

#130543

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

Tuesday, November 12, 2013

3:00 PM

City Commission Special Meeting

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.*

**ADOPTION OF THE AGENDA**

*The meeting was called to order at 3:05PM.*

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

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

**Absent:** 2 - Commissioner Chase, and Commissioner Hinson-Rawls

**AGENDA STATEMENT**

**ROLL CALL**

**CITY MANAGER**

**130371. General Fund Transfer Discussion (B)**

**This item involves discussion regarding the level of the transfer from Gainesville Regional Utilities to the General Fund for fiscal year 2015 and beyond.**

**\*ESTIMATED STAFF PRESENTATION 15 MINUTES\***

*Mark Benton made a presentation.*

*Jim Konish, Ernesto Martinez, Bob Wilson, Mac McEachern, Paula Stahmer, Debbie Martinez and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) hear a brief presentation from staff on the history of the General Fund Transfer; and 2) provide direction to staff regarding the methodology and the level of the transfer for FY15 and beyond.*

**Discussed**

**ADJOURNMENT-4:30PM**

#130543

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

Thursday, October 17, 2013

1:00 PM

MODIFIED AGENDA

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**

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

**AGENDA STATEMENT****ROLL CALL****INVOCATION****CONSENT AGENDA**

*Jo Beaty spoke to the matter.*

**A motion was made by Commissioner Bottcher, seconded by Commissioner Hawkins, that this Matter be Adopted on the Consent Agenda. 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

**CITY MANAGER, CONSENT AGENDA ITEMS**

**130322. Contract Award to Tindale-Oliver & Associates, Inc. for Transit Development Plan (TDP) for the Regional Transit System (RTS) (B)**

**This item is a request to approve the recommended award for Request for Proposal (RFP) #RTSX-140009-DS and execute a contract with Tindale-Oliver & Associates, Inc., to conduct a Transit Development Plan (TDP) for the Regional Transit System (RTS).**

**RECOMMENDATION**

*The City Commission authorize the City Manager or his designee to execute a contract with Tindale-Oliver & Associates, Inc., for the Transit Development Plan (TDP) for the Regional Transit System (RTS), subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**



**130337. Florida Department of Environmental Protection Florida Recreation Development Assistance Program (FRDAP) 2014-15 grant application (NB)**

**This item involves a request for the City to accept a grant from the Florida Department of Environmental Protection, Florida Recreation Development Assistance Program (FRDAP), if awarded, to assist the City in constructing planned park improvements at Hogtown Creek Headwaters Nature Park.**

**RECOMMENDATION**

*The City Commission: 1) approve the request to accept a grant, if awarded, from the Florida Department of Environmental Protection, Florida Recreation Development Assistance Program to assist the City in constructing planned park improvements at Hogtown Creek Headwaters Nature Park; and 2) if awarded, authorize the City Manager or designee to execute the grant award agreement and other grant-related documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

**130358. Release of Lien Affecting 1024 SE 18th Terrace, Tax Parcel #16116-087-000 (B)**

**This item requests that the City Commission release the above-referenced property from the lien arising from costs incurred by the City of Gainesville to abate a violation in the amount of \$242.**

**RECOMMENDATION**

*The City Commission: 1) approve the request from Alachua Habit for Humanity for the release of lien on 1024 SE 18th Terrace, tax parcel #16116-087-000; and 2) authorize staff to prepare and execute the required paperwork to facilitate the release of lien, subject to approval by the City Attorney as to form and legality.*

*Alternate Recommendation A: Take no action and allow lien to remain in place.*

**Approved as Recommended**

**130373. Application for Disability Retirement for Larry D. Brown (B)**

**This item is a request for the City Commission to approve the retirement application for Larry D. Brown, Transit Operator, at Regional Transit System (RTS) 8.333 years, who has been under the care of a physician for medical reasons.**

**RECOMMENDATION**

*The City Commission approve the submitted application for disability retirement for Larry D. Brown, Transit Operator at RTS.*

**Approved as Recommended**

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**130361. KATHLEEN KOPACZ VS. CITY OF GAINESVILLE, EEOC NO.: 510201304951 (NB)**

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Kathleen Kopacz vs. the City of Gainesville; EEOC No.: 510201304951*

Approved as Recommended

**130362. STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION VS. IVAN MITCHELL; ESTATE OF DORINDA HENRY, DECEASED, ET AL.; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2013-CA-4072 (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled State of Florida Department of Transportation vs. Ivan Mitchell; Estate of Dorinda Henry, Deceased, et al., Eighth Judicial Circuit, Case No. 2013-CA-4072.*

Approved as Recommended

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

**130374. City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of August 15, September 19 and September 24, 2013.*

Approved as Recommended

**130376. Appointment to the Gainesville Housing Authority (B)**

RECOMMENDATION *The City Commission confirm the Mayor's appointment for the following:*

*Craig Wilburn to the Gainesville Housing Authority for a term to expire August 1, 2016.*

Approved as Recommended

**130377. Appointments to City Commission Advisory Boards and Committees (NB)**

RECOMMENDATION

*The City Commission appoint:*

*Kentucky Costellow as a student seat to the Bicycle/Pedestrian Advisory Board for a term to expire 9/30/15.*

*Ethan Hudgins as a student seat to the Citizens Advisory Committee for Community Development for a term to expire 9/30/15.*

*William Anderson to the City Beautification Board for a term to expire 11/1/16.*

*Fredrick Sowder to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/16.*

*Dakota Woll as a student seat to the Gainesville Energy Advisory Committee for a term to expire 9/30/15.*

*Stephanie Mandelblum as a student seat to the Gainesville Human Rights Board for a term to expire 9/30/15.*

*Katherine Jacob as a student seat to the Historic Preservation Board for a term to expire 9/30/15.*

*Charles Nealis as a student seat to the Public Recreation and Parks Board for a term to expire 9/30/15.*

*Andrew Schein as a student seat to the Regional Transit System Advisory Board for a term to expire 9/30/15.*

*Layne Prebor as a student seat to the Student Community Relations Advisory Board for a term to expire 9/30/15.*

*Theresa Spurling-Wood to the Gainesville Energy Advisory Committee for a term to expire 9/30/16.*

Approved as Recommended

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

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

**120713. Strategic Initiative 5.2 Update (B)**

**This item is to provide an update to the City Commission and request approval of proposed 6th Street Projects.**

RECOMMENDATION

*The Recreation, Cultural Affairs and Public Works Committee recommends the City Commission approve: 1) implementation of a roundabout at SW 4th Avenue and left turn lanes at University Avenue; and 2) addition of sidewalk improvements adjacent to Central Florida Office Plus instead of a southbound left turn lane, if necessary.*

Approved as Recommended

**PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

**PUBLIC SAFETY COMMITTEE, CONSENT**

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

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Wells, 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**

**CITY MANAGER**

**130372. Parks, Recreation and Cultural Affairs Department Receives National Accreditation (NB)**

**This item is a brief presentation by Assistant City Manager Paul Folkers and Gina Peebles, President of the Florida Recreation and Park Association regarding Parks, Recreation and Cultural Affairs Department having obtained accreditation from the National Recreation and Parks Association (NRPA). \*estimated staff presentation 10 minutes\***

RECOMMENDATION

*The City Commission hear a brief presentation by Assistant City Manager Paul Folkers and Gina Peebles, President of the Florida Recreation and Park Association regarding Parks, Recreation and Cultural Affairs Department having obtained accreditation from the National Recreation and Parks Association (NRPA).*

Heard

**120296. Update and Bid Award - Maintenance of Ironwood Golf Course (B)**

**This is a request for the City Commission to hear an update and award a bid to OneSource Landscape and Golf Services, Inc. for Maintenance Only of Ironwood Golf Course. \*estimated staff presentation 20 minutes\***

*Amendment: Ask City Manager to entertain a non-inclusive marketing proposal and private restaurant and refer both issues to committee*

*Floyd Gibson, Jo Beaty, Nathan Skop, Peter Johnson, Bob Gates, Jack Butler, Jim Stringfellow, Donald Shepherd and Mac McEachern spoke the matter.*

**RECOMMENDATION**

*The City Commission: 1) hear a brief update regarding the Request for Proposals for Ironwood Golf Course; 2) award a bid to OneSource Landscape and Golf Services, Inc., for maintenance of Ironwood Golf Course including their proposal to re-grass the fairways at no cost to the City; and 3) authorize the City Manager or designee to execute the contract and other documents necessary to facilitate this service, 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 Approved as Amended. 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

**130455. Golf Course Marketing and Restaurant(NB)****RECOMMENDATION**

*Refer to Committee*

**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 4/17/2014. 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

**RECOMMENDATION**

*Refer to Committee*

**130310. GREC Right of First Offer (B)**

*This item was heard in the evening.*

*Main Motion: Comm RW moved and Commissioner YHR seconded to authorize a request a right of first offer in the amount of \$400,000 as the draft offer provided by staff incorporating the attached document and that the outgoing General Manager, the 3 AGM's being considered for the Interim General Manager, City Attorney, City Manager and the City Auditor, along with Commissioner Wells be part of all negotiations and decision making. Motion carried 4-3 with Comm TC, Comm SB and Mayor Braddy voting no.*

*Additional Motion #1. Comm TH moved with Comm YHR seconded to call the question with a split motion. Motion failed 4-3.(Need 2/3rds vote)*

*Additional Motion #2 Comm RW moved and Comm TC seconded to include in that portion that either Mr. Richardson as CFO or Mr. Stanton as the team leader. Motion failed 4-3(Needs 2/3rds vote)*

*Additional Motion #3 A Motion to designate Mr. Richardson as the lead negotiator and to authorize the City Manager, The City Attorney, City Auditor, AGM's, outgoing GM, Mr Stanton and Commissioner Wells to be aware of everything that is going on. Motion carries 5-2 with Comm TH and Comm YHR voting no.*

*Additional Motion #4 Comm RW moved and Comm TC seconded to consider an addition to to the Legislative agenda to provide for municipal fairness for the 1063 grant and invite the County Commission to do likewise. Motion failed.*

*Ray Washington, Donald Shepherd, Jim Konish, Nathan Skop, Debbie Martinez, Barbara Sharpe, Robert Wilford, Darlene Pifalo, Mark Goldstein, Mac McEachern, Kevin Daley, Don Glendening, Armando Grundy, Wilbur Holloway, Jo Beaty, Harold Saive, Paula Stahmer and Mark Venske spoke the matter.*

*Comm TH moved and Comm RW seconded to waive rules to continue meeting to 11:05PM. Motion carries 7-0.*

*Comm TC moved and Comm RW seconded to waive rules to continue meeting to 11:30PM. Motion carries 6-1 with Comm TH voting no*

*Comm RW moved and Comm TC seconded to waive rules to continue meeting to 11:35PM. Motion carries 6-1 with Comm TH voting no.*

*Comm RW moved and Comm TC seconded to waive rules to continue meeting to 11:40PM. Motion carried 3-2 with Comm RW, TC and Mayor EB voting yes, Comm TC and Comm YHR voting no and Comm LP and Comm SB absent.*

*Comm RW moved and Comm TC seconded to waive rules to extend meeting to 11:44PM. Motion fails with Comm RW, Comm TC and Mayor EB voting yes, Comm TH, Comm HYR, and Comm SB voting no and Comm LP absent.*

**RECOMMENDATION**

*Hear a presentation and discussion.*

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

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)****RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE****PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE****PUBLIC SAFETY COMMITTEE****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MAYOR ED BRADY/GENERAL MANAGER FOR UTILITIES****130400. Second Amendment to Employment Agreement - Robert Hunzinger (B)**

*Additional Motion: Comm TH moved and Comm RW seconded to 1) Authorize Human Resources to prepare list of candidates for consideration including the three GRU employees( David Beaulieu, Kathy Viehe and David Richardson) 2.) Authorize Human Resources to facilitate meetings between the City Commissioners and candidates and 3) City Commission hold a special meeting the last week in October to select an Interim General Manager with Human Resources preparing the back-up making the meeting early afternoon if possible on October 31st. Motion carried 7-0. Stephanie Marchman made a presentation. Jim Konish, Ray Washington, Mark Venske, Paula Stahmer, Ted Delagall, Mario Perez, Donald Shepherd, Walter Willard, Jo Beaty and Larry Nogel spoke the matter.*

RECOMMENDATION City Commission approve.

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

**Aye:** 5 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, and Commissioner Hawkins

**Nay:** 2 - Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**MEMBERS OF THE CITY COMMISSION**

**130403. Mayor-Commissioner Pro Tem Randy Wells - Legislative Intent of Noise Ordinance (NB)**

RECOMMENDATION      *The City Commission discuss and take action deemed appropriate.*

Continued

**130457. Skateboard Park(NB)**

RECOMMENDATION      *Refer to Committee*

A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this Matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on 4/17/2014. 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

**130458. Mural Section of sign ordinance(NB)**

RECOMMENDATION      *Refer to Plan Board*

A motion was made by Mayor Braddy, seconded by Commissioner Hawkins, that this Matter be Referred to the City Plan Board, due back on 4/17/2014. 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

**130460. PODS Ordinance(NB)**

RECOMMENDATION      *Refer to Plan Board*

A motion was made by Commissioner Chase, seconded by Commissioner Bottcher, that this Matter be Referred to the City Plan Board, due back on 4/17/2014. 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

**COMMISSION COMMENTS (if time available)**

**RECESS-4:58PM**

**RECONVENE**



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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**130399. Butterfly Fest Weekend - October 19-20, 2013 (B)**

RECOMMENDATION

*Gabriel Hillel, Peter Johnson and Tavane Griffith to accept the proclamation.*

Heard

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

*Jim Konish  
Debbie Martinez  
Jo Beaty  
Wilbur Holloway  
John Davies  
Mark Venske  
Pat Fitzpatrick-File #130461  
Walter Willard  
Ernesto Martinez  
Gabe Kaimowitz  
Donald Shepherd  
Ray Washington  
Paula Stahmer  
Nathan Skop  
Darlene Pilalo  
Rob Brinkman*

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

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

**130171. AMENDMENTS TO ELECTIONS CODE RELATING TO CAMPAIGN FINANCE REPORTS (B)**

**Ordinance No. 130171**

An ordinance of the City of Gainesville, Florida, amending Chapter 9 of the Code of ordinances relating to elections; amending Section 9-11 as it relates to campaign contribution limitations and campaign finance reports; 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, as revised on second reading.*

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

**130243. VOLUNTARY ANNEXATION - WRH PROPERTIES (B)**

**Ordinance No. 130243**

An ordinance of the City of Gainesville, Florida, annexing a certain portion of the City of Gainesville reserve area, 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, that comprises Tax Parcel Nos. 07240-030-000, 07240-001-010, and 07242-001-000, along with a portion of the right-of-way of SW 41st Boulevard, and which is generally located south of SW Archer Road, west of Fred Bear Drive and I-75, north of SE Williston Road, and east of SW 62nd Avenue; making certain findings; providing for inclusion of the area in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to 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 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**

**PLAN BOARD PETITIONS**

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT-11:40PM**

#130543

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

Thursday, October 3, 2013

1:00 PM

MODIFIED AGENDA

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**

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

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

Prophet Earl Young

**CONSENT AGENDA**

**CITY MANAGER, CONSENT AGENDA ITEMS**

**130300. Bid Award - SW 16th Avenue Roadway Modification (B)**

**This item is a request for the City Commission to authorize the bid award to V.E. Whitehurst & Sons, Inc., for the SW 16th Avenue Roadway Modification Project for the minor roadway widening, milling and resurfacing, roadway signing and marking, streetscape, and signalization between Archer Road and SW 13th Street, in the amount of \$2,110,500.**

RECOMMENDATION

*The City Commission: 1) award the bid award to V.E. Whitehurst & Sons, Inc., for the SW 16th Avenue Roadway Modification construction; 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 \$2,110,500.*

**This Matter was Approved as Recommended**

**130308. FY 2010 Homeland Security Grant Program Transfer of Property to the City of Gainesville (B)**

**This is a request for City Commission approval to accept three satellite phones from Alachua County for use by the City for disaster responses.**

RECOMMENDATION      *The City Commission authorize the City Manager to: 1) accept the equipment from Alachua County for the three satellite phones purchased as part of the FY 2010 Homeland Security Grant Program; and 2) execute any other necessary documents, pending review by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

**130320. 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 FY2014**

RECOMMENDATION      *The City Commission: 1) approve the expenditure, the extension to the contract 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**

**130353. Sister Cities Pavilion (NB)**

**Refer the issue of a Sister Cities Pavilion to the Recreation, Cultural Affairs and Public Works Committee.**

RECOMMENDATION      *The City Commission refer the issue of a Sister Cities Pavilion to the Recreation, Cultural Affairs and Public Works Committee.*

**This Matter was Approved as Recommended**

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

**130352. Security Guard Services (NB)**

**Staff recommends extending the term of the contract with Admiral Security Services, Inc. for security guard services at various GRU facilities.**

**RECOMMENDATION**

*The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a five-year amendment to extend the term of the contract with Admiral Security Services, Inc. for security guard services at various GRU facilities, subject to approval by the City Attorney as to form and legality; 2) approve the issuance of purchase orders for these services to Admiral Security Services, Inc. in amounts not to exceed 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****CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****130351. City Commission Minutes (B)****RECOMMENDATION**

*The City Commission approve the minutes of August 1, and September 5, 2013.*

**This Matter was Approved as Recommended**

**130330. Appointments to City Commission Advisory Boards and Committees (NB)****RECOMMENDATION**

*The City Commission appoint:*

*Kenneth Johnson to the City Plan Board for a term to expire 11/1/2014.*

*Meagan Standard to the Development Review Board for a term to expire 11/1/2014.*

*Lillie Latimore to the Gainesville Energy Advisory Committee for a term to expire 9/30/16.*

*Zachary Andrews to the Regional Transit System Advisory Board for a term to expire 6/1/14.*

*Christina Ford and Tyler Redden to the Student Community Relations Advisory Board for a term to expire 2/26/15.*

**This Matter was Approved as Recommended**

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PUBLIC SAFETY COMMITTEE, CONSENT****120991. Teenage Events in Bars (B)**

This item proposes that legislation be drafted to prevent minors from being in areas in which large numbers of intoxicated adults are located subjecting them to potential harm and victimization by adult patrons.

**RECOMMENDATION**

*The City Commission authorize the City Attorney's Office to draft and the Clerk of the Commission to advertise an ordinance which would prohibit events for teenagers under 18 years old at establishments that are licensed to serve alcohol and whose primary business is the sale of alcohol regardless of whether alcoholic beverages are being sold at the time, and/or within close proximity to these establishments, which target minors, and places them in close proximity to adults who will prey upon the children.*

**This Matter was Approved as Recommended**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT****120044. Early Voting Site on the University of Florida (UF) Campus (B)****RECOMMENDATION**

*The Audit, Finance and Legislative Committee recommends the City Commission: 1) direct the City Attorney to draft and the Clerk to advertise revisions to City ordinances to allow for additional early voting sites for municipal elections in accordance with state laws; 2) direct the City Attorney to request an advisory opinion from the State Division of Elections regarding whether the Reitz Union would meet the requirements of recently enacted State laws allowing expanded early voting sites, and 3) direct the Clerk of the Commission to work on securing locations and addressing logistical issues regarding utilizing the Millhopper Branch Library and a yet to be determined location on the UF Campus, as additional early voting sites for the Spring 2014 municipal elections.*

**This Matter was Approved as Recommended**

**Approval of the Consent Agenda**

**A motion was made by Commissioner Hawkins, seconded by Commissioner Poe, 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



**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Wells, 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**

**130334. City Commission Referral List (B)**

*Motion: Accept the referral recommendations*

RECOMMENDATION      *The City Commission review the attached referral list and take appropriate action.*

A motion was made by Commissioner Chase, 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

**CITY MANAGER**

**130288. Fleet Management Performance Metrics (B)**

**The item involves an update to the City Commission on the performance of Fleet Management with regards to repair and maintenance services to both General Government and Gainesville Regional Utilities.**

*Milton Reid made a presentation.*

*Mac McEachern spoke to the matter.*

**RECOMMENDATION**

*The City Commission receive a presentation from staff on Fleet Management Performance Metrics.*

**Heard**

**110784.****Transition Study for Alachua County Fire Station 19 (B)**

**This item requests that the City Commission receive a report from the City Manager and Fire Chief on a transition plan for providing fire and rescue services in the area currently served by Alachua County Fire Station 19.**

*Gene Prince and Bill Northcutt made presentations.*

*Motion: Approve 1: Approve 2, changing wording to developing a plan and keeping staff in a station or parking lot and 3. approve Clerk scheduling a joint meeting with the County Commission.*

**RECOMMENDATION**

*The City Commission: 1) receive a report from the City Manager and the Fire Chief for providing services in the area served by Alachua County Fire Station 19; 2) direct the City Manager to initiate a transition plan that would staff a City squad unit to provide services in that area; and 3) determine if the City Commission desires to discuss the transfer of services for Station 19 and potential City acquisition of Station 19 with the County Commission.*

*Alternative Recommendation A: The City Commission receive a report from the City Manager and the Fire Chief for providing services in the area served by Station 19 and direct the City Manager to maintain the current service plan.*

*Alternative Recommendation B: The City Commission receive a report from the City Manager and the Fire Chief for providing services in the area served by Station 19 and direct the City Manager to develop alternative recommendations for the City Commission.*

**A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Poe, that this Matter be Approved, as shown above. 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

**130370. Update on the Purchase of Surplus Department of Corrections 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 negotiation between the City and the State for the purchase of surplus Department of Correction (DOC) property and to adopt a Resolution and approve negotiations and purchase of Phase Two of the acquisition.**

*Debbie Martinez, Theresa Lowell, Ernesto Martinez, Donald Shepherd, Mac McEachern and Pat Fitzpatrick spoke the matter.*

*Motion: 1. Request City Manager obtain access to the GCI site for no less than bi-weekly meetings starting at the earliest possible date.*

*2. Direct the City Manager to contract for project coordinator for homeless services and development of GCI site for a minimum of six months using already designated funds.*

*3. Direct the City Manager to establish a GCI City Working Group that shall meet no less than bi-weekly to monitor the city's contribution to the successful establishment of GCI and related matters.*

*4. Direct the City Manager to facilitate a series of community meetings for the support and development of GCI(to include the One Stop Homeless Empowerment Center), starting Friday and following the Southwest Area Group (SWAG) model;with the goal of establishing a Community Oversight Board for the GCI site,planned GCI RFP, and related matters.*

*5. As part of the Community Oversight Board, establish community input Facilities Committee and Services Committee, and other such committees as deemed necessary to: a. provide feedback both the City and contractors on the site b. develop recommendations for low or no-cost short-term activities and a prioritized and cost estimated medium and long term activities; and c. pursue outside private and public funding and support*

*6. Invite such supportive organizations and community initiatives to meet at the site(including but not limited to Implementation Committee, Coalition for Hungry and Homeless, GCI City Working Group and any others as deemed appropriate*

*7. City Manager to to report on current finances available, funds pledged and sources of funding.*

**RECOMMENDATION**

*The City Commission: 1) adopt a Resolution; and 2) authorize the City Manager or his designee to negotiate and execute a purchase agreement for Phase Two of the correction facility property located off Northeast 39th Avenue and adjacent to Phase One of the proposed purchase previously approved by the Commission.*

**A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Bottcher,that this Matter be Approved, as shown above - See Motion(s). 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

**GENERAL MANAGER FOR UTILITIES**

**130310. GREC Proposal Discussion Item (B)**

*John Stanton, John Painter and Jeff Copp made presentations. Mac McEachern, Nathan Skop, Joe Beaty, Wilbur Holloway, Mark Venske, Donald Shepherd and Ray Washington spoke to the matter.*

RECOMMENDATION      *Hear a presentation and discussion.*

**Heard**

**130181. Advanced Metering Infrastructure and Distribution Automation Project (B)**

**Staff recommends approval of the final ranking of firms and authorization to negotiate in order of ranking a contract with those firms for infrastructure and software applications necessary to implement the project.**

*David Williams made a presentation. Nathan Skop, Mac McEachern and Donald Shepherd spoke to the matter*

RECOMMENDATION      *The City Commission: 1) approve the final ranking of firms to deploy a small scale Advanced Metering Infrastructure (AMI) and Distribution Automation (DA) project; 2) authorize the General Manager, or his designee, to initiate contract negotiations with the firms in order of ranking; and 3) authorize the General Manager, or his designee, upon successful negotiations, to execute a five-year Master Agreement, subject to the approval of the City Attorney as to form and legality, in an amount not to exceed budgeted amounts for this project, and subject to final appropriation of funds for each year of the contract.*

**A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Wells, 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

**CITY ATTORNEY**

**130354. SETTLEMENT AGREEMENT FOR MOGAS INVESTMENTS, INC., NALBANDIAN PROPERTIES, LLC, ROPEN NALBANDIAN v. CITY OF GAINESVILLE, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, CASE NOS.: 2010-CA-6285 and 2010-CA-4963 (NB)**

*Michael Bajalia made a presentation.*

*Mac McEachern, Nathan Skop, Jo Beaty, Wilbur Holloway, Mark Venske, Donald Shepherd and Ray Washington spoke to the matter.*

*First Motion: Moved by Comm LP with Comm TH seconding to reject the offers.*

*Motion failed 3-4 with Comm TH, Comm LP and Comm SB voting yes.*

*Second Motion: Have City Attorney negotiate with other party and bring back for City Commission approval an agreement which includes:*

- 1. \$250,000 over five years*
- 2. Securitize the agreement*
- 3. Have agreement dated no sooner than November 17th/18th (to coincide with Florida Cabinet meeting)*
- 4. Keep GAIN property on table as back up*
- 5. File for continuance with Judge*

**RECOMMENDATION**

*The City Commission consider the two alternative proposals for settlement offered by Nalbandian.*

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

**Aye:** 4 - Mayor Braddy, Commissioner Chase, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Nay:** 3 - Commissioner Bottcher, Commissioner Poe, and Commissioner Hawkins

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**GAINESVILLE/ALACHUA COUNTY CULTURAL AFFAIRS BOARD**

**130056. Gainesville-Alachua County Cultural Affairs Board Work Plan and Annual Report update for FY 2013-14 (B)**

**This item requests that the City Commission hear a presentation of the Gainesville-Alachua County Cultural Affairs Board regarding their Annual Report and Work Plan update for 2013-2014.**

*Fred Sowder made a presentation.*

RECOMMENDATION

*The City Commission hear a brief presentation by Gainesville-Alachua County Cultural Affairs Board Chair Carol Velasques Richardson, regarding the FY 13/14 Annual Report and Work Plan update.*

Heard

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

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

**OUTSIDE AGENCIES**

**130356. Dr. Mark Barrow - Update on Matheson Center (NB)**

*Comm TH moved with Comm RW seconding to waive rules to hear item earlier. Motion passes 5-0 with Comm SB and Comm YHR absent.*

RECOMMENDATION

*The City Commission hear an update from Dr. Mark Barrow regarding the Matheson Center.*

Heard

**MEMBERS OF THE CITY COMMISSION**

**130350. Mayor Ed Braddy - Butterfly Project (NB)**

*Comm RW moved with Comm TC seconding to waive rules to hear item earlier. Motion carries 7-0. Peter Johnson and Gabriel Hillel spoke to the matter.*

RECOMMENDATION

*The City Commission discuss the Butterfly Project and take action deemed appropriate.*

Heard

**130355. Commissioner Yvonne Hinson-Rawls - Job Fair Update (B)**

RECOMMENDATION

*The City Commission hear an update on the job fair.*

Heard

**130363. Mayor-Commissioner Pro Tem Randy Wells - Gainesville  
Community Innovation (GCI): Home of the One Stop Homeless  
Empowerment Center (NB)**

RECOMMENDATION *The City Commission approve the motion made by  
Mayor-Commissioner Pro Tem Randy Wells.*

Heard

**COMMISSION COMMENTS (if time available)**

**RECESS-5:07PM**

**RECONVENE-6:04PM**

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**130346. Fire Prevention Week - October 6-12, 2013 (B)**

RECOMMENDATION *Gainesville Fire Rescue Risk Reduction Specialist Krista  
Gonzalez, Assistant Fire Chief JoAnne Rice and Fire Chief  
Gene Prince to accept the proclamation.*

Heard

**130347. Arts and Humanities Month - October 2013 (B)**

RECOMMENDATION *Gainesville/Alachua County Cultural Affairs Board Vice-Chair  
Fred Sowder to accept the proclamation.*

Heard

**130348. United Nations Day - October 10, 2013 (B)**

RECOMMENDATION *Peace Operations Training Institute UN Programmer  
Coordinator Brian Mitchell and Dr. Taraneh Darabi to accept  
the proclamation.*

Heard

**130349. White Cane Safety Awareness Month - October 2013 (B)**

RECOMMENDATION *Alachua County Council of the Blind President Spencer  
Morton to accept the proclamation.*

Heard

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

*Jim Konish-Immunity*

*Emiliano's-Comm Poe/Comm Wells strike food trucks from agenda. Motion carried 7-0.*

*John Davies-Issues*

*Harold Saive-GREC*

*Mac McEachern-GREC noise*

*Juanita Miles-Hamilton-NAACP meeting*

*Debbie Martinez-GREC*

*Jo Beaty-Meters*

*Donald Shepherd-Trailer Park*

*Mark Venske-City Issues*

*Mario Perez-AC in room*

*Duane Gildea-Thank-you*

*Paula Stahmer-Biomass*

*Ernesto Martinez-GREC noise*

*Nathan Skop-GRU Prices*

*Tony Jackson-EO Complaint*

**130487.**

Human Rights Board Rules and Procedures

RECOMMENDATION

*Refer to Committee*

A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Hinson-Rawls, that this Matter be Referred to the Equal Opportunity Committee, due back on 4/3/2014. 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

**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED**



**130294. Resolution for a Joint Participation Agreement - State Block Grant Funds for Regional Transit System (RTS) Capital and Operating Assistance for FY 2013-2014 (B)**

**This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement (JPA) between the City of Gainesville and the Florida Department of Transportation (FDOT) to accept the allocation for Gainesville of \$1,747,550 from FY 2013-2014 State Block Grant Funds.**

RECOMMENDATION            *The City Commission adopt the Resolution.*

**A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this Matter be Adopted (Resolution). 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

**130299. Resolution to Enter into a Maintenance Agreement with the State of Florida Department of Transportation for NW 8th Avenue Medians (B)**

**This item is a Resolution for approval and authorization to enter into a Maintenance Agreement with the State of Florida Department of Transportation (FDOT), allowing the City of Gainesville to provide maintenance for the proposed median improvements on NW 8th Avenue at NW 2nd Street and NW 4th Street.**

*Nathan Skop and Donald Shepherd spoke to the matter.*

RECOMMENDATION            *The City Commission adopt the Resolution.*

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Adopted (Resolution). 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

**130333. Qualified Target Industry (QTI) Refund Resolution - Azalea Health Innovations, Inc. (B)**

This item seeks City Commission approval for a QTI contribution for the prospective location of a software engineering/development hub within the City of Gainesville for Azalea Health Innovations, Inc., a healthcare management software and services company.

*Mark Venske spoke to the matter and Eric Bredfedlt made a presentation.*

RECOMMENDATION

*The City Commission: 1) adopt the Resolution; 2) authorize the Mayor to execute and the Clerk to attest to the QTI Resolution regarding Azalea Health Innovations, Inc.; and, 3) direct the City Manager to forward the executed QTI Resolution to Enterprise Florida.*

*Alternative*

*The City Commission deny the Qualified Target Industry refund request from Azalea Health Innovations, Inc.*

**A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Wells, 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**

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

**PLAN BOARD PETITIONS**

130319.

**Special Event Permit for Food truck sales within the CCD (Central City District) zoning district (B)**

**Petition PB-13-73 TCH. City of Gainesville. Amend the Land Development Code to extend the time frame for the operation of food truck sales within the CCD (Central City District) zoning designation.**

**\*ESTIMATED STAFF PRESENTATION 20 MINUTES\***

RECOMMENDATION

*City Plan Board to City Commission -Approve Petition PB-13-73 TCH as modified to: 1) Allow two permits per month per location; 2) Allow the operating hours for food truck vendors from 5:00 p.m. until 12:00 midnight, with a setup time of 4:00p.m.; and 3) Allow "Food Truck Vending" on vacant or unimproved property.*

*Alternative Recommendation - Approve Petition PB-13-73TCH without the Plan Board recommended modification.*

*Staff to City Plan Board - Approve Petition PB-13-73 TCH .*

**A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Striken from Agenda (Petition). 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

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

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

## **CITIZEN COMMENT (If time available)**

## **ADJOURNMENT-11:45PM**

# 130543

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

Thursday, November 7, 2013

1:00 PM

**MODIFIED AGENDA**

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-1:08PM**

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

**AGENDA STATEMENT****ROLL CALL****INVOCATION**

Prophet George Young

**CONSENT AGENDA**

A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on the Consent Agenda. 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

**Absent:** 1 - Mayor Braddy

**CITY MANAGER, CONSENT AGENDA ITEMS****130345. Agreement Between the School Board of Alachua County (SBAC) and the City of Gainesville for the School Resource Officer Program (B)**

This is a request for City Commission approval for the continuation of the Gainesville Police Department's agreement with the School Board of Alachua County (SBAC) for the School Resource Officer Program.

**RECOMMENDATION**

*The City Commission: 1) approve the agreement for \$348,310.80 between the City of Gainesville and the Alachua County School Board; and 2) authorize the City Manager to accept and execute any other necessary documents subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

**130383. Authorization to Purchase Equipment for the Gainesville Police Department using State Law Enforcement Contraband Forfeiture Trust Funds (B)**

**This is a request for City Commission authorization to purchase tasers, extra training cartridges and four year extended care warranties for the Gainesville Police Department using state forfeiture funds.**

**RECOMMENDATION**

*The City Commission authorize the appropriation of an amount not to exceed \$24,000 from the State Law Enforcement Contraband Forfeiture Trust Fund and issuance of a purchase order to DGG Taser Inc for the purchase.*

*Alternative Recommendation*

*The City Commission deny funding at this time.*

**Approved as Recommended**

**130407. Grant match for Non-point Source (319 (h)) and Total Maximum Daily Load Water Quality (TMDL) Restoration Grants from the Florida Department of Environmental Protection for the Paynes Prairie Sheetflow Restoration Project (NB)**

**This item is to designate the source of matching funds for grants awarded by the Florida Department of Environmental Protection (FDEP) for Agreement G0312- Amendment 3 in the amount of \$2,506,270 for the Paynes Prairie Sheetflow Restoration Project.**

**RECOMMENDATION**

*The City Commission authorize the City Manager or designee to designate the match funding sources as presented in the fiscal note.*

**Approved as Recommended**

**130408. National League of Cities Institute for Youth, Education and Families Grant (B)**

**This item involves a request to accept a grant, if awarded, from the National League of Cities (NLC) Institute for Youth, Education and Families (YEF Institute) to assist the City in Expanding Access to Health Care for Children and Families.**

**RECOMMENDATION**

*The City Commission: 1) approve the request to accept a grant, if awarded, from the National League of Cities (NLC) Institute for Youth, Education and Families to assist the City in Expanding Access to Health Care for Children and Families; and 2) if awarded, authorize the City Manager or designee to execute the grant award agreement and other grant-related documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

**130434. Letter of Support for a Co-located Child Advocacy Center (B)**

**This is a request for City Commission authorization to send a letter of support for a co-located Child Advocacy Center.**

RECOMMENDATION      *The City Commission authorize Mayor Ed Braddy to sign and transmit the letter of support.*

Approved as Recommended

**130438. Employment Agreement - Interim General Manager for Utilities (B)**

RECOMMENDATION      *The City Commission approve the terms of the agreement in the attached document.*

Approved as Recommended

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS****130412. ROBERT WILLIAMS v. CITY OF GAINESVILLE; CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT IN AND FOR ALACHUA COUNTY, FL; CASE NO. 01-2012-CA-1984 (B)**

RECOMMENDATION      *The City Commission 1) approve the terms of the mediated settlement; and 2) authorize the City Attorney to settle the claim of Robert Williams v. City of Gainesville; Circuit Court of the Eighth Judicial Circuit in and for Alachua County, FL; Case No.: 01-2012-CA-1984, on behalf of the City.*

Approved as Recommended

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****130391. City Commission Minutes (B)**

RECOMMENDATION      *The City Commission approve the minutes of October 2 and October 7, 2013.*

Approved as Recommended

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

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

**100523. City of Gainesville Registry of Protected Public Places Phase II-B Listing  
(B)**

**This item is regarding the potential listing of four properties to the  
Registry of Protected Public Places as per Ordinance #080576.**

RECOMMENDATION

*The City Commission direct the City Attorney to draft and the  
Clerk of the Commission to advertise an ordinance placing  
the recommended Phase II-B properties in the City of  
Gainesville Registry of Protected Places.*

**Approved as Recommended**

**130008. Land Conservation and Acquisition Program (B)**

**This item is to request the City Commission to approve adding the Elks  
Lodge/Glen Springs property to the priority acquisition list for the Land  
Conservation and Acquisition Program.**

RECOMMENDATION

*The Recreation, Cultural Affairs and Public Works  
Committee recommends that the City Commission approve  
an updated priority land acquisition list for the Land  
Conservation and Acquisition Program with the addition of  
the Elks Lodge/Glens Springs property.*

**Approved as Recommended**

**PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

**PUBLIC SAFETY COMMITTEE, CONSENT**

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

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**



**ADOPTION OF THE REGULAR 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:** 6 - Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Absent:** 1 - Mayor Braddy

**CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION****CITY MANAGER**

**080471.** Status Update on the City Commission Strategic Initiative 3.3: Analyze the availability and accessibility of child and youth programs and identify a role for City Government (B)

This item is an action step for the City Commission's Strategic Initiative 3.3, providing an update on juvenile crime reduction efforts presented jointly by the Gainesville Police Department, the State Attorney's Office and the Parks, Recreation and Cultural Affairs Department.

**\*ESTIMATED STAFF PRESENTATION 20 MINUTES\***

*Tony Jones, Gretchen Casey and Shannon Keleher made presentations. Mark Venske, Pat Fitzpatrick, Jeff McAdams and Donald Shepherd spoke to the matter.*

*Motion: City Manager prepare increment for FY 15 including sponsorships for FY 14*

**RECOMMENDATION**

*The City Commission receive this update on progress with Strategic Initiative 3.3: Analyze the Availability and Accessibility of Youth Programs and Identify a Role for Government.*

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

**Absent:** 1 - Mayor Braddy

**130520.** Child and Youth Programs Crime Prevention

RECOMMENDATION Refer to Committee

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Hawkins, that this Matter be Referred to the Public Safety Committee, due back on 5/7/2014. 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

**Absent:** 1 - Mayor Braddy

**130359.** The City of Gainesville Strategic Plan for Fiscal Years 2013 and 2014 (B)

This item seeks approval of adjustments to the City of Gainesville Strategic Plan for Fiscal Years 2013 and 2014.

**\*ESTIMATED STAFF PRESENTATION 20 MINUTES\***

*Paula Stahmer, Mark Venske and Donald Shepherd spoke the matter.*

*Mayor Braddy arrived at 2:13PM*

*Amendment: Comm Poe add 3.6 and 4.3. Comm Wells add 7.2.*

RECOMMENDATION The City Commission: 1) receive a presentation on the City Commission Strategic Plan; 2) accept the assignment of initiatives to each member of the City Commission to sponsor; 3) remove all existing strategic initiative referrals from the committee referral lists; 4) refer all strategic initiatives to the aligned Committee; and 5) adopt the adjustments to the City of Gainesville Strategic Plan for Fiscal Years 2013 and 2014.

A motion was made by Commissioner Hawkins, seconded by Commissioner Hinson-Rawls, that this Matter be Approved as Amended. 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

**130413. 2014 State Legislative Agenda (B)**

**This is a request for the City Commission to approve the 2014 State Legislative Agenda and provide policy direction on future referrals to the Legislative Agenda.**

*Teresa Scott made a presentation.*

*Jim Konish, Debbie Martinez, Nathan Skop, Mark Venske and Mac McEachern spoke to the matter.*

*Comm TH moved and Comm YHR seconded and motion carried 7-0.*

**RECOMMENDATION**

*The City Commission: 1) approve the 2014 State Legislative Agenda; 2) direct that all new referral items to the Legislative Agenda be forwarded to the Audit, Finance and Legislative Committee for review and recommendation; and 3) direct staff to provide the 2014 State Legislative Agenda to the Alachua County Legislative Delegation; the Florida League of Cities, and other interested parties.*

**This Matter was Approved as Recommended**

**GENERAL MANAGER FOR UTILITIES****130310. GREC Right of First Offer (NB)**

*Motion: Comm Wells Recommendation regarding 1603 grant*

*David Richardson made a presentation.*

*Jim Konish, Ernesto Martinez, Mark Venske, Paula Stahmer, Debbie Martinez, Walter Willard, Nathan Skop, Mac McEachern and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission consider the status of the offer to purchase the 100 MW Biomass Plant and take further actions as it deems appropriate.*

*Recommendation from Mayor-Commissioner Pro Tem Randy Wells*

*Move that we add to our Federal legislative agenda legislation and/or regulations that would remove the disadvantage for municipal utilities to acquire eligible renewable energy projects that were funded in part by a 1603 grant.*

**A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Bottcher, that this Matter be Approved, as shown above. 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

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

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

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**130433.** Commissioner Yvonne Hinson-Rawls - Flooding Issues (NB)

RECOMMENDATION

*The City Commission discuss flooding issues South of NE 8th Avenue in the Duval Community and take action deemed appropriate.*

**Heard**

## COMMISSION COMMENTS (if time available)

*Comm Chase-Sidewalks on 8th Avenue*

*Comm Hawkins moved and Comm Wells seconded to 1. Keep Crosswalks at 2nd and 4th 2. arrange meeting with FDOT Secretary and 3. Refer NW 8th Avenue to the MTPO*

*Items 1/2 passed 7-0*

*Item 3 passed 5-2 with Comm TC and Mayor Braddy voting no*

*Comm Hawkins-Residential noise permits*

*Comm Hawkins-ATU and FOP salary issues*

**130521.** Noise Permits in Residential Areas

RECOMMENDATION Refer to Committee

A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Referred to the Public Safety Committee, due back on 5/7/2014. 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

**RECESS-4:35PM**

**RECONVENE-6:46PM**

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**130414.** Survivors of Suicide Memory Garden Dedication Day - November 14, 2013 (B)

RECOMMENDATION Friends of the Crisis Center President Wendy Brant, Project Manager, SOS Memory Garden Judy Broward and Alachua County Crisis Center Director Marshall Knudson to accept the proclamation.

Heard

**130415. Veterans Day - November 11, 2013 (B)**RECOMMENDATION

*Gator Detachment of the Marine Corp League Bob Gasche, Sr. and Young Marine Master Gunnery Sergeant Emily Kidwell to accept the proclamation.*

Heard

**130416. Pancreatic Cancer Awareness Month - November 2013 (B)**RECOMMENDATION

*Pancreatic Cancer Action Network Advocacy Coordinator Amy Osteryoung to accept the proclamation.*

Heard

**130417. National Association for the Advancement of Colored People (NAACP) Day - November 10, 2013 (B)**RECOMMENDATION

*National Association for the Advancement of Colored People (NAACP) President Evelyn Foxx to accept the proclamation.*

Heard

**130418. Hunger Awareness Month - November 2013 (B)**RECOMMENDATION

*The Long Foundation, Inc. President & CEO Honorable Rodney Long to accept the proclamation.*

Heard

**130429. Milton Reid Conference Room (B)**RECOMMENDATION

*City of Gainesville General Services and Fleet Management Director Milton Reid to accept the proclamation.*

Heard

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

*Jim Konish  
Debbie Martinez  
Jane Hendricks-File # 130484  
Mac McEachern  
Armando Grundy  
Nathan Skop  
Paula Stahmer  
Donald Shepherd  
Gabe Kaimowitz-File # 130484  
Mark Venske  
Pat Fitzpatrick-File # 130484  
John Davies*

**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****130180. TEXT CHANGE - REGULATING CHICKEN-KEEPING AS AN ALLOWABLE ACCESSORY USE BY RIGHT IN SINGLE-FAMILY RESIDENTIAL DISTRICTS AND RC DISTRICT (B)**

Ordinance 130180; Petition No. PB-13-64 TCH

An ordinance of the City of Gainesville, Florida, relating to chicken-keeping in residential zoning districts; amending the Code of Ordinances by amending the definition of Fowl in Section 5-1. Definitions; amending the Land Development Code by creating Section 30-124. Chicken-keeping to allow by right and provide applicable regulations regarding the keeping of chickens as an accessory use to any single-family dwelling in the residential zoning districts of RSF-1, RSF-2, RSF-3, RSF-4, and RC; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Mark Venske spoke to the matter.*

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

**A motion was made by Commissioner Hawkins, seconded by Commissioner Poe, that this Matter be Adopted on First Reading (Ordinance). 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

**130397. AMENDMENTS TO ELECTIONS CODE RELATING TO EARLY VOTING SITES (B)**

Ordinance No. 130397

An ordinance of the City of Gainesville, Florida, amending Chapter 9 of the Code of Ordinances relating to elections; amending Section 9-6.5 as it relates to early voting sites; 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 Bottcher, seconded by Commissioner Poe, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Poe

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED****130171. AMENDMENTS TO ELECTIONS CODE RELATING TO CAMPAIGN FINANCE REPORTS (B)**

Ordinance No. 130171

An ordinance of the City of Gainesville, Florida, amending Chapter 9 of the Code of ordinances relating to elections; amending Section 9-11 as it relates to campaign contribution limitations and campaign finance reports; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Donald Shepherd spoke to the matter.*

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

**A motion was made by Commissioner Bottcher, 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

**PLAN BOARD PETITIONS**



130382.

Vacate, abandon and close the 50-foot right-of-way abutting the north property line of 4820 NW 13th Street (B)

Petition PB-13-66 SVA. Thomas A. Daniel, agent for Streit's, Inc. Vacate, abandon and close the 50-foot right-of-way abutting the north property line of 4820 NW 13th Street.

**\*ESTIMATED STAFF PRESENTATION 5 MINUTES\***

*Lawrence Calderon and Tom Daniel made presentations.*

**RECOMMENDATION**

*City Plan Board to City Commission -Approve Petition PB-13-66 SVA, and authorized the City Attorney to draft the Ordinance.*

*Staff to City Commission- Approve the City Plan Board's recommendation.*

*Staff to City Plan Board - Approve Petition PB-13-66 SVA.*

*Alternative Recommendation:*

*City Commission - Deny the petition and retain right-of-way for future Park access.*

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher,that this Matter be Approved (Petition). 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

**Absent:** 1 - Mayor Braddy

130398.

**Wellfield Protection and TCEA Special Use Permit with development plan review to allow construction of a new gas station with underground fuel storage tanks (B)**

**Petition CC-13-60 WSU. Scott Stannard, agent for Commercial Site Solutions, Inc. Requesting a Wellfield Protection and TCEA Special Use Permit with development plan review to allow construction of a new gas station with underground fuel storage tanks. Zoned: MU-2 (12-30 units/acre mixed use medium intensity district). Located at 6360 NW 13th Street.**

**\*ESTIMATED STAFF PRESENTATION 15 MINUTES\***

*Lawrence Calderon, John Mousa, Wade Gibson, Scott Standard and Tim Larsen made presentations.*

*Kim Popejoy spoke to the matter*

RECOMMENDATION

*City Plan Board to City Commission -Approve Petition CC-13-60 WSU.*

*Staff to City Plan Board - Approve Petition CC-13-60 WSU with conditions and the associated development plan.*

*Alternative Recommendation*

*Alternate Staff to City Commission - Continue Petition CC-13-60 WSU and provide directions to staff and the applicant to address concerns of the Commission.*

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

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

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**100672. Update on the Status of the Cabot-Koppers Superfund Site (B)**

**This item involves receiving an update from staff on the draft Offsite Remediation Action Plan for the Cabot-Koppers Superfund Site.**

**\*ESTIMATED STAFF PRESENTATION 15 MINUTES\***

*Amy Schafer, Fred Murry and Anthony Dennis made presentations. Sandra Watts Kennedy, Maria Parsons, Alice Alanso, Susan Fairforest, Maggie Nelson, Steven Miller, Charles Mills, Sally Shutner, Charlotte Ravell, Alan Powell, Christa Jensen, James Miller, Barbara Ruth, Martha Lewis, Brenda O'Steen, Kim Popejoy and Martha Miller spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) accept the draft Offsite Remediation Action Plan; and 2) approve the plan by staff to receive input on the draft Offsite Remediation Action Plan.*

**A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Bottcher, 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

**UNFINISHED BUSINESS****COMMISSION COMMENT**

*Comm Wells-Criminal Justice Grant-Letter of Support  
Comm Hinson-Rawls-GRU Cut-offs days Friday v. Monday  
Comm Chase- Homecoming Parade*

**CITIZEN COMMENT (If time available)****ADJOURNMENT-10:44PM**