

# City of Gainesville

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



## **Minutes - Draft**

**Thursday, May 2, 2013**

**1:00 PM**

**Modified Agenda**

**City Hall Auditorium**

## **City Commission**

*Mayor Craig Lowe (At Large)*

*Mayor-Commissioner Pro-Tem Lauren Poe (At Large)*

*Commissioner Thomas Hawkins (At Large)*

*Commissioner Yvonne Hinson-Rawls (District 1)*

*Commissioner Todd Chase (District 2)*

*Commissioner Susan Bottcher (District 3)*

*Commissioner Randy Wells (District 4)*

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

**CALL TO ORDER**

**Present** 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

**Prophet George Young**

**CONSENT AGENDA**

**CITY MANAGER, CONSENT AGENDA ITEMS**

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**121005. CORENE MATYAS V. CITY OF GAINESVILLE, A MUNICIPAL CORPORATION, REGIONAL TRANSIT AUTHORITY AND BRUCE WARREN WAGNER; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2013-CA-1375 (B)**

RECOMMENDATION

*The City Commission authorize the City Attorney to represent the City in the case styled Corene Matyas v. City of Gainesville, a Municipal Corporation, Regional Transit Authority and Bruce Warren Wagner; Eighth Judicial Circuit, Case No. 2013-CA-1375.*

**This Matter was Approved as Recommended**

**121006. BRYAN E. HUNT V. NORTH FLORIDA REGIONAL MEDICAL CENTER, INC., ALACHUA COUNTY FIRE AND RESCUE, AND GAINESVILLE POLICE DEPARTMENT; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2013-CA-1545 (B)**

RECOMMENDATION      *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available to represent the City in the case styled Bryan E. Hunt v. North Florida Regional Medical Center, Inc., Alachua County Fire and Rescue, and Gainesville Police Department; Eighth Judicial Circuit, Case No. 2013-CA-1545.*

**This Matter was Approved as Recommended**

**121024. ELIZABETH TINLEY COLLINS V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2013-CA-1326 (B)**

RECOMMENDATION      *The City Commission authorize the City Attorney to represent the City in the case styled Elizabeth Tinley Collins v. City of Gainesville; Eighth Judicial Circuit, Case No. 2013-CA-1326.*

**This Matter was Approved as Recommended**

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

**121056. 2014 Election (B)**

RECOMMENDATION      *The City Commission schedule the 2014 Election for March 11 and April 8 (if needed).*

**This Matter was Approved as Recommended**

**121057. Swearing-In Meeting - May 23, 2013 (NB)**

RECOMMENDATION      *The City Commission schedule a meeting for the Swearing-In and Election of Mayor Pro Tem.*

**This Matter was Approved as Recommended**

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT**

**110211. Fourth of July - City Fireworks (B)**

**This item is an update to a referral from the Recreation, Cultural Affairs and Public Works Committee, regarding City funding for fireworks for the Fourth of July in the City of Gainesville.**

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

**This Matter was Approved as Recommended**

**110876 Policy Review of Public Property Not Being Used for Public Purposes (B)**

**This item is a referral from the City Commission for a policy review of public property not being used for public purposes. The focus of the Committee's efforts has been addressed in the Real Property Policies that are recommended for City Commission approval.**

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

**This Matter was Approved as Recommended**

**120296. Bid/Proposal Process for the Operation and/or Maintenance of Ironwood Golf Course (B)**

**This item involves an update to the City Commission on the bid/proposal process for operation and/or maintenance of Ironwood Golf Course and Commission consideration of the possible inclusion of an option for the sale of the golf course.**

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

**This Matter was Approved as Recommended**

**PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

**PUBLIC SAFETY COMMITTEE, CONSENT**



**110933. Special Events - Expanded Premises Permitting (NB)**

RECOMMENDATION      *The City Commission remove this item from the Public Safety Committee referral list.*

**This Matter was Approved as Recommended**

**120347. Special Event Permits for Bars (B)**

RECOMMENDATION      *The City Commission remove this item from the Public Safety Committee referral list.*

**This Matter was Approved as Recommended**

**Approval of the Consent Agenda**

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

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

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

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

*Amended: Move NW 8th Avenue to 7:00PM and keep two University Corners items together*

*Nathan Skop, Frank Reagan, Roy Huntsman, Donna Lutz, Kamal Latham, David Coffey, Debbie Martinez, Kathy Benton, Jo Beaty, Ernesto Martinez and Mary Bird spoke to the matter.*

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

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

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

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

**This item is to provide a presentation and obtain direction on the NW 8th Avenue Project.**

*This item was moved to and was heard during the evening portion of the agenda.*

*Phil Mann and John Veilleux made presentations.*

*Duane Gildea, Arthur Stockwell, Tim Hayes, Armando Grundy, Mark Goldstein, Bob Karp, Roggie Datson, Juanita Miles-Hamilton, Edward Earl Young, Roy Huntsman, Tom Hawkins, Jeff Jayzack, Bruce Delaney, James Thompson, Arnall Downs, Kathleen Pegan, Nathan Skop, Forest Lisle, Jo Beaty, Annie Orlando, Debbie Martinez, Kevin Daly, Ernesto Martinez, Ewan Thompson, Derek Helmick, Anne Hasly, Adrian Taylor, Sam Harris and Mark Venske spoke to the matter.*

*Comm Hinson-Rawls moved with Comm Bottcher seconding to Approve A1 and C3 with wider sidewalks. Motion carried 7-0.*

*Comm Hinson-Rawls moved with Comm Bottcher seconding to approve B5 with modified trial with Option 1, Option 2 without irrigation and Option 3 just conduit. Motion carried 6-1 with Comm Chase voting no.*

**RECOMMENDATION**

*The City Commission approve the staff recommendation detailed below:*

*Segment A, Alternative A1 stripe a 4-lane undivided section as it is currently configured (\$325,220);*

*Segment B, Alternative B5 modified stripe as 2-lane with wide median and on-street bike lanes (\$823,060 - \$887,720); the median should be striped for a period of time to allow the public and staff to evaluate the impacts of the 2-lane configuration. Staff would bring back to the Commission information to make a final determination with regard to the lane and median configuration.*

*Segment C, Alternative C3 stripe with on-street bike lanes and limited on-street parking (\$1,581,100).*

***Alternative Recommendation A***

*The City Commission approve: Segment A & C as noted in the staff recommendation and Segment B, Alternate B5 with the median constructed to a boulevard section during the initial construction (\$2,729,380).*

***Alternative Recommendation B***

*The City Commission approve: Segment A & C as noted in the staff recommendation and Segment B, Alternate B3 - stripe as 4-lane undivided section as it is currently configured (\$2,782,920).*

**Approved, as shown above - See Motion(s)**

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

**120794. Charter Officers' Annual Performance Evaluations for the Past Fiscal Year Ending September 30, 2012 (NB)**

*Motion: Commissioner Hinson-Rawls moved with Commissioner Hawkins seconding to raise Charter Officer salaries by 2%.*

*Nathan Skop, Debbie Martinez and Jo Beatty spoke to the matter.*

**RECOMMENDATION**      *The City Commission review the performance of each Charter Officer and establish appropriate pay increases for FY2012.*

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Nay: 1 - Commissioner Chase

**COMMISSION COMMENTS (if time available)**

*Comm Hinson-Rawls moved with Commm Hawkins seconding to refer to staff the dual naming of SE 11th Ave for Dr. Cullen Banks. E. Fox and J. Beaty spoke to the matter which passed 7-0.*

*Comm Wells moved with Comm Hawkins seconding to refer high speed internet access through GRUCOM to staff. N Skop and J. Beaty spoke to the matter which passed 7-0.*

*Comm Hawkins moved with Comm Wells seconding to request that the City Manager prepare a budget increment for grant intervention specialists. N. Skop and D. Martinez spoke to the matter which passed 7-0 via consensus.*

**121109. Lighting Issues**

RECOMMENDATION Refer to the Community Development Committee

**A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, that this Matter be Referred to the Community Development Committee, due back on 11/2/2013. The motion carried by the following vote:**

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

**121111. Intercity Busses**

RECOMMENDATION Refer to the Community Development Committee

**A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, that this Matter be Referred to the Community Development Committee, due back on 11/2/2013. The motion carried by the following vote:**

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

**RECESS-2:54PM**

**RECONVENE**

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**121054. Internal Audit Awareness Month - May 2, 2013 (B)**

RECOMMENDATION Institute of Internal Auditors - North Central Florida Chapter  
President Lily Reinhart to accept the proclamation.

Read

**121055. Environmental Community Service Days - May 1-4, 2013 (B)**

RECOMMENDATION Cultural Arts Coalition Director NKwanda Jah to accept the  
proclamation.

Read

**121068. Law Day - May 1, 2013 (B)**

RECOMMENDATION 8th Judicial Circuit Bar President Dawn Vallejos Nichols to  
accept the proclamation.

Placed on File

**121075. National Bike Month - May 2013 (B)**

RECOMMENDATION Gainesville Bicycle Benefits Stephanie Loscalzo, Co-Owner  
SwiftCycles Gainesville Tim Hayes, 8th Ave Bike & Coffee  
House Dustin Rivas, and Commuter Cycling Advocates Brett  
Lackey, Andre Meeker Monica Petrella and Joseph Floyd to  
accept the proclamation.

Read

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

*Gabriel Hillel-Public Records Requests*

*John Davies-City Issues*

*Wilbur Holloway-City Issues*

*Nathan Skop-Trolley Study/City Issues*

*Edward Earl Young-Gay issues*

*Debbie Martinez-8th Avenue/City Issues*

*Jo Beatty-Public Process*

*Annie Orlando-Alachua DEC*

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

**CLERK'S NOTE:** The City Commission waive the Rules to hear File #121023 after File #120901.

**121023. SHADY FOREST PLAT VACATION (B)**

Resolution No. 121023

A Resolution of the City of Gainesville, Florida; approving the vacation of a portion of the Plat of "Shady Forest" recorded in Book 95, Page 255, of the Public Records of Alachua County, Florida, said portion being located north of SW 17th Place, east of the westerly boundary of SW 38th Terrace and west of the easterly boundary of SW 37th Street; providing directions to the Clerk of the Commission; providing for filing of the original hereof; and providing an immediate effective date.

*Lawrence Calderon made a presentation.*

RECOMMENDATION            *The City Commission adopt the proposed Resolution.*

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

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

**121040. RESOLUTION ACCEPTING REPORT OF BOARD OF CANVASSERS RUN-OFF ELECTION 2013 (B)**

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, run-off election held April 16, 2013; and providing an immediate effective date.

RECOMMENDATION            *The City Commission adopt the proposed resolution.*

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

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

**ADOPTION READING - ROLL CALL REQUIRED**

**120806. LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 0.62 ACRES OF PROPERTY GENERALLY LOCATED IN THE VICINITY OF 717 & 721 SW 5TH AVENUE (B)**

Ordinance No. 120806; Petition No. PB-12-165 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 0.62 acres of property generally located at 717 and 721 SW 5th Avenue, as more specifically described in this ordinance, from Residential High-Density (RH) to Urban Mixed-Use 2 (UMU-2) as to two parcels and from undesignated land use to Urban Mixed-Use 2 (UMU-2) as to a parcel of vacated right-of-way; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Jason Simmons and Craig Brashier made presentations.*

**RECOMMENDATION**      *The City Commission: (1) approve Petition PB-12-165 LUC and (2) adopt the proposed ordinance.*

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

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



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.

*Comm Hawkins moved with Comm Poe seconding to waive the rules to extend meeting to 11:30PM. Motion carried 7-0.*

*Scott Wright, David Coffey, Brett Dil, Randy Fultz and Rick Hall made presentations.*

*Comm Poe moved with Comm Wells seconding to waive the rules to extend meeting to 12:00PM. Motion carried 7-0.*

*Comm Hawkins moved with Comm Wells seconding to waive the rules to extend the meeting to 12:20AM. Motion carried 7-0.*

*Comm Poe moved with Comm Hawkins seconding to waive the the rules to extend meeting to 12:45AM. Motion carried 7-0.*

*Mark Goldstein, Nathan Skop, Armando Grundy, Mark Venske, Jo Beaty, Anne Haisly, Tom Hawkins and Sam Harris spoke to the matter.*

*Comm Hawkins moved with Comm Poe seconding to waive the rules to extend meeting to 1:15AM. Motion carried 7-0.*

*Comm Wells moved with Comm Hawkins seconding to waive the rules to extend the meeting to 1:35AM. Motion carried 7-0.*

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

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Chase, and Commissioner Hinson-Rawls

**Nay:** 1 - Commissioner Hawkins

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****090878. TEXT CHANGE - LANDSCAPE AND TREE MANAGEMENT (B)**

Ordinance No. 090878, Petition No. PB-10-7-TCH

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances and the Land Development Code relating to landscape and tree management; by amending Sec. 30-23 Definitions; by amending Article VII. Development Review Process (Division 2. Subdivisions and Street Vacation and Division 4. Planned Development District); by amending Article VIII. Environmental Management (Division 1. Generally, Division 2. Landscape and Tree Management, Stormwater Management and Water/Wastewater Connection Policy, and Division 4. Relief and Enforcement); by amending Appendix A. Special Area Plans (for College Park, Traditional City, Central Corridors and University Heights); by amending Chapter 2. Administration (Division 12. Tree Board of Appeals and Division 13. Tree Advisory Board); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Continued to May 16th, 2013*

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

**A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, that this Matter be Continued (1st Reading). The motion carried by the following vote:**

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Chase, and Commissioner Hinson-Rawls

**Absent:** 1 - Commissioner Hawkins

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.

*Amendment: Set second reading the same date as the PUD #120616 and the scheduling of the two hearing to be determined by applicant*

*Mark Goldstein, Nathan Skop, Mark Venske, Anne Haisly and Stuart Cullen spoke to the matter.*

*Com Poe moved with Comm Hawkins seconding to waive rules and continue meeting until 1:45AM. Motion carried 7-0.*

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

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

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

**Nay:** 2 - Commissioner Bottcher, and Commissioner Hinson-Rawls

120789.

**TEXT CHANGE - SCOOTER SALES - UMU-2 ZONING (B)**

Ordinance No. 120789; Petition No. PB-12-169 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to scooter sales; by adding a new definition to Section 30-23 Definitions and by adding scooter sales to the list of permitted uses by right in Section 30-65.2 Urban mixed-use district 2 (UMU-2); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Ralph Hilliard made a presentation*

**RECOMMENDATION**            *The City Commission (1) approve petition PB-12-169 TCH and (2) adopt the proposed ordinance.*

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

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

**120807**

**REZONING AND TEXT CHANGE - APPROXIMATELY 0.62 ACRES OF PROPERTY GENERALLY LOCATED IN THE VICINITY OF 717 & 721 SW 5TH AVENUE - TO URBAN MIXED-USE DISTRICT 2 (UMU-2) & ADDING SAID PROPERTY TO THE UNIVERSITY HEIGHTS AREA WITHIN THE UMU-2 ZONING DISTRICT. (B)**

Ordinance No. 120807; Petition No. PB-12-166 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.62 acres of property generally located at 717 and 721 SW 5th Street, as more specifically described in this ordinance, from Residential high density district (RH-1) to Urban mixed-use district 2 (UMU-2) as to two parcels and from unzoned right-of-way to Urban mixed-use 2 (UMU-2) as to one parcel; adding the approximately 0.62 acres of property to the University Heights area as designated within Section 30-65.2 - Urban mixed-use district 2 (UMU-2) of the City of Gainesville Land Development Code by adopting the following amended figures: Figure 1.0 District Boundary Map - University Heights, Figure 2.0 Street Types - University Heights, Figure 2.1 Proposed Local Streets - University Heights, and Figure 3.0 Height Limits - University Heights; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Jason Simmons and Craig Brashier made presentations.*

**RECOMMENDATION**      *The City Commission: (1) approve Petition PB-12-166 ZON and (2) adopt the proposed ordinance.*

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

**Absent:** 1 - Commissioner Wells

120808.

**REZONING AND TEXT CHANGE - AMENDING THE ZONING MAP ATLAS TO REMOVE APPROXIMATELY 0.62 ACRES OF PROPERTY GENERALLY LOCATED AT 717 AND 721 SW 5TH AVENUE FROM THE SPECIAL AREA PLAN FOR UNIVERSITY HEIGHTS AND DELETING AND REPLACING THE FIGURE TITLED "LAND USE AND BUILDING TYPE MATRIX" IN THE SPECIAL AREA PLAN TO REFLECT THE REMOVAL OF THE PROPERTY (B)**

Ordinance No. 120808; Petition No. PB-12-171 TCH

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by removing the Special Area Plan for University Heights overlay zoning district from approximately 0.62 acres of property generally located at 717 and 721 SW 5th Avenue; amending Appendix A., Section 6. - Special Area Plan for University Heights in the Land Development Code by deleting and replacing the figure titled "Land Use and Building Type Matrix" to reflect the removal of the property described above; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Andrew Persons made a presentation.*

**RECOMMENDATION**

*The City Commission: (1) approve Petition PB-12-171 TCH and (2) adopt the proposed ordinance.*

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

**Absent:** 1 - Commissioner Chase

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

**100629. REAL PROPERTY POLICIES (B)**

Ordinance No. 100629

An ordinance of the City of Gainesville, Florida, amending the City Code of Ordinances, relating to real property; by amending Section 2-435 to change the point in time at which an appraisal must be obtained by the City; by deleting in its entirety existing Section 2-436 concerning sale of land obtained by the City through foreclosure; by creating a new Section 2-436 which provides for acquisition and disposition of real property in accordance with the City's adopted Real Property Policies; 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 Poe, seconded by Commissioner Hawkins, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**110873. PORTABLE STORAGE UNITS AND ROLL-OFFS - TEXT CHANGE (B)**

Ordinance No. 110873; Petition No. PB-12-13 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code by adding regulations to allow portable storage units and roll-offs as a temporary use in residential zoning districts; by adding new definitions to Section 30-23 Definitions; by creating Section 30-121 Temporary portable storage units and roll-offs; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Commissioner Poe moved with Commissioner Bottcher seconding to remove Section 2(d). Motion carried 4-3 with Commissioners Wells, Hawkins and Chase voting no.*

*Lawrence Calderon made a presentation.*

*Terry Fitzpatrick and Barbara Luchart spoke to the matter.*

RECOMMENDATION            *The City Commission adopt the proposed ordinance.*

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

**Nay:** 1 - Commissioner Chase

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**PLAN BOARD PETITIONS****120908.****Unpaved Off-Street Parking and Access Regulations for the College Park and University Heights Special Area Plans (B)****PB-12-19 TCH. City of Gainesville. Amend the Land Development Code Appendix A, Section 3 Special Area Plan for College Park and Section 6 Special Area Plan for University Heights to regulate existing non-hard-surfaced off-street parking and access to parking areas.***Continued to May 16th, 2013***RECOMMENDATION***City Plan Board to City Commission - The City Commission approve Petition PB-12-19 TCH with the inclusion of pine straw as a permitted parking area coverage material for parking areas with 1-4 spaces; provide a 12-month compliance period from the date of final ordinance adoption; and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations. Plan Board vote 6-0.**Staff to City Commission - The City Commission approve Petition PB-12-19 TCH with the inclusion of pine straw as a permitted parking area coverage material for parking areas with 1-4 spaces; provide a 12-month compliance period from the date of final ordinance adoption; and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations.**Staff to the Plan Board - Approve Petition PB-12-19 TCH; with a 12-month compliance period from the date of final ordinance adoption and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations.***A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, that this Matter be Continued (Petition). The motion carried by the following vote:****Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Chase, and Commissioner Hinson-Rawls**Absent:** 1 - Commissioner Hawkins

**121031**                    **Gainesville Correctional Institute Rezoning (B)**

**Petition-13-15 ZON.** City of Gainesville, agent for State of Florida.  
**Amend the PS (Public services and operations districts) zoning to allow additional public service type uses for property located at 2845 NE 39th Avenue.**

*Comm Poe moved with Comm Wells seconded to waive the rules to continue the meeting to 1:50AM. Motion carried 6-0 with Comm Hawkins absent.*

*Nathan Skop, Mark Venske, Donald Betrick and Derek Helmick spoke to the matter.*

**RECOMMENDATION**                    *City Plan Board to the City Commission- Approve the petition with staff conditions and without a preliminary development order.*

*Staff to the City Plan Board - Approve the petition with conditions and without a preliminary development order.*

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Chase, and Commissioner Hinson-Rawls

**Absent:** 1 - Commissioner Hawkins

**DEVELOPMENT REVIEW BOARD PETITIONS****120901.**                    **Vacation of a portion of the Shady Forest Plat (B)**

**Petition CC-13-04 SUB:** Causseaux, Hewett and Walpole, Inc., agent for Garrison SW 17th Avenue LLC. Reversion of subdivided land, Shady Forest, to acreage. Zoned: Urban mixed-use district 2 (UMU-2). Located north of SW 20th Avenue between SW 37th Street and SW 38th Terrace.

*Lawrence Calderon and Jerry Dedenbach presentations.*

**RECOMMENDATION**                    *Development Review Board to City Commission: - the City Commission approve Petition CC-13-04 SUB and adopt the resolution approving the vacation of a portion of the Shady Forest Plat*

*Planning Staff to Development Review Board - approve Petition CC-13-04 SUB*

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

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



SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT-1:48AM

# City of Gainesville

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



## Minutes - Draft

Monday, May 13, 2013

5:30 PM

City Commission Workshop

Senior Recreation Center, 5701 NW 34th Street, Gainesville, FL

## City Commission

*Mayor Craig Lowe (At Large)  
Mayor-Commissioner Pro-Tem Lauren Poe (At Large)  
Commissioner Thomas Hawkins (At Large)  
Commissioner Yvonne Hinson-Rawls (District 1)  
Commissioner Todd Chase (District 2)  
Commissioner Susan Bottcher (District 3)  
Commissioner Randy Wells (District 4)*

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

## ADOPTION OF THE AGENDA

*The meeting was called to order at 5:43PM and the agenda was adopted by consensus.*

**Present** 5 - Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Chase, and Commissioner Hinson-Rawls

**Absent** 2 - Mayor Lowe, and Commissioner Hawkins

## ROLL CALL

## AGENDA STATEMENT

**121105.** Mayor-Elect Ed Braddy and Gainesville Chamber - Small Business Growth Dialogue Event between Business Owners and the City of Gainesville (NB)

*The City Commission broke into groups which included conception, start-up, growth, expansion and establishment.*

RECOMMENDATION      *The City Commission discuss small business growth.*

**Discussed**

## ADJOURNMENT-7:46PM

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

Thursday, May 16, 2013

1:00 PM

Modified Agenda

City Hall Auditorium

## City Commission

*Mayor Craig Lowe (At Large)*

*Mayor-Commissioner Pro-Tem Lauren Poe (At Large)*

*Commissioner Thomas Hawkins (At Large)*

*Commissioner Yvonne Hinson-Rawls (District 1)*

*Commissioner Todd Chase (District 2)*

*Commissioner Susan Bottcher (District 3)*

*Commissioner Randy Wells (District 4)*

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

**CALL TO ORDER**

**Present** 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

**CONSENT AGENDA**

**CITY MANAGER, CONSENT AGENDA ITEMS**

**121051. Upgrade Existing Transit Vehicle and Asset Management Software for Regional Transit System (RTS) (B)**

**This item is a request to authorize the City Manager or his designee to execute an agreement with Fleet-Net Corporation for the Transit Vehicle and Asset Management software upgrade and associated services for the Regional Transit System (RTS).**

RECOMMENDATION      *The City Commission authorize the City Manager or his designee to execute an agreement with Fleet-Net Corporation for the Transit Vehicle and Asset Management software upgrade and associated services for the Regional Transit System (RTS), subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

**121052. State Infrastructure Bank (SIB) Loan Agreement between Florida Department of Transportation (FDOT) and the Regional Transit System (RTS) (B)**

**This item is a request to authorize the City Manager or his designee to execute a State Infrastructure Bank (SIB) loan agreement and contract to purchase land for the Regional Transit System (RTS) Maintenance, Operations and Administration Facility.**

RECOMMENDATION

*The City Commission: 1) authorize the City Manager to execute a State Infrastructure Bank (SIB) Loan Agreement with the Florida Department of Transportation (FDOT), subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager to execute a contract for the purchase of tax parcels 15702-004-000 and 15702-006-000 (total ±3.1 acres), subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

**121058. Assistance to Firefighters Grant 2012 Application for Replacement of Cardiac Monitor / Defibrillators (NB)**

**This item requests that the Commission authorize the City Manager to execute a grant awarded to the City of Gainesville through the 2012 Assistance to Firefighters Grant Program for the purchase of equipment to replace the department's aged cardiac monitor/defibrillator units.**

RECOMMENDATION

*The City Commission authorize the City Manager to: 1) execute the grant award contract and other necessary documents, pending approval by the City Attorney as to form and legality; and 2) approve the required payments process for expending the grant funds and matching funds.*

**This Matter was Approved as Recommended**

**121059. Change Order to the Construction Contract for the NW 22nd Street Milling and Resurfacing Project (B)**

**This involves a request to approve a Change Order for the construction contract, NW 22nd Street Milling and Resurfacing Project, in order to provide a better final product and to compensate for unknown site conditions.**

RECOMMENDATION

*The City Commission: 1) authorize the City Manager to execute Change Order #4 for the NW 22nd Street Milling and Resurfacing project; and 2) modify the purchase order as necessary, not to exceed the construction cost of \$925,153.09.*

**This Matter was Approved as Recommended**

**121067. Strategic Plan Quarterly Report - 2nd Quarter of Fiscal Year 2013 (B)**

**This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 2nd Quarter of Fiscal Year 2013.**

RECOMMENDATION      *The City Commission receives a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 2nd Quarter of FY 2013.*

**This Matter was Approved as Recommended**

**121002. Purchase of Laptop Computers and Warranties Utilizing FY2013-FY2014 and FY2014-FY2015 Capital Improvement Plan Funds (B)**

**This item requests the City Commission authorize the purchase of laptop computers for the Gainesville Police Department in the amount not to exceed of \$500,000.00 from CDW Government LLC which submitted the lowest price in its bid in a competitive bid process as outlined by Florida State Statutes.**

RECOMMENDATION      *The City Commission authorize the City Manager to issue a purchase order in an amount not to exceed \$500,000.00 to CDW Government LLC as the low bidder.*

**This Matter was Approved as Recommended**

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS****121081. MARY KATHRYN CALDWELL v. CITY OF GAINESVILLE; PRESUIT CLAIM ARISING FROM AN ACCIDENT THAT OCCURRED ON OR ABOUT AUGUST 25, 2011 (B)**

RECOMMENDATION      *The City Commission 1) approve the terms of the negotiated settlement; and 2) authorize the City Attorney to settle the claim of Mary Kathryn Caldwell arising from an accident that occurred on or about August 25, 2011.*

**This Matter was Approved as Recommended**

**121083. RODRICK THOMPSON AND DEBORAH THOMPSON V. CITY OF GAINESVILLE; ALACHUA COUNTY CIRCUIT COURT; CASE NO.: 01-2012-CA-2040 (B)**

RECOMMENDATION

*The City Commission 1) approve the terms of the mediated settlement; and 2) authorize the City Attorney to settle the claim of Rodrick Thompson and Deborah Thompson v. City of Gainesville; Alachua County Circuit Court Case No.: 01-2012-CA-2040, on behalf of the City.*

**This Matter was Approved as Recommended**

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



**121063. Appointment to City Commission Advisory Boards and Committees (NB)**

RECOMMENDATION

*The City Commission appoint:*

*James Owens, James Davies and Megan Standard to the Board of Adjustment for a term to expire 11/1/16.*

*Winn Keeton, Maria Giddings and Megan Standard to the City Beautification Board for a term to expire 11/1/16.*

*Gracy Castine and Leslie Ladendorf to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/16.*

*Michael Cook and Ryan Prodesky to the Gainesville Code Enforcement Board for a term to expire 8/1/16.*

*Justin Griffin and John Rodstrom to the Gainesville Enterprise Zone Development Agency for a term to expire 3/31/17.*

*Amanda Preston and Megan Standard to the Nature Centers Commission for a term to expire 11/1/14.*

*Christopher Cleary to the Pension Review Committee for a term to expire 7/31/18.*

*Delores James to the SHIP Affordable Housing Advisory Committee for a term to expire 7/1/15.*

*Darius Demps to the Student Community Relations Advisory Board for a term to expire 2/26/15. Daniel Sibol and Lindy Russell to the Student Community Relations Advisory Board for a term to expire 2/26/14.*

*Joe Durando to the Tree Advisory Board for a term to expire 1/1/16.*

*Joe Durando to the Tree Board of Appeals for a term to expire 1/1/16.*

**This Matter was Approved as Recommended**

**121092. City Commission Minutes (B)**

RECOMMENDATION

*The City Commission approve the minutes of April 4, 10 and 23, 2013.*

**This Matter was 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**

**ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE,  
CONSENT**

**120697. Sign Code Provisions Relative to Multi-Story Buildings (B)**

**This item seeks to initiate a Petition to the Plan Board regarding the Sign Code and specifically provisions related to the regulation of signs for multi-story buildings in and around the City's urban core.**

RECOMMENDATION *The City Commission direct staff to initiate a petition to the Plan Board to amend the Sign Code relative to urban buildings that are three (3) stories or more in height.*

**This Matter was Approved as Recommended**

**Approval of the Consent Agenda**

*Pat Fitzpatrick spoke to the matter.*

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

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

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

*Nathan Skop spoke to the matter.*

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

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

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION**

**CITY MANAGER**

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**

**110258 Private Purchase of Public Land Update (B)**

**This item involves a referral made to the Recreation, Cultural Affairs and Public Works Committee to review the matter of private purchase of public land.**

*Steve Phillips, Stefanie Nagid, Ralph Hilliard and Pegeen Hanrahan made presentations.*

*Frank Reagan, Phil Emmer, Donald Sheppard, Charles Peck, Bob Palmer, Forest Lyle, Marilyn Tubb, Grace Horbeth, Ted McFetridge, Nancy Parkinson, Authur Stockwell, Rick Howe, Ken McGurn, Jonathan Dain, Mary Anderson, Bob Knight, John Sullivan, Paula Russo and Chris Nealogroth spoke to the matter.*

*Motion: 1. Direct City Attorney to draft resolution to declare surplus not to exceed 4.99 acres which include bids of at least \$200,000/acre 2. all proceeds to be used exclusively for sensitive lands 3. Negotiations to include protected species and conservation easements 4. City Manager to create a competitive process which includes items listed above 5. Remove from Referral list*

**RECOMMENDATION**

*The City Commission hear an update on the referral. If interested in considering a sale of the property 1) direct the City Manager to initiate a process to declare the property surplus and solicit bids for purchase of the property with a) no specified constraints on future use of the property or b) a conservation easement on the property; and 2) remove this item from the Recreation, Cultural Affairs and Public Works Committee referral list.*

**Alternate Recommendation**

*The City Commission hear an update on the referral. If not interested in considering a sale of the property the City Commisison 1) discontinue further consideration of the request to sell the property; and 2) remove this item from the Recreation, Cultural Affairs and Public Works Committee referral list.*

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

**Aye:** 4 - Mayor-Commissioner Pro Tem Poe, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

**Nay:** 3 - Mayor Lowe, Commissioner Wells, and Commissioner Bottcher

**130008. Glen Springs/Elks Lodge/Odum Institute****RECOMMENDATION**

*Refer to Committee*

**A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, that this Matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on 11/16/2013. The motion carried by the following vote:**

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

## COMMUNITY DEVELOPMENT COMMITTEE

### 120868. Review of Controlled Vehicular Parking Program (B)

**This is a request for the City Commission to hear a presentation regarding modifications to the City's Controlled Vehicular Parking Program.**

*Jacob Kain and Trish Everett made presentations.*

*Nathan Skop, Debbie Martinez, Donald Sheppard, John Fleming, Arnell Downs, Joe Beaty, Robert Pearce and Ernesto Martinez spoke to the matter.*

*Comm Hawkins moved alternate recommendation with Comm Hinson-Rawls seconding. Motion carried 4-3 with with Lowe, Wells and Chase voting no.*

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager to change parking decal pricing effective July 15, 2013 to \$20 for a one-year homestead decal or \$60 for a three-year homestead decal in any zone; \$50 for a one year, non-homestead decal in existing zones 3,4,6,7, 8, the portion of existing zone 2 east of NW 13th Street, and any additional zones as may be created from time to time; and \$100 for a one year, non-homestead decal in existing zones 1, 5, the portion of existing zone 2 west of NW 13th Street; 2) modify the zone boundaries as recommended by the Community Development Committee; and 3) fund three additional Parking Operations Attendant II positions to increase parking enforcement capabilities.*

*Alternate Recommendation*

*The City Commission: 1) authorize the City Manager to change parking decal pricing effective July 15, 2013 to \$20 for a one-year homestead decal or \$60 for a three-year homestead decal in any zone; \$50 for a one year, non-homestead decal in existing zones 3,4,6,7, 8, the portion of existing zone 2 east of NW 13th Street, and any additional zones as may be created from time to time; and \$100 for a one year, non-homestead decal in existing zones 1, 5, the portion of existing zone 2 west of NW 13th Street; 2) modify the zone boundaries as recommended by the Community Development Committee; and 3) consider a budget increment for FY 14 to fund three additional temporary trained workers for a one year pilot program for expanded enforcement.*

**Approved, as shown above**

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

*Commissioner Hawkins moved with Commissioner Wells seconding to waive rules to hear items 120868 Parking Program and 120908 Parking Regulations after citizen comment. Motion passed 7-0.*

*Meeting recessed at 4:33PM.*

**RECESS**

**RECONVENE**

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

**Gator Detachment of the Marine Corp League Bob Gache, Sr.**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**121087.           Emergency Medical Services Week - May 19-25, 2013 (B)**

**RECOMMENDATION**

*Gainesville Fire Rescue Fire Chief Gene Prince and Special Operations Chief Don Sessions to accept the proclamation.*

**Heard**

- 121089. National Recreational Water Illness Prevention Week - May 19-25, 2013 (B)**
- RECOMMENDATION      *City of Gainesville Parks, Recreation & Cultural Affairs Department Aquatic Leader Michelle Weydert to accept the proclamation.*
- Heard
- 121090. National Community Action Month - May 2013 (B)**
- RECOMMENDATION      *Central Florida Community Action Agency (CFCAA), Inc. Chief Executive Officer Robert W. Wilford to accept the proclamation.*
- Heard
- 121098. Civility Month - May 2013 (B)**
- RECOMMENDATION      *Gainesville City Commission to accept the proclamation.*
- 121088. Corporal Milton Lewis Day - May 27, 2013 (B)**
- RECOMMENDATION      *Commanding Officer of the Milton Lewis Young Marines Carry Hill and Gator Detachment of the Marine Corp League Bob Gache, Sr. to accept the proclamation.*
- Heard
- 121086. Memorial Day - May 27, 2013 (B)**
- RECOMMENDATION      *Gator Detachment of the Marine Corp League Bob Gache, Sr. to accept the proclamation.*
- Heard
- 121114. Gainesville Police Department Volunteer Appreciation Day - May 22, 2013 (B)**
- RECOMMENDATION      *Gainesville Police Department Crime Prevention Officer Charlene Collins to accept the proclamation.*
- Heard

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

*Gabe Hillel-Public Records request*

*Ernesto Martinez-Civility Editorial*

*Debbie Martinez-Civility Editorial*

*Elizabeth Washington-Election Lawsuit*

*Joe Beaty-Comm Hinson-Rawls apology*

*Nathan Skop-GRU Management*

*John Davies-City Issues*

*Rob Brinkman-Civility Issues*

*Donald Sheppard-Proclamations*

*Ben Morris-Democratic Issues*

*Pat Fitzpatrick-City Issues*

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

**CLERK'S NOTE: The City Commission waive the Rules to hear File #121023 after File #121037**

**121091. OAK PARK SUBDIVISION PLAT VACATION (B)**

Resolution No. 121091

A Resolution of the City of Gainesville, Florida; approving the vacation of a portion of the Plat of □Oak Park□ recorded in Plat Book A, Page 176, of the Public Records of Alachua County, Florida, said portion being located on the southeast corner of the intersection of NW 23rd Avenue and NW 13th Street; providing directions to the Clerk of the Commission; providing for filing of the original hereof; and providing an immediate effective date.

RECOMMENDATION            *The City Commission adopt the proposed Resolution.*

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls



**Absent:** 1 - Commissioner Chase

**ADOPTION READING - ROLL CALL REQUIRED**

**120933.**

**LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 2.8 ACRES OF PROPERTY GENERALLY LOCATED AT 1303 NE 23rd AVENUE FROM RECREATION (REC) TO EDUCATION (E) (B)**

Ordinance No. 120933; Petition No. PB-13-007 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 2.8 acres of property generally located at 1303 NE 23rd Avenue, as more specifically described in this ordinance, from Recreation (REC) to Education (E); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Jason Simmons made a presentation.*

**RECOMMENDATION**

*The City Commission: (1) approve Petition PB-13-007 LUC and (2) adopt the proposed ordinance.*

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

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

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

**120934.**

**REZONING - APPROXIMATELY 2.8 ACRES OF PROPERTY  
GENERALLY LOCATED AT 1303 NE 23rd AVENUE FROM PUBLIC  
SERVICES AND OPERATIONS DISTRICT (PS) TO EDUCATION  
SERVICES DISTRICT (ED) (B).**

Ordinance No.120934; Petition PB-13-008 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 2.8 acres of property generally located at 1303 NE 23rd Avenue, as more specifically described in this ordinance, from Public services and operations district (PS) to Educational services district (ED); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Jason Simmons made a presentation.*

**RECOMMENDATION**            *The City Commission (1) approve Petition No. PB-13-008 ZON and (2) adopt the proposed ordinance.*

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

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

**090878. TEXT CHANGE - LANDSCAPE AND TREE MANAGEMENT (B)**

Ordinance No. 090878, Petition No. PB-10-7-TCH

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances and the Land Development Code relating to landscape and tree management; by amending Sec. 30-23 Definitions; by amending Article VII. Development Review Process (Division 2. Subdivisions and Street Vacation and Division 4. Planned Development District); by amending Article VIII. Environmental Management (Division 1. Generally, Division 2. Landscape and Tree Management, Stormwater Management and Water/Wastewater Connection Policy, and Division 4. Relief and Enforcement); by amending Appendix A. Special Area Plans (for College Park, Traditional City, Central Corridors and University Heights); by amending Chapter 2. Administration (Division 12. Tree Board of Appeals and Division 13. Tree Advisory Board); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Ralph Hilliard and Mark Siburt made presentations.*

*Meg Niederhofer, John Fleming, Rob Brinkman, Donald Sheppard and Nathan Skop spoke to the matter.*

*Second MOTION*

*Comm Wells moved with Comm Poe seconding to refer to staff an incentive program with options for large trees. Motion carried 7-0.*

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

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

**Nay:** 1 - Commissioner Chase

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

**120789.****TEXT CHANGE - SCOOTER SALES - UMU-2 ZONING (B)**

Ordinance No.120789; Petition No. PB-12-169 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to scooter sales; by adding a new definition to Section 30-23 Definitions and by adding scooter sales to the list of permitted uses by right in Section 30-65.2 Urban mixed-use district 2 (UMU-2); 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 Poe, seconded by Commissioner Wells, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**120807****REZONING AND TEXT CHANGE - APPROXIMATELY 0.62 ACRES OF PROPERTY GENERALLY LOCATED IN THE VICINITY OF 717 & 721 SW 5TH AVENUE - TO URBAN MIXED-USE DISTRICT 2 (UMU-2) & ADDING SAID PROPERTY TO THE UNIVERSITY HEIGHTS AREA WITHIN THE UMU-2 ZONING DISTRICT (B)**

Ordinance No. 120807; Petition No. PB-12-166 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.62 acres of property generally located at 717 and 721 SW 5th Street, as more specifically described in this ordinance, from Residential high density district (RH-1) to Urban mixed-use district 2 (UMU-2) as to two parcels and from unzoned right-of-way to Urban mixed-use 2 (UMU-2) as to one parcel; adding the approximately 0.62 acres of property to the University Heights area as designated within Section 30-65.2 - Urban mixed-use district 2 (UMU-2) of the City of Gainesville Land Development Code by adopting the following amended figures: Figure 1.0 District Boundary Map - University Heights, Figure 2.0 Street Types - University Heights, Figure 2.1 Proposed Local Streets - University Heights, and Figure 3.0 Height Limits - University Heights; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION            *The City Commission adopt the proposed ordinance.*

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

**Absent:** 1 - Commissioner Chase

**120808.**

**REZONING AND TEXT CHANGE - AMENDING THE ZONING MAP ATLAS TO REMOVE APPROXIMATELY 0.62 ACRES OF PROPERTY GENERALLY LOCATED AT 717 AND 721 SW 5TH AVENUE FROM THE SPECIAL AREA PLAN FOR UNIVERSITY HEIGHTS AND DELETING AND REPLACING THE FIGURE TITLED "LAND USE AND BUILDING TYPE MATRIX" IN THE SPECIAL AREA PLAN TO REFLECT THE REMOVAL OF THE PROPERTY (B)**

Ordinance No. 120808; Petition No. PB-12-171 TCH

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by removing the Special Area Plan for University Heights overlay zoning district from approximately 0.62 acres of property generally located at 717 and 721 SW 5th Avenue; amending Appendix A., Section 6. - Special Area Plan for University Heights in the Land Development Code by deleting and replacing the figure titled "Land Use and Building Type Matrix" to reflect the removal of the property described above; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION            *The City Commission adopt the proposed ordinance.*

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

**Absent:** 1 - Commissioner Chase

## PLAN BOARD PETITIONS

120908.

**Unpaved Off-Street Parking and Access Regulations for the College Park and University Heights Special Area Plans (B)**

**PB-12-19 TCH. City of Gainesville. Amend the Land Development Code Appendix A, Section 3 Special Area Plan for College Park and Section 6 Special Area Plan for University Heights to regulate existing non-hard-surfaced off-street parking and access to parking areas.**

*Andrew Persons made a presentation.*

*John Fleming and Donald Sheppard spoke to the matter.*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve Petition PB-12-19 TCH with the inclusion of pine straw as a permitted parking area coverage material for parking areas with 1-4 spaces; provide a 12-month compliance period from the date of final ordinance adoption; and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations. Plan Board vote 6-0.*

*Staff to City Commission - The City Commission approve Petition PB-12-19 TCH with the inclusion of pine straw as a permitted parking area coverage material for parking areas with 1-4 spaces; provide a 12-month compliance period from the date of final ordinance adoption; and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations.*

*Staff to the Plan Board - Approve Petition PB-12-19 TCH; with a 12-month compliance period from the date of final ordinance adoption and direct the Code Enforcement Division to hold workshop(s) to explain to impacted property owners how to comply with the new regulations.*

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

**Aye:** 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

**Nay:** 1 - Commissioner Chase

**121037. Oak Park Plat Vacation (B)**

**Petition CC-13-37 SUB. Eng, Denman and Associates, Inc., agent for Elizabeth P. Alsobrook. Reversion of subdivided land to acreage. Zoned: MU-1 (8-30 units/acre mixed use low intensity). Located at 2225 NW 13th Street.**

*Ralph Hilliard made a presentation.*

**RECOMMENDATION**      *Development Review Board to City Commission - That the City Commission approve Petition CC-13-37SUB and a related resolution to vacate a portion of the Oak Park platted subdivision.*

*Staff to City Commission - Approve Petition CC-13-37 SUB and adopt a resolution.*

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

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

**Absent:** 2 - Commissioner Wells, and Commissioner Chase

**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****121101. City Commissioner Ceremony - Mayor Craig Lowe (NB)**

*Comm Poe moved and Comm Hawkins seconded to waive the rules to continue meeting to 11:15PM. Motion carried 7-0.*

*Comm Poe moved with Comm Hawkins seconded to waive the rules to continue meeting to 11:30PM. Motion carried 7-0.*

*Comm Poe moved with Comm Hawkins seconded to waive the rules to continue meeting to 11:45PM. Motion carried 7-0.*

*Rob Brinkman and Donald Sheppard spoke to the matter.*

**RECOMMENDATION**      *The City Commission hear comments from City Commissioners, the public and Mayor Craig Lowe.*

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

*Comm Chase moved with Commissioner Hinson-Rawls seconding to re-open the Community Grant program for one week after advertising and following procedure. Fred Murry spoke to the matter which passed 7-0.*

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT-11:36PM**