnel costs.

On February 20, 2013, the General Government Purchasing Division issued a Request for Proposal (RFP) through Demand Star for collection, transportation, storage and auction services. The Purchasing Division received one response. The Finance Department, Regional Transit and General Services Department staff reviewed the RFP and recommend awarding a contract to Weeks Auction Company, Inc.

The contract covers a three (3) year period and provides for two (2) additional one-year extensions. The vendor is required to conduct monthly, bi-monthly or quarterly auctions at their site.

Fiscal Note: The City expects to generate revenues in excess of \$250,000 annually as a result of monthly, bi-monthly or quarterly auctions. At the \$250,000 level, the cost to the City would be \$20,000 based on the 8% bid rate.

RECOMMENDATION

The City Commission: 1) award the contract for collection, transportation, storage and auction services to Weeks Auction Company, Inc. at the commission rate of 8% of gross auction proceeds, and 2) authorize the City Manager or his designee to negotiate and execute a three-year contract with two one-year extensions, subject to the approval of the City Attorney as to form and legality.

[120904_Proposal & RFP_20130404.pdf](#)

[120910.](#)

City of Gainesville Safe Gator Program (NB)

This is a request for City Commission approval to apply for a Safe Gator Program Grant.

Explanation: The Gainesville Police Department has been made aware of a grant opportunity from the State of Florida Department of Transportation (FDOT) to target and address the seriousness of impaired drivers on the roads of the City of Gainesville. The Gainesville Police Department and the City of Gainesville are committed to reducing the number of crashes,

fatalities, injuries, and the severity of injuries on the highways, streets and roadways. The Safe Gator Program has been designed to enhance the effectiveness of existing enforcement programs. The objective of this program is to educate the public on DUI laws, give breath test results to volunteers leaving drinking establishments and conduct four checkpoints during the fiscal year. This education effort is coordinated with the existing zero tolerance enforcement efforts.

Fiscal Note: This grant will provide \$103,408 for overtime services, disposable breath tubes, an intoxilyzer and a Police package Chevy Tahoe with equipment. No match is required.

RECOMMENDATION

The City Commission authorize the City Manager to apply for the City of Gainesville Safe Gator Program and execute the grant application, grant award, and any other necessary documents subject to approval of the City Attorney as to form and legality.

[120929.](#)

Total Maximum Daily Load Water Quality Restoration Grant Application to the Florida Department of Environmental Protection - Paynes Prairie Sheetflow Restoration Project (B)

This item is a request for the City Commission to authorize staff to submit a grant application to the Florida Department of Environmental Protection (FDEP) for Total Maximum Daily Load (TMDL) funds in the amount of \$500,000 for the Paynes Prairie Sheetflow Restoration Project

Explanation: The FDEP TMDL Grant Program provides funding for the implementation of best management practices designed to reduce urban stormwater pollutant discharges to impaired waters. This funding is administered by the Florida Department of Environmental Protection as the TMDL Water Quality Restoration Grant, which is set out by rule in Chapter 62-305, F.A.C. and authorized by Section 403.890(2), F.S.

The Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project is a nutrient reduction project whose best management practices include: 1) Sweetwater Branch channel improvements to stabilize the channel, capture sediment and trash; 2) create a 125 acre treatment wetland that reduces Total Nitrogen to 3 mg/l or less for achieving TMDL requirements; 3) construct a mile and a quarter long sheetflow distribution channel to rehydrate 1300 acres of stressed prairie habitat; and 4) back fill almost two miles of existing canal to eliminate short circuiting.

Funds for the FY2013 TMDL grant cycle are being requested for the construction of Wetland Cell 1. This project is estimated to cost \$1,364,207. The TMDL grant program requires a minimum of 50% match of the total project cost in matching funds.

Fiscal Note: The FDEP TMDL Grant Program funds request is for \$500,000. If the Grant is awarded, a local match of \$864,207 is available in funding currently budgeted for the project from the Stormwater Management Utility Fund.

RECOMMENDATION

The City Commission: 1) authorize the City Manager or designee to make application with FDEP for the TMDL Grant; and 2) if the grant is awarded, authorize the City Manager to execute all related documents, subject to approval by the City Attorney as to form and legality.

[120929 GrantApplication 20130404.pdf](#)

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[120961.](#)

Utility Bill Presentment and Payment (NB)

Staff recommends extending the term of the agreement with Cash Cycle Solutions, Inc. for utility bill presentment and payment.

Explanation: In an effort to reduce overhead expenses, GRU began outsourcing some of its billing processes through the implementation of a new Customer Information System in 2005. Initially, bill rendering (formatting) was outsourced and a disaster recovery system for bill printing was implemented. To further reduce costs, GRU issued a Request for Proposals in 2009 for a complete electronic utility bill presentment and payment process which included printing and mailing. A three-year agreement with Total Billings, Inc. for these services was approved by the City Commission on January 21, 2010.

Cash Cycle Solutions, Inc., a small business, has provided professional work with improved efficiencies and options for customers such as electronic billing for a sustainable alternative. Cash Cycle Solutions, Inc. has the ability to perform services from multiple locations as needed to ensure continuation of billing operations. The agreement provides for an additional three-year extension upon mutual agreement of the parties and negotiation of the parties. Cash Cycle Solutions, Inc. has agreed to an extension with the same pricing. The approximate cost of this agreement is \$325,000 per year.

Fiscal Note: Funds are available in GRU's FY 2013 budget and will be requested in subsequent year budgets.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a three-year amendment to extend the term of the agreement with Cash Cycle Solutions, Inc., formerly Total Billings, Inc. for utility bill presentment and payment; 2) approve the

issuance of purchase orders for these services to Cash Cycle Solutions, Inc in amounts not to exceed budgeted amounts for each year of the agreement, subject to the final appropriation of funds for these services for each fiscal year.

CITY ATTORNEY, CONSENT AGENDA ITEMS

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

[120127.](#)

Old Landfill Remediation (B)

This item is to provide information on Old Landfills for which the City has responsibility as well as an update on the progress of the Airport Landfill Remediation project.

Explanation: The Recreation, Cultural Affairs and Public Works Committee heard a presentation from City staff on this referral on February 25, 2013 and discussed relevant issues.

The Data and Analysis section of the Solid Waste Element of the City of Gainesville's Comprehensive Plan includes a section on the History of Solid Waste Management. This section identifies the landfill operated by the City of Gainesville at the Gainesville Municipal Airport, a City operated dump for combustible refuse near the South Main Street Wastewater Treatment Plant, and a third landfill operated by the City located on Archer Road five miles from downtown which accepted junk vehicles, large logs, and other items not considered suitable for the airport landfill. Each of these landfills was closed prior to 1985; therefore are exempt from Florida Administrative Codes regarding Landfill Closure regulations.

The Old Dump located off South Main Street was a remediation project that the City became aware of in 2001 after Florida Department of Environment Protection (FDEP) staff conducted an investigation of the Sweetwater Branch as an extension of the Depot Park Coal Tar Remediation project. The banks of the landfill were shared with the banks of the Sweetwater Branch. Erosion of the banks resulted in exposed landfilled material. The City's Old Landfill Bank Stabilization project included the reconstruction and stabilization of the banks to prevent further exposure with a total cost of approximately \$2 million.

The Airport Landfill consisted of three areas: trash area, garbage area, and construction and demolition debris area. The trash area reportedly operated in the 1940's when the airport was constructed and operated as the Alachua Army Air Base. The garbage area reportedly operated between 1964 and 1971. Both the trash and garbage areas were closed in the early 1970's. Approximately 2' of cover was placed over these two areas. The cover consisted of fine to medium grained sand and grass.

The construction and demolition debris area opened in 1981. Material deposited in this area included lumber, concrete rubble, asphaltic concrete rubble and corrugated metal culvert pipe.

A firing range and a Fire Training area were located in the vicinity of the landfill beginning in the late 70's. The Fire Training area ceased operation by 1981.

Through the late 1990's until 2002 the City was under consent order with the Florida Department of Environmental Protection (FDEP) to conduct groundwater testing to monitor contaminants. In December 2005, FDEP personnel visited the landfill site and observed large piles with cans, bottles, demolition debris such as culverts and roofing materials, as well as tires. In addition, the edge of the landfill encroached into approximately 1 to 2 acres of jurisdictional wetlands and there was evidence of erosion of the upland portions of the landfill surface.

In 2006 the City's environmental consultant developed a Conceptual Closure Plan which they submitted to FDEP. The Conceptual Closure Plan was modified during subsequent meetings with FDEP staff. Due to changes in the Solid Waste management staff and other issues occurring within the department, work on this project was suspended in 2007.

In June 2012, the City of Gainesville's Public Works Department contracted with Geosyntec to develop final plans for FDEP's approval. Final Plans are expected to be complete by the end of summer 2013.

Fiscal Note: Solid Waste funding is available to cover the estimated costs of \$75,000 for design and \$1.6 million for construction of the Closure Plan for the Airport Landfill.

RECOMMENDATION

The Recreation, Cultural Affairs and Public Works Committee recommends that the City Commission remove this item from the referral list.

Legislative History

6/7/12	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
2/25/13	Recreation, Cultural Affairs and Public Works Committee	Approved, as shown above - See Motion(s)

[120127A_Photos_20130225.pdf](#)

[120127B_Maps_20130225.pdf](#)

[120127C_Conceptual Closure Plan Letter_20130225.pdf](#)

[120127A_Photos_20130404.pdf](#)

[120127B_Maps_20130404.pdf](#)

[120127C_Conceptual Closure Plan_20130404.pdf](#)

[120663.](#)

Student Participation in Public Art (NB)

This item involves a referral to explore establishing a set aside for Art in Public Places funds for under 18 year old artists participating in the Art in Public Places (APPT) program.

Explanation: This item was referred to the Recreation, Cultural Affairs and Public Works Committee at the December 6, 2012 City Commission meeting. Chapter 5.5 -Art in Public Places of Part II - Code of Ordinances (adopted Jan. 23, 1989) was carefully drafted after a review of percent for art ordinances across the nation. The results of this review then became the model for the City of Gainesville ordinance. The intent of the program is to attract professional artists or teams of artists of national caliber with extensive previous experience creating public art, a proven track record in meeting budget and timelines and the skills necessary for complex permanent public art installations, including but not limited to project planning and financial oversight, design and design team coordination, structural engineering and fabrication, site design and preparation, construction documentation permitting, as well as installation management. Artists selected to produce public art are also expected to exhibit significant awareness of local and national community history and/or issues that provide the framework relevant to public art projects.

Following submission of a response to a project's "Call to Artists Request for Qualifications" and if selected from the pool of national submissions of artists from across the U.S. (e.g. over 80 applied for the recent RTS project call and over 30 for the recent GPD project call), selected finalists then complete a fuller proposal for review by the Art in Places Trust. If awarded the commission, the artist(s) complete a 22-page contract which requires them to provide renderings of their work, budget, timelines, their corporate information, subcontractors (if applicable), warranties of title, quality and condition, proof of insurance, etc.

In order to meet the above mentioned criteria, the current "Call to Artists" used for Art in Public Places projects request artists to list: past experience on projects of similar budget and scope of the project call and public commissions similar in budget and scope; major public, private, corporate, or museum collections in which their work is featured;

awards, grants, or fellowships; one-person or group exhibitions in which their work has been featured in the last 7 years; and a proposal and a PowerPoint presentation of images of past work. The Call also requires all artists to reside in the United States and be age 18 and over. Beyond a desire to attract skilled experienced professionals with a background in public art, these criteria also addressed the issue of the general inability of minors to enter into a legal contract. City legal counsel however has identified precedent for a minor or parent or guardian of the minor for selected artistic services.

In reviewing the inquiry at their January 8, 2013 meeting, the Art in Public Places Trust first cited the legal issue of contracting with a minor, but more importantly the intent for the permanent public art installations (permanent being required by the ordinance) funded through this program to be of the highest caliber possible and created by experienced artists with quality reputations in the art world. They discussed the challenges of the increasing cost of public art and limited funding available through the program. Finally, they reviewed opportunities already provided by the City for student artists to display their work. These include 3 exhibitions at the Thomas Center each year presented by the Alachua County Public Schools Visual Arts Program, as well as the student art competition associated with the Hoggetowne Medieval Faire. At this meeting the Art in Public Places Trust reached consensus that it was not in favor of carving out a piece of the limited funding available for public art in the program for students under 18 years old; however, the Trust felt that a similar competition for temporary public art might be something to consider although the program would need to be legally viable, developed and funded.

At their February 6, 2013 meeting the Art in Public Places Trust again addressed the referral. The Trust remained resolved that the criteria for selection be maintained, that candidates be able to fulfill the requirements of the contract, and that funding remain intact per the existing ordinance with no set-aside for "under 18 year old" applicants. The Trust moved and approved that the requirement in project calls to artists that "applicants must be 18 years old and above" be removed from the project call language.

The Recreation, Cultural Affairs and Public Works Committee heard a recommendation from City staff at the February 25, 2013 meeting to remove the requirement for applicants to be 18 years old and above from the Call to Artists language. The Committee agreed with the staff recommendation and supported removing the referral from the referral list.

Fiscal Note: N/A

RECOMMENDATION

The Recreation, Cultural Affairs and Public Works Committee recommends that the City Commission: 1) approve the removal from project calls of the language regarding age restriction being 18 years old or above, and 2) remove this

item from the referral list.

Legislative History

12/6/12	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
2/25/13	Recreation, Cultural Affairs and Public Works Committee	Approved as Recommended

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

[120994.](#)

Presentation at the Alachua County Communitywide Transportation Summit on City of Gainesville Transportation Needs (B)

The draft City presentation for the Alachua County Communitywide Transportation Summit is available for City Commission discussion and guidance.

Modification

Explanation: The Alachua County Board of County Commissioners is holding a Communitywide Transportation Summit on April 10, 2013 at the Gainesville/Alachua County Senior Recreation Center. The County has indicated that the Summit is intended to be the beginning of positive communitywide dialogue on developing a transportation system that makes Alachua County a community where people like to live and work. The purpose of the Summit is to gather public input on: 1) the characteristics of a transportation system for a community in which they would like to live and work; and 2) the most important steps that the public believes need to happen now to begin building that transportation system in Alachua County.

Municipalities and community groups have been invited to provide public input at the Summit with presentations of about 5 minutes. Public Works staff has prepared a PowerPoint presentation and reserved speaking time.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION

The City Commission discuss the draft presentation on City of Gainesville transportation needs for the Alachua County Communitywide Transportation Summit and provide guidance as appropriate.

[120994-MOD_Presentation_20130404.pdf](#)

GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**[110211.](#)**Fourth of July - City Fireworks (B)**

This item is an update to a referral from the Recreation, Cultural Affairs and Public Works Committee, regarding City funding for fireworks for the Fourth of July in the City of Gainesville.

Modification

Explanation: Commissioner Todd Chase brought this item forward at the July 7, 2011, City Commission meeting after the cancellation of the 2011 Fanfares and Fireworks event at the University of Florida (UF) due to state budget reductions. Commissioners requested that staff work with UF to bring back a community Fourth of July fireworks event for 2012, either in conjunction with UF, and/or with support of the business community. The UF event producer, WUFT, expressed a desire to work with the City of Gainesville to bring the event back in 2012.

During 2012, staff worked with UF to assist with coordinating fundraising and sponsorship efforts for the event, which occurred on July 3, 2012. As part of GRU's 100 Year Celebration, \$10,000 was committed by GRU as a Title Sponsor. Additional sponsorships were obtained by UF totaling \$7,500. In addition, at the May 17, 2012 City Commission meeting, the Commission directed the City Manager to identify \$5,410 in the Parks, Recreation and Cultural Affairs (PRCA) budget to help fund the 2012 Fourth of July Fanfare and Fireworks (see related Legislative File #120043).

At the April 2, 2013 Recreation, Cultural Affairs and Public Works

Committee meeting the Committee met with staff and Randy Wright, Executive Director of Multimedia Properties for the College of Journalism & Communications at the University of Florida, to discuss the July 3, 2013 proposed UF Fanfare and Fireworks event. Mr. Wright indicated that in order to proceed with the event, a minimum of \$28,000 was needed. It was mentioned that GRU was approached to see if any funding was available, and sponsorships were being pursued through Florida Credit Union and Plum Creek Development. The City was asked to pursue increasing the PRCA allocation to \$10,000 as well as contact GRU on whether they will be able to contribute funds this year.

RECOMMENDATION

The City Commission: 1) hear an update on this matter; 2) direct the City Manager to identify \$5,410 in FY 13 funds that can be combined with existing budgeted funding of \$4,590 for a total General Government contribution of \$10,000 for Fanfare and Fireworks; 3) direct the City Manager to include an increment for FY 14 increasing the annual contribution for Fanfare and Fireworks to \$10,000; and 4) discuss possible GRU contributions to the event.

Legislative History

7/7/11	City Commission	Referred to the Recreation, Cultural Affairs and Public Works Committee
10/10/11	Recreation, Cultural Affairs and Public Works Committee	Discussed
5/14/12	Recreation, Cultural Affairs and Public Works Committee	Discussed

[110211A_2010 Fireworks Budget_20111010.pdf](#)

[110211B_Presentation_20111010.pdf](#)

[110211_Report_20120822.pdf](#)

[110211_2012 FINAL REPORT_20130402.pdf](#)

[120211-MOD_Final Report_20130404.pdf](#)

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)**RECESS****RECONVENE****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS**[120960.](#)**Recognize Local Student Water Conservation Poster Contest Winners (NB)****Recognize local student winners (grades 1-10) of a GRU sponsored Water Conservation poster contest.**

Explanation: The 2013 Florida Section of the American Water Works Association (FSAWWA) Drop Savers Contest was sponsored by GRU to teach local youth about the importance of conserving our most precious resource - water. We were amazed by the creativity displayed by the participating students and had a difficult time choosing the winners. We selected five winning posters and seven honorable mentions. The five winning posters will represent our Region in the state-wide FSAWWA competition. GRU will provide a pizza party to the class of the winning students.

Fiscal Note: No fiscal impact. Costs included in approved budget for FY13.

RECOMMENDATION

The City Commission recognize local student winners from the Drop Savers water conservation poster contest.

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

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

Legislative History

3/21/13 City Commission Postponed

[120921_ChildrensWeek_20130321.pdf](#)

[120950.](#)**Sexual Assault Awareness Month - April 2013 (B)****RECOMMENDATION**

Alachua County Victim Services and Rape Crisis Center Sexual Assault Program Manager Rita Lawrence to accept the proclamation.

[120950_SexualAssault_20130404.pdf](#)

[120951.](#)**Child Abuse Prevention Month - April 2013 (B)****RECOMMENDATION**

Alachua County Child Abuse Prevention Task Force Chair Cathy Winfrey and Member Annie McPherson to accept the proclamation.

[120951.pdf](#)

[120952.](#)**Mayors Day of Recognition for National Service - April 9, 2013 (B)****RECOMMENDATION**

United Way of North Central Florida RSVP Program Coordinator Ashley Williams and Vice President of Community Impact Karen Slevin to accept the proclamation.

[120952_MayorDay_20130404.pdf](#)

[120953.](#)**Florida Military Family and Community Covenant Day - April 17, 2013 (B)****RECOMMENDATION**

to accept the proclamation.

[120953_FloridaMilitary_20130404.pdf](#)

[120954.](#)**Fair Housing Month - April 2013 (B)****RECOMMENDATION**

City of Gainesville Office of Equal Opportunity Director Cecil Howard to accept the proclamation.

[120954_FairHousing_20130404.pdf](#)

[120955.](#)**Water Conservation Month - April 2013 (B)****RECOMMENDATION**

Gainesville Regional Utilities General Manager Robert Hunzinger to accept the proclamation.

[120955_WaterConservation_20130404.pdf](#)

[120956.](#)

Gainesville/Kfar Saba/Qalqilya Sister City Day - April 4, 2013 (B)

RECOMMENDATION*Delegation from Kfar Saba to accept the proclamation.*[120956_SisterCity_20130404.pdf](#)**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet****PUBLIC HEARINGS**[120936.](#)**Update on the FY 2013/2014-FY 2017/2018 CDBG/HOME Consolidated Plan for the City of Gainesville (B)**

The purpose of this item is to provide an update to the City Commission on the status of the City's FY 2013/2014-FY 2017/2018 Consolidated Plan, which outlines the City's Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) program goals and objectives over a five year time period.

Explanation: This item supports the City Commission Strategic Goal Numbers 1, 2, 3, 5 and 6 for Public Safety, Economic Development and Redevelopment, Human Capital, Infrastructure and Transportation, and Neighborhoods.

Each year the City of Gainesville receives Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) funds through the United States Department of Housing and Urban Development (HUD). Those funds are used for projects in a variety of areas including housing, social services, economic development, parks and transportation and other public infrastructure. The Consolidated Plan, which is required by HUD and must be updated every five years, describes the City's community development needs based on data and analysis and on significant public input. This strategic plan will guide the City's CDBG and HOME goals and objectives during FY 2013-14 to FY 2017-18. Consistent with HUD guidelines, the plan will be submitted to HUD by August 16, 2013.

In order to meet that deadline, the City has begun the public input process. The City has hired Wade Trim, Inc. as a consultant to help develop the plan. The Consultant will give a presentation describing in greater detail the Consolidated Plan and its development and adoption process, including the public input process (three Neighborhood Workshops and four Stakeholders Meetings).

RECOMMENDATION*The City Commission hear a presentation from Wade Trim, Inc. on the FY 2013/2014-FY 2017/2018 Consolidated Plan.*

[120936A_Consolidated Plan PPT_20130404.pdf](#)

[120936B_CDBG Eligible Activities List_20130404.pdf](#)

RESOLUTIONS- ROLL CALL REQUIRED

[120930.](#)

Resolution for an Urban and Community Forestry Grant Application and Memorandum of Agreement - Florida Department of Agriculture and Consumer Services for Improvements to the Tree Inventory Data Collection Process (B)

This item involves a request for adoption of a Resolution authorizing the City Manager to execute an Urban and Community Forestry Grant Application and Memorandum of Agreement between the City of Gainesville, Florida and the Florida Department of Agriculture and Consumer Services for Improvements to the Tree Inventory Data Collection Process.

Explanation: The Florida Department of Agriculture and Consumer Services funds an Urban and Community Forest Grant Program. The purpose of the grant program is to provide financial assistance to initiate or enhance local urban and community forestry programs and improve the urban environment within the State of Florida.

The grant program requires a 50-50 match and provides up to \$20,000 to local governments for a variety of urban forestry projects including tree inventories and the associated staff costs, hardware, software and equipment necessary to maintain the tree data and develop effective work management plans.

If awarded, the funding would be used to purchase mobile collection devices, tree assessment equipment, and hire a part-time intern. This will improve data collection efficiency in the field and help create better systems for scheduling right of way tree maintenance and annual tree assessments. The data collected is vital in determining pre-disaster mitigation activities.

Fiscal Note: The Urban and Community Forestry Grant Program requires a 50% match of the total project cost. The grant request is for \$13,910. The match of \$13,910 will be provided through a combination of in-kind personnel services and funding available in the Public Works FY2013 operating budget.

RECOMMENDATION

The City Commission adopt the Resolution.

[120930_Resolution_04042013.pdf](#)

[120958.](#)

RESOLUTION ACCEPTING REPORT OF BOARD OF

CANVASSERS ELECTIONS 2013 (B)

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 19, 2013; and providing an immediate effective date.

Explanation: On March 19, 2013, a city election for the election of Mayor, and Commissioner for District 4, and referendum for Charter Amendment regarding City Commission Elections and Terms of Office was held.

The Report of the Board of Canvassers for the City of Gainesville showing that there will be a run-off election between Ed Braddy and Craig Lowe for Mayor, that Randy Wells was elected to the District 4 Seat, and that the Charter Amendment regarding City Commission Elections and Terms of Office failed, is adopted by this resolution of the City Commission.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

[120958_Bd of Canvassers Report_20130404.pdf](#)

[120975.](#)

Qualified Target Industry (QTI) Refund Resolution - MindTree, Ltd., A Resolution Superseding and Replacing Resolution No. 110811 (B)

This item seeks City Commission approval for adoption of a Resolution that supersedes and replaces Resolution No. 110811 by changing the fiscal years in which MindTree will create jobs and in which the Commission will provide funding.

Explanation: In March, 2012, the City Commission approved a Qualified Target Industry (QTI) incentive for MindTree, Ltd. The Resolution provides \$120,000 to be paid out in four years as local financial support for the creation of 400 jobs with an average annual compensation of \$80,000.

Since the original approval, MindTree, Ltd. has located in the Ayers Building located at 720 SW 2nd Avenue and is in process of creating the reported jobs.

However, due to timing considerations, there is a need to make a minor Resolution revision in the applicable dates and to indicate that the job creation will occur for the period of FY 13 through FY 17 rather than FY 12 through FY 16.

The Alachua County Board of County Commissioners provided an equal local match and has since provided a revised Resolution.

Fiscal Note: The City Commission per prior approved Resolution indicated that it

agreed to appropriate and budget up to \$120,000 for a four year period as local financial support for the MindTree, Ltd. QTI.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; 2) authorize the Mayor to execute and the Clerk to attest to the QTI Resolution regarding MindTree, Ltd.; and 3) direct the City Manager to forward the executed QTI Resolution to Enterprise Florida.

[120975_Resolution_20130404.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

[120841.](#)

Small-scale Comprehensive Plan Amendment from Conservation (CON) to Mixed-Use Low-Intensity (8-30 units/per acre) (MUL), and Residential Medium-Density (8-30 units per acre) (RM) (B)

Petition PB-12-159 LUC. Brown & Cullen Inc., agent for Hidden Lake SFR LLC. Amend the City of Gainesville Future Land Use Map from Conservation (CON) to Mixed-Use Low-Intensity (8-30 units/per acre) (MUL), and Residential Medium-Density (8-30 units per acre) (RM). Located at 1015 NW 21st Avenue. Related to PB-12-160 ZON.

Explanation: This is a request for a small-scale amendment of the Future Land Use Map from Conservation to Residential Medium-Density (8-30 units per acre). The 0.31-acre property is the western edge of a 20.24-acre parcel that is the site of the 260-unit, Hidden Lake apartment complex. It is on the south side of NW 21st Avenue approximately 375 feet east of NW 13th Street.

The property is a narrow, vegetated strip of vacant land that provides stormwater retention on the east side of the NW 21st Avenue entrance to the Hidden Lake apartment complex. The City once used Conservation land use and zoning to provide a buffer between potentially conflicting uses, but now has various land development regulations to address potential impacts due to different abutting uses.

The Hidden Lake apartment complex (east of the 0.31-acre property with Conservation land use) has Residential Medium-Density (8-30 units per acre) (RM) land use. Mixed-use low-intensity (8-30 units per acre) (MUL) land use is to the west and to the north across NW 21st Avenue. Office land use is on the north side of NW 21st Avenue.

This proposed comprehensive plan amendment is related to Petition

PB-12-160 ZON, which proposes rezoning from Conservation to RMF-6 (8-15 units/acre multiple-family residential district). The proposed small-scale amendment to Residential Medium-Density (8-30 units per acre) is consistent with the City's Comprehensive Plan. The proposed land use will allow for infill development proximate to the NW 13th Street corridor that is in need of infill development and redevelopment.

Several residents of the nearby Lake Meta area expressed concern about the loss of urban green space that will occur if the land use and zoning are changed from Conservation. The desirability of bicycle and pedestrian connectivity from non-contiguous NW 12th Avenue to the south and NW 21st Avenue to the north was also discussed. Lake Meta area residents were concerned that the proposed land use and zoning changes could make such connectivity more difficult to attain. City staff noted that the City's negotiations for easements or acquisitions needed for connectivity are not dependent on the land use or zoning category and that the negotiation tends to occur at the time of development review.

This petition and its related zoning petition are also related to land use (PB-12-161 LUC) and zoning (PB-12-162 ZON) petitions pertaining to an adjacent property to the west and along NW 13th Street.

Public notice was published in the Gainesville Sun on January 8, 2013. The City Plan Board held a public hearing on January 24, 2013, and voted to approve the petition 4-2 after discussion.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-12-159 LUC, as recommended by staff. The Plan Board voted 4-2.

Staff to City Commission - The City Commission approve Petition PB-12-159 LUC, with the clarification that the sole proposed change in land use category is Residential Medium-Density (8-30 units per acre) for the Conservation area.

Staff to City Plan Board - Staff recommends approval of Petition PB-12-159 LUC, with the clarification that the sole proposed land use category is Residential Medium-Density (8-30 units per acre) (RM).

Legislative History

3/7/13 City Commission Continued (Petition)

[120841A_Staff report_20130307.pdf](#)
[120841B_Comp Plan GOPs_20130307.pdf](#)
[120841C_Supplemental Docs_20130307.pdf](#)
[120841D_Application Packet_20130307.pdf](#)
[120841E_citizen comments_20130307.pdf](#)
[120841F_CPB minutes_20130307.pdf](#)
[120841G_staff ppt_20130307.pdf](#)
[120841MODPresentation HiddenLake_20130307.pdf](#)
[120841A_Staff report_20130404.pdf](#)
[120841B_Comp Plan GOPs_20130404.pdf](#)
[120841C_Supplemental Docs_20130404.pdf](#)
[120841D_Application Pkg_20130404.pdf](#)
[120841E_citizen comments_20130404.pdf](#)
[120841F_CPB minutes_20130404.pdf](#)
[120841G_Property Owner Affidavit_20130404.pdf](#)
[120841H_staff ppt_20130404.pdf](#)
[120841_MOD HL CC Presentation_2013-04-04.pdf](#)

[120842.](#)

Rezoning from Conservation (CON) to Mixed-use low intensity district (MU-1), and RMF-6 (8-15 units/acre multiple-family residential district) (B)

Petition PB-12-160 ZON. Brown & Cullen Inc., agent for Hidden Lake SFR LLC. Rezone property from Conservation (CON) to Mixed-use low intensity district (MU-1), and RMF-6 (8-15 units/acre multiple-family residential district). Located at 1015 NW 21st Avenue. Related to PB-12-159 LUC.

Explanation: This is a request for a zoning change from Conservation (CON) to RMF-6 (8-15 units/acre multiple-family residential district) and to MU-1 (8-30 units/acre mixed use low intensity district). The vacant, 0.46-acre site proposed for rezoning includes: a 0.31-acre property that is the western edge of the otherwise developed, 20.24-acre, 260-unit, Hidden Lake apartment complex; and a contiguous 0.15-acre property to its west along NW 21st Avenue. It is on the south side of NW 21st Avenue approximately 375 feet east of NW 13th Street. This petition proposes changing the 0.31-acre property to RMF-6 and changing the 0.15-acre property to MU-1.

The 0.31-acre property is a narrow, vegetated strip of vacant land that provides stormwater retention on the east side of the NW 21st Avenue entrance to the Hidden Lake apartment complex. The adjacent 0.15-acre property to the west is partially paved and is mostly vegetated. The City once used Conservation land use and zoning to provide a

buffer between potentially conflicting uses, but now has various land development regulations to address potential impacts due to different abutting uses.

The Hidden Lake apartment complex (east of the 0.31-acre property with Conservation zoning) has RMF-6 (8-15 units/acre multiple-family residential district). MU-1 (8-30 units/acre mixed use low intensity) zoning is to the west and to the north across NW 21st Avenue. Office zoning is on the north side of NW 21st Avenue.

The proposed rezonings to RMF-6 (8-15 units/acre multiple-family residential district) and MU-1 (8-30 units/acre mixed use low intensity zoning district) are consistent with the City's Comprehensive Plan and with, respectively, the proposed Residential Medium-Density (8-30 units per acre) land use category and the existing Mixed-Use Low-Intensity (8-30 units per acre) designation on the Future Land Use Map. The proposed RMF-6 and MU-1 zoning designations are supportive of infill development proximate to the NW 13th Street corridor that is in need of infill development and redevelopment.

This zoning petition is related to Petition PB-12-159 LUC, which proposes a small-scale amendment of the Future Land Use Map from Conservation to Residential Medium-Density (8-30 units per acre). This petition and its related land use petition are also related to land use (PB-12-161 LUC) and zoning (PB-12-162 ZON) petitions pertaining to an adjacent property to the west and along NW 13th Street.

Several residents of the nearby Lake Meta area expressed concern about the loss of urban green space that will occur if the zoning and land use are changed from Conservation. The desirability of bicycle and pedestrian connectivity from non-contiguous NW 12th Avenue to the south and NW 21st Avenue to the north was also discussed. Lake Meta area residents were concerned that the proposed land use and zoning changes could make such connectivity more difficult to attain. City staff noted that the City's negotiations for easements or acquisitions needed for connectivity are not dependent on the land use or zoning category and that the negotiation tends to occur at the time of development review.

Public notice was published in the Gainesville Sun on January 8, 2013. The City Plan Board held a public hearing on January 24, 2013, and voted to approve the petition 4-2 after discussion.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-12-160 ZON. The Plan Board voted 4-2.

Staff to City Commission - The City Commission approve Petition PB-12-160 ZON.

Staff to City Plan Board - Staff recommends approval of Petition PB-12-160 ZON.

Legislative History

3/7/13 City Commission Continued (Petition)

[120842A_Staff report_20130307.pdf](#)
[120842B_Comp Plan GOPs_20130307.pdf](#)
[120842C_Supplemental Docs_20130307.pdf](#)
[120842D_Application Pkg_20130307.pdf](#)
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[120842_MOD HL CC Presentation_2013-04-04.pdf](#)

[120908.](#)

Unpaved Off-Street Parking and Access Regulations for the College Park and University Heights Special Area Plans (B)

PB-12-19 TCH. City of Gainesville. Amend the Land Development Code Appendix A, Section 3 Special Area Plan for College Park and Section 6 Special Area Plan for University Heights to regulate existing non-hard-surfaced off-street parking and access to parking areas.

Explanation: This petition is a referral to the City Plan Board from the City Commission (Legislative Matter No. 100668) as approved on January 19, 2012. This item was originally referred to the Community Development Committee (CDC) by the City Commission and discussed at the April 26, 2011, July 26, 2011, and August 23, 2011 CDC meetings. At the August 23 meeting, the item, with proposed regulations, was referred to the City Commission for approval. The agenda item, meeting minutes, and backup material from all those meetings are included in the backup material.

The original referral from the CDC and City Commission proposed to regulate driveway access and parking areas for all properties in the University of Florida Context Area that never required a development plan approval by the City of Gainesville or Alachua County, or those properties that were exempt from the development approval process or for developments that pre-dated such requirements. Specifically, properties zoned RMF-5, RMF-6, RMF-7, RMF-8, RH-1, RH-2, UMU-1, UMU-2, RMU, OR, and OF were proposed for regulation.

Planning and Development Services Department staff reviewed options for regulating the parking problems discussed at the Community Development Committee. Using the original proposal, 6,177 properties would have been impacted. The staff's findings were that the vast majority of the access and parking area problems were in the College Park and University Heights Special Area Plan areas. As a result, staff revised the original proposal to regulate the parking problems in only those special area plan areas. This is consistent with the redevelopment, aesthetic, and reduction of blight goals in those areas and will reduce the dilution of enforcement of regulations that would occur if the broader area were being regulated.

Planning and Development Services staff presented this petition and the proposed regulations at the April 26, 2012 Plan Board meeting. The Plan Board voted 4-1 to continue Petition PB-12-19 TCH in order to obtain more input from the College Park/University Heights (CP/UH) CRA Advisory Board and from the Public Works Department concerning the parking decal program and requirements for paved parking.

Staff held a stakeholder meeting on May 21, 2012 to solicit further input regarding the proposed regulations. Topics of discussion included: the number of impacted parcels; the need to address on street parking in tandem with the proposed regulations; the decal parking regulations and fee structure; materials used for coverage of unpaved parking areas; how the University of Florida properties (sorority houses) will be coordinated with this effort; and timing of regulations as related to when leases are signed.

Consistent with the Plan Board's direction, this item was heard by the CP/UH Redevelopment Advisory Board on June 6, 2012. The Board heard input from interested parties and questioned staff regarding the proposed regulations. At the conclusion of the discussion, a motion was approved unanimously that: "the CP/UH Board recommends the CRA Board recommend to the Plan Board to table this topic until the CP/UH Board can review, discuss and make a recommendation back to the Plan Board on this topic."

A second stakeholder meeting was held on January 7, 2013 to discuss the proposed regulations as amended based on input from the prior stakeholder meeting, the CP/UH Board meeting, and ongoing discussion with the City's Public Works Department.

Planning staff returned to the CP/UH Redevelopment Advisory Board and presented the proposed regulations on February 6, 2013. The Board heard the staff presentation, heard board member comments and took comments from the public. The Board made a motion to the CRA Board that: "the CRA recommend to the City Plan Board to move forward with the Parking Access and Unpaved Parking regulations." At the February 18, 2013 Community Redevelopment Agency Board meeting, the Board approved the motion recommending that the Plan Board move forward with the proposed regulations.

Proposed Regulations:

The proposed regulations can be broken down into four areas of focus. These include: Applicability and Exemptions; Access and the Parking Plan; Borders and Parking Area Coverage Materials; and Administration.

Applicability and Exemptions:

The proposed regulations are only applicable to properties that contain unpaved parking areas and are located within the boundaries of either the College Park or University Heights Special Area Plans. Properties with an approved development plan from the City of Gainesville are not subject to these regulations. The regulations also include the ability for a property to receive an exemption based on a number of criteria or in the case of a hardship due to a unique constraint of the property.

Access and the Parking Plan:

The proposed regulations require that any parking area must be accessed via a legal driveway connection. Non-existent or substandard driveway access connections to parking areas can result in automobiles unlawfully driving over the curb to reach a parking space (LDC Sec. 26-51) which results in damage to curbs, sidewalks, and landscaping and decreased pedestrian, bicycle, and vehicular safety.

The proposed regulations require a parking plan, in addition to a legal driveway connection. The plan consists of a sketch of the property which clearly depicts the proposed parking areas, how the parking area will be accessed from the driveway connection, and the types and distribution of the parking area borders and coverage materials.

Borders and Parking Area Coverage Materials:

The proposed regulations stipulate that all regulated unpaved parking areas be delineated with borders and that the parking area is adequately covered with approved materials. The borders and coverage materials are intended to improve the aesthetics of the unpaved parking areas consistent with the intent of the Special Area Plans and to reduce damage to vegetated groundcover and root systems. The borders must contain the coverage materials onsite to reduce the run-off of materials into the stormwater system. Smaller parking areas (1-4 spaces) may opt to use mulch, wood chips, or leaves. Larger areas (more than 5 spaces) are limited to gravel or pavers.

Administration:

The proposed regulations will be administered by the Code Enforcement Division. The Division currently administers the off-street parking regulations for single-family zoned parcels located in the context area and staff anticipates the administration of the proposed regulations will closely mirror the single-family parking program format.

The proposed regulations contain a prohibition on leased parking within the regulated parking areas except as allowed by Land Development Code (LDC) Sec. 30-329(i). Leased parking facilities that do not conform to LDC Sec. 30-329(i), are prohibited citywide and the proposed regulations are consistent with the existing prohibition.

The proposed regulations will not affect game day parking or parking on major university-related event days.

Public notice was published in the Gainesville Sun on February 12, 2013. The Plan Board held a public hearing on February 28, 2013. At the hearing, the proposed regulations were discussed by the board and interested stakeholders. At the conclusion of the public comment portion of the hearing, the Plan Board approved the staff recommendations with an amendment to allow pine straw as a permitted parking area coverage material for parking areas with 1-4 spaces.

Fiscal Note: None.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-12-19 TCH with the inclusion of pine straw as a permitted parking area coverage material for parking areas with 1-4 spaces; provide a 12-month compliance period from the date of final ordinance adoption; and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations. Plan Board vote 6-0.

Staff to City Commission - The City Commission approve Petition PB-12-19 TCH with the inclusion of pine straw as a permitted parking area coverage material for parking areas with 1-4 spaces; provide a 12-month compliance period from the date of final ordinance adoption; and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations.

Staff to the Plan Board - Approve Petition PB-12-19 TCH; with a 12-month compliance period from the date of final ordinance adoption and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property

owners how to comply with the new regulations.

[120908A_Staff and Plan Board Recommended Changes_20130404.pdf](#)

[120908B_Staff report_20130404.pdf](#)

[120908C_CDC Background Materials.20130404.pdf](#)

[120908D_SAP District_College Park SAP_University Heights SAP_20130404.p](#)

[120908E_Map 1_College Park SAP_20130404.pdf](#)

[120908F_Map 2_University Heights SPA_20130404.pdf](#)

[120908G_Application_20130404.pdf](#)

[120908H_CPB Minutes draft_20130404.pdf](#)

[120908I_staff ppt_20130404.pdf](#)

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

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