

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, June 20, 2013

1:00 PM

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Lauren Poe (At Large)
Commissioner Thomas Hawkins (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Commissioner Todd Chase (District 2)
Commissioner Susan Bottcher (District 3)
Mayor-Commissioner Pro Tem 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-1:05PM

Present 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent 1 - Mayor-Commissioner Pro Tem Wells

AGENDA STATEMENT**ROLL CALL****INVOCATION****CONSENT AGENDA****CITY MANAGER, CONSENT AGENDA ITEMS****[130020.](#)****Connectics Transportation Group Contract Award (B)**

This item is a request to approve rankings for Request for Qualifications (RFQ) #RTSX-130043-DS and execute a contract with Connectics Transportation Group to conduct a Comprehensive Operations Analysis (COA) for the Regional Transit System (RTS).

Patricia Grunder made a presentation.

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking of the top four (4) firms; and 2) authorize the City Manager or his designee to negotiate and execute a contract with the top ranked firm, or next ranked firm if those negotiations are not successful, for the Comprehensive Operations Analysis for the Regional Transit System (RTS), subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

[130023.](#)**U.S. Department of Justice Bulletproof Vest Partnership (NB)**

This is a request for City Commission approval to accept grant funds for the U.S. Department of Justice Bulletproof Vest Partnership Program.

RECOMMENDATION

The City Commission authorize the City Manager to: 1) accept the \$14,715 in grant funds, 2) execute any other necessary documents, pending review by the City Attorney as to form and legality, and 3) authorize the City's portion of

the funding to be paid from the Federal Forfeiture Contraband Funds.

Alternative Recommendation

The City Commission decline the Bulletproof Vest Partnership Award in the amount of \$14,715 and advise staff not to accept the funds.

This Matter was Approved as Recommended

[130051.](#)

FY 2013 Internet Crimes Against Children Task Force Program Continuation (B)

This is a request for City Commission approval to apply for funding under the FY 2013 Internet Crimes Against Children Task Force Program Continuation.

..Explanation

The United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention requests that the City of Gainesville apply for funding under the FY 2013 Internet Crimes Against Children Task Force Program Continuation. This funding will allow the continuation of the Gainesville Police Department's North Florida ICAC Task Force which provides equipment, training, and investigative support to agencies investigating crimes involving the victimization of children through the use of technology. The Task Force serves 38 counties in the State of Florida and the US Virgin Islands.

..Fiscal Note

The City is eligible to receive grant funding up to a maximum of \$353,454. No matching funds are required. The effective dates of the grant are July 1, 2013 through June 30, 2014.

..Recommendation

The City Commission: 1) authorize the City Manager to apply for these funds, and 2) execute any additional documents that may be required, pending review of the City Attorney as to form and legality.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to apply for these funds, and 2) execute any additional documents that may be required, pending review of the City Attorney as to form and legality.

This Matter was Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[130033.](#)

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of April 18, May 23, 29, and 30, 2013.

This Matter was Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

[090795.](#)

Nuisance Abatement (B)

This item supports City Commission Strategic Initiative 6.1: Strengthen the effectiveness and transparency of Code Enforcement.

RECOMMENDATION

The Community Development Committee to the City Commission: The CDC supports the FY2014 budget increments proposed by staff to implement the pilot programs; and 2) requests removal of this item from the Community Development Committee's referral list.

This Matter was Approved as Recommended

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

[130039.](#)

Innovation Square - Agreement for Transfer of Land as Public Rights of Way (B)

This item requests that the City enter into agreement with the Community Redevelopment Agency and the University of Florida Development Council for the construction of a public infrastructure project and transfer of privately owned land to the City as public rights of way and a park at the completion of construction.

RECOMMENDATION

The City Commission authorize the City Manager to execute the Agreement for Transfer of Land as Public Rights of Way, all necessary supporting documents, and all necessary construction documents subject to the City Attorney's approval as to form and legality.

Alternative Recommendation A

The City Commission does not authorize the City Manager to execute the Agreement for Transfer of Land as Public Rights of Way and all necessary supporting documents. This would result in the projects not going forward for construction.

This Matter was Approved as Recommended

Approval of the Consent Agenda

A motion was made by Commissioner Poe, seconded by Commissioner Hinson-Rawls, to Adopt the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Mayor-Commissioner Pro Tem Wells

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Mayor-Commissioner Pro Tem Wells

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

[130034.](#)

Gainesville Chamber Energy Group Work-shop (NB)

Kamal Latham, Jo Beaty and Donald Sheppard spoke to the matter.

Motion: Continue item to next regular meeting (July 18th) and direct the Clerk to find a date when all seven members of the Commission and the General Manager for Utilities can attend.

RECOMMENDATION

The City Commission schedule a work-shop per the request of the Gainesville Chamber of Commerce on July 17, 2013, at 5:30 PM at the Senior Recreation Center.

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

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

Nay: 2 - Mayor Braddy, and Commissioner Chase

Absent: 1 - Mayor-Commissioner Pro Tem Wells

[130049.](#)

Appointments to City Commission Advisory Boards and Committees (NB)

Motion by Comm Hawkins and seconded by Commissioner Poe to approve the recommendation and continue only the Board of Trustees item to the next meeting. Motion failed on a tie vote with Commissioners Bottcher, Braddy and Chase voting no.

RECOMMENDATION

The City Commission appoint:

Perry Clawson to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan for a term to expire 6/20/15.

Jason Straw and Charlotte Winters to the Historic Preservation Board for a term to expire 6/1/16.

Nelson Rosales to the Public Recreation and Parks Board for a term to expire 6/1/16.

James Fliess, Katherine Griffith, and Martha Miller to the Regional Transit System Advisory Board for a term to expire 6/1/16.

Caleb Stewart to the SHIP Affordable Housing Advisory Committee for a term to expire 7/1/15.

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Mayor-Commissioner Pro Tem Wells

CITY MANAGER

121125.

2013 State of Florida Legislative Session Review (B)

This City Commission will receive a review of the 2013 State of Florida legislative session.

John Wayne Smith made a presentation.

RECOMMENDATION *The City Commission receive the legislative update.*

130011.

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program
FY2013 Formula Program: Local Solicitation (NB)**

This is a request for the City Commission to hear a discussion and provide an opportunity for citizen comment on the proposed use of funds in the amount of \$67,368 from the Edward Byrne Memorial Justice Assistance Grant (JAG) and approve the grant application for these funds.

Cheif Jones and Lonnie Scott made presentations.

RECOMMENDATION *The City Commission: 1) hear a report from staff on the City's proposed use of these funds; 2) authorize the City Manager to accept and execute the grant award and any other necessary documents subject to approval by the City Attorney as to form and legality; 3) approve the expenditures as outlined in the approved grant award; and 4) authorize the execution of the MOU between the City and the County.*

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Mayor-Commissioner Pro Tem Wells

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

[121069](#)**Food Trucks (B)**

This item is a referral from the Community Development Committee (CDC) to the City Commission regarding recent Committee action regarding the provision of eating services by Food Trucks.

Eric Bredfeldt,

Donald Sheppard, Pat Avery, Shawn Sheppard and Ismael Rodriquez spoke to the matter.

RECOMMENDATION

The City Commission: 1) direct staff to initiate a Petition to the Plan Board that would allow for the issuance of a Special Event Permit for weekly Food Truck provision of service in the Central City District as a year-long pilot program; and, 2) remove this referral from the CDC pending referral list.

Alternative Recommendation

The City Commission pull the Food Trucks item from consent agenda for discussion.

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

Aye: 5 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, and Commissioner Hinson-Rawls

Nay: 1 - Commissioner Chase

Absent: 1 - Mayor-Commissioner Pro Tem Wells

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE[120712.](#)**Signage and Pavement Marking Improvements for Pedestrian Safety (B)**

This item is a proposal to implement improvements to enhance pedestrian safety.

Continued to July 18th, 2013

RECOMMENDATION

The City Commission receive a presentation from staff and combine referrals #121053 and #120542 under Strategic Initiative 5.1 (#120712).

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

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

[130045.](#) Mayor Ed Braddy - Bread of the Mighty Food Bank Pathway (NB)

Stefan Broadus and Teresa Scott made presentations.

Dock Gordon, Fred Henderson and Ann Voyles spoke to the matter.

Motion: Direct staff to stripe 10th Avenue and 4th Street

RECOMMENDATION *The City Commission discuss and take appropriate action.*

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Mayor-Commissioner Pro Tem Wells

[130046.](#) Commissioner Yvonne Hinson-Rawls - NE 16th Avenue Driveway Closing (NB)

RECOMMENDATION *The City Commission discuss and take appropriate action.*

Heard

[130055.](#) Mayor Ed Braddy - Personnel Requisition Action Form (PRAF) Process

Motion by Commissioner Hinson-Rawls seconded by Commissioner Poe to have Equal Opportunity and City Attorney work on policy to make the PRAF process a City Commission policy

Cheryl McBride made a presentation.

Evelyn Foxx and Dyonne McGraw spoke to the matter.

RECOMMENDATION *The City Commission discuss the removal of the EO Director*

from the approval process and take appropriate action.

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Mayor-Commissioner Pro Tem Wells

COMMISSION COMMENTS (if time available)

RECESS-5:02PM

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[130043.](#) **Parks and Recreation Month - July 2013 (B)**

RECOMMENDATION

Public Recreation and Park Board Chair Rita Puentes, Nature Centers Commission Chair Pearse Hayes and Gainesville/Alachua County Cultural Affairs Board Chair Carol Velasques Richardson to accept the proclamation.

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

*Edward Earl Young-Santa Fe College
Debbie Martinez-Biomass and June 6th meeting
Nathan Skop-GRU costs
Jim Konish-Fuel Adjustment
Ray Washington-Chamber Work-shop File 130090
John Davies-St Pete Visit
Jo Beaty-Chamber Work-shop
Gabe Kaimowitz-City Attorney File 130090
Ernesto Martinez-June 6th meeting and Fuel Adjustment
Susan Fairforest-Koppers
Mac McEachern-Public Records Request
Sandra Watts Kennedy-Koppers
Wilbur Holloway-Fuel Adjustment
Pat Fitzpatrick-Poverty File 130090
Maria Parsons-Koppers
Donald Sheppard-City Issues
Mark Venske-Fuel Adjustment*

Commissioner Chase moved with Commissioner Bottcher seconding to limit fuel adjustment charges for the last three months of the year to coincide with the amount

budgeted for the current fiscal year. Motion failed 3-3 with a tie vote with Comm Hawkins, Hinson-Rawls and Poe voting no.

Mark Goldstein and Sam Harris spoke to the matter.

Mayor Braddy passed the gavel to Commissioner Bottcher and moved that the City send default notice to GREC. Commissioner Chase seconded the motion. Motion failed 1-5 with Mayor Braddy voting yes.

[120680.](#)

**CONSOLIDATED POLICE OFFICERS AND FIREFIGHTERS
RETIREMENT PLAN AMENDMENTS FOR POLICE OFFICERS (B)**

Ordinance No. 120680

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville; amending Section 2-596, Definitions; amending the definition of accrued benefit relating to the multiplier for police officers; amending the definition of earnings related to overtime pay and termination vacation pay for police officers; amending the definition of final average earnings related to the computation of such earnings for police officers; adding a definition of police officer; amending the definition of service credit rules related to service credit for sick leave earned by police officers; amending the definition of trust fund to include individual accounts authorized under the Supplemental Retirement Program for Police Officers; amending Section 2-600, Retirement dates and benefits, related to years of service and age required for normal retirement of police officers, withdrawal of contributions by police officers after termination of employment, and sick leave credit and interest rate for police officers entering DROP; amending Section 2-607, Cost of living adjustment of benefits, related to cost of living adjustments for police officers; adding Section 2-608 to provide a supplemental retirement benefit to police officers; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Jeff McAdams spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 5 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Chase, and Mayor-Commissioner Pro Tem Wells

[130025.](#)

Ratification of Agreement between the North Central Florida Police Benevolent Association (PBA) Bargaining Unit and the City of Gainesville for October 1, 2011 through September 30, 2014 (B)

RECOMMENDATION

The City Commission ratify the Agreement between the North Central Florida Police Benevolent Association (PBA) Bargaining Unit and the City of Gainesville, extending the Agreement through September 30, 2014.

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

Aye: 5 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Chase, and Mayor-Commissioner Pro Tem Wells

130026.**Ratification of Agreement between the Fraternal Order of Police (FOP) Gator Lodge 67, Inc. Bargaining Unit and the City of Gainesville for October 1, 2010 through September 30, 2013 (B)**

Jeff McAdams, Donald Sheppard and Nathan Skop spoke to the matter.

RECOMMENDATION

The City Commission ratify the Agreement between the City of Gainesville and the Fraternal Order of Police Gator Lodge 67, Inc., extending the Agreement through September 30, 2013.

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

Aye: 4 - Mayor Braddy, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 3 - Commissioner Poe, Commissioner Chase, and Mayor-Commissioner Pro Tem Wells

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED****ADOPTION READING-ROLL CALL REQUIRED****120616.****PLANNED USE DISTRICT AMENDMENT - UNIVERSITY CORNERS (B)**

Ordinance No. 120616; Petition PB-12-124 PUD

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map and the Future Land Use Element of the Comprehensive Plan by overlaying the land use category of "Planned Use District" on certain property with the underlying land use categories of "Mixed-Use Low-Intensity and Mixed-Use Residential" known as "University Corners" generally located between West University Avenue on the South, Northwest 3rd Avenue on the

North, Northwest 13th Street (US 441) on the East, and Northwest 14th Street on the West, as more specifically described in this ordinance; providing development conditions; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Scot Wright, Onelia Lazzari, Bret Dill, David Coffey, Melissa Murphy, Tony Flagert and Scott Lowe made presentations.

Mark Goldstein, Sam Harris, Nathan Skop, Mark Venske, Shawn McKinney and Evan Morris spoke to the matter.

Comm Chase moved with Comm Hawkins seconding to waive the rules and extend meeting to 11:30PM. Motion carried 6-0. Commissioner Bottcher left the meeting at 11:53PM.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Nay: 2 - Mayor Braddy, and Commissioner Chase

Absent: 1 - Mayor-Commissioner Pro Tem Wells

[120426.](#)

REZONING - AMENDMENT TO THE URBAN VILLAGE AREA AS DESIGNATED WITHIN THE UMU-2 ZONING DISTRICT (B)

Ordinance No. 120426; Petition No. PB-12-97 TCH

An ordinance adding approximately 2.8 acres of property to and removing approximately 497 square feet of property from the Urban Village as designated within Section 30-65.2 - Urban mixed-use district 2 (UMU-2) of the Land Development Code of the City of Gainesville, Florida, said property being more specifically described in this ordinance; by deleting and replacing Figure 1.2 District Boundary Map - Urban Village and Figure 2.3 Primary Frontage Streets - Urban Village; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission (1) approve Petition PB-12-97 TCH and (2) adopt the proposed ordinance.*

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

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

[121035.](#)**LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 1.86 ACRES OF PROPERTY GENERALLY LOCATED AT 2001 NW 13TH STREET (B)**

Ordinance No. 121035; Petition No. PB-13-22 LUC

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map and the Future Land Use Element of the Comprehensive Plan by changing the land use category of approximately 1.86 acres of property generally located at 2001 NW 13th Street, as more specifically described in this ordinance, from Commercial (C) to Mixed-Use Low-Intensity (MUL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission: (1) approve Petition PB-13-22 LUC and (2) adopt the proposed ordinance.

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

Aye: 4 - Mayor Braddy, Commissioner Poe, Commissioner Chase, and Commissioner Hawkins

Absent: 3 - Commissioner Bottcher, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

ORDINANCES, 1ST READING - ROLL CALL REQUIRED[121036.](#)**REZONING - APPROXIMATELY 1.86 ACRES OF PROPERTY GENERALLY LOCATED AT 2001 NW 13th Street (B)**

Ordinance No. 121036; Petition PB-13-23 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 1.86 acres of property generally located at 2001 NW 13th Street, as more specifically described in this ordinance, from Automotive-oriented business district (BA) to Mixed-use low intensity district (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission (1) approve Petition No. PB-13-23 ZON and (2) adopt the proposed ordinance.

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

Aye: 4 - Mayor Braddy, Commissioner Poe, Commissioner Chase, and Commissioner Hawkins

Absent: 3 - Commissioner Bottcher, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

[120842.](#)**REZONING - APPROXIMATELY 0.15 ACRES GENERALLY LOCATED ON THE SOUTH SIDE OF NW 21ST AVENUE, APPROXIMATELY 320 FEET EAST OF NW 13TH STREET, FROM CONSERVATION (CON) TO MIXED-USE LOW INTENSITY DISTRICT (MU-1) (B)**

Ordinance No. 120842; Petition No. PB-12-160 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.15 acres of property generally located on the south side of NW 21st Avenue, approximately 320 feet east of NW 13th Street, as more specifically described in this ordinance, from Conservation (CON) to Mixed-use low intensity district (MU-1); 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 Poe, seconded by Commissioner Hinson-Rawls, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

[121031](#)**REZONING - 2845 NE 39TH AVENUE (B)**

Ordinance No. 121031; Petition No. PB-13-15 ZON

An ordinance of the City of Gainesville, Florida, amending Section 30-23 of the Land Development Code to include the definition of continuum of care facility; amending the Public services and operations zoning by establishing uses permitted by right for approximately 30.85 acres of certain real property located in the vicinity of 2845 NE 39th Avenue; establishing development requirements for the subject property; waiving the requirement of a preliminary development plan; 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 Hawkins, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

[120931.](#)**TEXT CHANGE - AMEND THE LIST OF PERMITTED USES BY**

RIGHT FOR THE RMF-5 ZONING DISTRICT IN THE LAND DEVELOPMENT CODE BY ADDING "ACCESSORY USES" WITH CERTAIN CONDITIONS AS AN ALLOWABLE USE WITHIN THE RMF-5 ZONING DISTRICT (B)

Ordinance 120931; Petition No. PB-13-009 TCH

An ordinance of the City of Gainesville, Florida, amending the list of permitted uses by right for the RMF-5 zoning district in Section 30-52 - Residential low density districts (RMF-5, RC and MH) of the Land Development Code by adding "accessory uses" with certain conditions as an allowable use; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION

The City Commission: (1) approve Petition PB-13-009 TCH and (2) adopt the proposed ordinance.

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

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

120615.

PLANNED DEVELOPMENT AMENDMENT - UNIVERSITY CORNERS (B)

Ordinance No. 120615; Petition PB-12-125 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning to "Planned Development District" (PD) certain property known as "University Corners" generally located between West University Avenue on the South, Northwest 3rd Avenue on the North, Northwest 13th Street (US 441) on the East, and Northwest 14th Street on the West, as more specifically described in this ordinance; adopting PD maps, a PD report, and development conditions; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an effective date.

..recommendation

The City Commission adopt either alternative "A" or alternative "B" of the proposed ordinance.

Scott Wright, David Coffey and Scott Lowe made presentations.

Comm Poe moved with Comm Hawkins seconding to waive the rules to continue meeting until 11:45PM. Motion carried 6-0.

Amendments: Alternative B, include modifications from Planning staff and brick wrap around on pedestrian level on both sides

Comm Poe moved with Comm Hawkins seconding to continue meeting until 12:00 midnight. Motion carried 6-0.

Matt Wolfe, Shannon Moore, Nathan Skop, Mark Venske, Sam Harris and Jo Beaty spoke to the matter.

RECOMMENDATION *The City Commission adopt either alternative "A" or alternative "B" of the proposed ordinance.*

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

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

Nay: 2 - Mayor Braddy, and Commissioner Chase

Absent: 1 - Mayor-Commissioner Pro Tem Wells

[120152.](#)

TEXT CHANGE - ALLOW PATRONS' DOGS WITHIN OUTDOOR PORTIONS OF EATING PLACES (B)

Ordinance No. 120152; Petition No. PB-12-53 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code and the Code of Ordinances by establishing a permitting procedure, regulations and permit fee to allow patrons' dogs within outdoor portions of eating places; by creating Section 30-122 Patrons' dogs within outdoor portions of eating places; by creating a permit fee within Appendix A-Schedule of Fees, Rates and Charges; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 2 - Mayor Braddy, and Mayor-Commissioner Pro Tem Wells

[120235.](#)

REZONING - APPROXIMATELY 497 SQUARE FEET OF PROPERTY LOCATED ON THE EAST SIDE OF SW 43RD STREET APPROXIMATELY 31 FEET FROM THE SOUTH RIGHT-OF-WAY OF SW 20TH AVENUE (B)

Ordinance No. 120235; Petition No. PB-12-76 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 497 square feet of property located in the vicinity of the east side of SW 43rd Street, approximately 31 feet from the south right-of-way of SW 20th Avenue, as more specifically described in this ordinance, from Alachua County Planned Development district (PD) to City of Gainesville Public services and operations district (PS); establishing uses permitted by right; excepting the requirement of a preliminary development plan; providing conditions on the property; providing directions to the City Manager; 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 Hawkins, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

[120840](#)

**REZONING - APPROXIMATELY 0.71 ACRES OF PROPERTY
GENERALLY LOCATED AT 2029 NW 13th STREET-
AUTOMOTIVE-ORIENTED BUSINESS DISTRICT (BA) TO
MIXED-USE LOW INTENSITY DISTRICT (MU-1) (B)**

Ordinance No. 120840; Petition No. PB-12-162 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.71 acres of property generally located at 2029 NW 13th Street, as more specifically described in this ordinance, from Automotive-oriented business district (BA) to Mixed-use low intensity district (MU-1); 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 Poe, seconded by Commissioner Hawkins, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

[121080.](#)

**CITY OF GAINESVILLE REGISTRY OF PROTECTED PUBLIC
PLACES PHASE II-A PROPERTY LISTING (B)**

Ordinance No. 121080

An ordinance of the City of Gainesville, Florida, adding specified real properties owned in fee simple by the City of Gainesville to the City of Gainesville Registry of Protected Public Places; 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 Hawkins, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

[121099.](#)

ORDINANCE SETTING 2014 ELECTION DATES AND QUALIFYING DATES (B)

ORDINANCE NO. 121099

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, SETTING MARCH 11, 2014 AS THE DATE FOR THE 2014 REGULAR CITY ELECTION AND APRIL 8, 2014 AS THE DATE FOR THE 2014 RUN-OFF ELECTION, IF NECESSARY; SETTING THE DATES FOR QUALIFYING FOR THE 2014 REGULAR ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Comm Poe moved with Comm Hawkins seconding to waive rules to continue meeting until 12:15AM. Motion carried 5-0. Comm Hinson-Rawls moved with Comm Chase seconding to authorize an enhancement package for a parent emissary. Motion carries 5-0. Mayor Braddy discussed topics for a joint meeting with Alachua County.

[130141.](#)

Peddlers and Vendors

RECOMMENDATION

Refer to Committee

A motion was made by Commissioner Hawkins, seconded by Commissioner Poe, that this Matter be Referred to the Community Development Committee, due back on 12/20/2013. The motion carried by the following vote:

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 2 - Commissioner Bottcher, and Mayor-Commissioner Pro Tem Wells

CITIZEN COMMENT (If time available)

*Jo Beaty-Public Comment
Nathan Skop-GRU Issues*

ADJOURNMENT-12:14AM

Kurt Lannon, Clerk of the Commission