

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, March 5, 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, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

AGENDA STATEMENT

ROLL CALL

INVOCATION

Prophet George Young

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

Jim Konish and Jo Beaty spoke to the matter.

A motion was made by Commissioner Carter, seconded by Commissioner Warren, 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, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

CITY MANAGER, CONSENT AGENDA ITEMS

[140689.](#) Evaluation Rankings for SW 62nd Blvd 4-Lane Arterial Connector (B)

This item is a request for the City Commission to approve the ranking of Engineering firms/teams and authorizing staff to begin negotiations for the Project Development & Environmental Study (PD&E) for the SW 62nd Blvd project.

RECOMMENDATION

The City Commission: 1) accept the selection of the two most qualified firms in the order of ranking; 2) authorize the City Manager or designee to initiate contract negotiations and execute a contract for professional services in accordance with Consultants Competitive Negotiation Act (CCNA); and 3) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[140703.](#) Strategic Plan Quarterly Report - 1st Quarter of Fiscal Year 2015 (B)

This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 1st quarter of Fiscal Year 2015.

RECOMMENDATION

The City Commission receives a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 1st quarter of FY 2015.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[140743.](#)

Easement to the State of Florida Department of Transportation (B)

RECOMMENDATION

The City Commission: 1) Authorize the Mayor to execute a perpetual easement on behalf of the City of Gainesville to the Florida Department of Transportation for a traffic mast arm and related equipment at the SE corner of SW 37th Boulevard and SW Archer Road, subject to approval as to form and legality by the City Attorney.

Approved as Recommended

[140746.](#)

Annual Contract for Horizontal Directional Drilling (B)

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to execute annual contracts for a three-year period with D&D, Inc. as the primary contractor, and General Underground, LLC as the secondary contractor, for horizontal directional drilling services, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to D&D, Inc. and General Underground, LLC in amounts not exceeding budgeted amounts for each year of the contract, subject to the appropriation of funds for these services for each fiscal year of the contract.

Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

[140748.](#)

Cornelius Minafield and Eula Daniels v. City of Gainesville; Case No. 2014-CA-1958; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)

RECOMMENDATION

The City Commission: 1) approve the terms of the mediated settlement; and 2) authorize the City Attorney to settle the claims of Cornelius Minafield and Eula Daniels arising from an accident that occurred on or about November 25, 2012.

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[140760.](#) **City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of January 15 and February 5, 2015.*

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****AUDIT & FINANCE COMMITTEE, CONSENT**[140598.](#) Fire Assessment Hardship Assistance Program (B)

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission:*

1) Direct staff to enhance outreach to low income families and seniors regarding the Fire Assessment Hardship Assistance Program through communication methods such as ElderCare, the Senior Recreation Center, the Alachua County Schools Free and Reduced Lunches program, neighborhood watch programs, local churches and ministerial alliances, etc.; and

2) Remove this item from the referral list.

Approved as Recommended

[140736.](#) Review of Stormwater Management Utility Revenues (B)

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission:*

1) Accept the City Auditor's report and the response from the City Manager, and

2) Instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit and Finance Committee.

Approved as Recommended

[140735.](#) Report on the Status of Outstanding Audit Recommendations for February 2015 (B)

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission:*

1) accept the City Auditor's report, and

2) Establish a referral to the Legislative and Organizational

Policy Committee regarding "Rehiring of Retirees" and direct the Charter Officers to provide a draft policy to the Committee codifying the parameters in which City retirees may be rehired.

Approved as Recommended

[140710.](#)

External Quality Control Review of the City Auditor's Office for the period October 2011 through September 2014 (B)

RECOMMENDATION

The Audit and Finance Committee recommends the City Commission accept the External Quality Control Review report prepared by the Association of Local Government Auditors Review Team and the City Auditor's response.

Approved as Recommended

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

[140733.](#)

Depot Park Construction Administration Contract (B)

This item is for a Construction Administration contract for Depot Park construction by the CRA, acting as agent for the City of Gainesville. This item was previously approved by the CRA Board on February 16, 2015 and due to City Funding sources being utilized, requires City Commission approval.

RECOMMENDATION

CRA Board to the City Commission: Approve the JBrown Professional Group proposal for Depot Park Construction Administration for the amount of \$179,654.00, and authorize the CRA Executive Director to execute all pertinent documents subject to form and legality by the CRA Attorney.

Approved as Recommended

END OF CONSENT AGENDA

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

Donald Shepherd spoke to the matter.

A motion was made by Commissioner Hinson-Rawls, 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, Commissioner Carter, Commissioner Warren, Commissioner Wells, and Mayor-Commissioner Pro Tem Chase

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

Jim Konish

Cody Anderson
Jo Beaty

GENERAL MANAGER FOR UTILITIES

140744. **Gainesville Regional Utilities Fiscal Year 2014 Audited Financial Statements (B)**

*Ron Whitesides and David Richardson made presentations.
Jim Konish, Nathan Skop, Jo Beaty and Donald Shepherd spoke to the matter.*

RECOMMENDATION *The City Commission receive and accept the financial report, financial statements, auditors' reports, and communication with those charged with governance.*

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

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

Absent: 1 - Mayor Braddy

140749. **Fiscal Year 2014 Operating Results (B)**

*David Richardson made a presentation.
Nathan Skop and Jim Konish spoke to the matter.*

RECOMMENDATION *The City Commission receive a presentation from staff discussing the operational results.*

Heard

140826. GRUCOM Expansion

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Wells, that this Matter be Referred to the Regional Utilities Committee, due back on 9/5/2015. The motion carried by the following vote:

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

Absent: 1 - Commissioner Carter

140747. **Engineering Services for Water Plant Electrical System (B)**

Debbie Dockery made a presentation.

RECOMMENDATION *The City Commission:*
1. Approve the final ranking of engineering firms in the given order of preference for professional engineering services for

the design of the Murphree Water Treatment Plant Electrical System Upgrade Project; and

2. Authorize the Interim General Manager, or her designee, to initiate contract negotiations with the top ranked firm in accordance with the Consultants' Competitive Negotiation Act (CCNA); and

3. Authorize the Interim General Manager, or her designee, upon successful negotiations, to execute a contract with the top ranked firm, subject to approval of the City Attorney as to form and legality, and final appropriation of funds for each year of the project.

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

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

Absent: 1 - Mayor-Commissioner Pro Tem Chase

140750.

Kanapaha Water Reclamation Facility Screen Replacement Project (B)

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 execute a contract for screening equipment with Hydro-Dyne Engineering, Inc., subject to approval by the City Attorney; and 2) approve the issuance of a purchase order for the screening equipment to Hydro-Dyne Engineering, Inc. in the amount of \$847,000.

Approved as Recommended

Aye: 5 - Mayor Braddy, Commissioner Poe, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 2 - Commissioner Hinson-Rawls, and Mayor-Commissioner Pro Tem Chase

130621.

Discuss General Manager-Utilities Interview Scheduling and Candidates (B)

Cheryl McBride made a presentation.

Jim Konish and Nathan Skop spoke to the matter.

RECOMMENDATION

The City Commission (1) discuss General Manager-Utilities candidates and interview scheduling, and take any action deemed appropriate; and (2) authorize the H. R. Department to work with the Clerk of Commission to schedule special meetings to interview General Manager-Utilities candidates on March 24 and 25, 2015.

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

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

Absent: 1 - Mayor-Commissioner Pro Tem Chase

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

BASE RATES & FUEL ADJUSTMENT COMMITTEE

[140680.](#)

BRFA Final Report and Recommendations (B)

Comm Wells moved with Comm YHR seconding to waive the rules to hear this item next. Motion carried 6-0 with Comm Chase absent.

Nathan Skop, Jim Konish, Jo Beaty and Donald Shepherd spoke to the matter.

Motion: Dissolve Committee

RECOMMENDATION

1) *The City Commission receive a report from Commissioner Poe (Chair of the BRFA Committee) and determine which of the following recommendations can likely be determined by the City Commission most expeditiously;*

2) *which recommendations, if any, warrant a more comprehensive discussion at a future meeting; and*

3) *identify a schedule to consider these items prior to, and in preparation for budget meetings starting in July. [Note: GRU Staff anticipates presenting the Cost of Service Study results at the April 9th RUC meeting, and the May 7th City Commission Meeting].*

The approved recommendations from the BRFA are as follows:

Strategy on Connect-Free Program Options

BRFA recommends that the committee seek consensus from the full City Commission in order to create a dedicated fund for FY 16 under General Government control. BRFA recommends the focus of the program be low income residents, feasible locations, dense population and possibly non-profits that offer significant public benefit. Currently, only city residents can participate in Connect-Free. BRFA recommends that the City Commission allow both city and county residents to participate. The City Commission should develop criteria for use of program funds by non-profits and also discuss whether to establish a per customer cap and evaluate that cap annually.

Recovery of GREC PPA Costs Through Fuel Adjustment vs. Base Rates

BRFA recommends that upcoming 2015 cost of service study report prepared by the rate consultant outline the pros and cons of recovering GREC PPA fixed costs through fuel adjustment rates or retail base rates. BRFA recommends

having GRU & GG present the upcoming FY 16 Budget under two sets of circumstances: 1) Recover fixed costs of GREC's PPA as it currently exists through the Fuel Adjustment rate; 2) Recover fixed costs of GREC's PPA through retail base rates. Since base rates are subject to city and county utility taxes as well as the electric surcharge in the unincorporated area, the latter scenario would result in a net increase in taxes to General Government and Alachua County. This would also result in a net increase to customers who pay those taxes and surcharges. Increased electric surcharge revenues would accrue to GRU, but due the way the Fuel Adjustment is calculated in the City of Alachua wholesale contract, those revenues would decrease by a larger amount than the increased electric surcharge receipts (that are retained by GRU). There are other options the committee discussed that could exempt a portion of electric usage from utility tax assessment or lower the utility tax and surcharge rates in order to keep utility tax and surcharge revenues neutral should the Commission desire that as an outcome.

Residential Electric Rate Structure - Tiering Alternatives
BRFA recommends a policy that the range for cost vs. revenue of residential versus non-residential rate classes be limited to 0 - 5 percent as determined by the cost-of-service study. BRFA recommends establishing residential electric rate structure at two tiers, breaking at 750 kWh per month for both the base rate and fuel adjustment rate - with a one cent per kWh differential on the fuel adjustment tiered rate. BRFA recommends referring a citizen suggestion - that a discussion on equity issues regarding those residential customers with natural gas and without natural gas be referred to the Regional Utilities Committee.

Multi-family Water Rate Structure
BRFA recommends developing appropriate cost recovery methodologies for this group of water customers whether through consumption charges, customer charges, or combination of the two. Utilize the results of the upcoming cost of service study by consultant for determination of cost-based service in relation to other users within the water system. BRFA recommends considering an additional phase-in approach to any future increases in revenue requirements and rate designs in upcoming budget cycles specific to this subset of water customers. Finally, maintain involvement and keep interested stakeholders informed and engaged of the rate setting and budget process.

Billing and Collection of General Government Stormwater & Refuse Services on GRU Bill
BRFA recommends that the suggestion to bill and collect stormwater and refuse services through an alternate method not be given further consideration and that these services continue to be billed on GRU's monthly bill. The basis for this recommendation is that the current classification of these fees as user charges to the tenant on the monthly utility bill is

reasonable and allowable by law. A move to billing and collecting through the tax collector's office categorizes the charges as special assessments to property owners, to be collected in one annual lump sum. It was determined that there was not sufficient reason to support changing the billing and collection process for stormwater and refuse services to an alternative method.

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

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

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 BY THE MAYOR, A CITY COMMISSIONER OR A CHARTER OFFICER.

[140761.](#)

Nominations - Library District Board of Trustees (B)

RECOMMENDATION

The City Commission nominate both applicants for consideration of appointment by the Library District Governing Board.

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

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

Absent: 1 - Mayor-Commissioner Pro Tem Chase

[130847.](#)

Request for Proposal - Mixed Use Development for City Parking Lot #10 (B)

This item involves a request for the City Commission to approve staff's ranking of mixed use development proposals for City Parking Lot #10.

Erik Bredfeldt and Mark Benton made presentations.

Amendment: Return to City Commission if negotiations with the first firm are not successful before moving onto second firm

Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking of the firms; 2) authorize the City Manager or designee to negotiate a Contract for Sale and Purchase, a Disposition and Development Agreement, and any related documents with Horizon Hospitality Management, Inc., subject to approval from the City Attorney as to form and legality; and 3) return to the City Commission with said documents for review and approval.

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

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

LEGISLATIVE AND ORGANIZATIONAL POLICY COMMITTEE

[140512.](#)

Hiring Middle Managers (B)

This is a request for the City Commission to hear a presentation from staff and remove the agenda item from the Committee's referral list.

Audrey Gainey and Cheryl McBride made presentations.

RECOMMENDATION

The City Commission: 1) Hear a presentation from staff; and 2) Remove Hiring Middle Managers from the Legislative and Organizational Policy Committee's referral list as requested by the Committee.

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

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

RECESS-4:33PM

RECONVENE - 5:35PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[140755.](#) **Doug Hornbeck, Dr. Jack Putz and Danny Lyons Day - March 5, 2015 (B)**

RECOMMENDATION *Star Volunteer Dr. Francis E. "Jack" Putz, Canopy Climbers, LLC Mr. Danny Lyons and Star Good Neighbor Mr. Doug Hornbeck to accept the proclamation.*

Heard

[140756.](#) **Lauren Caldwell and Jessica Layne Hurov, Satchel's Pizza and Gary Langford Day - March 5, 2015 (B)**

RECOMMENDATION *Satchel's Pizza Owner Satchel Raye, The Hippodrome Theatre Artistic Director and Managing Director Lauren Caldwell and Jessica Hurov and Musician Gary Langford to accept the proclamation.*

Heard

[140757.](#) **Richard Heipp Day - March 5, 2015 (B)**

RECOMMENDATION *Public Artist Richard Heipp to accept the proclamation.*

Heard

[140758.](#) **Annie McKoy Day - March 5, 2015 (B)**

RECOMMENDATION *Phoenix Neighborhood Volunteer Annie McKoy to accept the proclamation.*

Heard

[140759.](#) **National Transit Driver Appreciation Day - March 18, 2015 (B)**

RECOMMENDATION *Amalgamated Transit Union Local 1579 and Active Streets Alliance Executive Director Joseph Floyd to accept the proclamation.*

Heard

6:00 PM

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
Kali Blount
John Davies
Gabe Kaimowitz
Jo Beaty
Joseph Floyd-File #140830
Rob Brinkman
Nathan Skop
Caroline Davis-File # 140830
Donald Shepherd Pat Fitzpatrick-File #140830*

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED****ADOPTION READING-ROLL CALL REQUIRED**[130514.](#)**LAND USE CHANGE - SMALL SCALE - MIXED-USE
DEVELOPMENT ON NW 13TH (B)**

Ordinance No. 130514; Petition No. PB-13-86 LUC

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Comprehensive Plan, Future Land Use Map, by overlaying the Planned Use District (PUD) land use category on 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; providing development conditions; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Ralph Hilliard, Steve Dush and Gerry Dedenbach made presentations.
Donald Shepherd spoke to the matter.*

Comm Poe moved and Comm Carter seconded to table the item. Motion carried 6-0 with Comm Chase absent.

Comm Poe moved and Comm Carter seconded to take item from the table. Motion carried 6-0 with Comm Chase absent.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Mayor-Commissioner Pro Tem Chase

ORDINANCES, 1ST READING- ROLL CALL REQUIRED[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.

Continued:

1st Reading-March 19th

2nd Reading-April 2nd

Donald Shepherd spoke to the matter

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Continued (1st Reading). The motion carried by the following vote:

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

Absent: 1 - Mayor-Commissioner Pro Tem Chase

[130557.](#)

QUASI-JUDICIAL - BUTLER DEVELOPMENT CONDITIONAL VACATION OF PUBLIC RIGHT-OF-WAY (B)

Ordinance No. 130557; Petition No. PB-14-148 SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close a portion of SW 42nd Street generally located between SW 24th Avenue and the 3200 block of SW 42nd Street, together with two stormwater parcels associated with SW 42nd Street, as more specifically described in this ordinance; providing terms and conditions; providing a severability clause; providing a repealing clause; providing directions to the Clerk of the Commission; and providing an effective date.

RECOMMENDATION *The City Commission: (1) approve Petition No. PB-14-148 SVA, and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Wells, 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, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 1 - Mayor-Commissioner Pro Tem Chase

[140023.](#)

TEXT CHANGE - CONCURRENCY AND TRANSPORTATION MOBILITY AMENDMENTS FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN (B)

Ordinance 140023; Petition No. PB-13-127 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code regarding concurrency and transportation mobility for consistency with the Comprehensive Plan; by amending definitions in Section

30-23; by amending the title of Article III; by amending concurrency management provisions in Article III, Division 2; by repealing and deleting in its entirety Article III, Division 3 regarding proportionate fair-share; by repealing and deleting in its entirety Article III, Division 4 regarding the State Mandated Transportation Concurrency Exception Area (TCEA); by creating a new Article III, Division 3 regarding the Transportation Mobility Program (TMP); by amending excess parking requirements in Section 30-333; by amending provisions in Appendix A, Section 4 regarding the Special Area Plan for Traditional City Minimum Development Standards; by amending provisions in Appendix A, Section 5 regarding the Special Area Plan for Central Corridors Minimum Development Standards; providing directions to the codifier; 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-13-127 TCH, and (2) adopt the proposed ordinance.

A motion was made by Commissioner Wells, 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, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 1 - Mayor-Commissioner Pro Tem 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.

*Continued:
1st Reading-April 2nd
2nd Reading-April 16th*

RECOMMENDATION *Continue first reading to April 2, 2015 and second reading to April 16, 2015 to avoid the necessity of creating a new precinct for the 2015 City election.*

A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Continued (1st Reading). The motion carried by the following vote:

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

Absent: 1 - Mayor-Commissioner Pro Tem Chase

[140578.](#)

TEXT CHANGE - ELIMINATING FIVE-ACRE MINIMUM SIZE REQUIREMENT FOR CLUSTER SUBDIVISIONS (B)

Ordinance No. 140578; Petition No. PB-14-144 TCH
An ordinance of the City of Gainesville, Florida, amending the Land Development Code Section 30-190 Cluster Subdivisions to eliminate the five-acre minimum size requirement; providing directions to the codifier; 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 No. PB-14-144 TCH; and 2) adopt the proposed ordinance.*

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

Aye: 5 - Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 2 - Mayor Braddy, and Mayor-Commissioner Pro Tem Chase

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[140495.](#)

TEXT AMENDMENT - FIRE PREVENTION AND PROTECTION CODE (B)

Ordinance No. 140495
An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to fire prevention and protection; amending Section 2-339 related to civil citations for fire prevention and protection; amending Sections 10-9 through 10-13 to provide for local amendments to the Florida Fire Prevention Code; amending Sections 10-15 through 10-18 to update

provisions related to emergency access to gated developments and restricted access occupancies; amending Sections 10-36, 10-38, 10-40, and 10-41 to update provisions related to false fire alarms; amending Sections 10-50 and 10-51 to update provisions related to assembly occupancy safety; amending Sections 10-61, 10-63, 10-64, 10-66, and 10-68 to update provisions related to open and outdoor burning; amending Appendix A. Schedule of Fees, Rates and Charges related to Fire/Rescue; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 5 - Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 2 - Mayor Braddy, and Mayor-Commissioner Pro Tem Chase

[130769.](#)

PROHIBITING SYNTHETIC DRUGS (B)

Ordinance No. 130769

An Ordinance amending the Code of Ordinances of the City of Gainesville, Florida to prohibit synthetic drugs; by creating Section 17-6 relating to the sale of synthetic drugs and drug paraphernalia and providing for enforcement and penalties; by amending Section 2-339 to specify a penalty class and amount; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Mayor-Commissioner Pro Tem Chase

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

*Comm Chase-Fire/Rescue and Police Department
-DRB/GEAC Appointments*

Comm Chase moved and Comm Carter seconded to extend an additional month the DRB application process. Motion carried 7-0

Mayor Braddy

Benefit Legal Shield

Car allowance

Fire Homicide/Gloria Fletcher

Comm Carter-1st Pitch at Baseball Game

[140828.](#)

Legal Shield Benefit

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Referred to the Legislative and Organizational Policy Committee, due back on 9/5/2015. The motion carried by the following vote:

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

[140829.](#)

Car Allowance for Mayor/City Commission

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Carter, seconded by Commissioner Poe, that this Matter be Referred to the Legislative and Organizational Policy Committee, due back on 9/5/2015. The motion carried by the following vote:

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

TIME CERTAIN - 8:00 PM

[140765.](#)

Mayor Ed Braddy - Economic Competitiveness Initiative (NB)

Appointments:

Comm Carter-Dean Chesire/Erin Henderson

Comm Poe-Diego Ibenez/Amir Rubin

Comm Chase-Omar Oselimo /Betsy Whitaker

Comm Wells-John Fleming/Tom Lyons

Comm Warren-Thomas Hawkins/Corey Harris

Mayor Braddy-Mitch Glaeser(Chair)/Angela Tharpe

Eric Gonzalez(Builders Association)-Matt Webster/Gerry Dedenbach

Realtors-Dave Ferro/Tommy McIntosh

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission make appointments to the committee.*

Approved by Consensus

CITIZEN COMMENT (If time permits)

Donald Shepherd

ADJOURNMENT-10:03PM

Kurt Lannon, Clerk of the Commission