

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, April 4, 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-1:03PM

Present 6 - Mayor Lowe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

AGENDA STATEMENT

ROLL CALL

INVOCATION

Prophet George Young

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

[120902.](#) **Human Resources Policy L-2, General Leave Policy (B)**

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

This Matter was Approved as Recommended

[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.

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.*

This Matter was Approved as Recommended

[120910.](#) **City of Gainesville Safe Gator Program (NB)**

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

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.

This Matter was Approved as Recommended

[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

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.

This Matter was Approved as Recommended

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.

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.

This Matter was Approved as Recommended

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.

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

This Matter was Approved as Recommended

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.

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.*

This Matter was Approved as Recommended

Approval of the Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, to Adopt the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Adopted. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

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.

Teresa Scott made a presentation.

Donald Sheppard spoke to the matter.

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.*

Heard

Present 6 - Mayor Lowe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

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.

Paul Folkers and Randy Wright from UF made a presentation.

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.

A motion was made by Commissioner Chase, seconded by Commissioner Wells, that this Matter be Approved as Recommended. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

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)

Commissioner Poe

- 1. Public art item completed earlier*
- 2. Food vendor/truck hours*
- 3. Bike/Ped Master Plan*

Commissioner Hinson-Rawls

- 1. Police at Events at TB McPherson Park*

Commissioner Chase

1. *Speed on University between 13th and the Football stadium North Main St and 13th near GHS*
2. *Walmart and Food Banks*
3. *Corey Dahlem death*

Commissioner Wells

1. *Conference environmental award*

Donald Sheppard spoke to the matter.

Commissioner Hawkins moved with Commissioner Wells seconding to allow additional back-up into the record for items 120841 and 120842. Motion carried 7-0.

[121069](#)

Food Vendors/Truck Hours

RECOMMENDATION *Refer to the Community Development Committee*

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Hawkins, that this Matter be Referred to the Community Development Committee, due back on 10/4/2013. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

[121053.](#)**Bicycle and Pedestrian Master Plan (B)**

RECOMMENDATION *Refer to the Recreation, Cultural Affairs and Public Works Committee*

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Hawkins, that this Matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on 10/4/2013. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

[121071.](#)

Police at Events TB McPherson Park

RECOMMENDATION *Refer to Recreation, Cultural Affairs and Public Works Committee and invite Public Safety Committee (members and staff)*

A motion was made by Commissioner Bottcher, seconded by Commissioner

Hinson-Rawls, that this Matter be Referred to the Recreation and Cultural Affairs Committee, due back on 10/4/2013. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

[121072.](#)

Speeding on University Avenue between 13th Street and Football Stadium

RECOMMENDATION *Refer to the Public Safety Committee*

A motion was made by Commissioner Chase, seconded by Commissioner Wells, that this Matter be Referred to the Public Safety Committee, due back on 10/4/2013. The motion carried by the following vote:

Aye: 6 - Mayor Lowe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Absent: 1 - Poe

RECESS-3:13PM

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.

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

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.*

Heard

[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.

Heard

[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.*

Heard

[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.*

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

RECOMMENDATION *to accept the proclamation.*

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

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

Heard

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

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

Heard

[120956.](#) Gainesville/Kfar Saba/Qalqilya Sister City Day - April 4, 2013 (B)

RECOMMENDATION *Delegation from Kfar Saba to accept the proclamation.*

Heard

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

Duane Gildea-City of Gainesville

Chris Monahan-City of Gainesville

Commissioner Chase arrived for the evening session at 6:45PM

Pat Fitzpatrick-Poverty Issues

John Davies-Gainesville Politics

Wilbur Holloway-Gainesville Issues

Gabriel Hillel-Gainesville Issues

Mark Venske-Mayor Issues

Nathan Skop-GRU Financial Statements

Jo Beaty-Staff/Policy making

Robert Dore-TB McPherson events

121073. Mark Venske Materials(B)

RECOMMENDATION Place on File

121074. Pat Fitzpatrick Materials(B)

RECOMMENDATION*Place on File***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.

John Wachtel, Amanda Warner and Brad Cornelius made presentations.

Donald Sheppard, Pat Demin, Maryhelen Wheeler and Dale McPherson spoke to the matter.

RECOMMENDATION

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

Heard

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.

Nathan Skop spoke to the matter.

RECOMMENDATION

The City Commission adopt the Resolution.

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 6 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Bottcher

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.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 6 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Bottcher

[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.

Eric Bredfeldt made a presentation.

Nathan Skop and Donald Sheppard spoke to the matter.

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.*

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

Aye: 7 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

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/acre) (MUL), and Residential Medium-Density (8-30 units per acre) (RM). Located at 1015 NW 21st Avenue. Related to PB-12-160 ZON.

Dean Mimms and Stuart Cullen made presentations.

John Hawkins, Jeanna Hawkins, Kathleen Watson, Maryhelen Wheeler and Paul Wheeler.

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).

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Denied (Petition). The motion carried by the following vote:

Aye: 4 - Mayor Lowe, Poe, Commissioner Bottcher, and Commissioner Hinson-Rawls

Nay: 3 - Commissioner Wells, Commissioner Hawkins, and Commissioner Chase

[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.

Dean Mimms and Stuart Cullen made presentations.

Nathan Skop, Paul Wheeler, Maryhelen Wheeler, John Hawkins, Jeanna Hawkins, Kathleen Watson and Donald Sheppard spoke to the matter.

Amendment: only .15 acre to MU-1

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.

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Hawkins, that this Matter be Approved (Petition), as amended. The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

[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.

Continue to May 2nd

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.

A motion was made by Commissioner Chase, seconded by Commissioner

Hinson-Rawls, that this Matter be Continued (Petition). The motion carried by the following vote:

Aye: 7 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

Nathan Skop-GRU rates

ADJOURNMENT-11:05PM

Kurt Lannon, Clerk of the Commission