

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, November 5, 2015

1:00 PM

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Harvey Budd (At Large)
Commissioner Helen Warren (At Large)
Commissioner Charles Goston (District 1)
Commissioner Todd Chase (District 2)
Mayor-Commissioner Pro Tem Craig Carter (District 3)
Commissioner Randy Wells (District 4)

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

CALL TO ORDER - 1:07 PM

Present 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

AGENDA STATEMENT

INVOCATION

PROPHET GEORGE YOUNG

ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)

Jim Konish spoke to the matter.

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Chase, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

CITY MANAGER, CONSENT AGENDA ITEMS

[150335.](#) **Grant an Easement to Lisa Brooks - Alachua Habitat for Humanity, Inc. (B)**

This item is a request to approve and authorize the execution of an easement to Lisa Brooks.

RECOMMENDATION *The City Commission: 1) approve the grant of an Ingress/Egress Easement to Lisa Brooks; and 2) authorize the Mayor to execute, and the Clerk to attest the Easement, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

[150427.](#) **Human Resources Policies 23: Job Vacancy, Layoff, Transfer, Recall, Length of Service; NEW E-5: Layoff and Recall; and NEW E-6: Separation from Service; C-3: Changes in Employee Status Affecting Compensation (B)**

This is a request for the City Commission approval to sunset HR Policy 23: Job Vacancy, Layoff, Transfer, Recall, Length of Service; implement HR

Policy E-5: Layoff and Recall; implement HR Policy E-6: Separation from Service; and amend HR Policy C-3: Changes in Employee Status Affecting Compensation.

RECOMMENDATION

The City Commission approve revisions to Human Resources Policies 23, E-5, E-6 and C-3.

Approved as Recommended

[150429.](#)

Air Rights Easement onto Capital Assets Group II, LLC (B)

This item is a request to approve and authorize an Air Rights Easement onto Capital Assets Group II, LLC.

RECOMMENDATION

The City Commission approve and authorize the Mayor to sign and the Clerk to attest an Air Rights Easement onto Capital Assets Group II, LLC, subject to approval of the City Attorney as to form and legality.

Approved as Recommended

[150430.](#)

Declare as Surplus and Authorization of a Special Warranty Deed - Butler Properties Land Trust (B)

This item is a request to declare a portion of right of way as surplus and approve and authorize the execution of a Special Warranty Deed onto Mary Jane Fredrickson as successor Trustee of the S. Clark Butler Properties Land Trust dated December 10, 1998.

RECOMMENDATION

The City Commission: 1) declare a portion of right of way at the intersection of Southwest 37th Boulevard and Southwest 33rd Place as surplus; 2) approve a Special Warranty Deed onto Mary Jane Fredrickson as successor Trustee of the S. Clark Butler Properties Land Trust dated December 10, 1998; and 3) authorize the Mayor and Clerk of the Commission to execute the Special Warranty Deed, subject to approval from the City Attorney as to form and legality.

Approved as Recommended

[150431.](#)

Approval and Authorization of a Quitclaim Deed - Butler Properties Land Trust (B)

This item is a request to approve and authorize the execution of a Quitclaim Deed onto Mary Jane Fredrickson as successor Trustee of the S. Clark Butler Properties Land Trust dated December 10, 1998.

RECOMMENDATION

The City Commission: 1) approve a Quitclaim Deed onto Mary Jane Fredrickson as successor Trustee of the S. Clark Butler Properties Land Trust to clear title to certain property; and 2) authorize the Mayor and Clerk of the Commission to execute the Quitclaim Deed, subject to approval from the City Attorney as to form and legality.

Approved as Recommended

[150451.](#)

Florida Department of Transportation's Safety Office Grant Awards (NB)

This is a request for City Commission approval to accept three grants through the Florida Department of Transportation Safety Office.

RECOMMENDATION

The City Commission authorize the City Manager to accept, and execute the grant awards subject to review by the City Attorney as to form and legality and approve the expenditures as outlined in the approved grant awards.

Alternative Recommendation

The City Commission declines the three proposals in the total amount of \$118,360 and advise staff accept these funds.

Approved as Recommended

[150464.](#)

Supplemental Joint Participation Agreements (SJPA) for Florida Department of Transportation Service Development Grant Funds for Regional Transit System (RTS) Projects (B)

This item requests that the City Commission authorize the City Manager to execute SJPAs for Department of Transportation Service Development Grant Funds for Regional Transit System (RTS) projects.

RECOMMENDATION

The City Commission authorize the City Manager or his designee to execute SJPAs for the aforementioned projects, subject to review and approval by the City Attorney as to form and legality.

Approved as Recommended

[150467.](#)

Ratification of Agreement between the Amalgamated Transit Union (ATU) bargaining unit and the City of Gainesville for October 1, 2015 through September 30, 2018 (B)

This item is to ratify a three year successor agreement between the City and the ATU bargaining unit.

RECOMMENDATION

The City Commission ratify the Agreement between the ATU bargaining unit and the City of Gainesville extending the Agreement through September 30, 2018.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[150478.](#)

Contract for Independent Assessment of NERC Cyber Security Program (B)

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to execute a contract with AESI Acumen Engineered Solutions International, Inc. for independent assessment of North American Electric Reliability Corporation's (NERC) cyber security program, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase order for these services in an amount not to exceed \$80,000.

Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

[150428.](#)

**OCTAVIA ROBINSON VS. CITY OF GAINESVILLE, FLORIDA;
EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-3161 (B)****RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Octavia Robinson vs. City of Gainesville, Florida; Eighth Judicial Circuit, Case No. 2015-CA-3161.

Approved as Recommended

[150432.](#)

**RUTHIE ARAD VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL
CIRCUIT, CASE NO. 2015-CA-3231 (B)****RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Ruthie Arad vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-3231.

Approved as Recommended

[150439.](#)

**PATRICIA BRADLEY MCNAIR, AS PERSONAL REPRESENTATIVE
OF THE ESTATE OF DONTE MANDEL BRADLEY-FAULK, AND
TERRELL BRADLEY, AND RODRICK THOMPSON VS. JAMIE
REED, AND PATRIOT TRANSPORTATION HOLDING, INC. D/B/A
FLORIDA ROCK & TANK LINES, INC., AND CITY OF
GAINESVILLE, A MUNICIPALITY; EIGHTH JUDICIAL CIRCUIT,
CASE NO. 2015-CA-1619 (B)****RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Patricia Bradley McNair, as Personal Representative of the Estate of Donte Mandel Bradley-Faulk, and Terrell Bradley, and Rodrick Thompson vs. Jamie Reed, and Patriot Transportation Holding, Inc. d/b/a Florida Rock & Tank Lines, Inc., and City of Gainesville, a municipality; Eighth Judicial Circuit, Case No. 2015-CA-1619.

Approved as Recommended

[150446.](#)

**ELIZABETH HUTTO VS. CITY OF GAINESVILLE; EIGHTH
JUDICIAL CIRCUIT, CASE NO. 2015-CA-2281 (B)**

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Elizabeth Hutto vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-2281.

Approved as Recommended

[150447.](#)

ELIZABETH SYLVESTER VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-2282 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Elizabeth Sylvester vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-2282.

Approved as Recommended

[150481.](#)

RICKEY KING VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-3608 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Rickey King vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-3608.

Approved as Recommended

[150482.](#)

CHAD SMITH VS. THE CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-3459 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Chad Smith vs. The City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-3459.

Approved as Recommended

[150485.](#)

MEAGAN LAMOTHE VS. GAINESVILLE REGIONAL TRANSIT SYSTEM; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-3399 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Meagan Lamothe vs. Gainesville Regional Transit System; Eighth Judicial Circuit, Case No. 2015-CA-3399.

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE UTILITIES REGULAR AGENDA (Read if any, each item added or modified)

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Chase, that this Matter be Adopted. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

UTILITY-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)

*Jim Konish
Jo Beaty
Donald Shepherd*

GENERAL MANAGER FOR UTILITIES

150513. Third Amendment to Employment Agreement - Russ Blackburn (B)

RECOMMENDATION *The City Commission (1) approve Third Amendment to the Employment Agreement between the City and City Manager Russ Blackburn; and (2) support the transition plan as presented.*

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

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

150479. City of Gainesville/GRU Annual Employee Awards Program (B)

This is an Informational Item

Estimated Presentation Time 15 Minutes

Scott Holowasko made a presentation.

RECOMMENDATION

The City Commission hear a presentation on the 2015 City of Gainesville/GRU Annual Employee Awards Program hosted by TEAM from Event Coordinators Scott Holowasko and Michelle Vickers.

Heard

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

UTILITY ADVISORY BOARD/COMMITTEE REPORTS. Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.

UTILITY-RELATED ITEMS FROM OUTSIDE AGENCIES. Must be submitted by a Charter Officer. Update limited to ten (10) minutes.

UTILITY-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION**UTILITY-RELATED COMMISSION COMMENTS (if time permits)**

GENERAL GOVERNMENT items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.

150475.**Appointments to the Gainesville Human Rights Board, City Plan Board, Development Review Board and Board of Adjustment (B)**

Motion by Commissioner Warren, seconded by Mayor-Commissioner Pro Tem Carter to appoint Jennifer Goins to the Human Rights Board. Motion passed 6-0.

Motion by Commissioner Chase, seconded by Commissioner Goston to appoint Bryan Williams to the City Plan Board. Motion passed 4-2, with Commissioner Warren and Commissioner Budd voting no. Katie Brown spoke to the matter.

Motion by Commissioner Chase, seconded by Commissioner Budd to appoint Debra Neill-Mareci to the Development Review Board. Motion passed 5-0, with Mayor Commissioner Pro tem Carter absent. Debra Neill-Marec and Donald Shepherd spoke to the matter.

Motion by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Warren to appoint Adam Bourdeaux and Daniel Harloff to the Board of Adjustment. Motion passed 6-0.

Ralph Hilliard spoke to the matter.

RECOMMENDATION

The City Commission discuss appointments to the Gainesville Human Rights Board, City Plan Board, Development Review Board and Board of Adjustment and take appropriate action.

Discussed

[150463.](#)

Proposed Amendments to the Interlocal Agreement Creating the North Central Florida Regional Planning Council (B)

The North Central Florida Regional Planning Council has provided proposed amendments to the Interlocal Agreement creating the North Central Florida Regional Planning Council. **ESTIMATED PRESENTATION 5 MINUTES**

Motion: Approve amendments to the Interlocal Agreement.

Commissioner Goston left at 2:43 PM.

Scott Koons made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission hear comments from a representative of the North Central Florida Regional Planning Council about the proposed amendments to the Interlocal Agreement and take action as appropriate.

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Budd, that this matter be Approved, as shown above . The motion carried by the following vote:

Aye: 5 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, and Commissioner Budd

Absent: 2 - Commissioner Wells, and Commissioner Goston

[150494.](#)

Mayor Ed Braddy - Jasmin Hall EO Case. (NB)

RECOMMENDATION

The City Commission hear comments regarding Jasmin Hall's case.

Deferred

RECESS - 3:01 PM

RECONVENE - 5:33 P.M.

PLEDGE OF ALLEGIANCE

MR. BOB GASCHE

PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by Commissioner or Charter Officer

[150471.](#)

World Pancreatic Cancer Day - November 13, 2015 (B)

RECOMMENDATION

Amy Osteryoung to accept the proclamation.

Heard

[150472.](#) **Veterans Day - November 11, 2015 (B)**

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

Heard

[150473.](#) **National American Indian Heritage Month - November 2015 (B)**

RECOMMENDATION *Americans Indians Chapter Gainesville Chapter NSDAR Co Chair Marwin A. Smith to accept the proclamation.*

Heard

[150474.](#) **Hunger Awareness Month - November 2015 (B)**

RECOMMENDATION *Rodney Long to accept the proclamation.*

This matter was Postponed

[150495.](#) **Veterans Day - November 11, 2015 (B)**

RECOMMENDATION *Department of Veterans Affairs Chief of Community Affairs at the Honor Center Ms. Vianne Marchese to accept the proclamation.*

Heard

6:00 P.M.

CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as allows for 30 minutes of citizen comment)

*John Davies
Donald Shepherd
Don Glendening*

PUBLIC HEARINGS

[150379.](#) **Public Hearing to Approve the Campus Development Agreement for the University of Florida Campus Master Plan, 2015 - 2025 (B)**

In accordance with Subsection 1013.30, Florida Statutes, the University of Florida must enter into an Agreement with their host local government(s) that addresses level-of-service requirements, deficiencies and campus impacts on public services and facilities. The host local government must adopt the Agreement in a manner consistent with the requirements of Chapter 163.3225. *Estimated Staff Presentation 5 Minutes*

Motion: Approve alternative recommendation.

Ralph Hilliard and Linda Dixon made presentations.

Jim Konish spoke to the matter.

RECOMMENDATION

Recommended Motion: The City Commission: continue second public hearing to November 19, 2015 at 6:00 pm or as soon thereafter as the matter may be heard, at City Commission Auditorium, 200 E. University Avenue.

Alternative Recommendation: The City Commission approve the Campus Development Agreement and authorize the City Manager and Clerk of the Commission to execute the agreement.

A motion was made by Commissioner Warren, seconded by Commissioner Budd, that this Matter be Approved as shown above. The motion carried by the following vote:

Aye: 5-Mayor-Commissioner Pro Tem Carter, Commissioner Chase, Commissioner Warren, Commissioner Goston and Commissioner Budd

Absent: 2-Mayor Braddy, Commissioner Wells.

RESOLUTIONS- ROLL CALL REQUIRED

ADOPTION READING-ROLL CALL REQUIRED

150305.

LAND USE CHANGE - 5021 AND 4911 W UNIVERSITY AVENUE (B)

Ordinance No. 150305; Petition No. PB-15-73 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 2.84 acres of property generally located at 5021 and 4911 W University Avenue, as more specifically described in this ordinance, from Conservation (CON) to Single-Family (SF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission: (1) approve Petition No. PB-15-73 LUC; and (2) adopt the proposed ordinance.

A motion was made by Commissioner Budd, seconded by Commissioner Goston, that this Matter be Approved (Petition) and Adopted on Adoption Reading. The motion carried by the following vote:

Aye: 4- Mayor-Commissioner Pro Tem Carter, Commissioner Chase, Commissioner Goston and Commissioner Budd

Abstain: 1-Commissioner Warren

Absent: 2-Mayor Braddy and Commissioner Wells.

[150306.](#)

QUASI-JUDICIAL - REZONING - 5021 AND 4911 W UNIVERSITY AVENUE (B)

Ordinance No. 150306; Petition No. PB-15-74 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 2.84 acres of property generally located at 5021 and 4911 W University Avenue, as more specifically described in this ordinance, from Conservation (CON) to Single-Family Residential District (RSF-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms made a presentation.

RECOMMENDATION

The City Commission: (1) approve Petition No. PB-15-74 ZON and (2) adopt the proposed ordinance.

A motion was made by Commissioner Budd, seconded by Commissioner Goston, that this Matter be Approved (Petition) and Adopted on Adoption Reading. The motion carried by the following vote:

Aye: 4- Mayor-Commissioner Pro Tem Carter, Commissioner Chase, Commissioner Goston and Commissioner Budd

Abstain: 1-Commissioner Warren

Absent: 2-Mayor Braddy and Commissioner Wells.

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

TIME CERTAIN FOR FILE #140384 OF 8:00 PM

[150304.](#)

QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 420 NE 5th STREET (B)

Ordinance No. 150304

An ordinance of the City of Gainesville, Florida, finding that property located at 420 NE 5th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2016, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Ralph Hilliard made a presentation.

Jim Konish and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Budd, seconded by Commissioner Goston, that this Matter be Adopted on First Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:

Aye: 5 - Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 2 - Mayor Braddy, and Commissioner Wells

[150350.](#)

VACATION OF PUBLIC RIGHT-OF-WAY - 207 FEET OF UNIMPROVED ALLEY BETWEEN SW 7TH TERRACE AND SW 6TH STREET, SOUTH OF SW 4TH AVENUE (B)

Ordinance No. 150350; Petition PB-15-63 SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close an unimproved alley public right-of-way that extends for 207 feet between SW 7th Terrace and SW 6th Street, south of SW 4th Avenue, as more specifically described in this ordinance; reserving a utilities easement; providing a severability clause; providing a repealing clause; and providing an effective date.

Ralph Hilliard made a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-15-63 SVA; and 2) adopt the proposed ordinance.*

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

Aye: 5 - Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 2 - Mayor Braddy, and Commissioner Wells

[150395.](#)

DEFINING AND ALLOWING MEDICAL MARIJUANA DISPENSARIES IN CERTAIN ZONING DISTRICTS (B)

Ordinance No. 150395, Petition PB-15-80 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to allow Medical Marijuana Dispensaries, as defined in this ordinance, as a permitted use in certain zoning districts; by amending Section 30-23 to add definitions; by amending the following zoning districts to add Medical Marijuana Dispensaries as a permitted use by right: Office Residential District (OR), General Office District (OF), General Business District (BUS), Mixed-Use Low Intensity District (MU-1), Mixed-Use

Medium Intensity District (MU-2), Urban Mixed-Use District 1 (UMU-1), Urban Mixed-Use District 2 (UMU-2), Central City District (CCD), Medical Services District (MD), and Corporate Park District (CP); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Dean Mimms made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-15-80 TCH; and 2) adopt the proposed ordinance.*

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

Aye: 5 - Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 2 - Mayor Braddy, and Commissioner Wells

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

150418.

Rezone from UMU-2 (10-100 units/acre and up to 25 additional units/acre by special use permit, urban mixed-use district) to PD (Planned development district) (B)

Petition PB-15-69 PDV. City Plan Board. Rezone property from UMU-2 (10-100 units/acre and up to 25 additional units/acre by special use permit, urban mixed-use district) to PD (Planned development district) to allow a restaurant with a drive-through. Located at 1206 W. University Avenue. *Expected presentation time 10 minutes*

Commissioner Wells arrived at 7:35 PM.

Motion by Commissioner Warren, seconded by Commissioner Budd to approve recommendation. Motion deadlocked 3-3, with Mayor Braddy, Mayor Commissioner Pro Tem Carter, and Commissioner Chase voting no.

Motion: Continue the petition until December 3, 2015.

Ralph Hilliard, Bedez Massey, Wade Olszewski, Sandra Gorman, Brady Lasar and Kimberly Seyer made presentations.

Tom Benton, Jay Hoge, Donald Shepherd, and Kathy Benton spoke to the matter

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PB-15-69 PDV with the proposed PD Report and PD Layout Plan Map, subject to the conditions in the staff report and Appendix E (Technical Review Committee Conditions), with the provision that driveways*

and interior circulation can be adjusted at development plan review, if necessary, and subject to final development plan review by the City Plan Board.

The City Plan Board voted 3-2.

Staff to City Commission - The City Commission approve the City Plan Board recommendation.

Alternative Recommendation - The City Commission approve the City Plan Board recommendation with final development plan review by staff in accordance with the City Land Development Code.

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Budd, that this Matter be Continued (Petition). The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, and Commissioner Budd

Absent: 1 - Commissioner Goston

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

[140384.](#)

GRU GOVERNANCE - UTILITY ADVISORY BOARD CREATION (B)

Ordinance No. 140384

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to repeal the existing Energy Advisory Committee and create a new Utility Advisory Board to assist with governance of the City's electric, gas, telecommunications, water and wastewater utilities; by repealing the text within the existing Division 7. of Article V. Boards, Commissions and Committees of Chapter 2 Administration and replacing it with text that creates the Utility Advisory Board; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Lisa Bennett made a presentation.

Jim Konish, Nancy Deren and John Flemming spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

150512. **Utility Governance Alternatives (NB)**

Jim Konish and Nancy Daren spoke to the matter.

RECOMMENDATION *Discuss utility governance alternatives.*

Discussed

150514. **SELECT AN INTERIM CITY MANAGER**

Motion by Mayor Commissioner Pro Tem Carter, seconded by Commissioner Chase to appoint Anthony Lyons as the Interim City Manager and authorize the Mayor to negotiate an agreement. Motion passed 7-0.

Motion by Mayor Commissioner Pro Tem Carter, seconded by Commissioner Chase to authorize Human Resources to engage the services of an executive search firm currently on retainer with the City to initiate a search for a City Manager. Motion passed 7-0.

Fred Murry and John Fleming spoke to the matter.

RECOMMENDATION *The City Commission (1) select an Interim City Manager; and (2) authorize the Mayor to negotiate an agreement with the selected candidate.*

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

UNFINISHED BUSINESS**COMMISSION COMMENTS**

Commissioner Budd - 1) Criteria for extending gas lines; and 2) Thank you to Russ Blackburn

Commissioner Chase - 1) Bus Service on 43rd Avenue; and 2) Thank you to Russ Blackburn

Commissioner Goston - CRA Relationship/Minority Contractors

Commissioner Warren - Thank you to Russ Blackburn

Mayor Commissioner Pro Tem Carter - Thank you to Russ Blackburn

Commissioner Wells - Thank you to Russ Blackburn

Mayor Braddy - Thank you to Russ Blackburn

150516. **Mexican Restaurant/Sprinkler System**

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Budd, seconded by Commissioner Wells, that this Matter be Referred to the Public Safety Committee, due back on

5/5/2016. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

[150517.](#)

Driveway/Cut in Road

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Budd, seconded by Commissioner Wells, that this Matter be Referred to the Community Development Committee, due back on 5/5/2016. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

CITIZEN COMMENT (If time permits)

ADJOURNMENT - 10:49 PM

Kurt Lannon, Clerk of the Commission