

City of Gainesville

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



Minutes - Draft

Thursday, August 15, 2013

1:00 PM

MODIFIED AGENDA

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

- Present** 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells
- Absent** 1 - Commissioner Hinson-Rawls

AGENDA STATEMENT**ROLL CALL****INVOCATION****CONSENT AGENDA**

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

- Aye:** 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells
- Absent:** 1 - Commissioner Hinson-Rawls

CITY MANAGER, CONSENT AGENDA ITEMS

- 130152. Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for the Gainesville - Alachua County Drug Task Force (DTF), GPD Special Investigation Division for Verizon Wireless for FY14 (B)**

This is a request for City Commission approval for the appropriation of funds for cellular phones service for the Special Investigations Division.

RECOMMENDATION

The City Commission approve the appropriation of \$4,500 from the Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) to pay for the cellular services and any equipment needed to Verizon Wireless.

Alternative Recommendation

The City Commission not approve the appropriation and the cellular phones to be turned off.

Approved as Recommended

130153. State Law Enforcement Contraband Forfeiture Trust Fund Funding for BOLD Program (NB)

This is a request for City Commission approval for the appropriation of funds for the BOLD Program.

RECOMMENDATION *The City Commission approve the appropriation of \$10,000 from the State Law Enforcement Contraband Forfeiture Trust Fund to pay for the personnel costs.*

Approved as Recommended

130161. Bid Award - Bus Stop Improvements (B)

This item is a request for the City Commission to authorize the bid award to Hicks Seal Coating and Striping, LLC, for the Bus Stop Improvements Project for the construction, replacement and installation of sidewalks, pads and signage associated with bus stop improvements per the project plans, in the amount of \$70,760.

RECOMMENDATION *The City Commission: 1) award the bid to Hicks Seal Coating and Striping, LLC, for the Bus Stop Improvements Project; 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; and 3) issue a purchase order in an amount not to exceed \$70,760.*

Approved as Recommended

130164. Approval and Authorization to Execute a Lease Agreement (B)

This item is a request to Approve and Authorize the Execution of a Lease Agreement with JVC Media of Florida, LLC.

RECOMMENDATION *The City Commission: 1) approve the Lease Agreement with JVC Media of Florida, LLC for the space available at 60 Southwest 2nd Street, and 2) authorize the City Manager to execute the Lease Agreement with JVC Media of Florida, LLC, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

130165. Urban Village Special Lighting Design Area (B)

This is a request for the City Commission to authorize the City Manager to establish a special lighting design area for the Urban Village.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to establish a Special Lighting Design Area for the Urban Village; and 2) authorize the City Manager to initiate the process to establish a special assessment to fund the annual operating expenses and future capital replacement costs for lighting in the Urban Village.

Alternate Recommendation: The City Commission not approve the creation of a Special Lighting Design Area.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**130187. Amendment to Azteca Software License (NB)**

Staff recommends amending the software license, maintenance and service agreement with Azteca Systems, Inc. for Cityworks. The software promotes effective and efficient use of Geographical Information Systems (GIS) data across all service delivery operating areas within GRU and will provide similar benefits to General Government.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to amend the existing software license agreement with Azteca Systems, Inc. to upgrade the existing software license to "site license premium" subject to approval of the City Attorney as to form and legality; and 2) issue a purchase order to Azteca Systems, Inc. in the amount of \$209,000 for the upgraded software license and \$76,000 for annual updates and support.

Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS**130171. AMENDMENTS TO THE CITY'S ELECTION CODE (NB)**

Approved as recommended

RECOMMENDATION

The City Commission authorize the City Attorney to draft and the Clerk to advertise an ordinance changing sections of the City's Election Code relating to campaign finance reports.

Approved as recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

130189. City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of June 20, July 16, 18, 22, 23, 25 and 29.

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

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

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

GREC Settlement was added to the agenda. Nathan Skop spoke to the matter.

A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, 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 Mayor-Commissioner Pro Tem Wells

Absent: 1 - Commissioner Hinson-Rawls

CHARTER OFFICER UPDATES**CLERK OF THE COMMISSION****CITY MANAGER****120804. Gainesville Fire Rescue Station 1 Replacement Project (B)**

This item involves a request that the City Commission authorize the City Manager to execute purchase agreements for two parcels of land and a lease agreement for one of the parcels to allow for construction of the Gainesville Fire Rescue Station 1 Replacement Project.

Chief Prince made a presentation. Donald Shepherd, Ernesto Martinez, Stephen Boyes, Nathan Skop, Joe Courter, Chris Fillie and Mike Myers spoke to the matter.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the purchase agreements with David Mathia and Peter Theoktisto for the purchase of tax parcels 13038-000-000 and 13040-000-000 and all associated closing costs, subject to approval by the City Attorney as to form and legality; 2) authorize the City Manager to execute a lease agreement with Chris Fillie, subject to approval by the City Attorney as to form and legality; and 3) authorize the use of an additional \$200,000 in funding from the City's Capital Budget for costs associated with acquisition of the properties and to initiate design of the new fire station.

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

Aye: 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Nay: 1 - Mayor Braddy

Absent: 1 - Commissioner Hinson-Rawls

GENERAL MANAGER FOR UTILITIES

130190. Minimum Flows and Levels and Consumptive Use Permitting (B)

Staff recommends City Commission receive a presentation from the Executive Director of the Suwannee River Water Management District (SRWMD) on the Minimum Flows and Levels (MFLs) for the Lower Santa Fe and Ichetucknee Rivers and Priority Springs. In addition, GRU staff will provide a brief update on the status of the Consumptive Use Permitting (CUP) renewal.

Carlos Herd and Tony Cunningham made presentations. Jim Konish, Nathan Skop, Ernesto Martinez and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission: Receive two presentations regarding the Minimum Flows and Levels and GRUs' Consumptive Use Permit.*

Heard

130234. GREC Settlement Agreement (B)

Discuss the Settlement Agreement terms between The City of Gainesville, Florida, d/b/a Gainesville Regional Utilities and Gainesville Renewable Energy Center, LLC (GREC).

Motion: Schedule special meeting at 5:00PM on Monday August 19th to discuss GREC arbitration. Nathan Skop, Ray Washington, Jim Konish, Jo Beaty, Ernesto Martinez, Wilbur Holloway, Mac McEachern and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a presentation and discuss the Settlement terms and; 2) provide further direction to staff relative to an agreement.*

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: 5 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Absent: 2 - Commissioner Chase, and Commissioner Hinson-Rawls

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

GAINESVILLE/ALACHUA COUNTY CULTURAL AFFAIRS BOARD

130056. Gainesville-Alachua County Cultural Affairs Board Work Plan and Annual Report update for FY 2013-14 (B)

This item requests that the City Commission hear a presentation of the Gainesville-Alachua County Cultural Affairs Board regarding their Annual Report and Work Plan update for 2013-2014.

RECOMMENDATION

The City Commission hear a brief presentation by Gainesville-Alachua County Cultural Affairs Board Chair Carol Velasques Richardson, regarding the FY 13/14 Annual Report and Work Plan update.

Postponed

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS-5:26PM

RECONVENE-6:07PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

130186. National Honeybee Awareness Day - August 17, 2013 (B)

RECOMMENDATION

American Honey Princess Emily Campbell to accept the proclamation.

Heard

CITIZEN COMMENT (6:00pm)

*Nathan Skop
Scott Winzler
Patricia Ingle
Debbie Martinez
John Davies
Ray Washington
Jim Konish
Gabe Hillel
Mac McEachern
Donald Shepherd
Ernesto Martinez
Wilbur Holloway
Pat Fitzpatrick-#130343*

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

**130159. Qualified Target Industry (QTI) Refund Resolution -
ONESIXTYOVERNINETY, INC. (B)**

This item seeks City Commission approval for a QTI contribution for the prospective location of a regional headquarters within the City of Gainesville for ONESIXTYOVERNINETY, INC, a branding and public relations agency.

Donald Shepherd spoke to the matter.

RECOMMENDATION

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

Alternative Recommendation

The City Commission deny the Qualified Target Industry Refund Resolution.

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Absent: 1 - Commissioner Hinson-Rawls

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

110658. TEXT CHANGE - BOARD ATTENDANCE REQUIREMENTS (B)

Ordinance No. 110658

An ordinance amending the Code of Ordinances of the City of Gainesville, Florida, relating to attendance requirements for members of quasi-judicial, administrative, and advisory boards; by amending Section 2-247. - *Removal from office*; 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 Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Bottcher, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Absent: 1 - Commissioner Hinson-Rawls

120139. TEXT AMENDMENT - SPECIAL EVENT PARKING (B)

Ordinance No. 120139, Petition No. PB-11-92TCH

An ordinance of the City of Gainesville, Florida, amending the City Code of Ordinances and the Land Development Code related to special event parking; by amending Section 30-23(c) to create a definition for the University of Florida context area; by amending Section 30-56(c) to allow special event temporary off-street parking in the University of Florida context area; by amending Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances to add a permit fee for special event parking; amending Section 2-339 by adding violation of special event parking permit requirements to the list of ordinances enforceable as a civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Nathan Skop, Jo Beaty, Donald Shepherd and Wilbur Holloway spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 4 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Nay: 2 - Mayor Braddy, and Commissioner Chase

Absent: 1 - Commissioner Hinson-Rawls

130119. VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY-OWNED PARCEL LOCATED NORTH OF MORNINGSIDE NATURE CENTER AND EAST OF NORTHEAST WALDO ROAD (B)

Ordinance No. 130119

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 No. 10860-000-000, which is generally located south of NE 39th Avenue, west of Morningside Nature Center, north of E University Avenue, and east of NE Waldo Road, as petitioned for by the property owner 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.

Nathan Skop and Jo Beaty spoke to the matter. Comm Poe left the meeting at 8:32PM.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

- Aye:** 4 - Mayor Braddy, Commissioner Bottcher, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells
- Absent:** 3 - Commissioner Poe, Commissioner Chase, and Commissioner Hinson-Rawls

130120.

VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY-OWNED PARCEL SOUTH OF FRED CONE PARK (B)

Ordinance No. 130120

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 No. 16146-000-000, which is generally located south of E University Avenue and Fred Cone Park, west of Tax Parcel No. 16143-000-000, north of SE Hawthorne Road, and east of SE 24th Street and the Alachua County Sheriff's office, as petitioned for by the property owner 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 Hawkins, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 4 - Mayor Braddy, Commissioner Bottcher, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Absent: 3 - Commissioner Poe, Commissioner Chase, and Commissioner Hinson-Rawls

130121. VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY OWNED PARCELS NORTHEAST OF GRU DEERHAVEN GENERATING STATION (B)

Ordinance No. 130121

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. 05871-002-000 and 05871-003-000, which are generally located south of NW 142nd Avenue and northeast of the Gainesville Regional Utilities Deerhaven Generating Station along State Road 121, as petitioned for by the property owner 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 Hawkins, seconded by Commissioner Bottcher, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 4 - Mayor Braddy, Commissioner Bottcher, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Absent: 3 - Commissioner Poe, Commissioner Chase, and Commissioner Hinson-Rawls

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

120370. EVALUATION AND APPRAISAL COMPREHENSIVE PLAN AMENDMENTS (B)

Ordinance No. 120370

An ordinance of the City of Gainesville, Florida, amending the City's Comprehensive Plan pursuant to the periodic evaluation and appraisal process set forth in Section 163.3191, Florida Statutes, to comply with changes to Florida Statutes, address changes in local conditions, correct internal inconsistencies, and provide clarification to objectives and policies; by amending the Future Land Use Element and the Future Land Use Map Series; by amending the Transportation Mobility Element and the Transportation Mobility Map Series; by deleting the Concurrency Management Element; by amending the Housing Element; by amending the Conservation, Open Space & Groundwater Recharge Element; by amending the Capital Improvements Element; by amending the Intergovernmental Coordination Element; by amending the Public Schools Facilities Element; by providing directions to the City Manager; providing a repealing clause; providing a severability clause; and providing an effective date.

RECOMMENDATION

The City Commission (1) receive letters of "no comment" from North Central Florida Regional Planning Council, St. Johns River Water Management District, and Florida Department of Environmental Protection; (2) receive "comment" letters from Florida Department of Economic Opportunity, Florida Department of Transportation and Florida Department of Education; (3) receive letter from City to Florida Department of Economic Opportunity in response to comments received; and, (4) adopt the proposed ordinance.

A motion was made by Commissioner Bottcher, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Adopted on Final Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:

Aye: 4 - Commissioner Bottcher, Commissioner Chase, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Nay: 1 - Mayor Braddy

Absent: 2 - Commissioner Poe, and Commissioner Hinson-Rawls

PLAN BOARD PETITIONS

130157. Sign Code Update (B)

Petition PB-13-57 TCH. City Plan Board. Amend the Land Development Code Article IX, Division I to update, clarify and re-organize the Sign regulations, related to petition PB-10-93TCH.

Jo Beaty and Donald Shepherd spoke to the matter.

RECOMMENDATION

City Plan Board to the City Commission - Approve the petition as modified.

Staff to the City Plan Board - Approve the petition.

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

Aye: 5 - Mayor Braddy, Commissioner Bottcher, Commissioner Chase, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Absent: 2 - Commissioner Poe, and Commissioner Hinson-Rawls

DEVELOPMENT REVIEW BOARD PETITIONS**SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT**

Comm TC moved with Comm RW to waive rules and continue meeting until 11:15PM. Motion carries 4-1 with Comm TH voting no.

Comm TD moved with Comm RW to waive rules and continue meeting until 11:30PM. Motion fails 3-2 with Comm TH and Comm SB voting no.

Comm TC moves with Comm RW to waive rules and continue meeting until 11:20PM. Motion carries 4-1 with Comm TH voting no.

Comm Chase moved with Comm Wells seconding to expedite the early voting item in Committee. Motion carries 5-0.

CITIZEN COMMENT (If time available)**ADJOURNMENT-11:20PM**

City of Gainesville

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



Minutes - Draft

Thursday, September 19, 2013

1:00 PM

Modified Agenda

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

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****120416. Solid Waste Collection Contract (B)**

This item is a request for the City Commission to approve the renewal of a contract between the City and WCA (City's contract waste hauler) for residential and municipal solid waste, recycling and yard trash collection.

RECOMMENDATION

The City Commission authorize the City Manager to execute the Renewal Agreement with WCA of Florida, LLC for residential and municipal solid waste, recycling and yard trash collection through September 30, 2021; subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

130185. Edward Byrne Memorial Justice Assistance Grant Application (JAG countywide - State Solicitation) (NB)

This item requests City Commission authorization to apply for and accept Edward Byrne Memorial Justice Assistance Grant funds (State Solicitation) in the amount of \$10,000 for the Sexual Predator and Offender Tracking Program and \$10,000 for the Brave Overt Leaders of Distinction (B.O.L.D.) Program.

RECOMMENDATION

The City Commission authorize the City Manager to execute the grant application, grant award and any other necessary documents pending review by the City Attorney as to form and legality.

This Matter was Approved as Recommended

130232. Bid Award for Open-Close-Clean Services at City of Gainesville Parks (B)

This item involves a request for the City Commission to authorize the bid award and contract to Superglo Cleaning Service for the opening, closing and cleaning of City of Gainesville parks in the amount of \$82,980.

RECOMMENDATION

The City Commission: 1) award the contract for park opening, closing and cleaning to Superglo Cleaning Service for a one-year period from October 1, 2013, through September 30, 2014, with the option to execute two (2) one-year extensions; 2) authorize the City Manager or his designee to execute the contract, subject to approval by the City Attorney as to form and legality; and 3) approve the issuance of a purchase order in the amount of \$82,980 for the 2013-2014 fiscal year.

Alternative Recommendation:

The City Commission not award the contract for park opening, closing and cleaning to Superglo Cleaning Service and direct staff to rebid the contract.

This Matter was Approved as Recommended

130266. Bid Award - Annual Contract for Asphaltic Concrete Surfacing Services (B)

This item is a request for the City Commission to authorize bid awards to Oldcastle Southern Group, Inc. d/b/a APAC Southeast, Inc., John C. Hipp Construction Equipment Company and V.E. Whitehurst & Sons, Inc., for delivery of asphalt.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute contracts with Oldcastle Southern Group, Inc. d/b/a APAC Southeast, Inc., John C. Hipp Construction Equipment Company and V.E. Whitehurst for delivery of asphalt, subject to approval of the City Attorney as to form and legality; and 2) authorize the City Manager to execute any and all related documents.

This Matter was Approved as Recommended

130268. Base Level Transit Services Agreement with Alachua County Board of County Commissioners (B)

This item is a request to authorize the City Manager to execute the Base Level Transit Services Agreement between the City of Gainesville Regional Transit System (RTS) and the Alachua County Board of County Commissioners (BoCC).

RECOMMENDATION

The City Commission authorize the City Manager to execute the Base Level Transit Services Agreement with Alachua County Board of County Commissioners (BoCC) for the period of October 1, 2013 through September 30, 2014, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

130269. Transit Services Agreement Route 75 with Alachua County Board of County Commissioners (B)

This item is a request to authorize the City Manager to execute the Transit Services Agreement (Route 75) between the City of Gainesville Regional Transit System (RTS) and the Alachua County Board of County Commissioners (BoCC).

RECOMMENDATION

The City Commission authorize the City Manager to execute the Transit Services Agreement (Route 75) with Alachua County Board of County Commissioners (BoCC) for the period of October 1, 2013 through September 30, 2014, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

130270. Agreement between ADP, Inc., and Regional Transit System (RTS) for Timekeeping and Attendance Upgrade (B)

This item is a request for the City Commission to authorize the City Manager to execute an Agreement with ADP, Inc., for a timekeeping and attendance system upgrade for Regional Transit System (RTS).

RECOMMENDATION

The City Commission authorize the City Manager to execute an Agreement with ADP, Inc., for the timekeeping and attendance system upgrade for Regional Transit System (RTS), subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

130271 Agreement between Alachua County Board of County Commissioners (BoCC) and Regional Transit System (RTS) for Emergency Management (B)

This item is a request for the City Commission to authorize the City Manager to execute an Agreement with Alachua County Board of County Commissioners (BoCC) and Regional Transit System (RTS) for Emergency Management.

RECOMMENDATION *The City Commission authorize the City Manager to negotiate and execute an Agreement with Regional Transit System (RTS) and the Alachua County Board of County Commissioners (BoCC), for Emergency Management, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended

130281. 2013 Strike Out Hunger Food Drive (B)

The purpose of this agenda item is to request the City of Gainesville to co-sponsor and authorize staff participation in the 2013 Strike Out Hunger Food Drive for Gainesville/Alachua County.

RECOMMENDATION *The City Commission approve the request to co-sponsor the Strike Out Hunger event for 2013 and authorize the City Manager to designate staff to assist with the event coordination.*

This Matter was Approved as Recommended

130289. Amendment to extend the term of the Interlocal Agreement between the City of Gainesville and Alachua County for the Provision of Emergency Supplemental Shelter and Services (B)

This item involves a request for City Commission approval to amend the Interlocal Agreement for the provision of emergency shelter and services for homeless persons and families. The proposed amendment extends the term of the Agreement by one year, from September 30, 2013, to September 30, 2014.

RECOMMENDATION *The City Commission: 1) approve the amendment 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 amendment and any related documents necessary on behalf of the City, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended

130261. Sidewalk Cafes on State Roads (NB)

This is a request to refer the issue of sidewalk cafes on state roads to the Community Development Committee.

RECOMMENDATION *The City Commission refer the issue of sidewalk cafes on state roads to the Community Development Committee.*

This Matter was Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

**130267. ALFREDO NOBLE-RODRIGUEZ V. CITY OF GAINESVILLE;
ALACHUA COUNTY CIRCUIT COURT; CASE NO.:
01-2012-CA-1399 (B)**

RECOMMENDATION *The City Commission 1) approve the terms of the mediated settlement; and 2) authorize the City Attorney to settle the claim of Alfredo Noble-Rodriguez v. City of Gainesville; Alachua County Circuit Court Case No.: 01-2012-CA-1399, on behalf of the City.*

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

130314. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of August 6, August 12, August 13, August 19, August 20, August 27, and September 9, 2013.*

This Matter was Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

130262. EO Office 2013 Update (B)

RECOMMENDATION *The City Commission accept from EO Director a 2013 update on the EO Office.*

This Matter was Approved as Recommended

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE,
CONSENT****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****PUBLIC SAFETY COMMITTEE, CONSENT****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT****130244.** Review of Combined Communication Center Expenses (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee recommends that the City Commission accept the City Auditor's report and the written response to the report from Sheriff Sadie Darnell.*

This Matter was Approved as Recommended

120551 City Commission Candidate Qualification Process (NB)

RECOMMENDATION *The Audit, Finance and Legislative Committee recommends removal of this item from the referral list.*

This Matter was Approved as Recommended

110822. Sales Tax Rebate (NB)

RECOMMENDATION *The Audit, Finance and Legislative Committee recommends removal of this item from the referral list.*

This Matter was Approved as Recommended

130236. Fiscal Year 2013 Operating Funds Quarterly Monitoring Report - Quarter Ending June 30, 2013 (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee recommends that the City Commission receive the quarterly budget monitoring report for the quarter ended June 30, 2013.*

This Matter was Approved as Recommended

130246. Quarterly Financial Report - Gainesville Regional Utilities (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee recommends that the City Commission receive the GRU Quarterly Financial Report as of June 30, 2013.*

This Matter was Approved as Recommended

Approval of the Consent Agenda

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

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

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

130338. Charter Review Meeting Re-schedule (NB)

Motion: Schedule for November 4th

RECOMMENDATION *The City Commission change the October 29th meeting to November 4, November 6 or November 18 at 6:00 PM.*

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

CITY MANAGER**130264. Charter County and Regional Transportation System Surtax (B)**

Section 212.055, Florida Statutes allows charter counties to impose a discretionary sales surtax of up to one (1) percent. The Alachua County Board of County Commissioners is considering a 2014 ballot initiative for a one (1) cent Charter County Transportation System Surtax.

Teresa Scott made a presentation. Nathan Skop, Debbie Martinez, Bruce Nelson, Ernesto Martinez, Mac McEachern, Bob Karp, Walter Willard, Duane Gildea, Donald Shepherd and James Thompson spoke the matter.

Motion: Adopt transportation needs list 130264c and forward to the County as the City's list for the Surtax

RECOMMENDATION

The City Commission: 1) hear presentation; and 2) discuss prioritization of transportation projects considered for Surtax funding.

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

130212. Agreement between the City of Gainesville and Keep Alachua County Beautiful for FY2014 (B)

This item is a request for the City Commission to approve the execution of an agreement with Keep Alachua County Beautiful in the amount of \$55,000.

Gina Hawkins made a presentation. Bruce Nelson spoke the matter.

RECOMMENDATION

The City Commission authorize the City Manager to execute the contract with Keep Alachua County Beautiful for the period of October 1, 2013, through September 30, 2014, subject to approval by the City Attorney as to form and legality.

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

130191. Parking and Transportation Funding Options for Innovation Square (B)

This item involves a request for the City Commission to hear a presentation on Innovation Square parking and transportation funding options.

Paul Folkers, Ed Poppell and Camille Tharpe made presentations.

Amendment: Look at additional geographic districts and include cost estimate from City Attorney's Office

Nathan Skop, Jim Konish, Paula Stahmer, Jo Beaty, Walter Willard, Donald Shepherd and Pat Fitzpatrick spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear an update on Innovation Square; 2) hear a presentation on Innovation Square parking and transportation facility and service funding options; and 3) direct staff to return to the City Commission to report on the need for and general feasibility of a Special Assessment for Parking and Transportation Services for Innovation Square.

A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this Matter be Approved as Amended. 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**130302. Dewatering Equipment for Water Reclamation Facilities (B)**

Staff recommends award of a contract to Andritz Separation Inc. for the purchase of dewatering equipment for the Water Reclamation Facilities Dewatering Project.

Ron Herget made a presentation.

Mark Venske, Paula Stahmer and Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to execute a contract with Andritz Separation Inc. for the purchase of dewatering equipment for the Water Reclamation Facilities, and 2) approve the issuance of a purchase order to Andritz Separation Inc. for dewatering equipment in the amount of \$968,500, subject to approval of the City Attorney as to form and legality, subject to the final appropriation of funds.

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 Chase, and Commissioner Hinson-Rawls

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

130310. GREC Proposal Discussion Item (B)

This item was heard at the end of the evening agenda.

John Stanton made a presentation.

Motion: Clerk schedule special meeting on GREC issue.

Comm TC moved with Comm TH seconding to waive the rules to extend meeting until 11:15PM. Motion carries 5-0 with Comm LP leaving at 10:56PM.

RECOMMENDATION Hear a presentation and discussion.

A motion was made by Commissioner Poe, 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

130336. Amendment of Escrow Agreement in Order to Preserve Tax-Exempt Status of Utilities System Revenue Bonds, 2007 Series A (B)

David Richardson made a presentation. Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission authorize the General Manager for Utilities (1) to enter into an amendment to the escrow agreement for the Refunded Bonds in substantially the form submitted to this meeting, with such changes thereto as the General Manager for Utilities may determine to be necessary or desirable and subject to approval of the City Attorney as to form and legality, in order to permit necessary reinvestments in open-market U.S. Treasury securities in addition to 0% SLGS; (2) to execute such other documents and take such other actions (including, without limitation, hiring certain professionals to assist GRU with the purchase of such open-market securities and to verify compliance with federal income tax requirements) as may be necessary or desirable to proceed with this transaction and preserve the tax-exempt status of the 2007 Series A Bonds; (3) to cause any excess arbitrage earnings on the escrow to be paid over to the federal government, and to enter into any commitments with respect thereto as may be necessary or desirable; and (4) to enter into amendments to escrow agreements for such other Utilities System Revenue Bonds issuances that may be similarly impacted in substantially similar form subject to approval of the City Attorney as to form and legality.*

A motion was made by Commissioner Poe, seconded by Commissioner Hinson-Rawls, 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 ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS-5:03PM

RECONVENE-6:00PM

PLEDGE OF ALLEGIANCE (5:30pm)

Ray Davis

PROCLAMATIONS/SPECIAL RECOGNITIONS

130307. Gainesville Fire Fighter Appreciation Week - September 16-22, 2013 (B)

RECOMMENDATION *Muscular Dystrophy Association Fundraising Coordinator Gillian Market and Gainesville Fire Department Chief Gene Prince and MDA Coordinator Sean Withers to accept the proclamation.*

Heard

130315. Expressions Learning Arts Academy 2012-2013 2nd Grade Class and Ms. Kuchinski Day - September 26, 2013 (B)

RECOMMENDATION *Expressions Learning Arts Academy to accept the proclamation.*

Heard

130316. September 16-21, 2013 as Constitution Week and September 17, 2013 as Sons of the American Revolution Day (B)

RECOMMENDATION *Sons of the American Revolution Past President Ray Davis to accept the proclamation.*

Heard

CITIZEN COMMENT (6:00pm)

*Jim Konish-UF
Russ Pisano-GREC noise-File #130357
Larry Nogel-GREC noise
Robert Wilford-GREC noise
Nathan Skop-GREC
Mac McEachern-GREC
Peter Perkins-GREC
Terry Fleming-Homeless RFP
Marty Misner-GREC
Harold Saive-GREC
Beth O'Brady-Homeless RFP
Jane Hendrix-GREC
Debbie Martinez-GREC
Wilbur Holloway-GREC
Jack Donovan-Homeless RFP
Mariam Elliot-Homeless RFP
Kimberly Sims-GREC
Pat Fitzpatrick-Homeless-File #130357
Paula Stahmer-GREC
Maria Parsons-Koppers
Martha Miller-Koppers
John Davies-DEC
Patrick Dodds-Homeless RFP
Mark Venske-Website*

John Stanton made a presentation.

Comm YHR moved with Comm SB seconding to direct the City Manager to take a noise reading of the GREC plant. Motion carried 4-0 with Comm TH, Comm SB, Comm YHR and Mayor Braddy voting yes.

PUBLIC HEARINGS/BUDGET RESOLUTIONS

130222. APPENDIX A - SCHEDULE OF FEES, RATES & CHARGES FOR UTILITIES (B)

Ordinance No. 130222

An ordinance of the City of Gainesville, Florida, relating to utilities; amending portions of Appendix A, Schedule of Fees, Rates and Charges of the Code of Ordinances by revising fees, rates and charges for Electricity, Water, Sewerage and Natural gas; amending section 27-271, Natural gas definitions, by creating and adding a new definition for "General service, small commercial;" providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date in accordance with the schedule provided herein.

Diane Wilson made a presentation.

Nathan Skop, Jim Konish, Bob Bergdoll and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, 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: 1 - Mayor Braddy

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

130275. FINAL GAINESVILLE REGIONAL UTILITIES BUDGET (B)

RESOLUTION NO. 130275

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE TENTATIVE BUDGET FOR THE CITY OF GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR 2013-2014 BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; PROJECTING REVENUES AND ESTABLISHING A TENTATIVE BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES, FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Nathan Skop, Jim Konish, Bob Bergdoll, Mac McEachern and Annie Orlando spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

- Aye:** 4 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, and Commissioner Hinson-Rawls
- Nay:** 1 - Mayor Braddy
- Absent:** 2 - Commissioner Chase, and Mayor-Commissioner Pro Tem Wells

130196.**APPENDIX A - SCHEDULE OF FEES, RATES & CHARGES (B)**

Ordinance No. 130196

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 adult performance establishment, escort services, and escort licenses; alcoholic beverage bottle club license; cable franchise; cemetery, including a ten percent surcharge on fees; controlled vehicular parking area decals/permits; fire/rescue fire alarm operators, false alarm, prohibited devices, fire alarm monitoring companies, fire alarm system contractors, fire inspection, burning leaves, brush, clean wood or other vegetative debris, annual burning permit, pyrotechnic display; basic air monitoring fee for hazardous material response; home occupation permit; land development code fees; parks, recreation, and cultural affairs facilities and events, including a ten percent surcharge on fees; peddlers, solicitors and canvassers; burglar alarm operators, burglar alarm monitoring companies, burglar alarm systems contractors, and burglar alarm systems; roam towing trespass towing application process fee, registration for owners, operators and vehicles, immobilization; registered domestic partnerships; secondhand goods dealers; permits for congregating on streets and sidewalks; permit to remove, construct, alter curb, driveway, gutter, etc.; traffic and motor vehicle parking violations and delinquency and immobilization; solid waste and recyclables; stormwater management; and vehicles for hire; Amending Section 11.5-31 of Chapter 11.5, Article III, Hazardous Material Cost Recovery to include within the definition of costs for recovery, a fee associated with the use of a basic air monitoring device; Amending Section 18-17 of Chapter 18, Article II, Park Regulation to limit city manager's authority to set parks and recreation fees; Amending Chapter 18, Article II, Park Regulation, by adding a new section regarding setting fees for parks, recreation and cultural affairs facilities and events; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date in accordance with the schedule provided herein.

Mark Venske and Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, 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: 1 - Mayor Braddy

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

130273. FINAL MILLAGE RATE - FISCAL YEAR 2013 - 2014 (B)

RESOLUTION NO. 130273

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 2013-2014 FISCAL YEAR; ADOPTING THE FINAL MILLAGE RATE; DIRECTING THE TRANSMITTAL OF CERTIFIED COPIES; AUTHORIZING A SPECIFIED ADJUSTMENT TO THE FINAL MILLAGE RATE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

April Shuping made a presentation. Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

Nay: 1 - Commissioner Hawkins

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

130274. FINAL - GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2013 - 2014 (B)

RESOLUTION NO. 130274

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; ADOPTING THE GENERAL GOVERNMENT FINANCIAL AND OPERATING 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 Bottcher, that this Matter be Adopted (Resolution). The motion carried by the following vote:

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

Nay: 1 - Commissioner Hawkins

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

RESOLUTIONS- ROLL CALL REQUIRED**130254. THIRD AMENDMENT TO THE FY 2012-2013 GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN (B)**

RESOLUTION NO. 130254

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, 2012 AND ENDING SEPTEMBER 30, 2013; AMENDING RESOLUTION NO. 120271 AS AMENDED BY RESOLUTION NO. 120758 AND 130100, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Commissioner Bottcher, seconded by Commissioner Hawkins, that this Matter be Adopted (Resolution). 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

130265. Grant of License Agreement to the State of Florida Department of Transportation (B)

This item is a request to adopt a resolution approving the grant of a License Agreement to the State of Florida Department of Transportation (FDOT) to allow FDOT to install a sidewalk on City of Gainesville property.

RECOMMENDATION *The City Commission: 1) adopt the Resolution to grant a License Agreement to the State of Florida Department of Transportation, allowing the State to install a sidewalk on City owned property; and 2) authorize the City Manager to execute a Maintenance Agreement for the sidewalk with the State of Florida Department of Transportation, subject to approval by the City Attorney as to form and legality.*

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

130329.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA WITHDRAWING THE APPOINTMENT OF JENNIFER L. HUNT AS AN "AUTHORIZED Officer" as that term is defined by THE UTILITIES SYSTEM REVENUE BOND RESOLUTION DATED JUNE 6, 1983, AS SUPPLEMENTED AND AMENDED; AND APPOINTING DAVID RICHARDSON AS INTERIM CHIEF FINANCIAL OFFICER AND AUTHORIZED OFFICER PENDING APPOINTMENT OF A PERMANENT CHIEF FINANCIAL OFFICER TO FILL THE POSITION; AND PROVIDING AN EFFECTIVE DATE. (B)

Donald Shepherd spoke to the matter.

Additional Motion: Comm LP moved with Comm YHR seconding to use .054 for October/November and use .071 for December. Motion carried 5-1 with Mayor Braddy voting no.

Nathan Skop, Jim Konish, Wilbur Holloway, Debbie Martinez, Annie Orlando, Paula Stahmer, Mac McEachern, Ernesto Martinez, Mark Venske, Jo Beaty and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

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

ADOPTION READING - ROLL CALL REQUIRED

121106.

**LAND USE CHANGE - SMALL SCALE - BUTLER DEVELOPMENT
(B)**

Ordinance No. 121106; Petition No. PB-12-149 LUC

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on six properties totaling approximately 3.2 acres that have underlying land use categories of Commercial (C) and Business Industrial (BI) and that are generally located at 3654, 3730, and 3820 SW Archer Road, and 3310 and 3318 SW 40th Terrace, as more specifically described in this ordinance; assigning subject properties to the Butler Development PUD as regulated by Policy 4.3.6 of the Future Land Use Element of the Comprehensive Plan; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Scott Wright and Jerry Dedenbach made presentations.
Nathan Skop and Donald Shepherd spoke to the matter.*

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

Absent: 1 - Mayor-Commissioner Pro Tem Wells

TRANSMITTAL HEARING - ROLL CALL REQUIRED

121107.

**COMPREHENSIVE PLAN AMENDMENT - BUTLER
DEVELOPMENT (B)**

Ordinance No. 121107; Petition No. PB-12-148 CPA

An ordinance of the City of Gainesville, Florida, amending Policy 4.3.6 of the Future Land Use Element of the City of Gainesville Comprehensive Plan relating to the Butler Development Planned Use District (PUD) that is generally located north of Archer Road, west of SW 34th Street, east of I-75, and south of SW 24th Avenue; amending the Future Land Use Map Series in the Future Land Use Element of the Comprehensive Plan by deleting and replacing two maps depicting the Butler Development PUD and the underlying land use categories for the properties within the Butler Development PUD; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Onelia Lazari and Gerry Dedenbach made presentations.
Mac McEachern spoke to the matter.*

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Nay: 1 - Commissioner Hawkins

Absent: 1 - Mayor-Commissioner Pro Tem Wells

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

121108. REZONING - BUTLER DEVELOPMENT PLANNED DEVELOPMENT (B)

Ordinance No. 121108; Petition No. PB-12-150 PDV

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning certain property known as the Butler Development that is generally located north of Archer Road, west of SW 34th Street, east of I-75, and south of SW 24th Avenue as more specifically described in this ordinance, from Planned Development District (PD), Business Industrial District (BI) and General Business District (BUS) to Planned Development District (PD); adopting a PD report; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an effective date.

Scott Wright made a presentation.

Mark Venske and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Nay: 1 - Commissioner Hawkins

Absent: 1 - Mayor-Commissioner Pro Tem Wells

ORDINANCES, 2ND READING- ROLL CALL REQUIRED**130122. GENERAL EMPLOYEE'S PENSION PLAN AMENDMENTS (B)**

Ordinance No. 130122

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 5 (Employees Pension Plan) of the Code of Ordinances of the City of Gainesville, for federal tax compliance purposes and to amend the investment authority of the board of trustees; amending Section 2-521, Definitions; amending Section 2-522, Establishment of system; amending Section 2-523, Membership and service; amending Section 2-524, Contributions and funding; amending Section 2-526, Benefits; amending Section 2-527, Administration of the plan; amending Section 2-530, Miscellaneous; 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 Bottcher, 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 Chase, and Commissioner Hawkins

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

130203. CONSOLIDATED POLICE OFFICERS AND FIREFIGHTERS RETIREMENT PLAN AMENDMENTS FOR POLICE OFFICERS (B)

Ordinance No. 130203

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, for purposes of compliance with federal tax law and Chapters 175 and 185, Florida Statutes; amending Section 2-596, Definitions; amending Section 2-597, Establishment; amending Section 2-600, Retirement dates and benefits; amending Section 2-601, Optional forms of retirement income; amending Section 2-602, Administration of the plan; amending Section 2-605, Amendment; termination of plan; 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 Poe, seconded by Commissioner Bottcher, 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 Chase, and Commissioner Hawkins

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

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

*Mayor Braddy-Billy Bob restaurant
Comm YHR-leaves at 11:09PM
Mayor Braddy-Archer Road road trips*

CITIZEN COMMENT (If time available)

ADJOURNMENT-11:11PM

City of Gainesville

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



Minutes - Draft

Tuesday, September 24, 2013

6:00 PM

City Commission Special Meeting

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.

ADOPTION OF THE AGENDA

The meeting was called to order at 6:03PM.

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

Aye: 4 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Absent: 3 - Mayor Braddy, Commissioner Chase, and Commissioner Hinson-Rawls

AGENDA STATEMENT

ROLL CALL

Comm Chase was absent for the meeting.

120125. Overall Charter Review Process Referral (B)

Comm YHR arrived at 6:09PM.

Mayor EB arrived at 6:49PM.

Robert Pearce, Paula Stahmer, Nathan Skop, Debbie Martinez, Donald Shepherd, Bob Wilson, Ernesto Martinez and Jo Beaty spoke to the matter.

The City Commission discussed the 5/7th, election, public services Charter Officer, HR/EO Charter Officer and combined financial services issues.

RECOMMENDATION

The City Commission hold a public forum regarding possible changes to the City's Charter.

Discussed

ADJOURNMENT-7:52PM