

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, April 18, 2013

1:00 PM

Modified Agenda

City Hall Auditorium

City Commission

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

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

CALL TO ORDER

Present 6 - Mayor Lowe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

AGENDA STATEMENT

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

[110035.](#) **Human Resources Policy L-8, Military Leave (B)**

RECOMMENDATION *The City Commission: approve revision to Human Resources Policy L-8, Military Leave.*

This Matter was Approved as Recommended

[120965.](#) **Legal Office Expenses From Federal Forfeiture Trust Fund For Remainder of 2013 Calendar Year (NB)**

This request is for City Commission approval to appropriate \$25,000 from the Federal Forfeiture Trust Fund.

RECOMMENDATION *The City Commission authorize the Gainesville Police Department to appropriate \$25,000 from the Federal Forfeiture Fund.*

*Alternative Recommendation A:
The City Commission appropriate funds from the General Fund for these expenses. The fiscal impact is \$25,000.*

This Matter was Approved as Recommended

[120974.](#) **Program Extension for the Department of Justice’s High Intensity Drug Trafficking Areas (HIDTA) Program Funded through the Alachua County Sheriff’s Office (NB)**

This item is a request for City Manager authorization to accept additional funding from the Department of Justice High Intensity Drug Trafficking Areas Program.

RECOMMENDATION *The City Commission authorize the City Manager to accept*

and execute the additional funding allocated through the program extension and any other necessary documents subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

[120982.](#)

Settlement of Worker's Compensation Claim - Bruce O. Williams (NB)

This item involves the full and final settlement of Bruce Williams' worker's compensation claim(s), which will include all future medical payments. The total settlement amount is \$58,300 and represents a significant cost advantage to the City.

RECOMMENDATION

The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Bruce Williams, in the amount of \$58,300.

This Matter was Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[121003.](#)

Consulting Services for a Joint Utilities Project (NB)

Staff recommends the establishment of a contract with KEMA, Inc. for consulting services to support a Joint Utilities Project related to the acquisition of a replacement Supervisory Control and Data Acquisition / Energy Management System.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a contract with KEMA, Inc., a specified source, for consulting services related to the acquisition of a replacement Supervisory Control and Data Acquisition/Energy Management System, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to KEMA, Inc. in amounts not exceeding budgeted amounts for each year of the contract, subject to the final appropriation of funds for these services for each fiscal year.

This Matter was Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

[120993.](#)

FRED ELLIS V. CITY OF GAINESVILLE, FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2013-CA-675 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Fred Ellis v. City of Gainesville, Florida; Eighth Judicial Circuit, Case No. 2013-CA-675.

This Matter was Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[121017.](#) City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of March 7, 11 and 21, 2013.*

This Matter was Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

[110282.](#) Game Day Parking Regulations (B)

RECOMMENDATION *The City Commission remove this item from the Community Development Committee (CDC) referral list.*

This Matter was Approved as Recommended

[110901.](#) Glare and Dark Sky Performance of Public and Private Lighting (B)

RECOMMENDATION *The City Commission remove this item from the Community Development Committee (CDC) referral list.*

This Matter was Approved as Recommended

[120253.](#) UF Representation in Special Event Parking Discussion (B)

RECOMMENDATION *Community Development Committee to the City Commission: 1) refer this item to the Economic Development/University Community Committee (EDUCC) the task of contacting a UF representative requesting that they commit to several conversations concerning porta-potties, RV parking, and parking in general, including time limits for parking in the University Context Area during special events; and 2) remove this item from the Community Development Committee (CDC) referral list.*

This Matter was Approved as Recommended

[120348.](#) Breweries Locating in the Downtown Area (B)

RECOMMENDATION

The City Commission remove this item from the Community Development Committee (CDC) referral list.

This Matter was Approved as Recommended

Approval of the Consent Agenda

J. Beaty and N. Skop spoke to matter.

A motion was made by Commissioner Hawkins, seconded by Commissioner Bottcher, to Adopt the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Absent: 1 - Mayor Lowe

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Motion includes waiving rules to hear AF and L Committee items in the evening.

J. Beaty, N Skop, D.Martinez and D.Sheppard spoke to the matter.

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

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

Nay: 1 - Commissioner Hawkins

Absent: 1 - Mayor Lowe

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

[120980.](#)

Certificate of Achievement for Excellence in Financial Reporting (B)

The City was awarded Government Finance Officers Association of the United States and Canada (GFOA) Certificate of Achievement for Excellence in Financial Reporting for its 2011 Comprehensive Annual Financial Report (CAFR). The 2012 CAFR is hereby presented to the

Commission and has also been submitted to GFOA for the award.

Becky Roundtree made a presentation.

Donald Sheppard spoke to the matter.

Mayor Lowe arrived at 1:21PM.

RECOMMENDATION *The City Commission accept the Certificate of Achievement for Excellence in Financial Reporting for fiscal year 2011 and receive the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2012.*

NOTE: Document is available for viewing in the Clerk's Office and on the City's website.

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

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

120860.

Contract Award with Tindale-Oliver & Associates, Inc. for Streetcar Conceptual Study for the Regional Transit System (RTS) (B)

This item is a request to approve rankings for Request for Qualifications (RFQ) #RTSX-130035-DS and execute a contract with Tindale-Oliver & Associates, Inc., to conduct a Streetcar Conceptual Study for the Regional Transit System (RTS).

Jesus Gomez made a presentation.

Nathan Skop, Joe Beaty, Debbie Martinez, Donald Sheppard and Kamal Latham spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve staff's recommended ranking of the top four (4) firms; and 2) authorize the City Manager or his designee to negotiate and execute a contract with the top ranked firm, or next ranked firm if those negotiations are not successful, for the Streetcar Conceptual Study for the Regional Transit System (RTS), subject to approval by the City Attorney as to form and legality.*

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

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

Nay: 1 - Commissioner Chase

120063.

Trespass Towing Rates (B)

This item requests that the City Commission consider increasing the trespass towing rates.

Motion: Increase roam towing rate to \$100.00 made by Comm Bottcher and seconded by Comm Hinson-Rawls passed 5-2 with Mayor Lowe and Comm Wells voting no.

Motion: Consider language Including Software Fee in \$100.00 Roam Towing Charge being brought back for consideration in Resolution made by Comm Wells and seconded by Comm Hawkins passed 7-0.

Paul Folkers, Jeff McAdams and Steve Wheeler made presentations.

Armando Grundy, Nathan Skop, Susan Forron, Colin Thompson, Donald Sheppard and Casey Moore spoke to the matter.

RECOMMENDATION *The City Commission determine whether to increase current roam trespass towing rates.*

Approved, as shown above - See Motion(s)

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

[120125.](#)

Overall Charter Review Process Referral (B)

Ernesto Martinez, Nathan Skop, Bob Wilson, and Debbie Martinez spoke to the matter.

Item was heard in the evening.

RECOMMENDATION *The City Commission: 1) approve as a general timeline the City Auditor's draft overview of the Charter review process; 2) direct the Clerk of the Commission to schedule a series of special City Commission meetings and a minimum of 3 public forums to provide opportunities to review and discuss the City's Charter and evaluate possible changes; and 3) direct the City Attorney to provide presentations on the City's Charter for the City Commission and the public at the introductory special meetings and public forums.*

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

Aye: 5 - Mayor Lowe, Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Hawkins

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

[120966.](#)

GRU Quarterly Financial Report (B)

Armando Grundy, Nathan Skop, Debbie Martinez and Donald Sheppard spoke to the matter.

Item was heard in the evening.

RECOMMENDATION *The City Commission receive the GRU Quarterly Financial Report as of December 31, 2012.*

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

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

[120967.](#)

City of Gainesville Fiscal Year 2012 Comprehensive Annual Financial Report, Audited Financial Statements, Auditors' Reports, Auditors' Management Letters and Single Audit Reports (B)

Diane Wilson made a presentation.

Nathan Skop, Ernesto Martinez, Debbie Martinez, Bob Wilson, Armando Grundy and Donald Sheppard spoke to the matter.

The item was heard in the evening.

RECOMMENDATION *The City Commission accept the subject financial report, financial statements, auditors' reports, management letters and single audit reports; and management's written response.*

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

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

COMMUNITY DEVELOPMENT COMMITTEE

[120202.](#)

Quasi-Judicial Boards Terms and Composition (B)

Eric Bredfeldt made a presentation.

Comm Hawkins moved the recommendation with Comm Wells seconding.

Items 1 and 3 passed 6-1 with Commission Chase voting no.

Item 2 passed 7-0.

RECOMMENDATION

Community Development Committee to the City Commission: 1) eliminate term limits for the Board of Adjustments, City Plan Board, Development Review Board and Historic Preservation Board; 2) direct staff to forward the Little John Engineering Associates final report to the Community Development Committee when it becomes available; and 3) remove this item from the Community Development Committee referral list.

Approved, as shown above

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

*Commissioner Bottcher
-Smart phone parking app*

Armando Grundy, Pat Fitzpatrick and Donald Sheppard spoke to the matter.

*Commissioner Hinson Rawls
-Disparity plan and current practices in Fire Department proposed increment for \$100,000 study.*

Motion made by Comm Hinson-Rawls and seconded by Comm Bottcher to have a Fire Department disparity study included as an increment for the summer budget process. Motion passed 7-0.

Armando Grundy and Donald Sheppard spoke to the matter.

[121124.](#)

Smart Phone Parking App

RECOMMENDATION

Refer to the Recreation, Cultural Affairs and Public Works Committee

A motion was made by Commissioner Bottcher, seconded by Commissioner Hawkins, that this Matter be Referred to the Recreation, Cultural Affairs and

Public Works Committee, due back on 10/18/2013. The motion carried by the following vote:

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

RECESS-4:31PM

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[120949.](#) **City of Gainesville's Citizens' Academy Spring 2013 Graduates (NB)**

Bob Woods and Sharon Gibbs made presentations.

RECOMMENDATION *The City Commission: 1) recognize accomplishments of Gainesville 101 Spring 2013 City of Gainesville Citizens' Academy graduates; and 2) hear brief comments from the class speaker on what they have learned.*

Heard

[120932.](#) **Howard Douglas Stapp, III Day - March 31, 2013 (B)**

RECOMMENDATION *The Family of Howard Douglas Stapp, III to accept the proclamation.*

Heard

[121007.](#) **Administrative Professionals Week - April 21-27, 2013 and Administrative Professionals Day Wednesday, April 24, 2013 (B)**

RECOMMENDATION *IAAP Board Member and Event Planner Linda Freese, CAP-OM, President Elect Leilanie Merrill, CAP-OM and President Katie Clemen to accept the proclamation.*

Heard

[121008.](#) **GFWC Federation 110th Anniversary Day - April 24, 2013 (B)**

RECOMMENDATION *Gainesville Woman's Club 3rd Vice President Mary Crawley Rhodes, President Margaret Gilliland and President Elect Carol Poucher to accept the proclamation.*

Heard

[121009.](#) **Jazz Appreciation Month - April 2013 (B)**

RECOMMENDATION

Gainesville Friends of Jazz, Inc. President Scott Koons to accept the proclamation.

Heard

[121010.](#)

National Crime Victims' Rights Week- April 21-27, 2013 (B)

RECOMMENDATION

Victims' Rights Week Committee Victim Services Director Gretchen Casey to accept the proclamation.

Heard

[121011.](#)

55th Anniversary of the Chartering of the Eta Omega Chapter of Phi Mu Alpha Sinfonia Day - April 26, 2013 (B)

RECOMMENDATION

Eta Omega Chapter of Phi Mu Alpha Sinfonia Vice President Ryan P. Sullivan, Music Director Ismail "Ish" Sandoval, Warden Ross Cawthon, Public Relations Chair Kelvin Medina and Social Chair John Dickhaus to accept the proclamation.

Heard

[121012.](#)

National Public Safety Telecommunications Week - April 14-20, 2013 (B)

RECOMMENDATION

Alachua County Sheriff's Office Combined Communications Center to accept the proclamation.

Heard

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

Ed Braddy-Mayor Transition

Mark Venske-Impaired driving

Debbie Martinez-City/Biomass Issues

John Davies-Biomass Issues

Wilbur Holloway-City Issues

Kathy Benton-City Issues

Joe Beaty-Biomass Issues

Gabriel Hillel-Butterfly Education Project

Armando Grundy-Diversity Issues

Christiane Machado

Nathan Skop

Linda Dugan

Bobbie Barnes

Unidentified women

Maria Adela Ramirez

Ernesto Martinez

Reme Acosta

Armando Grundy

Lia Cohen

Vivian Rosas

Don Glendening

Joe Beaty

Genevie Blake

Sabrina Newman

Jessica Antigua

Deborah Shultz

Comm Hinson-Rawls moved with Comm Hawkins seconding to have the

City Manager implement a public recreation zumba program which includes children to be created as soon as possible preferably at the Thelma Boltin Center. Motion carried

7-0

130009. Mark Venske Materials(B)

RECOMMENDATION

Place on File

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[120970.](#) **Engineering Design and Construction Manual (B)**

This is a request for the City Commission to adopt a new Engineering Design and Construction Manual for the City of Gainesville.

Jacob Kain made a presentation.

Jo Beaty, Donald Sheppard, and Ernesto Martinez spoke to the matter.

RECOMMENDATION

The City Commission adopt the Resolution.

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

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

[120977.](#)

Resolution for a County Incentive Grant (CIGP) Agreement for the SW 40th Blvd Extension Project (B)

This item is associated with a Resolution authorizing the City Manager, or designee, to execute a County Incentive Grant Program (CIGP) grant application and, if awarded, all grant-related documents for the SW 40th Blvd Extension Project.

RECOMMENDATION

The City Commission adopt the Resolution authorizing the City Manager, or designee, to execute a County Incentive Grant Application and, if awarded, all CIGP grant-related documents for the SW 40th Blvd Extension Project, subject to approval by the City Attorney as to form and legality.

A motion was made by 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 Lowe, Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Clerks Note: The City Commission waive the Rules to hear File #120812 at 7:00 PM.

[120812.](#)

RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE PUBLIC FINANCE AUTHORITY FOR CARVER GARDENS APARTMENTS (B)

A resolution of the City of Gainesville, Florida approving the issuance of bonds by the Public Finance Authority, lending an aggregate principal amount not to exceed \$7,000,000 TO Carver Gardens, LLC for the purpose of acquiring, improving and placing into operation a 100 unit apartment project known as "Carver Gardens Apartments", located at 1101 Southeast 15th Street, Gainesville, Florida, for affordable rental housing facilities, as required by the Internal Revenue Code, and providing an immediate effective date.

Marvin Peavy made a presentation.

Gabriel Hillel, Don Glendening and Donald Sheppard spoke to the matter.

RECOMMENDATION

The City Commission: 1) hold a public hearing; and 2) adopt the proposed Resolution.

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

Commissioner Chase, that this Matter be Adopted (Resolution). The motion carried by the following vote:

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

Clerks Note: The City Commission waive the Rules to hear File #121023 after File #120901.

[121023.](#)

SHADY FOREST PLAT VACATION (B)

Resolution No. 121023

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

RECOMMENDATION *The City Commission continue this item to May 2, 2013.*

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

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

[100630.](#)

RESOLUTION - ADOPTING REAL PROPERTY POLICIES (B)

Resolution No. 100630

A resolution of the City Commission of the City of Gainesville, Florida, adopting real property policies which govern the acquisition and disposition of property by the general government of the City; providing directions to the Clerk of the Commission; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

Absent: 1 - Commissioner Hawkins

[121025.](#)

Resolution and Perpetual Easement associated with the Gainesville Police Department and the Board of Trustee of the Internal Improvement Trust Fund (BTIITF) (B)

This item involves the adoption of a Resolution for the request of Utility

easements in exchange for the granting of an easement associated with the development of the Gainesville Police Department campus.

RECOMMENDATION

The City Commission; 1) authorize the City Manager, or designee, to apply for Perpetual Easements from the Board of Trustees of the Internal Improvement Trust Fund (BTITF) over portions of Tax Parcel 14444-100-000 and execute any required application documents , 2) adopt a Resolution requesting four Perpetual Easements from the BTITF to the City, in exchange for the granting of one easement from the City to the BTITF, subject to approval by the City Attorney as to form and legality, and 3) If the request is approved by the BTITF, authorize the Mayor to execute the easement to the BTITF, subject to approval by the City Attorney as to form and legality.

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

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

Absent: 1 - Commissioner Hawkins

[121004.](#)

RESOLUTION ACCEPTING REPORT OF ALACHUA COUNTY BOARD OF CANVASSERS - ANNEXATION REFERENDUM (B)

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Alachua County Board of Canvassers for the City of Gainesville, Florida, referendum on annexation held April 9, 2013; and providing an immediate effective date.

RECOMMENDATION

The City Commission adopt the proposed resolution.

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

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

Absent: 1 - Commissioner Hawkins

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[100629.](#)

REAL PROPERTY POLICIES (B)

Ordinance No. 100629

An ordinance of the City of Gainesville, Florida, amending the City Code of Ordinances, relating to real property; by amending Section 2-435 to change the point in time at which an appraisal must be obtained by the City; by deleting in its entirety existing Section 2-436 concerning sale of land obtained by the City through foreclosure; by creating a new Section 2-436 which provides for acquisition and disposition of real property in accordance with the

City's adopted Real Property Policies; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Hawkins

[110873.](#)

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

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

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

Eric Bredfeldt and Lawrence Calderon made presentations.

Barbara Lockhart made comments.

Ernesto Martinez, Nathan Skop and Donald Sheppard spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 5 - Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

Nay: 1 - Poe

Absent: 1 - Mayor Lowe

[120370.](#)

**EVALUATION AND APPRAISAL COMPREHENSIVE PLAN
AMENDMENTS (B)**

Ordinance No. 120370

An ordinance of the City of Gainesville, Florida, amending the City's Comprehensive Plan pursuant to the periodic evaluation and appraisal process set forth in Section 163.3191, Florida Statutes, to comply with changes to Florida Statutes, address changes in local conditions, correct internal

inconsistencies, and provide clarification to objectives and policies; by amending the Future Land Use Element and the Future Land Use Map Series; by amending the Transportation Mobility Element and the Transportation Mobility Map Series; by deleting the Concurrency Management Element; by amending the Housing Element; by amending the Conservation, Open Space & Groundwater Recharge Element; by amending the Capital Improvements Element; by amending the Intergovernmental Coordination Element; by amending the Public Schools Facilities Element; by providing directions to the City Manager; providing a repealing clause; providing a severability clause; and providing an effective date.

Onelia Lazzari made a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Chase

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

120901. Vacation of a portion of the Shady Forest Plat (B)

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

RECOMMENDATION *The City Commission continue this item to May 2, 2013.*

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

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

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

Absent: 1 - Commissioner Chase

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS**COMMISSION COMMENT**

*Commissioner Hinson-Rawls
-Butler Plaza Dates*

Gerry Dedenbach spoke to the matter

Commissioner Chase moved and Commissioner Wells seconded to waive the rules to extend the meeting to 11:15PM. Motion carried 7-0.

Commissioner Hinson-Rawls moved and Commissioner Chase seconded to waive the rules to extend the meeting to 11:25PM. Motion carried 6-0 with Commissioner Poe absent.

Commissioner Hinson-Rawls moved with Commissioner Bottcher seconded to waive the rules to extend the meeting to 11:34PM.

Motion:Commissioner Bottcher moved with Commissioner Hinson-Rawls seconding that the Legislative and Quasi Judicial items not be separated by date in one meeting starting at 5:00PM the first day with a second meeting the next day at 5:00PM if needed Motion carried 5-1-1with Comm Hawkins voting no and Comm Poe absent

Commissioner Chase moved with Commissioner Hawkins seconding to waive the rules to extend the meeting to 11:45PM. Motion carried 6-0 with Commissioner Poe absent.

Commissioner Chase moved with Commissioner Wells seconding to waive the rules to extend the meeting to 11:50PM. Motion carried 6-0 with Commissioner Poe absent.

Armando Grundy, Donald Sheppard and Nathan Skop spoke to the matter.

CITIZEN COMMENT (If time available)**ADJOURNMENT-11:49PM**

Kurt Lannon, Clerk of the Commission