

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, August 16, 2012**

**1:00 PM**

**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 - 1:04 PM

[Play Video](#)

## ROLL CALL

Present: Craig Lowe, Lauren Poe, Randy Wells, Todd Chase, Susan Bottcher and Yvonne Hinson-Rawls  
Absent: Thomas Hawkins

## INVOCATION

[Play Video](#)

*The City Commission observed a moment of silence.*

## CONSENT AGENDA

[Play Video](#)

*MOTION: A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells to adopt the Consent Agenda, as modified.  
(VOTE: 5-0, Commissioners Hawkins and Bottcher - Absent, MOTION CARRIED)*

*MODIFICATION: File #120249 Power District Catalyst Project Phase II Construction GMP - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

## CITY MANAGER, CONSENT AGENDA ITEMS

### 120096.

**Interlocal Agreement between the City of Gainesville and Alachua County for use of the Gainesville/Alachua County Senior Recreation Center as an emergency shelter (B)**

**This item requests authorization by the City Commission for the City Manager to execute an Interlocal Agreement between the City of Gainesville and Alachua County for use of the Gainesville/Alachua County Senior Recreation Center as an emergency shelter.**

#### **RECOMMENDATION**

*The City Commission: 1) approve the Interlocal Agreement between the City of Gainesville and Alachua County; and 2) authorize the City Manager or designee to execute the Interlocal Agreement, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120096\_Interlocal Agreement\_20120816.pdf

**120183.****Funding for Gainesville Police Department Police Beat Television Show (B)****Request funding for the Gainesville Police Department's Police Beat Television Show from Federal Forfeiture funds for FY2013****RECOMMENDATION**

*The City Commission: 1) approve the expenditure and issuance of a purchase order to Studio 601, Inc., Gainesville, Florida in the amount of \$49,500 for the continuation of funding for the Police Beat Television show.*

*Alternative: The City Commission: deny funding for the program.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120183\_Studio601Contract\_20120802.pdf

**120185.****Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for the Gainesville - Alachua County Drug Task Force (DTF), GPD Special Investigation Division for Verizon Wireless for FY13 (NB)**

**This is to request money for FY2013 for cellular phones service for the Special Investigations Division.**

**RECOMMENDATION**

*The City Commission approve the appropriation of \$9,000.00 from the Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) to pay for the cellular services and any equipment needed to Verizon Wireless.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120193.****The 21st Century Learning Grant Contract Agreement Between the Gainesville Police Department (GPD) and the School Board of Alachua County (NB)**

**The School Board of Alachua County has been awarded a 21st Century Learning Grant from the Florida Department of Education. Through this grant, the School Board will contract with the Reichert House Youth Academy to provide youth services.**

**RECOMMENDATION**

*The City Commission: 1) approve the agreement for \$100,000 between the City of Gainesville, the Gainesville Police Department, the Reichert House Youth Academy and the Alachua County School Board; 2) authorize the City Manager to accept and execute the grant award and any other necessary documents, subject to approval by the City Attorney as to form and legality; and 3) approve the expenditures as*

*outlined in the approved grant award/contract.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120212.**

**TMDL Water Quality Restoration Grant Application to the Florida Department of Environmental Protection for the Depot Park Project (B)**

**This item is a request for the City Commission to authorize staff to submit a grant application to the Florida Department of Environmental Protection (FDEP) for TMDL funds in the amount of \$374,538 for the Depot Park Project.**

**RECOMMENDATION**      *The City Commission: 1) authorize the City Manager or designee to make application with FDEP for the TMDL Grant, and 2) if the grant is awarded, authorize the City Manager to execute all related documents, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120212\_GrantApplication\_20120816.pdf

**120213.**

**Grant of a Temporary Construction Easement to Alachua County (B)**

**This item involves approval and authorization to grant a Temporary Construction Easement on a portion of the T.B. McPherson Recreation Center, Tax Parcel 16107-501-000, to Alachua County.**

**RECOMMENDATION**      *The City Commission: 1) approve the County's temporary use of a portion of the T.B. McPherson Recreation Center property for the Southeast 15th Street renovation project; and 2) authorize the Mayor to execute and Clerk of the Commission to attest the Temporary Construction Easement, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120213A\_TempConstEasement\_20120816.pdf

120213B\_Map\_20120816.pdf

**120218.**

**General Employee's Pension Plan Ordinance Amendments (B)**

**RECOMMENDATION**      *The City Commission: authorize the City Attorney to prepare and the Clerk of the Commission to advertise the ordinance required to effectuate the negotiated changes to the General Employee's Pension Plan*

**This Matter was Approved as Recommended on the Consent Agenda.**

120218B\_General Pension Amendments\_20120906.pdf  
120218C\_General Pension Amendments\_20120906.pdf  
120218A\_General Pension Amendments\_20120906.pdf

**120219.**            **Waive the Time Limitation for a Plan Board Petition (B)**

**RECOMMENDATION**        *Staff to City Commission: Authorize Planning and Development Services Department staff to initiate a new Plan Board land use amendment petition for Tax Parcel 06724-000-000, and waive the twelve-month time limitation for the Plan Board to consider the petition.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120219A\_SurroundingProposedZoning\_20120816.pdf

**120225.**            **Strategic Plan Quarterly Report - 3rd Quarter of Fiscal Year 2012 (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 2012.**

**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 2012.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120225\_Report\_20120816.pdf

**120230.**            **Recommendation to Award Annual Contract to Graybar Electric Company for Energy Efficiency Upgrade at City facilities (B)**

**This item is a request for the City Commission to authorize the annual contract to Graybar Electric Company for the purchase of Cree CR 24 LED light fixtures for energy efficiency improvements in City facilities.**

**RECOMMENDATION**        *The City Commission: 1) approve the bid award and annual contract to Graybar Electric Company including any subsequent extensions, and 2) authorize the City Manager or his designee to execute the contract for the purchase of the light fixtures including any subsequent extensions, as approved by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120230\_Bid Tab\_20120816.pdf

**120232.**            **Contract for City-wide Records Storage Services (B)**

**This agenda item involves a request for the City Commission to authorize a contract for city-wide records storage services to, Iron Mountain Information Management, Inc.**

**RECOMMENDATION**

*The City Commission: 1) authorize the contract to Iron Mountain Information Management, Inc. for city-wide records storage services; and 2) authorize the City Manager to execute the contract and all related documents.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120232\_Sole Source & Records Storage Contract\_20120816.pdf

**120236.**

**Award of Contract for Physician Services and Employee Physicals (B)**

**This item involves a request for the City Commission to approve the selection of Southeastern Integrated Medical, P.L. DBA First Care of Gainesville as the provider of physician services and employee physicals.**

**RECOMMENDATION**

*The City Commission: 1) approve the selection of Southeastern Integrated Medical P.L. DBA First Care of Gainesville as the City's provider of medical services for physical examination and medical director; 2) authorize the City Manager, or his designee to negotiate with and enter into an three-year agreement beginning October 1, 2012, with the possibility for one two-year extension, subject to approval of the City Attorney as to form and legality; and 3) authorize the issuance of a purchase order in an amount sufficient to cover the estimated costs associated with this service.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120236\_Bid Tabulation\_20120816.pdf

**120237.**

**Consultant Services, Compensation Study (B)**

**This item involves a request for the City Commission to authorize contract negotiations with Milliman, Inc. to perform a comprehensive Compensation Study of all Charter Officer positions and all MAP, CWA, CWA Supervisory, IAFF, IAFF District Chiefs, FOP, PBA and ATU pay plans.**

**RECOMMENDATION**

*The City Commission: 1) approve the ranking with Milliman, Inc. as number one and Lockton Companies as number two; and 2) authorize the City Manager to initiate contract negotiations with Milliman, Inc. and execute the contract and any related documents, including contract amendments and extensions, subject to approval by the City Attorney as to form and legality. Should contract negotiations with Milliman, Inc.*

*not be successful, the City Commission authorize the City Manager to initiate contract negotiations with Lockton Companies and execute the contract and any related documents including contract amendments and extensions, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120237\_RFP Bid Tabulation.pdf

**120246.**

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

**This item involves a request for the City Commission to authorize the City Manager to initiate a bid/proposal process for operation and/or maintenance of Ironwood Golf Course.**

**RECOMMENDATION**

*The City Commission authorize the City Manager to initiate a bid/proposal process for operation and/or maintenance of Ironwood Golf Course.*

*Alternative Recommendation*

*The City Commission decline to authorize the City Manager to proceed with a bid/proposal process for operation and/or maintenance of Ironwood Golf Course. This would result in the City proceeding with a maintenance-only bid process.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120246\_NGF Report\_20120816.pdf

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

**120238.**

**Communication Consulting and Graphic Design Services Agreement (NB)**

**Staff recommends extending the term of the agreement with PRO INK Corporation to provide communication consulting, graphic design and related services.**

**RECOMMENDATION**

*The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a three-year amendment to extend the term of the agreement with PRO INK Corporation for communication consulting, graphic design and related services; 2) approve the issuance of purchase orders for these services to PRO INK Corporation in amounts not to exceed \$250,000 per year subject to the final appropriation of funds for these services in each fiscal year of*

*the agreement.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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

### **120248.**

**CHERON HAMPTON-BATES, PERSONALLY AND AS NATURAL GUARDIAN OF BRYCE BATES, A MINOR V. THE CITY OF GAINESVILLE, FLORIDA, A MUNICIPAL CORPORATION, AND CPL. TIMOTHY DURST, IN HIS INDIVIDUAL CAPACITY, COURT CASE NO. 1:12-CV-00174-MP-GRJ (B)**

**RECOMMENDATION**

*The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available to represent the City of Gainesville and the individual officer in the case styled Cheron Hampton-Bates, personally and as natural guardian of Bryce Bates, a minor v. the City of Gainesville, Florida, a municipal corporation, and Cpl. Timothy Durst, in his individual capacity, Court Case No. 1:12-CV-00174-MP-GRJ.*

**This Matter was Approved as Recommended on the Consent Agenda.**

120248\_Bryce Bates Consent\_20120816.pdf

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

### **120247. Appointments to City Commission Advisory Boards and Committees (NB)**

**RECOMMENDATION**

*The City Commission appoint:*

*Michael Garrett to the Alachua County Wild Spaces & Public Places Citizen Oversight Committee for a term to expire 12/31/14.*

*Cory Wise to the Citizens Advisory Committee for Community Development for a term to expire November 1, 2015.*

*Sharon Borneman and Michael Garrett to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/15.*

*Jeremiah Tattersall to the Gainesville Human Rights Board for a term to expire 2/22/15.*



*Michael Volk to the Historic Preservation Board for a term to expire 6/1/15.*

*Carol Parker and Jeremiah Tattersall to the SHIP Affordable Housing Advisory Committee for a term to expire 7/1/14.*

**This Matter was Approved as Recommended on the Consent Agenda.**

## **Passed The Consent Agenda**

**A motion was made by Commissioner Poe, seconded by Commissioner Wells, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

Votes: Aye: Lauren Poe, Randy Wells, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe  
Absent: Susan Bottcher and Thomas Hawkins

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

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

## **COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

## **END OF CONSENT AGENDA**

## **ADOPTION OF THE REGULAR AGENDA**

[Play Video](#)

*MOTION: A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Hinson-Rawls to adopt the Regular Agenda, as modified.  
(VOTE: 5-0, Commissioners Hawkins and Bottcher - Absent, MOTION CARRIED)*

### *MODIFICATIONS:*

- 1. File #120214 - Resolution for Approval and Authorization for a partial Release of Mortgage - (Revised resolution and back-up submitted).*
- 2. File #120215 - Resolution Requesting a Perpetual Easement from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida - (Revised resolution and backup submitted).*

## **CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION****CITY MANAGER**[Play Video](#)**110519. Design and Construction of the Gainesville Police Department Headquarters & Physical Training Facility (B)**

**This is a request for the City Commission to approve the 30% design for the Gainesville Police Department Headquarters & Physical Training Facility and waive the future 60% and 100% design reviews for this project. The Gainesville Police Department Headquarters & Physical Training Facility is located at the intersection of NW 8th Avenue and NW 6th Street.**

[Play Video](#)

*NOTE: Commissioner Bottcher entered the meeting room at 1:22 PM.*

*Joe Frisco of Mills Gilbane, Jack Williams of Harvard Jolly, Jay Brown of Brown and Cullen, and Police Captain Lonnie Scott gave presentations.*

*MOTION: 1) Approve the recommendation contingent upon a request from a Commissioner or City Manager to bring this item back before the City Commission; and 2) that the comments discussed by the City Commission be addressed.*

**RECOMMENDATION**      *The City Commission: 1) approve the thirty percent 30% Design; 2) waive the future 60% and 100% reviews; and 3) direct the Design/Build Firm to continue development of final construction drawings.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe  
Absent: Thomas Hawkins

110519\_Ranking Recommendation\_20111201.pdf  
110519\_Presentation\_20120216.pdf  
110519A\_GPD PPT\_20120419.pdf  
110519B\_Neighborhood Workshop Info\_20120419.pdf  
110519A\_MOD GPD PPT\_20120419.pdf  
110519A\_GPD Facility Presentation\_20120816.pdf  
110519B\_GPD Facility 3D Video\_20120816.pdf

**120249. Power District Catalyst Project Phase II Construction GMP (B)**[Play Video](#)

*MOTION: 1) Approve the recommendation; and 2) ask for a statement providing that CRA funds would be reimbursed at a future sale or savings that may occur from the GMP.*

**RECOMMENDATION**      *The City Commission: 1) approve GMP of \$1,196,886 for Phase II construction as described in the fiscal note; and 2) authorize City Manager to execute specified source and other related documents subject to approval of the City Attorney as to form and legality.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe

Absent: Thomas Hawkins

120249\_GMP\_20120816.pdf

## **GENERAL MANAGER FOR UTILITIES**

## **CITY ATTORNEY**

## **CITY AUDITOR**

## **EQUAL OPPORTUNITY DIRECTOR**

## **COMMITTEE REPORTS (PULLED FROM CONSENT)**

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

## **OUTSIDE AGENCIES**

## **MEMBERS OF THE CITY COMMISSION**

## **COMMISSION COMMENTS (if time available)**

[Play Video](#)

## **Commissioner Todd Chase**

- 1. Sybac Solar Project -See following referral file #120295.*
- 2. Form Based Code Issues - Memo from Commissioner Hinson-Rawls - Erik*

*Bredfeldt made comments.*

3. *Sale of the Golf Course Issue - Refer to the Recreation, Cultural Affairs and Public Works Committee - See following referral file #120296.*

4. *One Stop Homeless Center - Ask the City Manager for a report back on the status.*

### **120295.**

#### **Sybac Solar Issue (NB)**

*GRU General Manager Bob Hunzinger and Planning and Development Services Director Erik Bredfeldt made comments.*

**RECOMMENDATION**      *The City Commission refer the issue of Sybac Solar locating in the Airport Industrial Park to the Economic Development/University Community Committee (EDUCC).*

**A motion was made by Commissioner Chase, seconded by Commissioner Poe, that this matter be Referred to the Economic Development/University Community Com, due back on February 16, 2013. The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe

Absent: Thomas Hawkins

120295\_EDUCC Back-Up\_20120830.pdf

### **120296.**

#### **Possible Sale of Ironwood Golf Course (NB)**

**RECOMMENDATION**      *The City Commission refer the issue of the possible sale of Ironwood Golf Course to the Recreation, Cultural Affairs and Public Works Committee.*

**A motion was made by Commissioner Chase, seconded by Commissioner Bottcher, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on February 16, 2013. The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe

Absent: Thomas Hawkins

### **Commissioner Randy Wells**

*Homeless Implementation Committee.*

### **Commissioner Yvonne Hinson-Rawls**

1. *Job Fair.*
2. *Farmer's Market in East Gainesville.*

**Commissioner Susan Bottcher**

*One-Stop Homeless Center.*

**City Manager Announcements**

1. *Hearing Loop in the Auditorium for the Hearing Impaired.*
2. *Pension Changes.*

**RECESS - 3:17 PM**

[Play Video](#)

**RECONVENE - 5:55 PM**

[Play Video](#)

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

[Play Video](#)

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[Play Video](#)

**120205. Muscular Dystrophy Association Firefighter Appreciation Month - September 2012 (B)**

[Play Video](#)

**RECOMMENDATION** *Gainesville Firefighter Sean Withers to accept the proclamation.*

**Heard**

120205\_MDA\_20120816.pdf

**120240. Lineworker Appreciation Day - August 26, 2012 (B)**

[Play Video](#)

**RECOMMENDATION** *Gainesville Regional Utilities (GRU) Electric Transmission and Distribution Manager David Sparks to accept the proclamation.*

**Heard**

120240\_Lineworker\_20120816.pdf

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

[Play Video](#)

**Mac McEachern**

*GRU Biomass Contract.*

**Debbie Mason**

*United Downtown activities - See following file #120297.*

**120297.**

**Debbie Mason - Citizen Comment - United Downtown (B)**

**RECOMMENDATION**

*The City Commission hear comments from Debbie Mason regarding United Downtown activities and place back-up submitted on file.*

**Placed on File**

120297\_mason\_citizen comment\_20120816.pdf

**John Davies**

*Various Political Issues.*

**Tim Strausser**

*Tires Plus Issue.*

**Paula Stahmer**

*GRU Biomass Contract.*

**Rob Brinkman**

*Biomass Issue and Conservation.*

**Debbie Martinez**

*Fuel Adjustment Charge - See following file #120298.*

**120298.**

**Debbie Martinez - Citizen Comment (B)**

**RECOMMENDATION**      *The City Commission hear comments from Debbie Martinez and place back-up submitted on file.*

**Placed on File**

120298\_martinez\_citizencomment\_20120816.pdf

**Jo Beaty**

*Fuel Adjustment Charge - See following file #120299.*

**120299.**

**Jo Beaty - Citizen Comment (B)**

**RECOMMENDATION**      *The City Commission hear comments from Jo Beaty and place back-up submitted on file.*

120299\_beaty\_citizen comment\_20120816.pdf

**Gabriel Hillel**

*Political and Social Issues.*

**Pat Fitzpatrick**

*Homeless Issues.*

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

[Play Video](#)

**120214.**

**Resolution for Approval and Authorization for a Partial Release of Mortgage (B)**

**This item is requesting a Resolution for approval and authorization to sign a Partial Release of Mortgage.**

[Play Video](#)

**RECOMMENDATION**      *The City Commission: 1) adopt the Resolution approving the Florida Department of Transportation's request for a Partial Release of Mortgage, subject to approval by the City Attorney as to form and legality; and 2) authorize the Mayor to execute and the Clerk of the Commission to attest the Partial Release of Mortgage, subject to approval by the City Attorney as to form and legality.*

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe

Absent: Thomas Hawkins

120214B\_Deed\_20120816.pdf

120214C\_Mortgage\_20120816.pdf

120214D\_PartialReleaseEasement\_20120816.pdf

120214A\_Resolution\_20120816.pdf

120214\_MOD\_Revised Resolution\_20120816.pdf

120214\_resolution\_20120816.pdf

### **120215.**

**Resolution requesting a Perpetual Easement from Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (B)**

**This item is a request to the Board of Trustees of the Internal Improvement Fund of the State of Florida (BTIITF) for the granting of a Perpetual Easement over Alachua County Tax Parcel 15526-004-000, located at 1105 Southwest 9th Road.**

[Play Video](#)

#### **RECOMMENDATION**

*The City Commission: 1) authorize the City Manager, or designee, to apply for a Perpetual Easement from the BTIITF, and execute any required application documents and; 2) adopt the Resolution requesting a Perpetual Easement from Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, subject to approval by the City Attorney as to form and legality.*

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe

Absent: Thomas Hawkins

120215A\_Resolution\_20120816.pdf

120215b\_Aerial\_20120816.pdf

120215c\_Map\_20120816.pdf

120215D\_Map\_20120816.pdf

120215\_MOD\_Revised Resolution\_20120816.pdf

120215\_resolution\_20120816.pdf

### **120250.**

**Resolution Authorizing the City Manager to Negotiate the Purchase of Surplus Land from Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (B)**

**This item involves the adoption of a Resolution authorizing the City Manager or designee to negotiate the purchase of surplus land from the Board of Trustees of**



the Internal Improvement Fund of the State of Florida (BTIITF) located south of the Airport and north of Morningside Park.

[Play Video](#)

*Recreation, Parks and Cultural Affairs Director Steve Phillips gave a presentation.*

*Mayor Lowe recognized Rob Brinkman who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) adopt the Resolution; 2) authorize the City Manager, or designee, to enter into negotiation with the State for the properties declared as surplus by the BTIITF; and 3) authorize the City Manager to execute any required documents, subject to approval by the City Attorney as to form and legality.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe

Absent: Thomas Hawkins

120250A\_FDEP Notice of Surplus State Land\_20120816.pdf

120250B\_Parcel Maps\_20120816.pdf

120250C\_Resolution\_20120816.pdf

120250\_resolution\_20120816.pdf

## **ADOPTION READING-ROLL CALL REQUIRED**

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

[Play Video](#)

### **110942.**

#### **LAND DEVELOPMENT CODE - SIDEWALK CAFES (B)**

**Ordinance No. 110942; Petition No. PB-12-41 TCH**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to sidewalk cafes; by amending Section 30-23 to add a definition; by creating Section 30-121 to add sidewalk cafes as a specially regulated use; by amending Section 30-66(c) to allow sidewalk cafes within the Central City District; by deleting Section 30-66(e)(3) related to requirements for sidewalk cafes within the Central City District; by amending Appendix A. - Special Area Plans, Section 3. - Special Area Plan for College Park, Exhibit B, Urban Regulations For New Construction - Type 1, Building Use to allow sidewalk cafes; by amending Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances to add an annual fee for sidewalk cafes; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

*Planning Manager Ralph Hilliard gave a presentation.*

*AMENDMENT: Clarified language - Sidewalk cafe' means a seating area within the public right-of-way that is: adjacent to, operated by, and an accessory use to an eating place or an alcoholic beverage establishment.*

**RECOMMENDATION**      *The City Commission (1) approve Petition PB-12-41 TCH and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe  
Absent: Thomas Hawkins

110942B\_staff report\_20120816.pdf  
110942C\_College Park Map\_20120816.pdf  
110942D\_Proposed changes\_20120816.pdf  
110942E\_revised language to Exhibit 2\_20120816.pdf  
110942F\_CPB minutes\_20120816.pdf  
110942A\_draft ordinance\_20120816.pdf  
110942\_language\_20100816.pdf  
110942a\_MOD\_draft\_ord\_20120906.pdf

## **120146.**

### **PROHIBITION - TEMPORARY OUTDOOR ALCOHOLIC BEVERAGE SPECIAL EVENT PERMITS (B)**

#### **Ordinance No. 120146; Petition No. PB-12-60 TCH**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code; by amending Section 30-67 General provisions for business and mixed use districts to prohibit the issuance of special event permits and temporary game day permits to establishments that are subject to an underage prohibition order relating to underage drinking incidents; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

**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:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls and Craig Lowe  
Nay: Todd Chase  
Absent: Thomas Hawkins

120146A\_CPB 6-28-12 Minutes\_20120719.pdf  
120146B\_Staff 6-28-12 Report\_20120719.pdf  
120146C\_6-28-12 PPT citizen-Ryan Prodoshy\_20120719.pdf  
120146D\_6-28-12 PPT citizen-Cary Meldon, Esq\_20120719.pdf  
120146A\_draft ordinance\_20120816.pdf

**120051.****FIRE PREVENTION CODE AMENDMENT (B)****Ordinance No. 120051**

**An ordinance of the City of Gainesville, Florida, amending Chapter 10 of the Code of Ordinances of the City of Gainesville, relating to fire prevention; amending Sec. 10-10. - Amendments to NFPA 1 Section 13.1.3 of the Florida Fire Prevention Code; Sec. 10-11. - Amendments to NFPA 1 Section 13.1.4 18.3.3 of the Florida Fire Prevention Code; Sec. 10-12. - Amendments to NFPA 1 Section 13.1.3 18.3.6 of the Florida Fire Prevention Code; Sec. 10-13. - Amendments to NFPA 1 Section 13.1.7 18.4.5 of the Florida Fire Prevention Code; Sec. 10-50. - Definitions; Sec. 10-51. - Requirements for assembly occupancy owners and crowd managers; Sec. 10-52. - Fire rescue connections; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

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

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe  
Absent: Thomas Hawkins

120051A\_Fire Prevention Code\_20120719.pdf  
120051A\_draft ordinance\_20120816.pdf

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED****PLAN BOARD PETITIONS****DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT**

[Play Video](#)

**Commissioner Lauren Poe**

*Citizen Comment Civility Issues.*

**Commissioner Susan Bottcher**

*Citizen Comment Civility Issues.*

**CITIZEN COMMENT**

[Play Video](#)

**Mark Venske**

*Citizen Comment Civility Issues.*

**Rob Brinkman**

- 1. Citizen Comment Civility Issues.*
- 2. Water Conservation Ordinance.*

**ADJOURNMENT - 7:43 PM**

[Play Video](#)

---

Kurt M. Lannon, Clerk of the Commission