

#140624

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

Thursday, December 18, 2014

1:00 PM

**MODIFIED AGENDA**

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**

**Present** 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**

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

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

**Absent:** 1 - Commissioner Carter

**CITY MANAGER, CONSENT AGENDA ITEMS**

130861. **Glen Springs property appraisal and potential acquisition referral to the Recreation, Cultural Affairs and Public Works Committee (NB)**

**This is a request for the City Commission to refer the Glen Springs property discussion to the Recreation, Cultural Affairs and Public Works Committee for further discussion.**

**RECOMMENDATION** *The City Commission refer the Glen Springs property discussion to the Recreation, Cultural Affairs and Public Works Committee for further discussion.*

**This Matter was Referred Recreation, Cultural Affairs and Public Works Committee**

140506.                    **2014 Pop Warner National Travel Grant Application (NB)**

**This item request City Commission approval for the Parks, Recreation and Cultural Affairs Department to accept, if awarded, a grant from the 2014 Pop Warner Travel Grant Program to support the Gainesville Pop Warner Cheer Team to travel and compete in the National Competition in Orlando, Florida.**

**RECOMMENDATION**

*The City Commission: 1) approve the request to accept the travel grant voucher, if awarded, from the Pop Warner Travel Grant Program; and 2) if the grant is awarded, authorize the City Manager or his designee to execute the travel grant voucher agreement and other related documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

140520.                    **Appropriation of Unobligated Fund Balance of the Gainesville Police Department's Federal Law Enforcement Contraband Forfeiture Trust Fund (NB)**

**This item requests that the City Commission approve the appropriation of \$100,000 of unobligated fund balance in the Gainesville Police Department's Federal Law Enforcement Contraband Forfeiture Trust Fund for use of authorized Law Enforcement Equipment, Training, Travel and Transportation, Investigations and special programs.**

**RECOMMENDATION**

*The City Commission approve the appropriation of \$100,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for future expenditures of Law Enforcement Equipment, Training, Travel and Transportation, Investigations and special programs.*

**Approved as Recommended**

140522.                    **Approval to Transfer Funds to the Black On Black Crime Task Force Inc. for Youth and Job Skill Programs (NB)**

**This is a request for City Commission authorization for the transfer of \$25,000 of Federal Forfeiture funds to the Black On Black Crime Task Force.**

**RECOMMENDATION**

*The City Commission authorize the appropriation of an amount not to exceed \$25,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund to the Black On Black Crime Task Force, Inc.*

**Approved as Recommended**

140547.                    **Cade Museum Second Amendment to Memorandum of Understanding for Cade Museum & Depot Park (B)**

**RECOMMENDATION**

*City Manager to City Commission: Authorize an extension of the deadline for execution of a final development and disposition agreement until June 30, 2016, subject to approval by the City Attorney as to form and legality*

**Approved as Recommended**

140548.                    **Request to Waive Probationary Period of New City Plan Board Member Adam Tecler (B)**

**This is a request for the City Commission to waive the probationary period of a new City Plan Board member.**

**RECOMMENDATION**

*The City Commission waive the 60-day probationary period for new Plan Board Member Adam Tecler, in accordance with Sec. 30-353(a) 5c. of the Land Development Code.*

**Approved as Recommended**

140569.                    **Selection of Blue Cross Blue Shield of Florida, Inc. as the provider of Specific Stop-Loss Carrier for the City Group Health Plan (B)**

**This item involves a request for the City Commission to approve the rankings and selection of Blue Cross Blue Shield of Florida, Inc. as the provider through their subsidiary, High Mark Insurance, of specific stop-loss insurance for the City's Group Health Plan.**

**RECOMMENDATION**

*The City Commission: 1) Approve the rankings and selection of Blue Cross Blue Shield of Florida, Inc. as the provider of the Specific Stop-Loss coverage for three-years beginning January 1, 2015 with an option to extend one additional two-year term; 2) Authorize issuance of a purchase order in an amount sufficient to cover applicable charges for the policy; and 3) Authorize the City Manager or his designee to negotiate an agreement with the top-ranked vendor for a period of three years with one two-year extension, subject to approval of the City Attorney as to form and legality.*

**Approved as Recommended**

140561. Depot Park Phase 2: Park Construction (B)

RECOMMENDATION

*City Manager to the City Commission: 1) Approve the Depot Park Phase 2 90% Construction Documents, 2) Approve Oelrich Construction, Inc. Guaranteed Maximum Price of \$5,998,804.00 to construct Depot Park Phase 2 and 3) Authorize the City Manager or designee to execute all documents associated with the GMP, Owner Direct Purchase Program, and any other pertinent information subject to form and legality by the City Attorney.*

Approved as Recommended

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

140563. **JAMES J. KONISH INDIVIDUALLY, AND JAMES J. KONISH AS PERSONAL GUARANTOR, PRESIDENT AND MANAGER OF 625 NORTHEAST FIRST STREET LLC, 619 NORTHEAST FIRST STREET LLC, AND 120 SOUTHEAST 7th STREET LLC V. CITY OF GAINESVILLE AND GAINESVILLE REGIONAL UTILITIES (GRU); EIGHTH JUDICIAL CIRCUIT, CASE NO. 2014-SC-4051 (B)**

RECOMMENDATION

*The City Commission authorize the City Attorney to represent the City in the case styled James J. Konish Individually, and James J. Konish as Personal Guarantor, President and Manager of 625 Northeast First Street LLC, 619 Northeast First Street LLC, and 120 Southeast 7th Street LLC v. City of Gainesville and Gainesville Regional Utilities (GRU); Eighth Judicial Circuit, Case No. 2014-SC-4051.*

Approved as Recommended

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

**CITY AUDITOR, CONSENT AGENDA ITEMS**

140553. Request to Transfer Legislative Referrals from the Audit and Finance Committee to the Legislative and Organizational Policy Committee (B)

RECOMMENDATION

*The City Commission approve transferring the attached list of referrals from the Audit and Finance Committee to the Legislative and Organizational Policy Committee.*

Approved as Recommended

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**AUDIT AND FINANCE COMMITTEE, CONSENT AGENDA ITEMS**

130592. Validated (Free) Parking and Bus Fare for Attending City Commission Meetings (B)

**RECOMMENDATION**

*The Audit and Finance Committee recommends the City Commission approve the suggested methodology of having the Clerk of the Commission provide temporary parking permits, upon request, to citizens who attend regular City Commission meetings beginning January 15, 2015.*

Approved as Recommended

**END OF CONSENT AGENDA**

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

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Wells, that this Matter be Adopted. 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

**Absent:** 1 - Commissioner Carter

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

*Debbie Martinez  
Jim Konish  
Cody Anderson  
Donald Shepherd*

**CLERK OF THE COMMISSION**

**CITY MANAGER**

140528.**Campus Master Plan Update (NB)**

**This is an update to the City Commission on the University of Florida  
Campus Master Plan and Campus Development Agreement**

**\*ESTIMATED STAFF PRESENTATION 5 MINUTES\***

*Ralph Hilliard and Linda Dixon made presentations.  
Jim Konish and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *The City Commission hear an update from staff on the  
process.*

**Heard**

140533.**Transitioning the Disability Benefit to the General Employees' Pension Plan (B)**

**This agenda item discusses the proposal to terminate the current City of  
Gainesville Employee's Disability Pension Plan and move administration of the  
same disability benefit to within the General City of Gainesville Employees'  
Pension Plan.**

*Mark Benton made a presentation.  
Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *The City Commission authorize the City Attorney to draft and  
the Clerk to advertise an ordinance to effectuate staff's  
proposal.*

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

**Absent:** 1 - Commissioner Carter

140573.

**Amendments to the Interlocal Agreement between the City of Gainesville and Alachua County for the Provision of Emergency Supplemental Shelter and Services (B)**

**This agenda item requests the City Commission to approve amendments to the Interlocal Agreement for the provision of emergency shelter and services for homeless persons and families. The proposed amendments involve additional program expenditures and reporting, and extending the term of the Agreement by one year, from September 30, 2014 to September 30, 2015.**

*Comm Hinson-Rawls moved and Comm Wells seconded to approve the recommendation which carried 5-0 with Comm Chase and Comm Carter absent. Paul Folkers made a presentation. Jim Konish, Donald Shepherd and Jo Beaty spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) approve the amendments to the Interlocal Agreement between the City of Gainesville and Alachua County to continue supporting emergency shelter and services for homeless persons and families; and 2) authorize the Mayor to execute the agreements on behalf of the City, subject to review by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**



130561.**Update on the Provision of Homeless Services at the Empowerment Center (B)**

This item is a request for the City Commission to hear an update on the recommendation of the Empowerment Center Oversight Board to increase funding for the Alachua County Coalition for the Homeless and Hungry (ACCHH) by up to \$251,680 in FY15 for the provision of services at the Empowerment Center. This includes a request to authorize staff to negotiate with the ACCHH and Alachua County Board of County Commissioners (County) to amend the Agreement(s) with ACCHH, and the Interlocal Agreement with the County.

*Paul Folkers, Joe Jackson, Gary Cothren, Tom Tompovitch and Jon DeCarmine made presentations.*

*Jim Konish, Jo Beaty, Mr. Bruno, Ms. Peta, Debbie Martinéz, Don Glendening, Donald Shepherd and Laurie Newsome spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) hear an update from staff; 2) authorize staff to reallocate \$125,840 from the Maintenance Funds for the Empowerment Center to the Operational Funds for the Empowerment Center; 3) authorize staff to finalize amendments to the Interlocal Agreement with the County and authorize the Mayor to execute and the Clerk to attest same, subject to approval by the City Attorney as to form and legality; and 4) authorize staff to finalize the Amended and Restated Service Agreement with ACCHH and authorize the City Manager to execute same, subject to approval by the City Attorney as to form and legality.*

**A motion was made by Mayor-Commissioner Pro Tem Chase, 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 Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

**Nay:** 1 - Mayor Braddy

**Absent:** 1 - Commissioner Carter

140562.**Mayor Ed Braddy - Carbon Neutrality of Biomass (B)**

*John Stanton made a presentation.*

*Diane Deevy, Paula Stahmer, Don Glendening, Donald Shepherd and Nancy Deren spoke to the matter.*

**RECOMMENDATION**

*The City Commission discuss the carbon neutrality of biomass energy fueled from wood waste prior to including the item in the 2015 Federal Legislative Agenda.*

**Heard**

140542.      **2016 Federal Legislative Agenda (B)**

**This is a request for the City Commission to approve the Federal Legislative Agenda and provide policy direction on future referrals to the Legislative Agenda.**

*Comm Wells moved and Comm Warren seconded to hear this item before Mayor's item. Motion carried 6-0.*

*Kelly Amerson made a presentation.*

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) Approve the 2016 Federal Agenda; and 2) Direct all new referral items to the Legislative Agenda to the Legislative and Organizational Policy Committee for review and recommendation; and 3) Direct staff to provide the 2016 Federal Legislative Agenda to the Florida League of Cities and other interested parties.*

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

**Absent:** 1 - Commissioner Carter

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)**

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

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

**GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION**

**GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)**

**GAINESVILLE REGIONAL UTILITIES items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled by the Mayor, a City Commissioner or a Charter Officer.**

**RECESS-4:44PM**

**RECONVENE-5:41PM**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS PLACED ON AGENDA BY COMMISSIONER OR CHARTER OFFICER**

140565.            **Martin Luther King, Jr. Hall of Fame Day - January 11, 2015 (B)**

RECOMMENDATION            *Martin Luther King, Jr., Commission of Florida, Inc. President  
Honorable Rodney Long to accept the proclamation*

Heard

140566.            **King Celebration 2015 - January 11-20, 2015 (B)**

RECOMMENDATION            *Martin Luther King, Jr., Commission of Florida, Inc. President  
Honorable Rodney Long to accept the proclamation.*

Heard

140568.            **Aaliyah Harris - Consumer Services' Regional Student Chef  
Ambassadorship for Northeast Florida (NB)**

RECOMMENDATION            *The City Commission recognize Eastside High School  
senior, Aaliyah Harris, for winning the Florida Department of  
Agriculture and Consumer Services' regional student chef  
ambassadorship for Northeast Florida at the December 18th  
meeting.*

Heard

140591.

**Wiles Elementary School 2014 Chess Champions (NB)**

RECOMMENDATION

*The City Commission recognize Wiles Elementary School kindergarten team members Erick Zhao, Noah Lang and Nick Liu - 2014 Chess Champions*

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)**

*Jim Konish  
John Davies  
Vanessa Anthony  
Bob Davis  
Fletcher Crow File #140620  
Amell Downs  
Mark Goldstein  
Chuck Woods  
John Rushwood  
Pat Fitzpatrick-File #140620*

**PUBLIC HEARINGS**

**GENERAL PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

**ADOPTION READING-ROLL CALL REQUIRED**

140029.**LAND USE CHANGE - GRU POWER DISTRICT (B)**

Ordinance No. 140029; Petition Nos. PB-14-55 LUC and PB-14-75 LUC  
An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 12.22 acres of property known as the "Power District" that is generally located south of SE 4th Avenue, west of SE 7th Street, north of SE 7th Avenue, and east of SE 3rd Street, as more specifically described in this ordinance, from Public and Institutional Facilities (PF) and Mixed-Use High-Intensity (MUH) to Urban Mixed-Use 2 (UMU-2); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**RECOMMENDATION**

*The City Commission: (1) receive letters from the Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, St. Johns River Water Management District, Florida Department of Environmental Protection, Florida Department of Transportation, and Florida Department of Education, 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 Adoption Reading (Ordinance) and Approved the Recommendation. 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

**Absent:** 1 - Commissioner Carter

**ORDINANCES, 2ND READING, ROLL CALL REQUIRED**

140030.**QUASI-JUDICIAL - REZONING AND TEXT CHANGE - GRU  
POWER DISTRICT (B)**

Ordinance No. 140030; Petition Nos. PB-14-54 ZON, PB-14-53 TCH,  
PB-14-76 ZON and PB-14-77 TCH

An ordinance amending the Zoning Map Atlas and the Land Development Code of the City of Gainesville, Florida, by rezoning approximately 12.22 acres of property known as the "Power District" that is generally located south of SE 4th Avenue, west of SE 7th Street, north of SE 7th Avenue, and east of SE 3rd Street, as more specifically described in this ordinance, from Public Services and Operations District (PS) and Central City District (CCD) to Urban Mixed-Use District 2 (UMU-2); amending the Land Development Code by adding "public administration, excluding correctional institutions" to the list of permitted uses by right in Section 30-65.2 Urban mixed-use district 2 (UMU-2); amending the Land Development Code Section 30-65.2 Urban mixed-use district 2 (UMU-2) by adding a height limit dimensional provision and adding Figure 1.3 District Boundary Map - Power District, Figure 2.3 Street Types - Power District, and Figure 3.1 Height Limits - Power District; providing directions to the City Manager; providing directions to the Codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Poe, seconded by Commissioner Warren, that this Matter be Adopted on Final Reading (Ordinance). 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

**Absent:** 1 - Commissioner Carter

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

140297.**WAIVE VEHICLE FOR HIRE FEES FOR A PERIOD OF 12 MONTHS  
(B)**

Ordinance No. 140297

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 Vehicles for Hire; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

*Donald Shepherd spoke to the matter.*

**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 First Reading (Ordinance). 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

**Absent: 1 -** Commissioner Carter

**ORDINANCES, 2ND READING - ROLL CALL REQUIRED**

140325.

**VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF  
CITY-OWNED & STATE-OWNED PARCELS THAT ENCOMPASS  
THE PAYNES PRAIRIE SHEETFLOW RESTORATION PROJECT  
(B)**

Ordinance No. 140325

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary annexation of city-owned Tax Parcel Nos. 15672-002-001 and 16246-001-001, state-owned Tax Parcel No. 15672-001-000, and a portion of state-owned Tax Parcel Nos. 16246-003-001, 16246-001-000, 16258-042-000 and 16257-000-000, which are generally located south of Southeast Williston Road, west of the Gainesville-Hawthorne State Trail, north of Tax Parcel Nos. 16287-000-000 and 16286-000-000, and east of the intersection of South Main Street and Southwest Williston Road, as petitioned for by the property owners pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

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

**Absent:** 1 - Commissioner Carter



130895.**TEXT CHANGE - SIDEWALK CAFES - REQUIREMENTS FOR USE OF STATE RIGHT-OF-WAYS (B)**

Ordinance 130895; Petition No. PB-14-31 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code Section 30-121 Sidewalk cafes to add provisions required by the Florida Department of Transportation in order for the city to permit sidewalk cafes to be located in state right-of-ways; amending Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances to add an annual license agreement fee for sidewalk cafes located in State of Florida right-of-ways; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Donald Shepherd spoke to the matter.*

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

**Absent:** 1 - Commissioner Carter

**PLAN BOARD PETITIONS**

140516.

Modification to the Lighting Ordinance, Sec. 30-344 (B)

Petition PB-14-122 TCH. City of Gainesville. Amend the Land Development Code, Section 30-344 Outdoor Lighting to modify the standards and process for review and permitting of photometric plans for new and existing developments. **\*Estimated presentation time 15 minutes.\***

*Lawrence Calderon made a presentation.*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve petition PB-14-122 TCH as revised by the Plan Board - Plan Board vote 5-0.*

*Staff to City Commission - the City Commission approves Plan Board's recommendation as amended by staff after the Plan Board Hearing.*

*Staff to City Plan Board - Approve petition.*

*Alternative Recommendation*

*Staff to City Commission - Approve the Plan Board Recommendation*

**A motion was made by Commissioner Wells, seconded by Commissioner Warren, that this Matter be Approved (Petition) with Staff Conditions, as Revised. 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

**Absent: 1 -** Commissioner Carter

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**TIME CERTAIN - 7:30 PM**

140564.**Police Advisory Council Report on Disproportionate Minority Contact (B)**

The Police Advisory Council (PAC) will present data they gathered throughout 2014 on Disproportionate Minority Contact (DMC) at the request of the City Manager.

*Norb Dunkel and Tony Jones made presentations.*

*Kali Blount, Armando Grundy, Evelyn Foxx, Lynn Lowenthal and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission hear a presentation from the Police Advisory Council on Disproportionate Minority Contact/Racial and Ethnic Disparities.*

A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Chase, that this Matter be Referred to the General Policy Committee, due back on 6/18/2015. 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

**Absent:** 1 - Commissioner Carter

100607.**Update on the C. R. Layton United States Army Reserve Center at 1125 Northeast 8th Avenue (B)**

This item provides an update on the status of the C. R. Layton United States Army Reserve Center and seeks City Commission approval on a Draft Action Plan to determine future use of the property.

*Comm Wells moved and Comm Poe seconded to approve the recommendation which carried 6-0. Paul Folkers made a presentation.*

*Mike Sylvester, Tom Lyons, Kim Popejoy, Mandy Miller and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) receive an update from staff on the status of the C. R. Layton United States Army Reserve Center; 2) review and approve the Draft Action Plan including Phases 1 and 2 of the proposed park and direct the City Manager to provide an FY 16 budget increment for City Commission consideration for Phase 3; and 3) provide guidance and direction as appropriate.*

**Approved as Recommended**

**UNFINISHED BUSINESS**

**COMMISSION COMMENTS**

*Comm Warren-Happy Holidays  
Comm Chase-Happy Holidays*

*Russ Blackburn-Lot 10 Farmer Market  
-Apartment violation(s)*

*Mayor Braddy-Happy Holidays*

**CITIZEN COMMENTS (If time permits)**

*Donald Shepherd*

**140622.** Interviewing Board and Committee candidates

RECOMMENDATION *Refer to Committee*

**A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Chase, that this Matter be Referred to the Legislative and Organizational Policy Committee, due back on 6/18/2015. 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

**Absent:** 1 - Commissioner Carter

**140623.** Costs of Land Use regulations

RECOMMENDATION *Refer to Committee*

**A motion was made by Commissioner Wells, seconded by Commissioner Poe, that this Matter be Referred to the Economic Development/University Community Com, due back on 6/18/2015. 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

**Absent:** 1 - Commissioner Carter

**ADJOURNMENT-10:12PM**

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

Thursday, December 4, 2014

1:00 PM

MODIFIED AGENDA

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-1:14PM**

Present 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**

Prophet George Young

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

A motion was made by Commissioner Warren, seconded by Commissioner Carter, 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

**CITY MANAGER, CONSENT AGENDA ITEMS****140424. Bid Award - Airport Landfill Remediation (B)**

This item is a request for the City Commission to authorize the bid award to EnviroTek Environmental and Construction Services for the Airport Landfill Remediation Project for the earthwork, drainage remediation and other improvements of Phase I of the project per project plans in the amount of \$1,886,981.22.

**RECOMMENDATION**

*The City Commission: 1) award the bid from EnviroTek Environmental and Construction Services for the Airport Landfill Remediation construction; and 2) authorize the City Manager to execute the contract and all other necessary documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

140483.

**Interlocal Agreement - Go SOLAR Florida (B)**

**This item is a request for the City Commission to enter into an Interlocal Agreement with Alachua County for the provision of services and payment for deliverables associated with the Broward County Rooftop Solar Challenge II Grant.**

**RECOMMENDATION**

*The City Commission approve the Interlocal Agreement with Alachua County.*

**Approved as Recommended**

140485.

**Ratification of Agreement between the International Association of Firefighters (IAFF), Local 2157, District Chiefs Bargaining Unit and the City of Gainesville for October 1, 2014 through September 30, 2017 (B)**

**This item is to ratify a three-year successor agreement between the City and the IAFF - District Chiefs Unit.**

**RECOMMENDATION**

*The City Commission ratify the Agreement between the IAFF, Local 2157, District Chiefs Bargaining Unit and the City of Gainesville, extending the Agreement through September 30, 2017.*

**Approved as Recommended**

140499.

**2014 National Society Daughters of the American Revolution Grant (NB)**

**This item is to request City Commission approval for the Department of Parks, Recreation and Cultural Affairs (PRCA) to submit a grant application in the amount of \$3,000 to support the historic Evergreen Cemetery conservation of cemetery monuments and gravesites.**

**RECOMMENDATION**

*The City Commission: 1) approve the submission of a grant application to the National Society of the Daughters of the American Revolution for funding to support the conservation of cemetery monuments; 2) authorize the City Manager to execute the application; and 3) if awarded, authorize the City Manager or designee to execute the grant award agreement and other grant related documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

140504.**FEMA Assistance to Firefighters Grant (AFG) Program (NB)**

**This item requests City Commission authorization for submittal of a regional application to the 2014 Federal AFG Grant Program for the purpose of Station Alerting.**

**RECOMMENDATION**

*The City Commission: 1) authorize staff to apply to the Assistance to Firefighters Grant Program; 2) approve the request to accept the grant if awarded, from the US Department of Homeland Security, and 3) if the grant is awarded, authorize the City Manager or designee to execute the grant award agreement and other grant related documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

140510.**Reallocate Capital Improvement Plan Funds to Purchase and Install a new Security Access Control System (NB)**

**This is a request for the City Commission to authorize the City Manager to reallocate funds that were previously allocated in the Capital Improvement Plan (CIP) for the City Hall basement waterproofing. The Facilities Management staff is requesting to use the CIP funds to purchase and install a new Security Access Control System for City Hall and the Old Library building.**

**RECOMMENDATION**

*The City Commission authorize the City Manager to reallocate Capital Improvement Plan funds to be used to purchase and install a new Security Access Control System for City Hall and the Old Library building.*

**Approved as Recommended**

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**140519.**Amendment to Contract for Temporary Services (B)****RECOMMENDATION**

*The City Commission: 1) authorize the interim General Manager, or her designee, to negotiate and execute an amendment to the contract with Career Center, Inc. d/b/a Temp Force for a five-year period, subject to approval of the Utilities Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services in amounts not exceeding budgeting amounts for each fiscal year, pending final appropriation of funds for each fiscal year.*

**Approved as Recommended**



140521.            **Finley Woods, Phase IA, Water and Wastewater Oversizing Reimbursement (NB)**

**Executive Summary:**

Reimbursement of \$167,726.00 to Finley Woods Development, LLC for the oversizing of water and wastewater infrastructure associated with the Finley Woods Phase 1A, a single family sub-division.

**RECOMMENDATION**            *The City Commission authorize the General Manager, or her designee, to negotiate and execute an agreement for reimbursement to Finley Woods Development, LLC, for the construction of wastewater lift station, force main, and water distribution main oversizing associated with Finley Woods Phase 1A, in an amount not to exceed \$167,726.00, subject to approval of the City Attorney as to form and legality.*

**Approved as Recommended**

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

140495.            **TEXT AMENDMENT - FIRE PREVENTION AND PROTECTION CODE (B)**

**RECOMMENDATION**            *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending the City's Fire Protection Code and Appendix A. Schedule of Fees, Rates and Charges - Fire/Rescue of the City of Gainesville Code of Ordinances to provide for local enhancements to the State of Florida's newly adopted Fire Prevention Code.*

**Approved as Recommended**

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

140503.            **City Commission Minutes (B)**

**RECOMMENDATION**            *The City Commission approve the minutes of September 18, October 2, October 8, October 16, October 21, October 22, October 30, November 6 and November 18, 2014.*

**Approved as Recommended**

140523.            **Resignation of James Fliess from the Regional Transit System Advisory Board, Joe Lowry, Sr. from the Pension Review Committee, William Massey from the Public Recreation and Parks Board and Meagan Standard from the Development Review Board (B)**

RECOMMENDATION            *The City Commission accepts the resignation of James Fliess, Joe Lowry, Sr., William Massey and Meagan Standard, effective immediately.*

Approved as Recommended

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**

140450.            **Review of General Fund Forecasted Revenues and Other Sources of Funds for the Fiscal Year Ending September 30, 2015 (B)**

RECOMMENDATION            *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report.*

Approved as Recommended

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

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

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

**UTILITY-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)**

*Jo Beaty  
Jim Konish  
Debbie Martinez-File #140582  
Donald Shepherd  
Ernesto Martinez*

## GENERAL MANAGER FOR UTILITIES

### 100576. Request for Proposals for Transportation and Reuse or Disposal of Dewatered Biosolids (B)

#### Executive Summary:

GRU must discontinue its current biosolids reuse program and implement a new program by February 2016 to meet regulatory requirements. Staff will present the process for developing a request for proposals to select a vendor to receive, transport, and reuse or dispose of biosolids from GRU's water reclamation facilities starting on or before February 2016.

*Tony Cunningham and Ron Herget made presentations.  
Amendment: 45% annualized operating cost  
5% economic benefit*

*Jim Konish and Donald Shepherd spoke to the matter.*

#### RECOMMENDATION

*The City Commission authorize the Interim General Manager, or her designee, to:*

- 1. Issue a Request for Proposals for vendors to receive, transport, and reuse or dispose of dewatered biosolids produced by GRU's water reclamation facilities;  
and*
- 2. Evaluate proposals based on the following criteria and weighting:*

*50% - Annualized operating cost  
20% - Risk  
20% - Flexibility  
5% - Enhanced environmental benefits  
5% - Local preference (per City ordinance)*

**A motion was made by Commissioner Poe, seconded by Commissioner Carter, 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

### 140525. Introduction of GRU Connecting with Customers Campaign (B)

*Jo Beaty, Jim Konish, Scott Costello, Debbie Martinez and Donald Shepherd spoke to the matter.*

*Lewis Walton, Scott Schroeder and Mary Meads made presentations.*

#### RECOMMENDATION

*Hear presentations from staff and a representative from Liquid Creative Studio*

**Heard**

140544. Update on Recent Gainesville Regional Utilities Bond Ratings (NB)

*David Richardson made a presentation.*

RECOMMENDATION

*The City Commission hear an update from staff outlining recent ratings from Moody's Investors Service, Standard & Poor's Financial Services LLC, and Fitch Ratings, Inc.*

Heard

**UTILITY COMMITTEE REPORTS (Pulled from Consent)**

**UTILITY ADVISORY BOARDS/COMMITTEE REPORTS.** Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee

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

**UTILITY-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION**

**UTILITY-RELATED COMMISSION COMMENTS (if time permits)**

**GENERAL GOVERNMENT ITEMS OF A TIME-SENSITIVE OR IMPORTANT NATURE OR PULLED FROM CONSENT. MUST BE SUBMITTED OR PULLED BY THE MAYOR, A CITY COMMISSIONER OR A CHARTER OFFICER.**

**RECESS-3:54PM**

**RECONVENE-5:36**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS PLACED ON AGENDA BY COMMISSIONER OR CHARTER OFFICER**

140543. P.K. Yonge Girls' Volleyball 4A State Championship (NB)

RECOMMENDATION

*The City Commission recognize the P.K. Yonge Girls' Volleyball 4A State Champions.*

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)**

*Jim Konish  
Kali Blount  
Pat Fitzpatrick  
-File #140582  
John Davies  
Donald Shepherd  
Erica Brown  
Vanessa Anthony  
Jo Beaty  
Darlene Pifalo*

*Fred Murry and Paul Folkers made presentations.*

**PUBLIC HEARINGS**

**GENERAL PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

140524.**Financing for Construction and Refunding of Certain Outstanding Bonds; Approval of Interest Mode Changes for Outstanding Variable Rate Bonds (B)**

David Richardson made a presentation.

Donald Shepherd spoke to the matter.

**RECOMMENDATION**

The City Commission:

1. Adopt the attached resolution (Authorizing Resolution), which:

(a) incorporates by reference and adopts, and authorizes the execution and delivery of, a Twenty-Sixth Supplemental Utilities System Revenue Bond Resolution (Twenty-Sixth Supplemental Resolution), which authorizes the issuance, sale, execution and delivery of:

(i) not to exceed \$46 million in aggregate principal amount of the City's tax-exempt Utilities System Revenue Bonds, 2014 Series A (2014 Series A Bonds) in order to provide monies needed for payment of Costs of Acquisition and Construction (capital projects) that are eligible to be financed on a tax-exempt basis, and delegates the authority to determine certain matters in connection therewith; and

(ii) not to exceed \$37 million in aggregate principal amount of the City's tax-exempt Utilities System Revenue Bonds, 2014 Series B (2014 Series B Bonds) in order to refund portions of (X) the City's tax-exempt Utilities System Revenue Bonds, 2005 Series A (2005 Series A Bonds) and (Y) either (1) the City's Utilities System Revenue Bonds, 2008 Series A (Federally Taxable) (2008 Series A Bonds) or (2) such other of the City's tax-exempt or taxable Utilities System Revenue Bonds as may be refunded on a tax-exempt basis as the General Manager may determine in the manner provided herein, and delegates the authority to determine certain matters in connection therewith;

(b) in the case of the 2014 Series A and B Bonds:

(i) approves the form, and authorizes the execution and delivery, of a contract of purchase between the City and an underwriting group for which J.P. Morgan Securities LLC (JP Morgan) will serve as senior book-running manager, and delegates the authority to determine certain matters in connection therewith;

(ii) approves the form, and authorizes the execution and delivery, of a continuing disclosure certificate;

(iii) approves the form and use of the preliminary official statement and the official statement relating to the 2014 Series A and B Bonds and authorizes the execution and delivery of the official statement;

(iv) authorizes the authentication and delivery of the 2014 Series A and B Bonds;

(v) authorizes the registration or qualification of the 2014 Series A and B Bonds under the blue sky laws of various states; and

(vi) authorizes certain City officials to take other actions in connection with the issuance, sale and delivery of the 2014 Series A and B Bonds; and

(c) in the case of the 2014 Series B Bonds, approves the form, and authorizes the execution and delivery, of an escrow deposit agreement, authorizes the deposit of 2014 Series B Bond proceeds and certain other amounts into the escrow account to be established pursuant to said escrow deposit agreement and authorizes the investment of such monies in United States Treasury Securities - State and Local Government Series.

2. Authorize the Clerk of the Commission, the General Manager and other Authorized Officers of the City (as defined in the Utilities Bond Resolution) to execute such documents as may be necessary to proceed with the transactions authorized above and to take such other actions as may be necessary or advisable to proceed with the issuance of the 2014 Series A and B Bonds in accordance with this City Commission authorization.

3. Delegate to the General Manager or her designee the authority to cause to be changed, from time to time, the Interest Rate to which the City's outstanding Variable Rate Utilities System Revenue Bonds are subject, subject to the limitations set forth herein.

**A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Adopted (Resolution) and Approved the Recommendation. 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

140529.**Termination of Membership in Florida Gas Utility (FGU) (B)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, AUTHORIZING THE TERMINATION OF MEMBERSHIP IN THE FLORIDA GAS UTILITY; PROVIDING CERTAIN AUTHORIZATIONS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO.

**RECOMMENDATION**

*The City Commission (1) authorize and approve the General Manager for Utilities, or her designee, to terminate membership in FGU; (2) adopt the proposed Resolution; and (3) authorize the General Manager for Utilities, or her designee, to notify FGU and FGU's members by written notice of GRU's desire to terminate its participation as a member in FGU.*

**A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Adopted (Resolution) and Approved the Recommendation. 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

140434.**FINAL AMENDMENT TO THE FY 2013-2014 GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN (B)**

Resolution No. 140434

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AMENDING RESOLUTION NO. 130274 AS AMENDED BY RESOLUTION NO. 130823 AND 140223, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL OPERATING AND FINANCIAL PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

**RECOMMENDATION**

*The City Commission adopt the proposed resolution.*

**A motion was made by Commissioner Poe, seconded by Commissioner Carter, 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

**Absent:** 1 - Mayor Braddy



140451. Proposed Fiscal Year 2015 Annual Audit Plan (B)

**RECOMMENDATION**      *The Audit and Finance Committee recommends the City Commission approve the Proposed Fiscal Year 2015 Annual Audit Plan by resolution.*

A motion was made by Commissioner Poe, seconded by Commissioner Carter, 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

**Absent:** 1 - Mayor Braddy

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED**140325. **VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY-OWNED & STATE-OWNED PARCELS THAT ENCOMPASS THE PAYNES PRAIRIE SHEETFLOW RESTORATION PROJECT (B)**

Ordinance No. 140325

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary annexation of city-owned Tax Parcel Nos. 15672-002-001 and 16246-001-001, state-owned Tax Parcel No. 15672-001-000, and a portion of state-owned Tax Parcel Nos. 16246-003-001, 16246-001-000, 16258-042-000 and 16257-000-000, which are generally located south of Southeast Williston Road, west of the Gainesville-Hawthorne State Trail, north of Tax Parcel Nos. 16287-000-000 and 16286-000-000, and east of the intersection of South Main Street and Southwest Williston Road, as petitioned for by the property owners pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Lila Stewart made a presentation and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Carter, seconded by Commissioner Warren, that this Matter be 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

130895.            **TEXT CHANGE - SIDEWALK CAFES - REQUIREMENTS FOR USE OF STATE RIGHT-OF-WAYS (B)**

Ordinance 130895; Petition No. PB-14-31 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code Section 30-121 Sidewalk cafes to add provisions required by the Florida Department of Transportation in order for the city to permit sidewalk cafes to be located in state right-of-ways; amending Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances to add an annual license agreement fee for sidewalk cafes located in State of Florida right-of-ways; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Raph Hilliard made a presentation and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**            *The City Commission (1) approve Petition PB-14-31 TCH and (2) adopt the proposed ordinance.*

**A motion was made by Commissioner Poe, seconded by Commissioner Carter, 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

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

140392.            **TEXT CHANGE - AMEND LIST OF PERMITTED USES BY RIGHT FOR THE AF ZONING DISTRICT (B)**

Ordinance 140392; Petition No. PB-14-111 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-76 of the Land Development Code within the Code of Ordinances to allow hard armor systems manufacturing and assembly as a use permitted by right in the Airport Facilities (AF) zoning district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Adopted on Final 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

**PLAN BOARD PETITIONS**

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**TIME CERTAIN - 8:00 PM**

120521.**NW 8th Avenue Reconstruction (B)**

**This item is a request for the City Commission to hear a presentation on the NW 8th Avenue Reconstruction project currently in design and provide staff with policy guidance on alternatives.**

*Teresa Scott, Stefan Broadus, Robert Sykes and Max Elliott made presentations.*

*Amendments: Option #4 and direct staff to come back using .64 feet to develop some kind of pedestrian refuge areas.*

*Jim Konish, Ethan Huggins, Colin Mooney, Nick Stamphar, Deb Couples, Kyle Bullet, Mark Goldstein, Mr. Teasley, Arnell Downs, Jordan Draper, Forest Lyle, Tim Martin, Julia Rieskind, Dale Bottcher, Darlene Pifalo, Bob Karp, Jim Myruniak, Gina Hawkins, Kalthleen Pegan, Helen Haney, Shaney Gelton, Anthony Ackeral, Ashley Dodds, Alissa Brown, Ruth Steiner, Kathy Benton, David Ostroff, Susan Baird, Juanita Miles-Hamilton, Debbie Martinez, Jo Beaty, Rod Gonzalez, Karen Kiner, Nancy Dearan, Armando Grundy, Dave Ferro, Sally Warrick, Jonathan Dane, Ewan Thompson, Donald Shepherd, Sam Harris, Chuck Woods, Ethan Fieldman and Jay Curtis spoke to the matter.*

*Comm Poe moved and Comm Carter seconded to continue meeting until 12:00 midnight-Motion carried 7-0*

*Comm Poe and Comm Wells seconded to continue meeting until 12:15AM-Motion carried 6-0 with Comm Hinson-Rawls absent*

*Comm Poe moved and Comm Chase seconded to continue meeting until 12:30AM-Motion carried 7-0*

*Comm Carter moved and Comm Chase seconded to continue meeting until 1:00AM-Motion carried 7-0*

*12:55AM Comm Poe left the meeting*

*Additional motion:*

*Comm Carter moved and Comm Chase seconded to re-stripe over the holidays. Motion carried 4-2 with Comm Wells and Comm Warren voting no and with Comm Poe absent.*

**RECOMMENDATION**

*The City Commission: 1) hear a presentation from staff; and 2) select an option to move the project to final design and construction.*

**A motion was made by Mayor-Commissioner Pro Tem Chase, seconded by Commissioner Carter, that this Matter be Approved as Amended. The motion carried by the following vote:**

**Aye:** 4 - Mayor Braddy, Commissioner Hinson-Rawls, Commissioner Carter, and Mayor-Commissioner Pro Tem Chase

**Nay:** 3 - Commissioner Poe, Commissioner Warren, and Commissioner Wells

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

*This category was heard prior to item 120521-NW 8th Avenue Reconstruction  
Comm Wells-Army Reserve for Farmer's Market*

*Comm Poe-Process for NW 8th Avenue agenda item*

*Comm Warren-Sweetwater Branch restoration*

*The Commission recessed at 7:27PM and reconvened at 8:00PM.*

**140581. Sweetwater Branch Restoration**

**RECOMMENDATION**      *Refer to Committee*

**A motion was made by Commissioner Warren, seconded by Commissioner Poe, that this Matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on 6/4/2015. 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

**CITIZEN COMMENT (If time permits)**

**ADJOURNMENT-1:00AM**

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601.



## Minutes - Draft

Thursday, November 20, 2014

1:00 PM

MODIFIED AGENDA

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-1:09PM**

- Present 6 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase
- Absent 1 - Commissioner Hinson-Rawls

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

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

*Item 140503-Minutes removed to be placed on next agenda*

A motion was made by Commissioner Poe, seconded by Commissioner Warren, that this Matter be Adopted on the Consent Agenda. 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

**CITY MANAGER, CONSENT AGENDA ITEMS**

140366.

**Contract for Federal Lobbying Services (B)**

**This is request for the City Commission to approve an agreement between the City of Gainesville and MWW Group, Inc., for federal lobbying services.**

**RECOMMENDATION**

*The City Commission authorize the City Manager and the General Manager for Utilities to enter into an agreement for one year beginning October 1, 2014 and ending September 30, 2015 with Marilyn Berry Thompson to provide professional federal legislative lobbying and related government liaison grant services through MWW Group, Inc. at \$395 per hour up to a maximum amount not-to-exceed one hundred thirteen dollars (\$113,000) for General Governments and a maximum amount not-to-exceed thirty thousand dollars (\$30,000) for GRU, subject to approval of the City Attorney as to form and legality.*

**Approved as Recommended**

140468.**Adoption of Gainesville Fire Rescue Standards of Cover and Strategic Plan (B)**

**This item requests the City Commission adopt the 2014 Gainesville Fire Rescue Standards of Cover and Strategic Plan.**

**RECOMMENDATION**

*The City Commission adopt the 2014 Gainesville Fire Rescue Standards of Cover and Strategic Plan.*

**Approved as Recommended**

140470.**Bid Award - Sixth Street Rail Trail Landscaping (B)**

**This item is a request for the City Commission to authorize the bid award to Green Construction Tech for the Sixth Street Rail Trail Landscaping Project for the installation of landscaping and other associated improvements adjacent to the West 6th Street Rail Trail between NW 4th Street and NW 16th Avenue in the amount of \$289,190.50.**

**RECOMMENDATION**

*The City Commission: 1) award the bid award to Green Construction Tech for the Sixth Street Rail Trail Landscaping project construction; and 2) authorize the City Manager to execute the contract and any necessary documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

140481.**Traffic Enforcement Agreement Between the Phoenix Homeowners Association, Inc. and the City of Gainesville Police Department (B)**

**This is a request for the City Commission to approve a Traffic Enforcement Agreement between the Phoenix Homeowners Association and the City of Gainesville Police Department.**

**RECOMMENDATION**

*The City Commission authorize the City Manager to execute the Traffic Enforcement Agreement between the Phoenix Homeowners Association and the City of Gainesville Police Department; subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**



140484.

**Regional Transit System (RTS) Procurement of Buses (Federal Assets) and Components from the Central Florida Regional Transit Authority (LYNX) (B)**

**This item is a request for the City Commission to approve the procurement of buses, paint services and parts inventory from the Central Florida Regional Transit Authority (LYNX).**

**RECOMMENDATION**

*The City Commission approve the transfer of nine (9) Gillig Phantom buses and components from Central Florida Regional Transit Authority (LYNX) to the City of Gainesville Regional Transit System (RTS).*

**Approved as Recommended**

140486.

**Selection of Blue Cross and Blue Shield of Florida, Inc. as Administrator and Gallagher Benefits Services as Agent of Record for the City of Gainesville's Self-Funded Group Health Plan (B)**

**This item is a request for the City Commission to approve the rankings and selection of Blue Cross and Blue Shield of Florida, Inc. and Gallagher Benefits Services to administer and act as agent of record for the City's self-funded group health plan, respectively.**

**RECOMMENDATION**

*The City Commission: 1) approve the rankings and selection of Blue Cross and Blue Shield of Florida, Inc. as the Administrator, and Gallagher Benefit Services as the Agent/Broker for the City of Gainesville's Self-Funded Group Health Plan for the five-years beginning January 1, 2015 with an option to extend one additional two-year term; 2) authorize issuance of a purchase order in an amount sufficient to cover applicable charges for the service and vendors, respectively, listed above; and 3) authorize the City Manager or his designee to negotiate an agreement with the top ranked vendors for a period of five years with one two-year extension, subject to approval of the City Attorney as to form and legality. If an agreement cannot be reached with the top ranked firm, authorize the City Manager or his designee to initiate negotiations with the next ranked firm, continuing through the rankings until an agreement is reached.*

**Approved as Recommended**

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

140492.            **EEOC CHARGE NO.: 510-2014-03305 RONALD J. KLEINATLAND  
VS. THE CITY OF GAINESVILLE (NB)**

RECOMMENDATION            *The City Commission authorize the City Attorney to  
represent the City in the case styled Ronald J. Kleinatland  
vs. the City of Gainesville; EEOC Charge No.:  
510-2014-03305.*

Approved as Recommended

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

140503.            **City Commission Minutes (B)**

RECOMMENDATION            *The City Commission approve the minutes of September 18,  
October 2, October 8, October 16, October 21, October 22,  
October 30, November 6 and November 18, 2014.*

Continued

140493.            **Joint Meetings (NB)**

RECOMMENDATION            *The City Commission schedule joint meetings at Alachua  
County on March 9, August 31 and December 7, 2015.*

Approved as Recommended

140491.            **Resignation of Tyler Redden from the Student Community Relations  
Advisory Board (SCRAB) (B)**

RECOMMENDATION            *The City Commission accepts the resignation of Tyler  
Redden, effective immediately.*

Approved as Recommended

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

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

A motion was made by Mayor-Commissioner Pro Tem Chase, seconded by  
Commissioner Carter, that this Matter be Adopted. 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

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

*Jim Konish  
Ken Cornell  
Donald Shepherd  
Jo Beaty  
Debbie Martinez  
Ernesto Martinez  
Barbara Sharpe*

140505.

**Mayor Ed Braddy - Gainesville Housing Authority Job Training Entrepreneurial Program (B)**

*Pamela Davies made a presentation.*

*Art Stockwell, Robert Pearce, Donald Shepherd and Evelyn Foxx spoke to the matter.*

RECOMMENDATION

*The City Commission hear a presentation.*

Heard

**CLERK OF THE COMMISSION**

**CITY MANAGER**

**140496. 2015 State Legislative Agenda (B)**

**This is a request for the City Commission to approve the 2015 State Legislative Agenda and provide policy direction on future referrals to the Legislative Agenda.**

*First Amendment: Recommendation #2-change to Legislative and Organizational Committee*

*Second Amendment: add growler size (including traditional size) and other microbrew competitiveness issues to legislative agenda*

*Third Amendment: Glen Springs restoration issues*

*Donald Shepherd, Jo Beaty and Debbie Martinez spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) approve the 2015 State Legislative Agenda; 2) direct that all new referral items to the Legislative Agenda be forwarded to the Audit, Finance and Legislative Committee for review and recommendation; and 3) direct staff to provide the 2015 State Legislative Agenda to the Alachua County Legislative Delegation; the Florida League of Cities, and other interested parties.*

**A motion was made by Commissioner Poe, seconded by Commissioner Wells, that this Matter be Approved as Amended. 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

**140297. Proposal to Waive Vehicle for Hire Fees for a Period of 12 Months (B)**

*Paul Folkers made a presentation.*

*Donald Shepherd, Kim Popejoy and Jo Beaty spoke to the matter.*

**RECOMMENDATION**

*The City Commission consider waiving the Vehicle for Hire fees for a period of 12 months and if desired, direct the City Attorney to draft and the Clerk of the Commission to advertize an ordinance.*

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

**Aye:** 5 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

**Nay:** 1 - Commissioner Warren

**Absent:** 1 - Commissioner Hinson-Rawls

140469.

**Agreement with the Florida Department of Children and Families for Fixed Capital Outlay Grant for the Homeless Center Project (B)**

**This is a request for the City Commission to authorize the Mayor to execute an Agreement Governing Fixed Capital Outlay Grants and Aids for the Empowerment Center.**

*Fred Murry made a presentation.*

*Jim Konish, Donald Shepherd, Jo Beaty, Debbie Martinez and Darlene Pifalo spoke to the matter.*

*Comm Chase moved to approve the recommendation and Comm Wells seconded. Motion carried 6-0.*

**RECOMMENDATION**

*The City Commission authorize the Mayor to execute and the Clerk to certify/attest the Agreement and all other necessary grant documents, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

130635.

**Settlement of City's claims against Beazer East, Inc. for cost recovery under Florida and Federal Law (B)**

*Jim Konish, Kim Popejoy, Robert Pearce and Pat Kline spoke to the matter.*

*Comm Carter moved to approve the recommendation and Comm Wells seconded. Motion carried 6-0.*

**RECOMMENDATION**

*The City Commission: Authorize the Mayor to execute the Settlement Agreement, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**GENERAL GOVERNMENT COMMITTEE REPORTS (Pulled from Consent)**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

130654.**Foreclosed and Vacant Property Registry (B)**

**This item involves a request for the City Commission to receive an update on the property registry item that was referred to the Audit, Finance and Legislative Committee.**

*Chris Cooper made a presentation.*

*Tommy McIntosh, Kim Popejoy and Darlene Pifalo spoke to the matter.*

*Motion: Adopt Option #4*

**RECOMMENDATION**

*The City Commission: 1) provide approval for one of the property registry options provided by staff; 2) direct the City Attorney to draft and advertise a proposed ordinance; and 3) if option #2 or #3 is selected, initiate a Request for Proposals for a vendor to manage the property registry program.*

***Alternative Recommendation A***

*The City Commission: 1) select Option #2 as presented by staff; 2) direct the City Attorney to draft and advertise a proposed ordinance; and 3) initiate a Request for Proposals for a vendor to manage the property registry program.*

***Alternative Recommendation B***

*Do not create a property registration program.*

**A motion was made by Commissioner Poe, seconded by Commissioner Wells, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye: 4 -** Commissioner Poe, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

**Nay: 2 -** Mayor Braddy, and Commissioner Carter

**Absent: 1 -** Commissioner Hinson-Rawls

**GENERAL GOVERNMENT ADVISORY BOARDS/COMMITTEE REPORTS.**

**Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee**

**GENERAL GOVERNMENT-RELATED ITEMS FROM OUTSIDE AGENCIES.**

**Must be submitted by a Charter Officer. Update limited to ten (10) minutes.**

**GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION**

**GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)**

**Gainesville Regional Utilities items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled by the Mayor, a City Commissioner or a Charter Officer**

**RECESS-4:59PM**

**RECONVENE-5:45PM**

**PLEDGE OF ALLEGIANCE (5:30pm)**

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

140488.            **National Hunger and Homeless Awareness Week - November 15-25, 2014 (B)**

RECOMMENDATION            *North Central Florida Coalition for the Homeless and Hungry Executive Director Theresa Lowe to accept the proclamation.*

Heard

140490.            **DECA Week - November 17-21, 2014 (B)**

RECOMMENDATION            *Buchholz High School DECA to accept the proclamation.*

Heard

140455.            **City of Gainesville's Citizens' Academy Fall 2014 Graduates (NB)**

RECOMMENDATION            *The City Commission: 1) recognize accomplishments of Gainesville 101 Fall 2014 City of Gainesville Citizens' Academy graduates; and 2) hear brief comments from the class speaker on what they have learned.*

Heard

**6:00 PM**

**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  
Jo Beaty  
Pat Fitzpatrick-File #140546  
Debbie Martinez  
Ernesto Martinez  
Don Glendening-File #140546  
Jim Konish*

**PUBLIC HEARINGS**

**General Public Hearings**

**RESOLUTIONS- ROLL CALL REQUIRED**

140435.            **Resolution for a Joint Participation Agreement - State Block Grant Funds for Regional Transit System (RTS) Operating Assistance and Capital Expenditures for FY 2015 (B)**

**This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to accept the allocation for Gainesville of \$1,807,516 from the State Block Grant Funds for FY 2015.**

RECOMMENDATION            *The City Commission adopt the Resolution.*

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

- Aye:** 5 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, and Commissioner Wells
- Absent:** 2 - Commissioner Hinson-Rawls, and Mayor-Commissioner Pro Tem Chase

140454.            **Resolution for 5310 Grant Application (B)**

**This item is a request for the City Commission to adopt a Resolution to allow the Regional Transit System (RTS) to apply for a 5310 Grant to purchase paratransit trips and a paratransit van to provide ADA service to the disabled citizens of Gainesville.**

RECOMMENDATION            *The City Commission adopt the Resolution.*

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



**Aye:** 5 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, and Commissioner Wells

**Absent:** 2 - Commissioner Hinson-Rawls, and Mayor-Commissioner Pro Tem Chase

140456.

**Resolution for 5311 Grant Application (B)**

**This item is a request for the City Commission to adopt a Resolution to allow the Regional Transit System (RTS) to apply for a 5311 Grant to purchase demand response trips and to continue to provide Route 23 transportation services to the citizens of Gainesville.**

**RECOMMENDATION**

*The City Commission: 1) adopt the Resolution to allow the Regional Transit System (RTS) to apply for a 5311 Grant to purchase demand response trips; and 2) allow RTS to continue to provide Route 23 transportation services to the citizens of Gainesville.*

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

**Aye:** 5 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, and Commissioner Wells

**Absent:** 2 - Commissioner Hinson-Rawls, and Mayor-Commissioner Pro Tem Chase

140457.

**Resolution for 5339 Grant Application (B)**

**This item is a request for the City Commission to adopt a Resolution to allow the Regional Transit System (RTS) to apply for a 5339 Grant to purchase four (4) paratransit vans to provide ADA service to the disabled citizens of Gainesville.**

**RECOMMENDATION**

*The City Commission adopt the Resolution.*

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

**Aye:** 5 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, and Commissioner Wells

**Absent:** 2 - Commissioner Hinson-Rawls, and Mayor-Commissioner Pro Tem Chase

140477.            **Bond Resolution related to the City of Gainesville's Capital Improvement Revenue Bonds, Series 2014 (B)**

**A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$17,100,000 IN AN AGGREGATE PRINCIPAL AMOUNT OF CITY OF GAINESVILLE, FLORIDA CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2014 FOR THE PURPOSE OF FINANCING THE COSTS OF CONSTRUCTING, REFURBISHING, RENOVATING AND EQUIPPING OF VARIOUS CAPITAL PROJECTS IN THE CITY OF GAINESVILLE AS MORE PARTICULARLY DESCRIBED HEREIN AND PAYING OTHER COSTS NECESSARY OR INCIDENTAL THERETO; PROVIDING FOR THE PAYMENT OF SUCH BONDS FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES OF THE CITY WHICH ARE BUDGETED AND APPROPRIATED BY THE CITY ON AN ANNUAL BASIS AND DEPOSITED INTO THE DEBT SERVICE FUND CREATED HEREUNDER FOR SUCH BONDS; PROVIDING FOR THE RIGHTS AND REMEDIES OF THE HOLDERS THEREOF, AND MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING AN EFFECTIVE DATE; AND PROVIDING CERTAIN OTHER DETAILS.**

**RECOMMENDATION**

*The City Commission: 1) adopt the proposed resolution authorizing issuance of the Capital Improvement Revenue Bonds, Series 2014; 2) authorize the City Manager, Administrative Services Director, and Finance Director to retain the required professional services to prepare and administer the proposed bond issue; and 3) authorize the Mayor, Clerk of the Commission, City Attorney, City Manager, Administrative Services Director, and Finance Director to execute documents required to close the proposed bond issue.*

**A motion was made by Commissioner Wells, seconded by Commissioner Warren, that this Matter be Adopted (Resolution) 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

140478.

Designation Resolution related to the City of Gainesville's Capital Improvement Revenue Bonds, Series 2014 (B)

A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA, SUPPLEMENTING A RESOLUTION OF THE CITY ADOPTED ON THE DATE HEREOF AND PROVIDING FOR AND AUTHORIZING THE ISSUANCE OF THE CITY'S CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2014, IN AN ORIGINAL AGGREGATE AMOUNT NOT EXCEEDING \$17,100,000 FOR THE PURPOSE OF FINANCING THE COSTS OF ACQUIRING, CONSTRUCTING, REFURBISHING, RENOVATING AND EQUIPPING OF VARIOUS CAPITAL PROJECTS IN THE CITY OF GAINESVILLE AND PAYING OTHER COSTS NECESSARY OR INCIDENTAL THERETO; DELEGATING CERTAIN AUTHORITY TO THE AUTHORIZED ISSUER OFFICER TO AWARD SAID BONDS PURSUANT TO A PUBLIC BID, PROVIDED THE BIDS SUBMITTED FALL WITHIN PARAMETERS SET FORTH HEREIN; APPROVING THE FORM OF AN OFFICIAL NOTICE OF SALE AND SUMMARY NOTICE OF SALE WITH RESPECT TO SAID BONDS; APPOINTING THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS PAYING AGENT AND REGISTRAR WITH RESPECT TO SUCH BONDS; APPROVING THE FORM AND AUTHORIZING THE CIRCULATION OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT; AUTHORIZING THE AUTHORIZED ISSUER OFFICER TO DEEM FINAL THE PRELIMINARY OFFICIAL STATEMENT; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING CERTAIN OFFICIALS OF THE CITY TO EXECUTE ANY DOCUMENTS AND TAKE ANY ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; PROVIDING AN EFFECTIVE DATE FOR THIS RESOLUTION; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO.

RECOMMENDATION

*The City Commission adopt the proposed Delegation Resolution.*

A motion was made by Commissioner Wells, seconded by Commissioner Poe, 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

**Absent:** 1 - Commissioner Hinson-Rawls

**ADOPTION READING-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.

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

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

**A motion was made by Commissioner Wells, seconded by Commissioner Poe, that this Matter be Adopted on Adoption 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

**ORDINANCES, 2ND 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.

*Onelia Lazzari made a presentation.*

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

**Absent:** 1 - Commissioner Hinson-Rawls

**ADOPTION READING- 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.

**RECOMMENDATION**

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

**A motion was made by Commissioner Wells, seconded by Commissioner Poe, that this Matter be Adopted on Adoption 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

**ORDINANCES, 2ND 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 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:** 6 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

Absent: 1 - Commissioner Hinson-Rawls

**ADOPTION READING - 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.

**RECOMMENDATION**

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

**A motion was made by Commissioner Wells, seconded by Commissioner Warren, that this Matter be Adopted on Adoption 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

**ORDINANCES, 2ND 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.

*Donald Shepherd 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:** 6 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

**Absent:** 1 - Commissioner Hinson-Rawls

**ORDINANCES, 1ST READING - ROLL CALL REQUIRED**140392.**TEXT CHANGE - AMEND LIST OF PERMITTED USES BY RIGHT  
FOR THE AF ZONING DISTRICT (B)**

Ordinance 140392; Petition No. PB-14-111 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-76 of the Land Development Code within the Code of Ordinances to allow hard armor systems manufacturing and assembly as a use permitted by right in the Airport Facilities (AF) zoning district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Erik Bredfeldt made a presentation.*

**RECOMMENDATION**            *The City Commission: (1) approve Petition PB-14-111 TCH; 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:** 6 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase



Absent: 1 - Commissioner Hinson-Rawls

## ORDINANCES, 2ND READING- ROLL CALL REQUIRED

### 140322. UPDATE OF 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS (B)

Ordinance No. 140322; Petition No: PB-14-93 CPA

An ordinance updating Table 14: 5-Year Schedule of Capital Improvements (FY 13/14 - 17/18) in the Capital Improvements Element of the City of Gainesville Comprehensive Plan; providing directions to the City Manager; 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 Carter, that this Matter be Adopted on Final Reading (Ordinance). 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

### 130984. FLOODPLAIN MANAGEMENT DISTRICT AND FLORIDA BUILDING CODE AMENDMENTS - TEXT CHANGE

Ordinance No. 130984

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to floodplain management; by repealing the existing Subdivision II. - Flood Control District, Sections 30-280 through 30-290 within Article VIII, Division 3 of Chapter 30; adopting a new Subdivision II. - Floodplain Management District, Sections 30-280 through 30-295 within Article VIII, Division 3 of Chapter 30; adopting a new Section 6-16 - Local Administrative Amendments to the Florida Building Code and a new Section 6-17 - Local Technical Amendments to the Florida Building Code within Chapter 6 to coordinate with the Florida Building Code and implement the National Flood Insurance Program; providing a fiscal impact statement; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Wells, seconded by Commissioner Warren, that this Matter be Adopted on First Reading (Ordinance). 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

130679.

**REGULATION OF NICOTINE DISPENSING DEVICES (B)**

Ordinance No. 130679

An ordinance of the City of Gainesville, Florida amending the City Code of Ordinances related to smoking and the use of nicotine dispensing devices; by repealing the provisions of Chapter 11.5 that are preempted by state law and adopting new provisions in Chapter 11.5 to regulate the use of nicotine dispensing devices; amending the definition of "smoke or smoking" in Section 11.5-40; adding a penalty provision to Section 2-339; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Donald Shepherd, Kevin Skipper, Terrell Bowen and Eric Myers spoke to the matter. Paul Folkers made a presentation.*

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Warren, seconded by Commissioner Wells, that this Matter be Adopted on Final Reading (Ordinance). 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

**PLAN BOARD PETITIONS**

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**UNFINISHED BUSINESS**

**COMMISSION COMMENTS**

*Comm Warren-NW 8th Avenue item(CBB material in back-up)  
-Scheduling 8th Avenue item*

*Fred Murry made a presentation.*

*Comm Chase-5 member City Commission  
-Transportation Plan item*

*Mayor Braddy-FSU shooting  
-Diversity Panel/Community Response Council  
-Butler Plaza sign plan  
-University of Florida Football team*

**CITIZEN COMMENTS (If time permits)**

*Donald Shepherd  
Don Glendening  
Kali Blount*

**ADJOURNMENT-8:31PM**

