

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, June 6, 2013

1:00 PM

City Hall Auditorium

City Commission

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

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

CALL TO ORDER-1:04PM

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

121077 was modified with revised fiscal note.

121117 was moved to the regular agenda

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

CITY MANAGER, CONSENT AGENDA ITEMS

[120681.](#) **First Amendment to Ground Lease Agreement for the Modular Unit at Cone Park with Alachua County Library District for Fred Cone Park (B)**

This item requests approval and authorization by the Gainesville City Commission for the City Manager to execute a First Amendment to the Ground Lease Agreement with the Alachua County Library District for the Modular Unit at Fred Cone Park .

RECOMMENDATION *The City Commission: 1) authorize the City Manager to execute a First Amendment to the Ground Lease Agreement with the Alachua County Library District for a Modular Unit at Fred Cone Park, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

[121077.](#) **Partial Release of Lien Affecting 2608 ½ NW 8th Street, Tax Parcel #08311-000-000 (B)**

This item requests that the City Commission release the above-referenced properties from the lien arising from Code Enforcement Board Cases: #CEB 2010-142; #CEB 2010-143; and #CEB 2010-151.

RECOMMENDATION

The City Commission release 2608 ½ NW 8th Street, Tax Parcel 08311-000-000 from Code Enforcement Board liens related to CEB Cases #CEB 2010-142; #CEB 2010-143; and #CEB 2010-151.

This Matter was Approved as Recommended

[121076.](#)

State Homeland Security Grant Program Subrecipient Agreement 2012 (NB)

This item requests that the City Commission authorize the City Manager to enter into a contract with the State of Florida Department of Financial Services to support equipment maintenance for Gainesville Fire Rescue's Hazardous Materials Team.

RECOMMENDATION

The City Commission authorize the City Manager or designee to enter into a contract with the State of Florida, Department of Financial Services, subject to approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended

[121082.](#)

Florida Division of Cultural Affairs General Program Support, Local Arts Agency Grant (NB)

This item requests approval by the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) to apply to the Florida Division of Cultural Affairs for a Local Arts Agency grant.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to accept the grant if awarded; and 2) authorize the City Manager or designee to execute any grant related documents subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

[121084.](#)

Grant Applications for Hoggetowne Medieval Faire and the Downtown Cultural Series (NB)

This item involves a request for the City Commission to authorize submission of two applications by the Parks, Recreation and Cultural Affairs Department for grants from the Alachua County Tourist Product Development Program for funds to provide marketing and production support for the Hoggetowne Medieval Faire and the Downtown Cultural Series.

RECOMMENDATION

The City Commission: 1) approve the submission of two grant applications to Alachua County Tourist Product Development Program; 2) authorize the City Manager to execute the applications; and 3) if awarded, authorize the City Manager to execute the grant agreement(s) and other grant-related documents subject to approval by the City

Attorney as to form and legality.

This Matter was Approved as Recommended

[121085.](#)

Voluntary Annexation of Three Parcels Owned by WHR Gainesville, LLC (B)

This petition proposes to voluntarily annex tax parcels 07240-030-000, 07240-001-010 and 07242-001-000, which are generally located south of SW Archer Road and west of I-75.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

This Matter was Approved as Recommended

[121100.](#)

Settlement of Worker's Compensation Claim - George Walker (NB)

This item involves the full and final settlement of Mr. George Walker's workers' compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$26,188.50 and represents a significant cost advantage to the City.

RECOMMENDATION

The City Commission authorizes Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Walker, in the amount of \$26,188.50.

This Matter was Approved as Recommended

[121104.](#)

Reschedule City Commission Strategic Planning Retreat (NB)

This is a request to reschedule the City Commission Strategic Planning Retreat to be held on August 6, 2013.

RECOMMENDATION

The City Commission reschedule the Strategic Planning Retreat to be held on August 6, 2013 at 8:00 AM and cancel the Charter Review special meeting on June 25, 2013.

This Matter was Approved as Recommended

[121126.](#)

State LECFTF Funding for Purchase of Crash Reporting Software Module (NB)

This item requests that the City Commission appropriate and expend an amount not to exceed \$2,100 from the State Law Enforcement Contraband Forfeiture Fund for the purchase of Crash Reporting Software that electronically submits reports to the State of Florida.

RECOMMENDATION

The City Commission approve the amount not to exceed \$2,100 for the purchase of the Crash Reporting software form funds in the State Law Enforcement Contraband Forfeiture Trust Fund.

This Matter was Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[121128.](#)

Contract for Grounds Maintenance Services for Various GRU Facilities (B)

Staff recommends award of a contract to E.W. Reshard, Inc. for grounds maintenance services for various GRU facilities.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a three-year contract with E.W. Reshard, Inc. for grounds maintenance services for various GRU facilities, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services to E.W. Reshard, Inc. in an amount not to exceed \$90,000 per year, subject to the final appropriation of funds for these services in each fiscal year of the agreement.

This Matter was Approved as Recommended

[130018.](#)

Device Automation and Inventory System Software (B)

Staff recommends the purchase of device automation and inventory system software for Gas and Electric Measurement.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate in order of ranking and execute a Software License Agreement, Consulting Agreement, and Software Support and Maintenance Agreement for software licenses, installation, and support, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order for the purchase and implementation of the system in an amount not to exceed the current budget of \$400,000.

This Matter was Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

[130005.](#)

PHILLIP MICHAEL JONES VS. CITY OF GAINESVILLE, FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2013-CA-2077 (B)**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Phillip Michael Jones vs. City of Gainesville, Florida; Eighth Judicial Circuit, Case No. 2013-CA-2077.

This Matter was Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[130003.](#) Appointment to City Commission Advisory Boards and Committees (NB)

RECOMMENDATION *The City Commission appoint Jarrod Cruz to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/14.*

This Matter was Approved as Recommended

[130019.](#) City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of May 2, 13, and 16, 2013.*

This Matter was Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

[121038.](#) Casual Sunday Events at McPherson Park (B)

This is an event that has occurred on Sunday afternoons and evenings at the TB McPherson Center, 1707 SE 15th Street, for the past 18 years. The event originated for persons to gather and socialize without any programmatic components.

RECOMMENDATION *The City Commission remove this item from the Recreation, Cultural Affairs and Public Works Committee (RCAPW) referral list.*

This Matter was Approved as Recommended

Approval of the Consent Agenda

Jo Beaty spoke to the matter.

A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Hawkins, to Adopt the Consent Agenda. The motion carried by the following vote:

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

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Amendment: Combine 120250 and 130032

Karl Sanders, Jo Beaty and Donald Sheppard spoke to the matter.

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

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

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

[121001.](#) Presentation Prepared By The School Safety Workgroup Appointed By Sheriff Sadie Darnell, Chief Tony Jones and Superintendent Dan Boyd (B)

This is to request that the City Commission Hear a Presentation on School Safety

Pat Fitzpatrick spoke prior to the presentation

Chief Jones, Lonnie Scott and Will Halvorson made presentations.

Racheal Pregar, Nathan Skop and Ernesto Martinez spoke to the matter.

RECOMMENDATION *The City Commission 1) hear a presentation from the School*

Safety Workgroup; and 2) authorize the City Manager to apply for the 2013 COPS Hiring Program Grant, and execute all the required documents subject to approval by the City Attorney as to form and legality. The funding will be used for the express purpose of funding two full-time sworn law enforcement officers to augment the Gainesville Police Department's School Resource Officer force.

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

[120250.](#)

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

The purpose of this item is to provide an update to the City Commission on the status of the negotiations between the City and the State for purchase of surplus Department of Corrections (DOC) property. The City would like to purchase the DOC facility known as the former Gainesville Correctional Institute (GCI) in order to provide a variety of services at the complex for homeless/needy individuals and families in our community. This item is being submitted to the City Commission for their consideration and approval to authorize the City Manager to execute an agreement to purchase 28 acres of surplus property from the State of Florida.

Fred Murry made a presentation.

Karl Sanders, Debbie Martinez, Nathan Skop, Donald Sheppard, Jo Beaty and Rob Brinkman spoke to the matter.

Amendment: authorize the City Manager execute a termination of the contract for purchase of the NW 53rd Avenue site, subject to approval as to form and legality by the City Attorney and accept the offer off the GAIN Parcel donation as set forth in the settlement agreement for the Nalbandian litigation and direct the City Manager, or his designee, to carry out the remaining obligations contained in he settlement agreement, subject to approval as to form and legality by the City Attorney

Comm YHR moved with Comm LP seconding to move the previous question. Motion carried 7-0 and debate concluded.

Comm LP moved with Comm YHR seconding to continue the closed executive session. Motion carried 7-0.

RECOMMENDATION

The City Commission: 1) direct staff to reallocate the remaining funds for the One Stop Homeless Assistance Center to the GCI site; 2) authorize the City Manager to execute a purchase agreement for 28 acres of surplus property (identified as Phase I) from the State, subject to approval as to form and legality by the City Attorney; 3) direct the City Manager, or his designee, to develop and

solicit Bids/Proposals for the necessary building construction/renovation services for the One Stop Homeless Assistance Center at the GCI complex; and 4) direct the City Manager, or his designee, to develop and solicit Proposals/Letters of Interest for the Administration and Operation of the One-Stop Homeless Assistance Center at the GCI complex.

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

GENERAL MANAGER FOR UTILITIES

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

[130027.](#)

Mayor Ed Braddy - Committee Assignments (B)

This item was heard in the evening.

*Comm HR-Chair P/S
Comm RW-EO
Comm TH-CD These three changes made at the meeting*

Debbie Martinez spoke to the matter.

RECOMMENDATION *The City Commission confirm the Mayor's appointments.*

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

[130032.](#) Commissioner Randy Wells - Nalbandian Settlement Agreement Litigation (NB)

RECOMMENDATION *The City Commission discuss the Nalbandian Settlement Agreement Litigation and take action deemed appropriate.*

COMMISSION COMMENTS (if time available)

RECESS-5:05PM

RECONVENE-5:55PM

PLEDGE OF ALLEGIANCE (5:30pm)

Detachment of the Marine Corp League Bob Gasche

PROCLAMATIONS/SPECIAL RECOGNITIONS

[130017.](#) **Flag Day - June 14, 2013 (B)**

RECOMMENDATION *Gator Detachment of the Marine Corp League Bob Gasche, Sr. to accept the proclamation.*

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

*Pat Fitzpatrick-Hunger Issues-File 130070
Vivian Filer-Conference File 130070
Jack Carter-Duval Heights
Gabe Kaimowitz-Orrick Letter File 130070
Rob Brinkman-County Meeting
Martha Miller-Koppers
Sandra Watts Kennedy-Koppers
Ron Hodel-Koppers
Jim Konish-Fuel adjustment File 130070*

*Maria Parsons-Koppers
Nathan Skop-GRU issues
Debbie Martinez-GRU issues
Bob Hallman-Koppers
Wilbur Holloway-City Commission/GRU
John Davies-GRU
Mac McEachern-GRU
Jo Beaty-GRU
Ernesto Martinez-GRU
Donald Sheppard-City issues
Mark Venske-GRU
Don Glendening-GRU File 130070*

Refer to staff Jacksonville Brownfields Conference

[130071.](#)

Outside Counsel

RECOMMENDATION

Refer to Committee

A motion was made by Commissioner Chase, seconded by Commissioner Bottcher, that this Matter be Referred to the Audit, Finance and Legislative Committee, due back on 12/6/2013. 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

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[121116.](#)

Qualified Target Industry (QTI) Refund Resolution - BioMonde (B)

This item seeks City Commission approval for a QTI contribution for the prospective location of a business unit within the City of Gainesville for BioMonde, a British life science/health company, providing debridement treatments to the European wound care market.

Eric Bredfeldt 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 BioMonde.; and 3) direct the City Manager to forward the executed QTI Resolution to Enterprise Florida.

Alternative Recommendation

The City Commission deny the Resolution.

A motion was made by Commissioner Poe, seconded by Commissioner

Bottcher, that this Matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

[130001.](#)

Resolution Supporting Dual Naming a Portion of SE 11th Avenue after Dr. Cullen Wadsworth Banks II (B)

This is a request for the City Commission to adopt a resolution to dual name a portion of SE 11th Avenue in memory of Dr. Cullen Wadsworth Banks II.

Paul Folkers made a presentation.

Evelyn Foxx spoke to the matter.

RECOMMENDATION *The City Commission adopt the Resolution supporting the request to dual name a portion of SE 11th Avenue between SE 15th Street and Williston Road as 'Dr. Cullen W. Banks II Boulevard'.*

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

ADOPTION READING-ROLL CALL REQUIRED

[120839.](#)

LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 0.71 ACRES OF PROPERTY GENERALLY LOCATED IN THE VICINITY OF 2029 NW 13TH STREET FROM COMMERCIAL (C) TO MIXED-USE LOW-INTENSITY (MUL) (B)

Ordinance No. 120839; Petition No. PB-12-161 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 0.71 acres of property generally located at 2029 NW 13th Street, as more specifically described in this ordinance, from Commercial (C) to Mixed-Use Low-Intensity (MUL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms and Stuart Cullen made presentations.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, seconded by Commissioner

**Hinson-Rawls, that this Matter be Adopted (Ordinance) on Adoption Reading.
The motion carried by the following vote:**

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

Absent: 2 - Commissioner Bottcher, and Commissioner Hawkins

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

120840

REZONING - APPROXIMATELY 0.71 ACRES OF PROPERTY GENERALLY LOCATED AT 2029 NW 13th STREET- AUTOMOTIVE-ORIENTED BUSINESS DISTRICT (BA) TO MIXED-USE LOW INTENSITY DISTRICT (MU-1) (B)

Ordinance No. 120840; Petition No. PB-12-162 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.71 acres of property generally located at 2029 NW 13th Street, as more specifically described in this ordinance, from Automotive-oriented business district (BA) to Mixed-use low intensity district (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms and Stuart Cullen made presentations.

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

120152.

TEXT CHANGE - ALLOW PATRONS' DOGS WITHIN OUTDOOR PORTIONS OF EATING PLACES (B)

Ordinance No. 120152; Petition No. PB-12-53 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code and the Code of Ordinances by establishing a permitting procedure, regulations and permit fee to allow patrons' dogs within outdoor portions of eating places; by creating Section 30-122 Patrons' dogs within outdoor portions of eating places; by creating a permit fee within Appendix A-Schedule of Fees, Rates and Charges; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Ralph Hiliard made a presentation

Rob Brinkman and Randy Albred spoke to the matter.

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

[120235.](#)

REZONING - APPROXIMATELY 497 SQUARE FEET OF PROPERTY LOCATED ON THE EAST SIDE OF SW 43RD STREET APPROXIMATELY 31 FEET FROM THE SOUTH RIGHT-OF-WAY OF SW 20TH AVENUE (B)

Ordinance No. 120235; Petition No. PB-12-76 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 497 square feet of property located in the vicinity of the east side of SW 43rd Street, approximately 31 feet from the south right-of-way of SW 20th Avenue, as more specifically described in this ordinance, from Alachua County Planned Development district (PD) to City of Gainesville Public services and operations district (PS); establishing uses permitted by right; excepting the requirement of a preliminary development plan; providing conditions on the property; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Onelia Lazzari made a presentation.

RECOMMENDATION *The City Commission (1) approve Petition PB-12-76 ZON and (2) adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Poe, that this Matter be Approved (Petition) and 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

[120680.](#)

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

Ordinance No. 120680

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville; amending Section 2-596, Definitions; amending the definition of accrued benefit relating to the multiplier for police officers; amending the definition of earnings related to

overtime pay and termination vacation pay for police officers; amending the definition of final average earnings related to the computation of such earnings for police officers; adding a definition of police officer; amending the definition of service credit rules related to service credit for sick leave earned by police officers; amending the definition of trust fund to include individual accounts authorized under the Supplemental Retirement Program for Police Officers; amending Section 2-600, Retirement dates and benefits, related to years of service and age required for normal retirement of police officers, withdrawal of contributions by police officers after termination of employment, and sick leave credit and interest rate for police officers entering DROP; amending Section 2-607, Cost of living adjustment of benefits, related to cost of living adjustments for police officers; adding Section 2-608 to provide a supplemental retirement benefit to police officers; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Steve Varvel made a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, seconded by Commissioner Chase, 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

[121080.](#)

CITY OF GAINESVILLE REGISTRY OF PROTECTED PUBLIC PLACES PHASE II-A PROPERTY LISTING (B)

Ordinance No. 121080

An ordinance of the City of Gainesville, Florida, adding specified real properties owned in fee simple by the City of Gainesville to the City of Gainesville Registry of Protected Public Places; 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

[121099.](#)

ORDINANCE SETTING 2014 ELECTION DATES AND QUALIFYING DATES (B)

ORDINANCE NO. 121099

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, SETTING MARCH 11, 2014 AS THE DATE FOR THE 2014 REGULAR CITY ELECTION AND APRIL 8, 2014 AS THE DATE FOR THE 2014 RUN-OFF ELECTION, IF NECESSARY; SETTING THE DATES FOR QUALIFYING FOR THE 2014 REGULAR ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Adopted on 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

090878.

TEXT CHANGE LANDSCAPE AND TREE MANAGEMENT (B)
Ordinance No. 090878, Petition No. PB-10-7-TCH
An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances and the Land Development Code relating to landscape and tree management; by amending Sec. 30-23 Definitions; by amending Article VII. Development Review Process (Division 2. Subdivisions and Street Vacation and Division 4. Planned Development District); by amending Article VIII. Environmental Management (Division 1. Generally, Division 2. Landscape and Tree Management, Stormwater Management and Water/Wastewater Connection Policy, and Division 4. Relief and Enforcement); by amending Appendix A. Special Area Plans (for College Park, Traditional City, Central Corridors and University Heights); by amending Chapter 2. Administration (Division 12. Tree Board of Appeals and Division 13. Tree Advisory Board); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Scott Wright and Mark Siburt made presentations.

Frances Putz, Carol Bolten, Mathew Hurst, Rob Brinkman, Adam Bolten, Nathan Skop, Meg Niederhofer and Robert Hutchinson spoke to the matter.

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

A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Bottcher, that this Matter be Adopted on Final 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

[120934.](#)

REZONING - APPROXIMATELY 2.8 ACRES OF PROPERTY GENERALLY LOCATED AT 1303 NE 23rd AVENUE FROM PUBLIC SERVICES AND OPERATIONS DISTRICT (PS) TO EDUCATION SERVICES DISTRICT (ED) (B)

Ordinance No.120934; Petition PB-13-008 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 2.8 acres of property generally located at 1303 NE 23rd Avenue, as more specifically described in this ordinance, from Public services and operations district (PS) to Educational services district (ED); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

PLAN BOARD PETITIONS

[121118.](#)

Amendment to UMU-2 Zoning District (B)

Petition PB-13-44 TCH. City of Gainesville. Amend the Land Development Code Section 30-65.2 Urban mixed-use district 2 (UMU-2: 10- 100 units/ acre; and up to an additional 25 units/acre by special use permit) to: change the maximum block size in the University Heights area from 1800' to 2000'; change the timing requirement for construction of new streets; and to revise the bicycle parking requirements.

Scott Wright made a presentation.

Ed Poppell, Nathan Skop, Rob Brinkman, John Fleming, Gerry Dedenbach and Ernesto Martinez spoke to the matter.

Staff petition recommendation was the motion and was amended to refer urban walkways to the Community Development Committee

Comm TC moved Comm TH seconding to continue meeting until 11:30PM. Motion carried 7-0.

RECOMMENDATION

City Plan Board to the City Commission - the City Commission approve petition PB-13-44 TCH, with revisions from the City Plan Board.

Alternate Recommendation

Staff to the City Commission - the City Commission approve petition PB-13-44 TCH as originally recommended by staff.

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

[130072.](#)

Urban Walkways

RECOMMENDATION

Refer to Committee

A motion was made by Commissioner Hawkins, seconded by Commissioner Bottcher, that this Matter be Referred to the Community Development Committee, due back on 12/6/2013. 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

[130073.](#)

Bike Parking

RECOMMENDATION

Refer to Board

A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this Matter be Referred to the Bicycle/Pedestrian Advisory Board, due back on 12/6/2013. 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**[121117.](#)

Power District Catalyst Project Lease Amendment (B)

This is a request for the City Commission to approve the lease amendment for the Power District Catalyst Project.

RECOMMENDATION

The City Commission: 1) approve the lease amendment; and 2) authorize the City Manager to execute the lease

amendment subject to approval as to form and legality by the City Attorney

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

COMMISSION COMMENT

*Comm SB moved with Comm RW seconding to continue meeting to 11:40PM. 7-0
Comm RW moved with Comm TH seconding to continue meeting until 11:50PM 7-0
Comm RW moved with Comm TC seconding to continue meeting until 11:55PM 7-0*

Mayor Braddy-Bread of Mighty Food Bank on next agenda

Mayor Braddy-Hull Road on next agenda

Comm Chase-Committee assignments/CRA

Comm Hawkins-mountain top coal to be scheduled

Comm Hinson-Rawls-Lighting ordinance

Comm Hinson-Rawls-Towing issues to back to P/S

A motion to waive the rules and continue the meeting until 12:00 midnight failed with Comm Bottcher, Hinson-Rawls and Commissioner Hawkins voting no. (Motion needed a two thirds vote to pass and the vote was 4-3)

[130091.](#)

Police Station Off Site improvements

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 Community Development Committee,. 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

CITIZEN COMMENT (If time available)

*Debbie Martinez-GRU issues
Ray Washington-GRU mediation
Mac McEachern-Fuel adjustment*

Nathan Skop-GRU

11:55PM Adjourn

ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)

Kurt Lannon, Clerk of the Commission