

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Final

Thursday, September 5, 2013

1:00 PM

City Hall Auditorium

## City Commission

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

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

**CALL TO ORDER-1:05PM**

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

**Absent** 1 - Commissioner Chase

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

Prophet George Young

**CONSENT AGENDA**

**CITY MANAGER, CONSENT AGENDA ITEMS**

[130116.](#) **Uniform Bid to Azar’s Uniform and DGG Taser and Tactical Supply for the Gainesville Police Department Budget Amount for FY2014 (NB)**

**This item is a request for FY2014 budget for uniforms for award GPDx-130016-FB not to exceed \$120,000.**

RECOMMENDATION *The City Commission: 1) approve the amount not to exceed \$120,000; and 2) authorize the City Manager or designee to authorize two blanket purchase orders for the selected vendors.*

**This Matter was Approved as Recommended**

[130162.](#) **Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for FY 2014 (B)**

**This item is an agreement between the City of Gainesville (City) and Alachua County (County) for traffic engineering services in the amount of \$196,618.37 in revenue to the City during FY14.**

RECOMMENDATION *The City Commission authorize the City Manager to execute the renewal of the Agreement for Traffic Engineering Services between the City of Gainesville and Alachua County for the period of October 1, 2013 to September 30, 2014, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

[130174.](#)**Bid Award - Termite Fumigation Tenting at Thomas Center A, Thomas Center B, and Wilhelmina Johnson Center (B)**

**This is a request for the City Commission to award the bid to the Joint Venture of Southern Fumigation and Pest Control/Dr. Buggs for Termite Fumigation Tenting at Thomas Center A, Thomas Center B, and Wilhelmina Johnson Center.**

**RECOMMENDATION**

*The City Commission: 1) award the bid for Termite Fumigation Tenting at Thomas Center A, Thomas Center B, and Wilhelmina Johnson Center to the Joint Venture of Southern Fumigation and Pest Control/Dr. Buggs in the amount of \$112,000; 2) authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality; and 3) issue a purchase order in an amount not to exceed \$112,000.*

**This Matter was Approved as Recommended**

[130207.](#)**Bid Award - West 6th Street Rails to Trails Section 3 (B)**

**This item is a request for the City Commission to authorize the bid award to V. E. Whitehurst & Sons, Inc. for the West 6th Street Rails to Trails Section 3 Project for the construction of an asphalt bike trail between SW 2nd Avenue and NW 10th Avenue, excluding the portion within the limits of the GPD Campus.**

**RECOMMENDATION**

*The City Commission: 1) award the bid award to V. E. Whitehurst & Sons, Inc., for the West 6th Street Rails to Trails Section 3 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; and 3) issue a purchase order in an amount not to exceed \$740,232.*

**This Matter was Approved as Recommended**

[130210.](#)**Bid Award - Annual Contract for Citywide Sidewalk Construction/Replacement Services for FY 2014 (B)**

**This item is a request for the City Commission to authorize the bid award to Hicks Seal Coating and Striping, LLC for the annual contract for sidewalk construction/ replacement services for FY 2014.**

**RECOMMENDATION**

*The City Commission: 1) approve the bid award to Hicks Seal Coating and Striping, LLC, for Annual Sidewalk Construction/Replacement Services for FY 2014; and 2) authorize the City Manager to execute an annual services contract with Hicks Seal Coating and Striping, LLC, and any necessary documents, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

[130211.](#)**Contract for Inmate Work Crew for the Solid Waste Division (B)**

**This item is a request for the City Commission to approve a contract between the City of Gainesville (City) and Florida Department of Corrections (FDOC) for Inmate Work Crew for Litter Clean-up for the term of December 16, 2013 through December 15, 2014.**

**RECOMMENDATION**

*The City Commission authorize the City Manager to execute the contract with Florida Department of Corrections for a contractual inmate work crew through December 15, 2014, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

[130217.](#)**Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Mounted Unit Operation Budget for FY2014 (B)**

**This is a request for \$30,000 for funding the Mounted Unit for Fiscal Year 2014 for the Gainesville Police Department.**

**RECOMMENDATION**

*The City Commission to approve the appropriation of \$30,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Gainesville Police Department Mounted Patrol Unit for Fiscal Year 2014.*

**This Matter was Approved as Recommended**

[130218.](#)**Federal LECFTF Funding for the Joint Aviation Unit for FY2014 (B)**

**This request is for \$130,194 for the operating budget for the Gainesville Police Department's Joint Aviation Unit.**

**RECOMMENDATION**

*The City Commission: 1) approve the appropriation of the amount of \$130,194 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Joint Aviation Unit budget; and 2) approve a purchase order for ACSO for the estimated amount of \$50,000 for 1/2 hanger/office rent and mechanic's salary per inter-agency agreement dated July 8, 1996.*

*Alternative Recommendation*

*The City Commission deny funding this request.*

**This Matter was Approved as Recommended**

[130231.](#)**Request for Proposal for the Construction and Operation of a Museum - Proposal Selection (NB)****RECOMMENDATION**

*The City Commission: 1) approve the ranking; 2) authorize the City Manager or his designee to negotiate a Development and Disposition Agreement, subject to approval by the City Attorney as to form and legality; and 3)*

*bring the Development and Disposition Agreement to the City Commission and the CRA Board for each body's approval prior to December 31, 2013.*

**This Matter was Approved as Recommended**

[130252.](#)

**Strategic Plan Quarterly Report - 3rd 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 3rd 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 3rd quarter of FY 2013.*

**This Matter was Approved as Recommended**

[110258](#)

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

**This item involves a request for the City Commission to review the matter of private purchase of public land.**

**RECOMMENDATION**      *The City Commission discontinue further consideration of the potential surplus and sale of property in Loblolly Woods.*

**This Matter was Approved as Recommended**

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

[130242.](#)

**Declare Scrap Metals Surplus and Authorize Contract for the Sale of Scrap Metals (B)**

**Staff recommends award of a contract to Trademark Metals Recycling, LLC for the sale of surplus scrap metals.**

**RECOMMENDATION**      *The City Commission: 1) declare scrap metals that become available as surplus; and 2) authorize the General Manager, or his designee, to negotiate and execute a three-year contract with Trademark Metals Recycling, LLC for the sale of surplus metals beginning October 1, 2013, subject to the approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

[130263.](#)

**Request for Proposals for Commercial Real Estate Broker Services (NB)**

**Staff recommends establishing a contract for commercial real estate broker services to assist GRU with the sale of properties on an as-needed basis.**

**RECOMMENDATION**      *The City Commission: 1) authorize the General Manager, or his designee, to issue a Request for Proposals for*

*commercial real estate brokerage services to establish a three-year contract with a commercial real estate brokerage firm to market GRU surplus property on an as-needed basis; and 2) authorize the General Manager, or his designee, to use the real estate brokerage contract to enter into and negotiate purchase and sale agreements for the sale of surplus properties as authorized, reserving appropriate utility easements, and to execute all documents necessary to complete closings, subject to the approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

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

[130184.](#) CITY OF GAINESVILLE v. INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL NO. 2157, GAINESVILLE PROFESSIONAL FIREFIGHTERS, INC. (B)

**RECOMMENDATION** *The City Commission authorize the City Attorney to represent the City in the case styled: City of Gainesville v. International Association of Fire Fighters, Local No. 2157, Gainesville Professional Firefighters, Inc., Case No. SM-2013-038.*

**This Matter was Approved as Recommended**

[130204.](#) JERRY ALLIGOOD vs. THE CITY OF GAINESVILLE, FCHR NO. 201301430 (NB)

**RECOMMENDATION** *The City Commission authorize the City Attorney to represent the City in the case styled Jerry Alligood vs. the City of Gainesville; FCHR No.: 201301430*

**This Matter was Approved as Recommended**

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

## **EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

## **COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

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

[110398.](#) Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)

**This item provides an update to the City Commission from the Recreation, Cultural Affairs and Public Works Committee regarding the public use elements of the Sweetwater Branch/Paynes Prairie Sheetflow**

**Restoration Project.**

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**

[120643.](#)

**Transportation Accessibility to Medical Clinics via Regional Transit System (RTS) (B)**

**This item is to provide information requested by the City Commission regarding accessibility to medical clinics in the City of Gainesville provided by Regional Transit System (RTS).**

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**

**Approval of the Consent Agenda**

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

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

**PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

**PUBLIC SAFETY COMMITTEE, CONSENT**

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

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

*Remove Commissioner Wells item from the agenda and add #100523 to the end of the agenda.*

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

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

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

## CITY MANAGER

### [100672.](#)

#### **Update on the Status of the Cabot-Koppers Superfund Site (B)**

**This item involves a request from Environmental Manager Mitchell Brouman, P.G., of Beazer East, Inc. to provide an update and presentation to the City Commission regarding onsite and offsite remediation activities for the Koppers Superfund Site.**

*Motion: City Manager empower staff liaison and other staff to fully implement the March 2012 motion(110782), draft a written action plan for public review within two weeks and include funding up to full time staffing for a four month period.*

*Amy Schafer, Mitchell Brouman, Pat Kline, Rusty Kesel and John Mousa made presentations. Kim Popejoy, Bob Hallman, Alice Alandro, Nathan Skop, Barbara Ruth, Donald Sheppard, Ernesto Martinez, Bob Burton, Robert Pearce, Sandra Watts Kennedy, Maria Parsons, Barbara Sharpe, Brenda OSteen, Sharon Sheets and Debbie Martinez spoke to the matter.*

**RECOMMENDATION**

*The City Commission receive a presentation from Mr. Brouman regarding onsite and offsite remediation activities for the Koppers Superfund Site.*

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

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

**Absent:** 1 - Commissioner Hawkins

### [120250.](#)

#### **Update on the Purchase of Surplus DOC Property by the City of Gainesville (B)**

**The purpose of this item is to provide an update to the City Commission on the status of the negotiations between the City and the State for purchase of surplus Department of Corrections (DOC) property. The City would like to purchase the DOC facility known as the former Gainesville Correctional Institute (GCI) in order to provide a variety of services at the complex for homeless/needy individuals and families in our community. This item is being submitted to the City Commission for their consideration and approval to authorize the City Manager to**

**negotiate the purchase of Phase II of the GCI property, seek Legislative support and assistance in obtaining the GCI property, and identify funds for the purchase of the Phase II portion of the GCI property.**

*Amendment: write letter asking for interim use of the property and for use of the site at the earliest possible date (but no longer than one month)*

*Ellen Allen, Donald Sheppard and Pat Fitzpatrick spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager to negotiate the purchase of Phase II of the GCI property; 2) authorize the City Manager or his designee to seek Legislative support and assistance in obtaining the entire GCI property; and 3) direct staff to identify funds for the purchase of the Phase II portion of the GCI property.*

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

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

**Absent:** 1 - Commissioner Hawkins

## **GENERAL MANAGER FOR UTILITIES**

### **130249.**

#### **Annual Contract for Electric Distribution Line Clearance (B)**

**Staff recommends the award of a contract to Asplundh Tree Expert Company for electric distribution line clearance and related work.**

*David Beaulieu made a presentation. Donald Sheppard and Nathan Skop spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) authorize the General Manager, or his designee, to execute a three-year contract with Asplundh Tree Expert Company, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order in not-to-exceed budgeted amounts for these services for each year of the contract, subject to the final appropriation of funds for each year.*

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

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

### **130272.**

#### **Purchase of Innovation Energy Center Site at Innovation Square (B)**

**Staff is requesting approval of the purchase of the Innovation Energy**

**Center site together with associated easements, located at 200 SW 7th Terrace, from Clarence T. Ayers Condominium Association, Inc.**

*This item was started in the afternoon and was completed during the evening session. David Richardson, Chuck Heidt, Jamie Verschage and Krisitie Williams made presentations. Motion by Comm Chase and seconded by Comm Bottcher Direct General Manager to renegotiate with Clarence T. Ayers Condominium Association Inc a new lease to purchase option to include a five year lease at a mutually agreeable purchase price and refer to City Attorney to review all associated agreements within the next 60 days. Nathan Skop, Jim Konish, Ray Washington, Jo Beaty, Debbie Martinez, Armando Grundy, Barbara Sharpe, Mac McEachern, Ed Poppell, Ernesto Martinez and Donald Sheppard spoke to the matter. Comm Wells returned at 7:30PM.*

**RECOMMENDATION**

*The City Commission: 1) approve the Purchase and Sale Agreement for the purchase of property located at 200 SW 7th Terrace from Clarence T. Ayers Condominium Association, Inc., for an amount not to exceed \$698,313.00 plus closing costs, as negotiated by staff and in accordance with that certain Agreement Between The City of Gainesville and Shands Teaching Hospital and Clinics, Inc, for Utility Services at Innovation Square, dated February 7, 2011; and 2) authorize the General Manager, or his designee, to execute all documents necessary to complete the purchase of the property in accordance with the Purchase and Sale Agreement, subject to approval by the City Attorney as to form and legality.*

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

**Aye:** 5 - Mayor Braddy, Commissioner Bottcher, Commissioner Chase, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Nay:** 2 - Commissioner Poe, and Commissioner Hawkins

**[130280.](#)**

**GREC Proposal Discussion Item - Sections 27.3 and 21.1 of Power Purchase Agreement (NB)**

*This item was heard in the evening.*

*Motion: Staff recommends the City Commission request staff to assemble the information/analysis for further consideration towards the ultimate City Commission decision of exercising ROFO rights and to provide public and private briefings as appropriate on a regular basis to the City Commission and Direct the City Manager, City Auditor and City Attorney, or their designees to constitute a committee responsible for advising and informing the City Commission as to the financial impact on the City of the whole through fact finding, information gathering, and analysis of the impact of recommendations being developed, and report back to the City Commission as they individually deem appropriate.*

*Comm LP moved to waive rules and continue meeting until 11:15PM. Comm SB seconded. Motion carried 5-1 with Comm YHR voting no and Comm RW absent. Comm YHR moved the previous question with Comm RW seconding. Motion carried 7-0.*

RECOMMENDATION

*Hear a presentation and discussion.*

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

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

**Nay:** 1 - Mayor Braddy

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

[130277.](#)

**Mayor-Commissioner Pro Tem Randy Wells - UF Family Data Center (NB)**

RECOMMENDATION

*The City Commission hear a presentation and take appropriate action.*

*Please Note: The County item can be found at the following link.*

*<<http://meetingdocs.alachuacounty.us/documents/boccc/agendas/2013-08-27/EC3081B5-21F7-49D8-8587-E670CE91CE0DAgenda.htm>>*

**Continued**

[130279.](#)

**Mayor Ed Braddy - Update on Florida League of Cities and State Issues (NB)**

*Mayor Matt Surrency made a presentation.*

RECOMMENDATION

*The City Commission hear an update regarding the Florida League of Cities and State Issues and take appropriate action.*

Heard

**COMMISSION COMMENTS (if time available)**

**RECESS-5:13PM**

**RECONVENE-6:07PM**

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[130260.](#) **Constitution Week - September 17-23, 2013 (B)**

RECOMMENDATION *Gainesville Chapter Daughters of the American Revolution  
Regent Linda G. Williams to accept the proclamation.*

**CITIZEN COMMENT (6:00pm)**

*Nathan Skop-Wood Truck, Risk Management and Filing statement  
Debbie Martinez-Biomass meetings  
Jim Konish-GREC agreement  
Armando Grundy-Hotel Conference  
Ernesto Martinez-GRU advertising  
John Davies-Gainesville Government  
Maria Parsons-GRU advertising  
Jo Beaty-Records for agenda  
Mac McEachern-GEAC Committee  
Mark Venske-GRU issues  
Pat Fitzpatrick-Homeless Issues-File #130323*

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

[130059.](#) **RESOLUTION TO SUPPORT FLORIDA'S WATER AND LAND  
CONSERVATION AMENDMENT TO THE STATE CONSTITUTION  
(B)**

RESOLUTION NO. 130059  
A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA,  
SUPPORTING THE FLORIDA WATER AND LAND CONSERVATION  
AMENDMENT TO THE STATE CONSTITUTION; ENCOURAGING  
SUPPORT OF THE AMENDMENT BY OTHER ORGANIZATIONS;  
PROVIDING DIRECTIONS TO THE CLERK OF THE COMMISSION;

AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

*Jim Konish, Maryhelen Wheeler, Mac McEachern, Mark Venske, Pegeen Hanrahan and Rob Brinkman spoke to the matter.*

**RECOMMENDATION**      *The City Commission: consider whether to adopt the resolution in support of Florida's Water and Land Conservation Amendment to the State Constitution, subject to approval as to form and legality by the City Attorney.*

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

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

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

[130220.](#)

**Acceptance of anticipated US Department of Transportation FAA - AIP Grant #3-12-0028-036-2013 in the amount of \$4,661,619 (B)**

**This item seeks City of Gainesville acceptance of an anticipated 2013 US Department of Transportation FAA - AIP Grant to the Gainesville Regional Airport in the amount of \$4,661,619 for: 1) Rehabilitation of Taxiway E Pavement Full Length and Width (approximately 7,500' by 75'); 2) Construction of T/W E Connector to Commercial Apron and Rehabilitation of Taxiway E and R/W 11-29 Edge Lights and Markings; and 3) Removal of Airfield Debris Pile (Wildlife Attractant).**

*Eric Bredfeldt and Alan Penske made presentations.*

**RECOMMENDATION**      *The City Commission: 1) hear a brief presentation regarding this request; and 2) adopt the proposed 2013 FAA - AIP Grant Resolution and authorize the Mayor and City Attorney to execute said Grant Agreement and the City Clerk to certify said Grant Agreement.*

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

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

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

[130122.](#)

**GENERAL EMPLOYEE'S PENSION PLAN AMENDMENTS (B)**

Ordinance No. 130122

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 5 (Employees Pension Plan) of the Code of Ordinances of the City of Gainesville, for federal tax compliance purposes and to amend the investment authority of the board of trustees; amending Section 2-521,

Definitions; amending Section 2-522, Establishment of system; amending Section 2-523, Membership and service; amending Section 2-524, Contributions and funding; amending Section 2-526, Benefits; amending Section 2-527, Administration of the plan; amending Section 2-530, Miscellaneous; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

[130203.](#)

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

Ordinance No. 130203

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville, for purposes of compliance with federal tax law and Chapters 175 and 185, Florida Statutes; amending Section 2-596, Definitions; amending Section 2-597, Establishment; amending Section 2-600, Retirement dates and benefits; amending Section 2-601, Optional forms of retirement income; amending Section 2-602, Administration of the plan; amending Section 2-605, Amendment; termination of plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

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

[130119.](#)

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

Ordinance No. 130119

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary

annexation of City-owned Tax Parcel No. 10860-000-000, which is generally located south of NE 39th Avenue, west of Morningside Nature Center, north of E University Avenue, and east of NE Waldo Road, as petitioned for by the property owner pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION                      *The City Commission adopt the proposed ordinance.*

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

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

[130120.](#)

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

Ordinance No. 130120

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary annexation of City-owned Tax Parcel No. 16146-000-000, which is generally located south of E University Avenue and Fred Cone Park, west of Tax Parcel No. 16143-000-000, north of SE Hawthorne Road, and east of SE 24th Street and the Alachua County Sheriff's office, as petitioned for by the property owner pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION                      *The City Commission adopt the proposed ordinance.*

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

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

[130121.](#)

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

Ordinance No. 130121

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary annexation of City-owned Tax Parcel Nos. 05871-002-000 and 05871-003-000, which are generally located south of NW 142nd Avenue and northeast of the Gainesville Regional Utilities Deerhaven Generating Station along State Road 121, as petitioned for by the property owner pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

[120139.](#)

**TEXT AMENDMENT - SPECIAL EVENT PARKING (B)**

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

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

*Mark Venske and Rob Brinkman spoke to the matter. Ralph Hilliard and Charlie Lybrand made presentations.*

**RECOMMENDATION**                      *The City Commission adopt the proposed ordinance as revised on second reading.*

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

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

**Nay:** 3 - Mayor Braddy, Commissioner Chase, and Commissioner Hinson-Rawls

[110658.](#)**TEXT CHANGE - BOARD ATTENDANCE REQUIREMENTS (B)**

Ordinance No. 110658

An ordinance amending the Code of Ordinances of the City of Gainesville, Florida, relating to attendance requirements for members of quasi-judicial, administrative, and advisory boards; by amending Section 2-247. - *Removal from office*; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

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

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

**Absent:** 1 - Commissioner Hawkins

**PLAN BOARD PETITIONS**[130180.](#)**Chickens in Single-Family Neighborhoods (B)**

**Petition PB-13-64 TCH. City of Gainesville. Amend the Land Development Code to allow chickens in the single-family residential zoning districts and the RC (12 units/acre residential conservation district) zoning district to increase the number of chickens above the current allotment of two chickens.**

*Ralph Hilliard made a presentation. Becka High, Anita Kruger, Nathan Skop, Debbie Martinez, Wilbur Holloway, Gabe Sheding, Nick Armfield, Mark Venske, Ed Brown, Armando Grundy, Mac McEachern and Kevin Daly spoke to the matter.*

**RECOMMENDATION**

*City Plan Board to the City Commission - Approve the petition as modified to allow up to 10 chickens, and no rooster.*

*Staff to the City Plan Board - Approve the petition to allow up to four hens on lots of 10,000 square feet or less and up to six hens on lots greater than 10,000 square feet, and no roosters.*

***Alternative Recommendation***

*Allow up to six chickens on lots of 10,000 square feet or less and up to 10 chickens on lots greater than 10,000 square feet, and no roosters.*

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

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

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

## DEVELOPMENT REVIEW BOARD PETITIONS

## SCHEDULED EVENING AGENDA ITEMS

[100523.](#)

### City of Gainesville Registry of Protected Public Places Update (B)

**This item will provide an update to the City Commission on the City of Gainesville's Registry of Protected Public Places.**

*Steve Phillips and Linda Demetropoulos made presentations. Cynthia Barnett, Mark Venske, Jonathan Day, Armando Grundy, Rob Brinkman, Wilbur Holloway, Nathan Skop, Karen Kiner and Ernesto Martinez spoke to the matter. Motion: Add Loblolly Woods to Phase 2 of Registry of Protected Public Places and Refer to Committee.*

**RECOMMENDATION**

*The City Commission receive a presentation from staff on the City of Gainesville Registry of Protected Public Places.*

*Alternative Recommendation:*

*The City Commission: 1) receive a presentation from staff on the City of Gainesville Registry of Protected Public Places; and 2) direct the City Attorney to draft and the Clerk of the Commission to advertise an ordinance placing the Loblolly Woods property in the City of Gainesville Registry of Protected Public Places.*

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on 3/5/2014. The motion carried by the following vote:**

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

**Nay:** 1 - Commissioner Chase

## UNFINISHED BUSINESS

*Items 130262 and 130261 were placed on the September 19, 2013 agenda.*

## COMMISSION COMMENT

## CITIZEN COMMENT (If time available)

## ADJOURNMENT-11:15PM

