

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Final

Thursday, November 20, 2014

1:00 PM

City Hall Auditorium

## City Commission

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

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

**CALL TO ORDER-1:09PM**

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

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

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

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

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

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

**CITY MANAGER, CONSENT AGENDA ITEMS**

[140366.](#)

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

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

**RECOMMENDATION**

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

**Approved as Recommended**

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

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

**RECOMMENDATION**

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

**Approved as Recommended**

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

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

**RECOMMENDATION**

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

**Approved as Recommended**

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

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

**RECOMMENDATION**

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

**Approved as Recommended**

[140484.](#)**Regional Transit System (RTS) Procurement of Buses (Federal Assets) and Components from the Central Florida Regional Transit Authority (LYNX) (B)**

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

**RECOMMENDATION**

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

*Regional Transit System (RTS).*

Approved as Recommended

[140486.](#)

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

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

RECOMMENDATION

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

Approved as Recommended

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

### **CITY ATTORNEY, CONSENT AGENDA ITEMS**

[140492.](#)

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

RECOMMENDATION

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

Approved as Recommended

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

[140503.](#)

**City Commission Minutes (B)**

RECOMMENDATION

*The City Commission approve the minutes of September 18,*

*October 2, October 8, October 16, October 21, October 22, October 30, November 6 and November 18, 2014.*

Continued

[140493.](#) **Joint Meetings (NB)**

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

Approved as Recommended

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

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

Approved as Recommended

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

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

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

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

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

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

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

[140505.](#)**Mayor Ed Braddy - Gainesville Housing Authority Job Training Entrepreneurial Program (B)**

*Pamela Davies made a presentation.*

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

**RECOMMENDATION**

*The City Commission hear a presentation.*

**Heard**

**CLERK OF THE COMMISSION****CITY MANAGER**[140496.](#)**2015 State Legislative Agenda (B)**

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

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

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

*Third Amendment: Glen Springs restoration issues*

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

**RECOMMENDATION**

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

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

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

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

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

*Paul Folkers made a presentation.*

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

**RECOMMENDATION**

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

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

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

**Nay:** 1 - Commissioner Warren

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

[140469.](#)

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

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

*Fred Murry made a presentation.*

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

*Comm Chase moved to approve the recommendation and Comm Wells seconded.*

*Motion carried 6-0.*

**RECOMMENDATION**

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

**This Matter was Approved as Recommended**

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

[130635.](#)

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

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

*Comm Carter moved to approve the recommendation and Comm Wells seconded.*

*Motion carried 6-0.*

**RECOMMENDATION**

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

**This Matter was Approved as Recommended**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

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

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

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

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

*Chris Cooper made a presentation.  
Tommy McIntosh, Kim Popejoy and Darlene Pifalo spoke to the matter.  
Motion: Adopt Option #4*

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

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

*Alternative Recommendation B  
Do not create a property registration program.*

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

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

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

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

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

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

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



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

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

**RECESS-4:59PM**

**RECONVENE-5:45PM**

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

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

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

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

Heard

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

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

Heard

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

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

Heard

**6:00 PM**

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

*John Davies  
Jo Beaty  
Pat Fitzpatrick-File #140546  
Debbie Martinez*

*Ernesto Martinez  
Don Glendening-File #140546  
Jim Konish*

## **PUBLIC HEARINGS**

### **General Public Hearings**

## **RESOLUTIONS- ROLL CALL REQUIRED**

### **140435.**

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

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

**RECOMMENDATION**      *The City Commission adopt the Resolution.*

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

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

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

### **140454.**

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

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

**RECOMMENDATION**      *The City Commission adopt the Resolution.*

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

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

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

### **140456.**

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

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

**RECOMMENDATION**

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

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

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

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

[140457.](#)

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

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

**RECOMMENDATION**

*The City Commission adopt the Resolution.*

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

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

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

[140477.](#)

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

**A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA,  
AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT  
TO EXCEED \$17,100,000 IN AN AGGREGATE PRINCIPAL AMOUNT  
OF CITY OF GAINESVILLE, FLORIDA CAPITAL IMPROVEMENT  
REVENUE BONDS, SERIES 2014 FOR THE PURPOSE OF  
FINANCING THE COSTS OF CONSTRUCTING, REFURBISHING,  
RENOVATING AND EQUIPPING OF VARIOUS CAPITAL  
PROJECTS IN THE CITY OF GAINESVILLE AS MORE  
PARTICULARLY DESCRIBED HEREIN AND PAYING OTHER  
COSTS NECESSARY OR INCIDENTAL THERETO; PROVIDING**

**FOR THE PAYMENT OF SUCH BONDS FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES OF THE CITY WHICH ARE BUDGETED AND APPROPRIATED BY THE CITY ON AN ANNUAL BASIS AND DEPOSITED INTO THE DEBT SERVICE FUND CREATED HEREUNDER FOR SUCH BONDS; PROVIDING FOR THE RIGHTS AND REMEDIES OF THE HOLDERS THEREOF, AND MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING AN EFFECTIVE DATE; AND PROVIDING CERTAIN OTHER DETAILS.**

**RECOMMENDATION**

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

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

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

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

**[140478.](#)**

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

**A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA, SUPPLEMENTING A RESOLUTION OF THE CITY ADOPTED ON THE DATE HEREOF AND PROVIDING FOR AND AUTHORIZING THE ISSUANCE OF THE CITY'S CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2014, IN AN ORIGINAL AGGREGATE AMOUNT NOT EXCEEDING \$17,100,000 FOR THE PURPOSE OF FINANCING THE COSTS OF ACQUIRING, CONSTRUCTING, REFURBISHING, RENOVATING AND EQUIPPING OF VARIOUS CAPITAL PROJECTS IN THE CITY OF GAINESVILLE AND PAYING OTHER COSTS NECESSARY OR INCIDENTAL THERETO; DELEGATING CERTAIN AUTHORITY TO THE AUTHORIZED ISSUER OFFICER TO AWARD SAID BONDS PURSUANT TO A PUBLIC BID, PROVIDED THE BIDS SUBMITTED FALL WITHIN PARAMETERS SET FORTH HEREIN; APPROVING**

**THE FORM OF AN OFFICIAL NOTICE OF SALE AND SUMMARY NOTICE OF SALE WITH RESPECT TO SAID BONDS; APPOINTING THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS PAYING AGENT AND REGISTRAR WITH RESPECT TO SUCH BONDS; APPROVING THE FORM AND AUTHORIZING THE CIRCULATION OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT; AUTHORIZING THE AUTHORIZED ISSUER OFFICER TO DEEM FINAL THE PRELIMINARY OFFICIAL STATEMENT; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING CERTAIN OFFICIALS OF THE CITY TO EXECUTE ANY DOCUMENTS AND TAKE ANY ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; PROVIDING AN EFFECTIVE DATE FOR THIS RESOLUTION; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO.**

**RECOMMENDATION**

*The City Commission adopt the proposed Delegation Resolution.*

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

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

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

**ADOPTION READING-ROLL CALL REQUIRED**

**[130690.](#)**

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

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

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 11.42 acres of property generally located on the west side of the 5000 block of SW 41st Boulevard (Fred Bear Drive), as more specifically described in this ordinance, from Alachua County Heavy Industrial to City of Gainesville Business Industrial (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

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

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

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

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

**ORDINANCES, 2ND READING, ROLL CALL REQUIRED****130792****REZONING - GENERALLY LOCATED ON THE WEST SIDE OF THE 5000 BLOCK OF SW 41ST BOULEVARD (FRED BEAR DRIVE) (B)**

Ordinance No. 130691; Petition No. PB-13-125 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 11.42 acres of property generally located on the west side of the 5000 block of SW 41st Boulevard (Fred Bear Drive), as more specifically described in this ordinance, from the Alachua County zoning districts of Industrial Services and Manufacturing (MS) and Planned Development (PD) to the City of Gainesville Business Industrial (BI) zoning district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Onelia Lazzari made a presentation.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

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

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

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

**ADOPTION READING- ROLL CALL REQUIRED****130791.****LAND USE CHANGE - GENERALLY LOCATED ON THE NORTH SIDE OF THE 2800 BLOCK OF SE HAWTHORNE ROAD (B)**

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

An ordinance amending the Future Land Use Map of the City of Gainesville

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

**RECOMMENDATION**

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

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

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

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

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

**[130792.](#)**

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

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

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

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

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

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

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

**ADOPTION READING - ROLL CALL REQUIRED**

**[130793.](#)**

**LAND USE CHANGE - GENERALLY LOCATED NORTHWEST OF MORNINGSIDE NATURE CENTER IN THE 2800 BLOCK OF NE**

**11TH PLACE (B)**

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

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

**RECOMMENDATION**

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

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

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

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

**ORDINANCES, 2ND READING - ROLL CALL REQUIRED****[130794.](#)****REZONING - GENERALLY LOCATED NORTHWEST OF MORNINGSIDE NATURE CENTER IN THE 2800 BLOCK OF NE 11th PLACE (B)**

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

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

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

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



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

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

## ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[140392.](#)

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

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

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

*Erik Bredfeldt made a presentation.*

**RECOMMENDATION**

*The City Commission: (1) approve Petition PB-14-111 TCH; and (2) adopt the proposed ordinance.*

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

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

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

## ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[140322.](#)

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

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

An ordinance updating Table 14: 5-Year Schedule of Capital Improvements (FY 13/14 - 17/18) in the Capital Improvements Element of the City of Gainesville Comprehensive Plan; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

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

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

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

[130984.](#)

**FLOODPLAIN MANAGEMENT DISTRICT AND FLORIDA  
BUILDING CODE AMENDMENTS - TEXT CHANGE**

Ordinance No. 130984

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

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

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

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

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

[130679.](#)

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

Ordinance No. 130679

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

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

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

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

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

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

**PLAN BOARD PETITIONS**

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**UNFINISHED BUSINESS**

**COMMISSION COMMENTS**

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

*Fred Murry made a presentation.*

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

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

**CITIZEN COMMENTS (If time permits)**

*Donald Shepherd  
Don Glendening  
Kali Blount*

**ADJOURNMENT-8:31PM**

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**Kurt Lannon, Clerk of the Commission**