

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, August 21, 2014

1:00 PM

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Lauren Poe (At Large)
Commissioner Helen Warren (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Mayor-Commissioner Pro Tem Todd Chase (District 2)
Commissioner Craig Carter (District 3)
Commissioner Randy Wells (District 4)

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER-1:10PM

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Wells, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

AGENDA STATEMENT

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

[140099.](#) **Agreement with the District Board of Trustees of Santa Fe College (SF) and the City of Gainesville Regional Transit System (RTS) (B)**

This item is a request for the City Commission to authorize the City Manager to execute a new Agreement with the District Board of Trustees of Santa Fe College (SF) and the City of Gainesville Regional Transit System (RTS) to provide unlimited access to public transit to Santa Fe students.

RECOMMENDATION *The City Commission authorize the City Manager or his designee to execute an Agreement and related documents between the District Board of Trustees of Santa Fe College (SF) and the City of Gainesville Regional Transit System (RTS) for the period of August 15, 2014, through August 15, 2017, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

[140184.](#) **Ranking for Construction Management at Risk with a Guaranteed Maximum Price Services for the SE 4th Street Reconstruction Project (B)**

This item is a request for the City Commission to approve the ranking of Construction Management Firms/Teams and authorize a contract for construction management at risk with a guaranteed maximum price services for the SE 4th Street Reconstruction project from SE Williston Road to Depot Avenue.

RECOMMENDATION

The City Commission: 1) accept the selection of the two (2) most qualified firms in the order of ranking; 2) authorize the City Manager or designee to initiate contract negotiations and execute a contract for professional services in accordance with Consultants Competitive Negotiation Act (CCNA); and 3) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[140185.](#)

Ranking for Continuing Professional Geotechnical Services (B)

This item is a request for the City Commission to approve the ranking of Geotechnical Firms/Teams and authorize a contract for continuing professional geotechnical services.

RECOMMENDATION

The City Commission: 1) accept the selection of the three (3) most qualified firms in the order of ranking; 2) authorize the City Manager or designee to initiate and execute contracts for continuing professional geotechnical services with all three firms in accordance with Consultants Competitive Negotiation Act (CCNA); and 3) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[140192.](#)

Authorization to Purchase Equipment for the Gainesville Police Department using State Law Enforcement Contraband Forfeiture Trust Funds (B)

This is a request for City Commission authorization to purchase two radios, installation and accessories for the radios for the traffic unit.

RECOMMENDATION

The City Commission authorizes the appropriation of an amount not to exceed \$10,000 from the State Law Enforcement Contraband Forfeiture Trust Fund and issuance of a purchase order to Motorola as sole source.

Alternative Recommendation

The City Commission deny funding at this time.

Approved as Recommended

[140200.](#)

Strategic Plan Quarterly Report - 3rd Quarter of Fiscal Year 2014 (B)

This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 3rd quarter of Fiscal Year 2014.

RECOMMENDATION

The City Commission receives a quarterly report from the

City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 3rd Quarter of FY 2014.

Approved as Recommended

[140218.](#)

State General Appropriations (B)

This is a request for the City Commission to accept the 2015 State General Appropriations for the Tumblin Creek and Gainesville Correctional Institute Homeless Shelter projects.

RECOMMENDATION

The City Commission: 1) approve acceptance of the 2014-15 State General Appropriations; 2) direct City staff to negotiate all necessary documents with the appropriate state agencies; and 3) authorize the Mayor or his designee to execute all documents necessary to accept the State appropriations, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[140230.](#)

Request for Proposals for the Special Magistrate for Code Enforcement (B)

This item involves a request for the City Commission to approve staff's ranking of applicants for Special Magistrate for Code Enforcement services.

RECOMMENDATION

The City Commission: 1) approve the staff recommendation of the ranking of respondents; 2) authorize the City Manager or designee to negotiate with the top two respondents, in the order of ranking, and execute all contract documents for a primary and an alternate Special Magistrate for Code Enforcement, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[140235.](#)

Contract for Underground Electric Distribution Installation Services (B)

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to execute a three-year contract with Infratech Corporation for underground electric distribution services for the Energy Delivery Department on an as needed basis, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order for these services for each year of the contract in amounts not exceeding budgeting amounts, subject to the final appropriation of funds for each year of the contract.

Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

[140225.](#)

RANDALL R. PREVATT VS. THE CITY OF GAINESVILLE, FLORIDA, A MUNICIPAL CORPORATION, AND JEREMIAH KELLY AND DANIEL ABBOTT, IN THEIR INDIVIDUAL CAPACITIES; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2014-CA-2164 (B)

RECOMMENDATION

The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available to represent the City of Gainesville and the individual officers in the case styled Randall R. Prevatt vs. The City of Gainesville, Florida, a municipal corporation, and Jeremiah Kelly and Daniel Abbott, in their individual capacities; Eighth Judicial Circuit, Case No. 2014-CA-2164.

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Jo Beaty spoke to the matter.

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

CITIZEN COMMENT (not to exceed 30 minutes in length)

Jim Konish

Donald Shepherd

Cody Anderson

CITY COMMISSION COMMENT (if time available)

CHARTER OFFICER UPDATES

[140163.](#) **Introduction of Alachua County Schools Superintendent Dr. Owen Roberts (NB)**

RECOMMENDATION *The City Commission hear remarks from Superintendent Roberts.*

Heard

[140239.](#) **City Auditor Executive Search Plan (B)**

Jo Beaty spoke to the matter. Comm Chase moved the recommendation which Comm Hinson-Rawls seconded and carried 7-0.

RECOMMENDATION *The City Commission (1) approve the Executive Search Plan for the City Auditor position developed by the Human Resources Department, and (2) authorize the Human Resources Department to engage the services of an Executive Search Firm currently on retainer with the City to initiate the search.*

This Matter was Approved as Recommended

CLERK OF THE COMMISSION

CITY MANAGER

[120572.](#) **Second Extension to the Agreement for State of Florida Lobbying and Advocacy Services (B)**

This item is a request to extend the Agreement for State of Florida Lobbying and Advocacy Services with William J. Peebles, PA.

ESTIMATED STAFF PRESENTATION 5 MINUTES

Jo Beaty and Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission authorize the City Manager to execute the Second Extension to the Annual Agreement with William J. Peebles, PA. for State of Florida Lobbying and Advocacy Services, extending the terms of the agreement from December 1, 2014 to November 30, 2015, subject to final appropriation of funds for FY 2015.

Alternate Recommendation

The City Commission direct staff to issue a Request for Proposals (RFP) for State of Florida Lobbying and Advocacy Services.

A motion was made by Commissioner Carter, seconded by Commissioner Hinson-Rawls, that this Matter be Approved as Recommended. The motion carried by the following vote:

Aye: 5 - Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Nay: 2 - Mayor Braddy, and Mayor-Commissioner Pro Tem Chase

060958.**Annexation Transition Agreement Extension (B)**

Discuss the status of the Interlocal Agreement on the Transition of Services Upon Annexation (also referred to as the Annexation Transition Agreement or ATA). ** ESTIMATED STAFF PRESENTATION 20 MINUTES **

Amendment: Recommendation #4 removed

RECOMMENDATION

The City Commission: 1) hear a presentation from staff; 2) authorize the City Attorney to draft and the Mayor to sign a 12 month extension of the Annexation Transition Agreement and submit to the County for consideration; 3) direct the City Manager to enter into negotiations with the County for revisions to the Annexation Transition Agreement; and 4) determine if the Mayor or a City Commissioner should be on the negotiation team.

A motion was made by Commissioner Poe, seconded by Commissioner Hinson-Rawls, that this Matter be Approved as Amended. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

130714.**SE 4th Street Reconstruction Project Basis of Design (B)**

This item is a request to present the various typical cross section options for the SE 4th Street Reconstruction Project and to request a selection of one typical cross section and authorization to proceed with 60% plans. **ESTIMATED STAFF PRESENTATION 30 MINUTES**

Cynthia, Brenda Washington, Vernal Jones, Oa Washington, Dave Pinteasly, Authur

Stockwell , EwanThomas, Mr. Patel, Ivor Kinkaid and Bob Karp spoke to the matter.

Mr. Roberts made a presentation.

RECOMMENDATION *The City Commission: 1) hear presentation from staff; 2) approve staff's recommendation for Option #4; and 3) authorize staff to proceed with 60% plans.*

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

140204. Bid Award - Annual Grounds Maintenance for City of Gainesville Empowerment Center (B)

This is a request for the City Commission to award the bid to Oasis Landscape Services, Incorporated for Annual Grounds Maintenance at the City of Gainesville Empowerment Center.

Comm YHR moved to withdraw the item and Comm Chase seconded. Motion carried 6-0.

RECOMMENDATION *The City Commission: 1) award the bid to Oasis Landscape Service, Incorporated for grounds maintenance at the Gainesville Empowerment Center in the amount of \$55, 650; and 2) authorize the City Manager to execute the contract and any related documents, subject to approval by the City Attorney as to form and legality.*

This Matter was Withdrawn

[130814.](#) Update on the “Empowerment Center” Project (B)

The purpose of this item is to provide an update to the City Commission on the status of the “Empowerment Center” project. *ESTIMATED STAFF PRESENTATION 15 MINUTES*

Fred Murry and Jon DeCarmine made presentations.

Motion: Comm YHR moved and Comm Wells seconded to approve Interlocal Agreement with \$308,000 funding appropriations divided between City and County, with adding a default and termination clause and other minor changes as required. Jason Bowman spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear an update from staff on the status of the Empowerment Center project; 2) hear an update from ACCHH on services and activities at the Empowerment Center; and 3) provide direction to staff on the Interlocal Agreement with the Alachua County Board of County Commissioners.*

A motion was made by Commissioner Hinson-Rawls, seconded by Mayor-Commissioner Pro Tem Chase, that this Matter be Approved, as shown above. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

[140040.](#)

Telephone Town Hall Meeting (B)

This is a request to schedule a Telephone Town Hall Meeting on October 8, 2014 and provides staff recommendations on specific parameters of holding a Telephone Town Hall Meeting. *ESTIMATED STAFF PRESENTATION 10 MINUTES*

Lila Stewart made a presentation.

Amendment: Topic-Transportation Sales Tax

Jo Beaty and Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission: 1) receive a presentation from staff with specific recommendations for holding a Telephone Town Hall; 2) provide direction to the City Manager on the preferred logistics of a Telephone Town Hall for the City of Gainesville; and 3) direct the Clerk of the Commission to reschedule the Telephone Town Hall Meeting on October 8, 2014.

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Poe, that this Matter be Approved as Amended. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Nay: 1 - Commissioner Carter

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

[130769.](#)**Synthetic Drug Ordinance Proposal (B)**

This item requests that the City Commission consider the creation of a City ordinance to prohibit the possession with intent to sale, display for sale, or manufacture of synthetic drugs in Gainesville; to assist in combating the rise in the sale and use of dangerous synthetic substances, to include substances commonly known as “spice” and “bath salts”.

****ESTIMATED ORAL STAFF PRESENTATION 10 MINUTES****

The Commission approved waiving rules to continue the meeting to 11:25PM by consensus.

The Commission approved waiving rules to continue the meeting to 11:30PM by consensus.

RECOMMENDATION

The City Commission: 1) direct the City Attorney to finalize the draft ordinance regulating Synthetic Drugs, 2) direct the Clerk of the Commission to advertise an ordinance regulating the sale of these drugs; and 3) remove this item from the Public Safety Committee's Referral List.

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Warren, that this Matter be Approved as Recommended. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)**

Comm Hinson-Rawls moved with Comm Wells seconding to approve the following motion which passed 7-0. Motion: City of Gainesville Advisory Boards and Committees are authorized to create sub-committees without City Commission permission and the Charter Officers are directed to instruct staff liaisons to keep sub-committee meetings in the Sunshine though notice, public accommodation and minute taking.

[140294.](#)

Payments Power

Tyler Redding spoke to the matter.

RECOMMENDATION

Refer to Committee

A motion was made by Mayor-Commissioner Pro Tem Chase, seconded by Commissioner Hinson-Rawls, that this Matter be Referred to the Audit and Finance Committee, due back on 2/21/2015. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

RECESS-4:47PM

RECONVENE-5:37PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[140240.](#) Celebrate Job Corps 50th Week - August 18 - 22, 2014 (B)

RECOMMENDATION

Gainesville Job Corp Center Acting Center Director Conney Whitehead, Community Relations Council President Gwendolyn Love and Work Base Learning Coordinator Delphine Jackson to accept the proclamation.

Heard

CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as allows for 30 minutes of citizen comment)

*John Davies
Debbie Martinez
Darlene Pifalo
Pat Fitzpatrick-File #140291
Donald Shepherd
Don Glendening*

[140292.](#) Landlord Permits

RECOMMENDATION

Refer to Committee

A motion was made by Mayor-Commissioner Pro Tem Chase, seconded by Commissioner Hinson-Rawls, that this Matter be Referred to the Community Development Committee, due back on 2/21/2015. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED**140100.****ACCEPTANCE OF ANTICIPATED US DEPARTMENT OF
TRANSPORTATION FAA AIP GRANT NO. 3-12-0028-037-2014 IN
THE AMOUNT OF \$1,019,840 (B)**

Resolution No. 140100

A Resolution of the City of Gainesville, Florida, accepting FAA AIP Grant No. 3-12-0028-037-2014 from the U.S. Department of Transportation, Federal Aviation Administration, and authorizing execution by the Mayor and the Clerk of the Commission on behalf of the City of Gainesville; and providing an immediate effective date.

Erik Bredfelt made a presentation.

RECOMMENDATION

The City Commission: (1) hear a presentation; and (2) adopt the resolution and authorize the Mayor and City Attorney to execute said Grant Agreement and the City Clerk to certify said Grant Agreement.

A motion was made by Commissioner Poe, seconded by Commissioner Wells, that this Matter be Adopted (Resolution) and approved as shown above. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

130083**RESOLUTION AUTHORIZING SPECIAL MAGISTRATE(S) AND
TERMINATING AUTHORITY OF THE CODE ENFORCEMENT
BOARD AND TERMINATING CURRENT TERMS OF THE CODE
ENFORCEMENT BOARD MEMBERS (B)**

Resolution No. 130083

A Resolution of the City of Gainesville, Florida authorizing special magistrate(s) to conduct code enforcement proceedings related to violations of the City of Gainesville Code of Ordinances; terminating the authority of the code enforcement board; terminating the current terms of the code enforcement board members; providing a repealing clause, and providing effective dates.

Chris Cooper made a presentation.

Darlene Pifalo and Paula Stahmer spoke to the matter.

RECOMMENDATION

The City Commission adopt the proposed Resolution.

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

Aye: 6 - Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Nay: 1 - Mayor Braddy

130721.

RESOLUTION AMENDING RULES OF THE CITY COMMISSION TO CREATE TWO NEW STANDING COMMITTEES (B)

RESOLUTION NO. 130721

A RESOLUTION AMENDING AND RESTATING IN ITS ENTIRETY THE RULES OF THE CITY COMMISSION IN ORDER TO CREATE A LEGISLATIVE AND ORGANIZATIONAL POLICY COMMITTEE, CREATE A GENERAL POLICY COMMITTEE AND CLARIFY COMMITTEE REQUIREMENTS; PROVIDING A REPEALING CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Paula Stahmer spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

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

Aye: 6 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Nay: 1 - Commissioner Hinson-Rawls

TRANSMITTAL HEARING - ROLL CALL REQUIRED

130791.

LAND USE CHANGE - GENERALLY LOCATED ON THE NORTH SIDE OF THE 2800 BLOCK OF SE HAWTHORNE ROAD (B)

Ordinance No. 130791; Petition No. PB-14-11 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 31.7 acres of property generally located on the north side of the 2800 block of SE Hawthorne Road, as more specifically described in this ordinance, from Alachua County Commercial (COMM) to City of Gainesville Conservation (CON); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dene Mimms and Linda Demotropolis made presentations.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission: (1) approve Petition PB-14-11 LUC and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Wells, seconded by Commissioner Hinson-Rawls, that this Matter be Approved (Petition) and Adopted (Ordinance) on Transmittal Hearing. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 1 - Mayor-Commissioner Pro Tem Chase

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[130792.](#)

REZONING - GENERALLY LOCATED ON THE NORTH SIDE OF THE 2800 BLOCK OF SE HAWTHORNE ROAD (B)

Ordinance No. 130792; Petition No. PB-14-12 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 31.7 acres of property generally located on the north side of the 2800 block of SE Hawthorne Road, as more specifically described in this ordinance, from Alachua County Retail Sales and Services (BR) district to City of Gainesville Conservation (CON) district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission (1) approve Petition PB-14-12 ZON and (2) adopt the proposed ordinance.

A motion was made by Commissioner Wells, seconded by Commissioner Hinson-Rawls, that this Matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 1 - Mayor-Commissioner Pro Tem Chase

TRANSMITTAL HEARING - ROLL CALL REQUIRED

[130793.](#)

LAND USE CHANGE - GENERALLY LOCATED NORTHWEST OF MORNINGSIDE NATURE CENTER IN THE 2800 BLOCK OF NE 11TH PLACE (B)

Ordinance No. 130793; Petition No. PB-14-13 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 40.2 acres of property generally located northwest of Morningside Nature Center in the 2800 block of NE 11th Place, as more specifically described in this ordinance, from Alachua County Low Density Residential to City of Gainesville Conservation (CON); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms made a presentation.

RECOMMENDATION

The City Commission: (1) approve Petition PB-14-13 LUC and (2) adopt the proposed ordinance.

A motion was made by Commissioner Wells, seconded by Commissioner Carter, that this Matter be Approved (Petition) and Adopted (Ordinance) on Transmittal Hearing. The motion carried by the following vote:

Aye: 6 - Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Absent: 1 - Mayor Braddy

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

130794. REZONING - GENERALLY LOCATED NORTHWEST OF MORNINGSIDE NATURE CENTER IN THE 2800 BLOCK OF NE 11th PLACE (B)

Ordinance No. 130794; Petition No. PB-14-14 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 40.2 acres of property generally located northwest of Morningside Nature Center in the 2800 block of NE 11th Place, as more specifically described in this ordinance, from Alachua County Single Family, Low Density (RE-1) district to City of Gainesville Conservation (CON) district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission (1) approve Petition PB-14-14 ZON and (2) adopt the proposed ordinance.

A motion was made by Commissioner Wells, seconded by Commissioner Poe, that this Matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Absent: 1 - Mayor Braddy

TRANSMITTAL HEARING - ROLL CALL REQUIRED

130690. LAND USE CHANGE - GENERALLY LOCATED ON THE WEST SIDE OF THE 5000 BLOCK OF SW 41ST BOULEVARD (FRED BEAR DRIVE) (B)

Ordinance No. 130690; Petition No. PB-13-124 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 11.42 acres of property generally located on the west side of the 5000 block of SW 41st Boulevard (Fred Bear Drive), as more specifically described in this ordinance, from Alachua County Heavy Industrial to City of Gainesville

Business Industrial (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Andrew Persons made a presentation.

RECOMMENDATION *The City Commission: (1) approve Petition PB-13-124 LUC and (2) adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Chase, seconded by Commissioner Hinson-Rawls, that this Matter be Approved (Petition) and Adopted (Ordinance) on Transmittal Hearing. The motion carried by the following vote:

Aye: 6 - Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Absent: 1 - Mayor Braddy

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

130691.

REZONING - GENERALLY LOCATED ON THE WEST SIDE OF THE 5000 BLOCK OF SW 41ST BOULEVARD (FRED BEAR DRIVE) (B)

Ordinance No. 130691; Petition No. PB-13-125 ZON
An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 11.42 acres of property generally located on the west side of the 5000 block of SW 41st Boulevard (Fred Bear Drive), as more specifically described in this ordinance, from the Alachua County zoning districts of Industrial Services and Manufacturing (MS) and Planned Development (PD) to the City of Gainesville Business Industrial (BI) zoning district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission (1) approve Petition PB-13-125 ZON and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Wells, seconded by Commissioner Carter, that this Matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

140130.

TEXT CHANGE - EXCLUDING SIMULATED GAMBLING ESTABLISHMENTS FROM LIST OF PERMITTED USES IN ALL APPLICABLE ZONING DISTRICTS (B)

Ordinance No. 140130; Petition No. PB-14-63 TCH
An ordinance of the City of Gainesville, Florida, amending the Land

Development Code to prohibit the operation of simulated gambling establishments, as defined in this ordinance, throughout Gainesville by excluding such use from the list of permitted uses in all zoning districts that otherwise allow amusement and recreation services; by adding new definitions to Section 30-23 Definitions; by amending the list of permitted uses in Sections 30-61. General business district (BUS), 30-62. Automotive-oriented business district (BA), 30-63. Tourist-oriented business district (BT), 30-64. Mixed use low intensity district (MU-1), 30-65. Mixed use medium intensity district (MU-2), 30-65.1. Urban mixed-use district 1 (UMU-1), 30-65.2. Urban mixed-use district 2 (UMU-2), 30-66. Central city district (CCD), 30-67.1. Business industrial district (BI), 30-68. Warehousing and wholesaling district (W), 30-69. Limited industrial district (I-1), 30-70. General industrial district (I-2), 30-75. Public services and operations district (PS); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Andrew Persons made a presentation.

RECOMMENDATION *The City Commission: (1) approve Petition No. PB-14-63 TCH and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Wells, seconded by Commissioner Warren, that this Matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

130912.

APPENDIX A - SCHEDULE OF FEES, RATES & CHARGES - RELATING TO CEMETARY FEES & PARKS, RECREATION & CULTURAL AFFAIRS FEES (B)

Ordinance No. 130912

An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges of the Code of Ordinances by revising fees, rates and charges for cemetery and parks, recreation and cultural affairs facilities and events; amending sections 18-17 and 18-23 of Chapter 18, Article II, Park regulation of the Code of Ordinances related to registration fees for youth programs and surcharges; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Michelle Parks made a presentation.

RECOMMENDATION *The City Commission: (1) approve the fee changes and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Chase, that this Matter be Adopted on Final Reading (Ordinance) and

Approved the Recommendation. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Absent: 1 - Commissioner Hinson-Rawls

[130862.](#)**REZONING - UNIVERSITY TOWNE CENTER PLANNED DEVELOPMENT (B)**

Ordinance No. 130862; Petition PB-14-21 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 18.5 acres of certain property known as University Towne Center Planned Development that is located in the vicinity of the 3100 block of SW 34th Street, as more specifically described in this ordinance, from Alachua County Planned Unit Development (PUD) to City of Gainesville Planned Development District (PD); adopting PD maps, a PD report, and development conditions; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

[120516](#)**NET METERING PROGRAM (B)**

Ordinance No. 120516

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to net metering for the electric utility; by amending section 27-21 by creating new and amended definitions; by creating a new section 27-37 titled "Net-metering"; by amending Appendix A, Schedule of Fees, Rates and Charges, to establish administrative fees for net-metering customers; 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.*

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

Aye: 6 - Mayor Braddy, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Absent: 1 - Commissioner Poe

130582.**ELECTRIC SYSTEM FUEL ADJUSTMENT (B)**

Ordinance No. 130582

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to fuel and purchased power expenses for the city's electric utility by creating new definitions and amending existing definitions in section 27-21; amending the formula used to calculate the monthly electric system fuel and purchased power adjustment and establishing a range for the fuel levelization fund balance, all in section 27-28; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Jim Konish, Paula Stahmer, Ms. Ashley and Jo Beaty spoke to the matter.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

PLAN BOARD PETITIONS140029.**Amend land use category from Public and Institutional Facilities (PF) to Urban Mixed-Use 2 (B)**

Petition PB-14-55 LUC. Eng, Denman & Associates, Inc., agent for Gainesville Community Redevelopment Agency. Amend the City of Gainesville Future Land Use Map from Public and Institutional Facilities (PF) to Urban Mixed-Use 2 (UMU-2: 10 to 100 units per acre; and up to 25 additional units per acre by special use permit). Located west of SE 6th Terrace between SE 4th Avenue and SE 5th Avenue, and west of SE 7th Street between SE 5th Avenue and SE 7th Avenue. Related to PB-14-54 ZON. **ESTIMATED STAFF PRESENTATION 10 MINUTES**

Dean Mimms and Andrew Meeker made presentations.

Motion: Staff to City Commission-The City Commission approve Petition PB-14-55LUC as originally proposed.

Kali Blount, Bob Freeman, Susan Gildersnead, Jackie Davis, Paula Stahmer, Connie Jelanky, Mary F. , Efron DePaz, Jen Dezalt, Mitch Glazer and Susan Davenport spoke to the matter.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-14-55 LUC with the exclusion of the contiguous area south of the McRorie Community Garden to SE 5th Avenue.

The Plan Board voted 3-2.

Staff to City Commission - The City Commission approve Petition PB-14-55 LUC as originally proposed.

Staff to City Plan Board - Staff recommends approval of Petition PB-14-55 LUC.

A motion was made by Mayor-Commissioner Pro Tem Chase, seconded by Commissioner Hinson-Rawls, that this Matter be Approved (Petition). The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

[140030.](#)

Rezone from Public services and operations district (PS) to UMU-2: 10 to 100 units per acre, and up to 25 additional units per acre by special use permit, urban mixed-use district (B)

Petition PB-14-54 ZON. Eng, Denman & Associates, Inc., agent for Gainesville Community Redevelopment Agency. Rezone property from Public services and operations district (PS) to UMU-2: 10 to 100 units per acre, and up to 25 additional units per acre by special use permit, urban mixed-use district. Located west of SE 6th Terrace between SE 4th Avenue and SE 5th Avenue, and west of SE 7th Street between SE 5th Avenue and SE 7th Avenue. Related to PB-14-55 LUC & PB-14-53 TCH. **ESTIMATED STAFF PRESENTATION 6 MINUTES******

*Dene Mimms made a presentation
Disclosure of ex parte communications.
Bob Freeman and Kali Blount spoke to the matter.*

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PB-14-54 ZON with the exclusion of the contiguous area south of the McRorie Community Garden to SE 5th Avenue.*

The Plan Board voted 3-2.

Staff to City Commission - The City Commission approve Petition PB-14-54 ZON. Staff to City Plan Board - Staff recommends approval of Petition PB-14-54 ZON.

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

[140031.](#)

Amend the Land Development Code Section 30-65.2 Urban mixed-use district 2 (UMU-2) to add new proposed Figures for the Power District (B)

Petition PB-14-53 TCH. Eng, Denman & Associates, Inc., agent for Gainesville Community Redevelopment Agency. Amend the Land Development Code Section 30-65.2 Urban mixed-use district 2 (UMU-2) to add new proposed Figure 1.3 - District Boundary Map, Figure 2.3 - Street Types and Figure 3.1 -Height Limits, for the Power District. Related to PB-14-54 ZON. **ESTIMATED STAFF PRESENTATION 4 MINUTES******

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-14-53 TCH and that it conform with the Plan Board motions for Petitions PB-14-55 LUC and PB-14-54 ZON (which excludes the contiguous area south of the McRorie Community Garden to SE 5th Avenue).

The Plan Board voted 3-2.

Staff to City Commission - The City Commission approve Petition PB-14-53 TCH.

Staff to City Plan Board - Staff recommends approval of Petition PB-14-53 TCH.

A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Approved (Petition). The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

[140069.](#)

Presentation and Adoption of the Ten-Year Regional Transit System (RTS) Transit Development Plan (TDP) for FY2015-2024 (B)

This item is a request for the City Commission to hear a presentation and adopt the Ten-Year Regional Transit System (RTS) Transit Development Plan (TDP) for FY2015-2024. **ESTIMATED STAFF PRESENTATION 30 MINUTES******

RECOMMENDATION

The City Commission: 1) hear the presentation on the Ten-Year Regional Transit System (RTS) Transit Development Plan (TDP); and 2) adopt the Ten-Year Regional Transit System (RTS) Transit Development Plan (TDP) for FY2015-2024.

A motion was made by Commissioner Poe, seconded by Commissioner Wells, that this Matter be Approved as Recommended. The motion carried by

the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

[140233.](#)

Contract for Executive Search Services (B)

Cheryl McBride and Joanne Dorval made presentations.

Jo Beaty and Paula Stahmer spoke to the matter.

Comm RW moved and Comm YHR seconded to waive rules to continue meeting until 11:15PM. Motion carried 7-0.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or her designee, to negotiate and execute a three-year contract with Mycoff, Fry & Prouse, LLC for executive search services for utility positions, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to Mycoff, Fry & Prouse, LLC in amounts not exceeding budgeted amounts for these services for each year of the contract, subject to final appropriation of funds for each year of the contract.

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

Aye: 6 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Nay: 1 - Commissioner Hinson-Rawls

UNFINISHED BUSINESS

COMMISSION COMMENT

The City Commission agreed by consensus to continue meeting to 12:00AM by waiving rules.

Comm Poe moved and Comm Wells seconded to include McCory Gardens in the Recreation Master Plan Acquisition list. Motion carried 7-0.

[140293.](#)

Procurement Process

RECOMMENDATION

Refer to Committee

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Wells, that this Matter be Referred to the General Policy Committee, due back on 2/21/2015. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

CITIZEN COMMENT (If time available)

Jo Beaty

ADJOURNMENT-11:43PM

Kurt Lannon, Clerk of the Commission