

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Final

Thursday, April 2, 2015

1:00 PM

City Hall Auditorium

## City Commission

*Mayor Ed Braddy (At Large)*  
*Commissioner Lauren Poe (At Large)*  
*Commissioner Helen Warren (At Large)*  
*Commissioner Yvonne Hinson-Rawls (District 1)*  
*Mayor-Commissioner Pro Tem Todd Chase (District 2)*  
*Commissioner 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-1:09PM**

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

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

Prophet George Young

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

*Item #140763 Pulled from consent and placed on future agenda  
Jo Beaty spoke to the matter.*

**A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Wells, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:**

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

**CITY MANAGER, CONSENT AGENDA ITEMS**

[140762.](#)

**Bid Award - Maintenance of Traffic Signal Mast Arms to include Painting and Regalvanizing (B)**

**This item is a request for the City Commission to authorize the bid award to Viktor Construction Corp for the Maintenance of five Traffic Signal Mast Arms, to include painting, regalvanizing and other associated tasks along West University Avenue and SW 34th Street in the amount of \$84,750.**

**RECOMMENDATION**

*The City Commission: 1) award the bid award to Viktor Construction Corp for the Maintenance of five Traffic Signal Mast Arms; and 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.*

**Approved as Recommended**

[140763.](#)

**License Plate Recognition (LPR) System Hardware for Parking Enforcement (B)**

**This item is a request to purchase License Plate Recognition (LPR) system hardware for parking enforcement.**

RECOMMENDATION      *The City Commission authorize purchase of the License Plate Recognition system hardware.*

**Postponed**

[140764.](#)

**Human Resources Policy L-8, Military Leave (B)**

**This item is to amend HR Policy L-8, to renew Military Leave benefits through March 2016.**

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

**Approved as Recommended**

[140773.](#)

**Land and Water Conservation Fund Grant (NB)**

**This item involves a request for the Parks, Recreation and Cultural Affairs (PRCA) Department to accept a Land and Water Conservation Fund Grant from the National Park Service through the Florida Department of Environmental Protection, if awarded, to support development of Hogtown Creek Headwaters Nature Park.**

RECOMMENDATION      *The City Commission: 1) approve the request to accept a grant, if awarded, from the National Park Service through the Florida Department of Environmental Protection; and 2) if the grant is 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**

[140802.](#)

**Grant Application to St. Johns River Water Management District - FY 2015-2016 Cost Sharing Funding Program (B)**

**This item is a request for approval for Public Works to submit a grant application to the St. Johns River Water Management District's FY 2015-2016 Cost Sharing Funding Program.**

RECOMMENDATION      *The City Commission: 1) authorize the City Manager or designee to submit an application with the St. Johns River Water Management District Cost Sharing Funding Program for the NE 2nd Street Reconstruction and Stormwater Pocket Park Project; and 2) if the grant is awarded, authorize the City Manager to execute all related documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

[140815.](#) **Human Resources Policies E-1: Employment, G-2: Code of Ethical Standards, 28: Code of Ethical Standards, 31: Honorariums, L-2: General Leave Policies, L-3: Paid Time Off Leave System, and L-4: Designated Leave System (B)**

**This item is to amend HR Policy E-1: Employment; implement HR Policy G-2: Code of Ethical Standards; sunset HR Policy 28: Code of Ethical Standards; sunset HR Policy 31: Honorariums; update HR Policy L-2: General Leave Policies; update HR Policy L-3: Paid Time Off Leave System; and update HR Policy L-4: Designated Leave Policy.**

**RECOMMENDATION** *The City Commission approve revisions to Human Resources Policies E-1, G-2, 28, 31, L-2, L-3 and L-4.*

**Approved as Recommended**

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

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

[140807.](#) **AKIRA WOOD, INC. A FLORIDA PROFIT CORPORATION AND THE BAIRD CENTER ASSOCIATION, INC., A FLORIDA NOT FOR PROFIT CORPORATION V. ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC. A FOREIGN CORPORATION, CITY OF GAINESVILLE, A MUNICIPAL CORPORATION, D/B/A GAINESVILLE REGIONAL UTILITIES, TANKTEK, INC. A FLORIDA PROFIT CORPORATION D/B/A ENVIROTEK AND STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, A POLITICAL DEPARTMENT OF THE STATE OF FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-710 (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to represent the City in the case styled Akira Wood, Inc. a Florida Profit Corporation and The Baird Center Association, Inc., a Florida not for profit corporation v. Environmental Consulting & Technology, Inc. a foreign corporation, City of Gainesville, a municipal corporation, d/b/a Gainesville Regional Utilities, Tanktek, Inc. a Florida profit corporation d/b/a Envirotek and State of Florida Department of Environmental Protection, a Political Department of the State of Florida; Eighth Judicial Circuit, Case No. 2015-CA-710*

**Approved as recommended**

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

[140845.](#) **City Commission Minutes (B)**

RECOMMENDATION

*The City Commission approve the minutes of February 19, 23, 24, 25, 26, March 2, 5, and 9, 2015.*

**Approved as Recommended**

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**END OF CONSENT AGENDA**

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

*Amendment: Waive rules and hear item #140384 GRU Governance immediately after citizen comment in the evening.*

*Donald Shepherd spoke to the matter.*

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

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

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

*Jim Konish*

*Comm Carter moved and Comm Wells seconded to appropriate \$50,000 from fund balance for Blue Ribbon Committee support.*

*Motion carried 7-0 with Jo Beaty, Jim Konish and Donald Shepherd speaking to the matter.*

**GENERAL MANGER FOR UTILITIES**

**[130621.](#) Selection of General Manager-Utilities (NB)**

*Cheryl McBride made a presentation.*

*Motion: Dickerson, Byleroski and McGarrah selected as top (3) unranked candidates and item continued to 4/16/15*

*Jim Konish, Joe Beaty and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *The City Commission select the next General Manager-Utilities (and second choice if deemed appropriate), and authorize the Mayor to negotiate a contract with the successful candidate.*

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

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

[140862.](#)

**Bid Protest for the Contract for Transportation and Beneficial Reuse or Disposal of Dewatered Biosolids (B)**

*JoAnne Dorval, Ron Herget, Jeff Braswell, Shayla McNeill and Larry Watson made presentations.*

*T.R Haneline, Jim Konish and Donald Shepherd spoke to the matter.*

*Motion: Affirm the purchasing decision*

**RECOMMENDATION**      *The City Commission hear the appeal from Watson C&D, LLC regarding a bid protest for the recommendation to award a contract for transportation and beneficial reuse or disposal of dewatered biosolids.*

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

**Aye:** 6 - Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

**Nay:** 1 - Mayor Braddy

[100576.](#)

**Contract for Transportation and Beneficial Reuse or Disposal of Dewatered Biosolids (B)**

**\*\*Estimated Presentation Time 10 Minutes\*\***

*Tony Cunningham made a presentation.  
Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) authorize the Interim General Manager, or her designee, to negotiate and execute a five-year contract with GreenTechnologies, LLC for transportation and beneficial reuse or disposal of dewatered biosolids and; 2) approve the issuance of purchase orders in amounts not to exceed budgeted amount for each year of the contract, subject to the final appropriation of funds for each year.*

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

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

[140843.](#)

**Gainesville Regional Utilities Internally Prepared Financial Statements for the Period Ended December 31, 2014. Gainesville Regional Utilities Supplementary Data for the Period Ended December 31, 2014 (B)**

**\*\*Estimated Presentation Time is 20 Minutes\*\***

*David Richardson made a presentation.*

*Jim Konish spoke to the matter.*

**RECOMMENDATION**

*The City Commission receive and approve the financial statements and supplementary data.*

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

**Aye:** 6 - Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

**Absent:** 1 - Mayor Braddy

[140680.](#)

**Policy Direction on Alternative Budget for Fiscal Year 2016 (B)**

**\*\*Estimated Presentation Time 20 Minutes\*\***

*Scott Schlossman made a presentation.*

**RECOMMENDATION**

*1) The City Commission receive a presentation from staff on the factors related to a cost recovery shift of GREC PPA costs from Fuel Adjustment to Base Rates; the City Commission direct GRU and General Government staff, based on the BRFA recommendation, to develop two budget versions for City Commission review during budget hearings; and*

*2) The City Commission provide direction to GRU and General Government staff on how to use utility tax increases in the alternative budget, specifically whether increases in utility tax revenues should be used to reduce the General Fund Transfer or for some other purpose.*

**Heard**

[130957.](#)

**Power Supply Planning (Power 2020) (B)**

**This item is informational only.**

**\*\*Estimated Presentation Time 15 Minutes\*\***

RECOMMENDATION

*The City Commission receive a presentation on GRU's plan to meet customers' future energy demands.*

Continued to April 16, 2015.

**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.

[140771.](#) **Development Services Center (DSC) (B)**

**This is a request for the City Commission to hear a presentation on implementing a Development Services Center. \*\*ESTIMATED STAFF PRESENTATION 8 MINUTES\*\***

RECOMMENDATION

*City Commission: 1) Hear a presentation from staff to consider moving forward with a proposed DSC; and 2) Take action deemed appropriate.*

*Staff to City Commission: The City Commission approve the proposed DSC concept and accept Staff's recommendations as follows: a) Authorize the City Manager to use General Fund Fund balance for professional services necessary to aid in the creation of a final draft budget (not to exceed \$100,000); b) Direct the City Manager to prepare and bring forward a Final Draft Budget for Commission approval to implement the DSC; and c) Authorize the City Manager, following budget approval, to prepare a Strategic Initiative to monument the creation of the DSC.*

Continued to April 16, 2015.

[140737.](#) **State Infrastructure Bank (SIB) Loan Application (B)**

**This item is a request to authorize the City Manager or his designee to**

**apply for a State Infrastructure Bank (SIB) loan agreement to purchase buses and cutaway vans for the Regional Transit System (RTS).**

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

RECOMMENDATION

*The City Commission: 1) authorize the City Manager or his designee to apply for a State Infrastructure Bank (SIB) Loan with the Florida Department of Transportation (FDOT) to purchase buses and vans; and 2) authorize the City Manager or his designee to seek approval from the Metropolitan Transportation Planning Organization (MTPO) for use of Surface Transportation Program (STP) funds for SIB loan repayment.*

Continued to April 16, 2015.

**5:30 P.M.**

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

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

140842. **Special Recognition of GRU Camp EmPower Students (NB)**

RECOMMENDATION

*The City Commission hear a presentation from staff and Camp EmPower students.*

Heard

140822. **Presentation to United Way of North Central Florida on Behalf of General Government and GRU Employees (NB)**

**This is a request for the City Commission to allow staff to make a presentation to the United Way of North Central Florida. \*ESTIMATED STAFF PRESENTATION 10 MINUTES\***

RECOMMENDATION

*General Government and GRU employees make a presentation to the United Way of North Central Florida.*

Heard

140847. **Child Abuse Prevention Month - April 2015 (B)**

RECOMMENDATION

*Alachua County Child Abuse Prevention Task Force Chair Cathy Winfrey and Member Jenn Petion 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)**

*Jim Konish  
Gina Hawkins  
Issac Hayes  
Earl Young  
John Davies  
Gabriel Hillell  
Annie Orlando*

*Comm Wells moved and Comm Poe seconded to waive the rules to hear additional GRU items 140843, 140680 and 130957 immediately following GRU Governance item. Motion carried 7-0.*

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

[140827.](#)

**RESOLUTION ACCEPTING REPORT OF BOARD OF CANVASSERS  
- ELECTIONS 2015 (B)**

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 17, 2015; and providing an immediate effective date.

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

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

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

**TRANSMITTAL HEARINGS - ROLL CALL REQUIRED**

[140693.](#)

**COMPREHENSIVE PLAN AMENDMENT - HISTORIC  
PRESERVATION MAP SERIES (B)**

Ordinance No. 140693; Petition No. PB-14-166 LUC  
An ordinance amending the Historic Preservation Map Series in the Future Land Use Element of the City of Gainesville Comprehensive Plan by deleting the five historic district maps and replacing with five new historic district maps; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**RECOMMENDATION**

*The City Commission: 1) approve Petition No. PB-14-166 LUC; and 2) adopt the proposed ordinance.*

**A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Approved (Petition) and Adopted (Ordinance) on Transmittal Hearing, as amended. The motion carried by the following vote:**

**Aye:** 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, and Commissioner Wells

**Absent:** 1 - Commissioner Chase

**140379.****LAND USE CHANGE - DEERHAVEN GENERATING STATION AREA (B)**

Ordinance No. 140379; Petition No. PB-14-73 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 2,327.59 acres of property that is generally located west of State Road 121 and north and east of the GRU Deerhaven Generating Station, as more specifically described in this ordinance, from Alachua County Rural/Agriculture (AG) to City of Gainesville Public and Institutional Facilities (PF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**RECOMMENDATION**

*The City Commission: (1) approve Petition No. PB-14-73 LUC; and (2) adopt the proposed ordinance.*

**A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Approved (Petition) and Adopted (Ordinance) on Transmittal Hearing. The motion carried by the following vote:**

**Aye:** 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, and Commissioner Wells

**Absent:** 1 - Commissioner Chase

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****140380.****QUASI-JUDICIAL - REZONING - GRU DEERHAVEN GENERATING STATION AREA (B)**

Ordinance No. 140380; Petition No. PB-14-74 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 2,327.59 acres of property that is generally located west of State Road 121 and north and east of the GRU Deerhaven Generating Station, as more specifically described in this ordinance, from Alachua County Agriculture District (A) to City of Gainesville Public Services and Operations District (PS); providing directions to the City

Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**RECOMMENDATION**      *The City Commission: (1) approve Petition No. PB-14-74 ZON; and (2) adopt the proposed ordinance.*

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

**Aye:** 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, and Commissioner Wells

**Absent:** 1 - Commissioner Chase

## **TRANSMITTAL HEARING - ROLL CALL REQUIRED**

[140695.](#)

### **LAND USE CHANGE - NORTH OF MORNINGSIDE NATURE PARK (B)**

Ordinance No. 140695; Petition No. PB-14-162 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 97.8 acres of property that is generally located north of Morningside Nature Center, as more specifically described in this ordinance, from Alachua County Institutional (INST) to City of Gainesville Conservation (CON); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**RECOMMENDATION**      *The City Commission: (1) approve Petition No. PB-14-162 LUC; and (2) adopt the proposed ordinance.*

**A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Approved (Petition) and Adopted (Ordinance) on Transmittal Hearing. The motion carried by the following vote:**

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

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

[140697.](#)

### **QUASI-JUDICIAL " REZONING " NORTH OF MORNINGSIDE NATURE PARK (B)**

Ordinance No. 140697; Petition No. PB-14-163 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 97.8 acres of property that is generally located north of Morningside Nature Center, as more specifically described in this ordinance, from Alachua County Agriculture (A) to City of Gainesville Conservation District (CON); providing directions to the City Manager;

providing a severability clause; providing a repealing clause; and providing an effective date.

**RECOMMENDATION**      *The City Commission: (1) approve Petition No. PB-14-163 ZON; and (2) adopt the proposed ordinance.*

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

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

[140694.](#)

**UPDATE THE 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS (B)**

Ordinance No. 140694; Petition No. PB-14-164 CPA

An ordinance updating Table 14: 5-Year Schedule of Capital Improvements in the Capital Improvements Element of the City of Gainesville Comprehensive Plan; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**RECOMMENDATION**      *The City Commission: 1) approve Petition No. PB-14-164 CPA; and 2) adopt the proposed ordinance.*

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

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

[140190.](#)

**ALLOWING AND REGULATING FOOD TRUCKS IN CERTAIN ZONING DISTRICTS (B)**

Ordinance No. 140190, Petition PB-14-165 TCH

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to allow and provide regulations for food trucks as a temporary use on private property; by amending Section 2-339 to provide civil citation penalties for vending booths and food trucks; by amending Chapter 19, Article IV - Vending Booths and Itinerant Vendors to delete provisions regarding Itinerant Food Vendors; by amending the definition of Food Truck in Section 30-23; by amending the permitted uses in the following zoning districts to add Food Trucks as a permitted use by right: Office Residential District (OR), General Office District (OF), General Business District (BUS), Automotive-oriented Business District (BA), Tourist-oriented Business District (BT), 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), Business Industrial District (BI), Warehousing and Wholesaling District (W), Limited Industrial District (I-1), General Industrial District (I-2), Public Services and

Operations District (PS), Airport Facility District (AF), and Corporate Park District (CP); by amending Section 30-125 to provide regulations for food trucks; by amending Appendix A - Schedule of Fees, Rates and Charges to provide a permit fee for food truck special events; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION**      *The City Commission: 1) approve Petition No. PB-14-165 TCH; and 2) adopt the proposed ordinance.*

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

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

[140661.](#)

**TEXT CHANGE - ADOPTION OF PUBLIC WORKS DESIGN MANUAL (B)**

Ordinance 140661; Petition No. PB-14-123 TCH

An ordinance of the City of Gainesville, Florida, adopting the City of Gainesville Engineering Design and Construction Manual in accordance with Section 30-14 of the Land Development Code to provide detailed design guidelines and specifications for the construction of physical improvements in the City; amending Section 30-14 of the Land Development Code regarding adoption of the Design Manual; amending Section 30-192 to delete a reference to the Design Manual; deleting Section 30-270 of the Land Development Code regarding design guidelines and specifications for the construction of stormwater management facilities; amending Section 30-336 to update certain references to the Design Manual; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION**      *The City Commission: 1) approve Petition PB-14-123 TCH, and 2) adopt the proposed ordinance.*

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

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

[140618.](#)

**VOLUNTARY ANNEXATION - CITY AND STATE-OWNED LAND THAT ENCOMPASSES THE PAYNES PRAIRIE SHEETFLOW RESTORATION PROJECT (B)**

Ordinance No. 140618

An ordinance of the City of Gainesville, Florida, annexing a certain portion of the City of Gainesville urban reserve area that includes city-owned Tax Parcel

Nos. 15672-002-001 and 16246-001-001, state-owned Tax Parcel No. 15672-001-000, and a portion of state-owned Tax Parcel Nos. 16246-003-001, 16246-001-000, 16258-042-000 and 16257-000-000, which are generally located south of Southeast Williston Road, west of the Gainesville-Hawthorne State Trail, north of Tax Parcel Nos. 16287-000-000 and 16286-000-000, and east of the intersection of South Main Street and Southwest Williston Road, as more specifically described in this ordinance, as petitioned for by the property owners pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; 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 Carter, that this Matter be Approved and Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

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

### 140721.

#### **Hatchett Creek Planned Use District - Time Extension (B)**

Ordinance No. 140721

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 100776 to extend certain time limits to apply for and obtain Planned Development District (PD) zoning for the Hatchett Creek Planned Use District (PUD); 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 Carter, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

### 130515.

#### **QUASI-JUDICIAL - PLANNED DEVELOPMENT AMENDMENT - GAINESVILLE MIXED-USE DEVELOPMENT ON NW 13TH**

**STREET" (B)**

Ordinance No. 130515; Petition PB-13-85 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning to Planned Development District (PD) approximately 1.67 acres of property located at 1226 NW 3rd Avenue, 303 NW 13th Street, 1249 NW 4th Avenue and 1227 NW 4th Avenue, as more specifically described in this ordinance; adopting PD maps, a PD report, and development conditions; providing for enforcement; 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 Carter, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**PLAN BOARD PETITIONS****140813.****Appeal of Historic Preservation Board denial of Petition HP-15-02 (B)**

**Petition HP-15-02. Causseaux, Hewett, & Walpole, Inc., agent for RBLWP Parcel D, LLC. Demolish a single-family dwelling. Located at 1227 NW 4th Avenue. This building is contributing to the University Heights Historic District North. \*\*expected presentation time 5 minutes\*\***

*Jason Simmons, David Theriaque, Gerry Dedenbach, Kyle Chesire, Tim LaRue, Attila Bodo and Michelle Gazan made presentations.*

*Bill Warinner, Charlotte Blake, Michelle Hazer and Melanie Barr spoke to the matter.*

*Motion: Approve staff recommendation to demolish and salvage resources and reverse Historic Preservation Board decision and to approve certificate of appropriateness for the petitioner and advise owner to recycle salvageable materials to the extent feasible.*

**RECOMMENDATION**

*The City Commission: 1) hear the appeal of the decision of the Historic Preservation Board; and 2) affirm, amend, or reverse the decision of the Historic Preservation Board.*

**A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Carter, that this Matter be Approved, as shown above. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Poe

[140878.](#)

Due diligence and deterioration in historic properties

**RECOMMENDATION***Refer to Committee*

**A motion was made by Commissioner Warren, seconded by Commissioner Carter, that this Matter be Referred to the Community Development Committee, due back on 10/2/2015. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Poe

**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS**[140384.](#)**GRU Governance (B)**

*Lisa Bennett made a presentation.*

*Jim Konish, Jo Beaty, Annie Orlando, Harvey Budd, Nancy Deren and Paula Stahmer spoke to the matter.*

*Comm Poe moved and Comm Warren seconded to:*

- 1. Authorize the City Attorney to draft an ordinance that encompasses the recommendation made in the back-up called "Outline of Proposed Advisory Committee". Motion carried 6-1 with Mayor Braddy voting no.*
- 2. Ask the Legislature to place a referendum question on the November 2016 ballot to indicate whether they want to continue with the new governance model implemented in Gainesville or move to an independent governing board. Motion carried 7-0.*

**RECOMMENDATION**

*The City Commission: 1) Discuss creating a utility advisory board; and 2) if consensus is reached, direct the City Attorney to prepare a conceptual ordinance and place it on the April 2 Regular City Commission Meeting for review and further discussion.*

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

**COMMISSION COMMENT****CITIZEN COMMENT (If time permits)****ADJOURNMENT-12:29AM**

