

# **City of Gainesville**

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Meeting Minutes**

**Thursday, June 7, 2012**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Craig Lowe (At Large)  
Mayor-Commissioner Pro-Tem Lauren Poe (At Large)  
Commissioner Thomas Hawkins (At Large)  
Commissioner Yvonne Hinson-Rawls (District 1)  
Commissioner Todd Chase (District 2)  
Commissioner Susan Bottcher (District 3)  
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 - 1:34 PM****ROLL CALL**

Present: Craig Lowe, Lauren Poe, Thomas Hawkins, Randy Wells, Todd Chase, Susan Bottcher and Yvonne Hinson-Rawls

**INVOCATION****Prophet George Young****CONSENT AGENDA**

*MOTION: A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher to adopt the Consent Agenda, as modified.  
(VOTE: 7-0, MOTION CARRIED)*

*MODIFICATION: File #120046 - City Commission Minutes - (Back-up added).*

**CITY MANAGER, CONSENT AGENDA ITEMS****120004. Edward Byrne Memorial Justice Assistance Grant Application (NB)**

**This item request City Commission authorization to apply for and accept Edward Byrne Memorial Justice Assistance Grant funds (State Solicitation) in the amount of \$10,000 for the Sexual Predator and Offender Tracking Program and \$15,000 for the You and the Law Program.**

**RECOMMENDATION**      *The City Commission authorize the City Manager to: execute the grant application, grant award, and any other necessary documents, pending review by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120022. Agreement for Medical Director Services for Gainesville Fire Rescue (B)**

**This item requests approval to execute the "Agreement Between the City of Gainesville and the University of Florida Board of Trustees for EMS Medical Director Services" to meet statutory requirements for the provision of advanced life support services by Gainesville Fire Rescue.**

**RECOMMENDATION**      *The City Commission: 1) authorize the City Manager to execute the agreement subject to approval of the City Attorney*

*as to form and legality; and 2) approve the issuance of a purchase order annually to the University of Florida, Contracts and Grants for Departmental Medical Director services not to exceed \$19,500 annually for a total of \$117,000 for the period of September 1, 2011 through June 30, 2017.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120024. Contract for Federal Lobbying Services (NB)**

**RECOMMENDATION**

*The City Commission authorize the City Manager and the General Manager for Utilities to enter into a contract for fiscal years 2013-2014 with Marilyn Berry Thompson to provide professional federal legislative lobbying and related government liaison grant services through MWW Group, Inc. at a fee of \$113,000 for FY 13 and FY 14 for General Government's portion of the services and \$30,000 annually for Gainesville Regional Utility's portion of the services, subject to approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120026. Strategic Plan Quarterly Report - 2nd Quarter of Fiscal Year 2012 (B)**

**This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 2nd Quarter of Fiscal Year 2012.**

**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 2nd quarter of FY 2012.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120028. U.S. Department of Agriculture Forest Service Community Forest Program 2012 Grant Application (NB)**

**This item involves a request for the City to accept a grant from the U.S. Department of Agriculture Forest Service, if awarded, to assist the City in the acquisition of 61.21 acres of forested property adjacent to Fred Cone Park.**

**RECOMMENDATION**

*The City Commission: 1) approve the request to accept a grant, if awarded, from the U.S. Department of Agriculture Forest Service for the acquisition of 61.21 acres adjacent to Fred Cone Park; and 2) if awarded, authorize the City Manager or designee to execute the grant award agreement*

*and other grant-related documents, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120032. State Law Enforcement Contraband and Forfeiture Trust Fund Funding for the 2012 Summer Heat Wave/Operation Respect Yourself Program (NB)**

**This is a request for funding to support the 2012 Summer Heat Wave/Operation Respect Yourself Program.**

**RECOMMENDATION**

*The City Commission approve the use of State Law Enforcement Contraband Forfeiture Trust Funds not to exceed \$10,000 to support the Summer Heat Wave/Operation Respect Yourself 2012 Program.*

*Alternative Recommendation*

*The City Commission deny funding which will result in the Summer Heat Wave/Operation Respect Yourself 2012 Program being cancelled or scaled back*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120034. Contract for State of Florida Lobbying Services (NB)**

**RECOMMENDATION**

*The City Commission: 1) direct staff to issue a request for proposals for State of Florida lobbying services for an amount not to exceed \$50,000 which is included in the proposed FY 2013 budget; 2) authorize the City Manager or designee and the GRU General Manager or designee to negotiate an agreement with the winning respondent; and 3) authorize the City Manager or designee and the GRU General Manager or designee to execute the contract subject to approval of the City Attorney as to form and legality.*

*Alternative Recommendation*

*The City Commission: 1) approve the contract for State of Florida Lobbying Services provided by Doug Bruce & Associates; and 2) authorize the City Manager or designee and the GRU General Manager or designee to execute the contract including compensation up to \$50,000, subject to approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120035. Regional Transit System (RTS) Transit Operator Positions (NB)**

This item is a request to approve the Regional Transit System (RTS) to add 10 additional transit operator positions.

**RECOMMENDATION**      *The City Commission approve the addition of ten (10) transit operator positions for the Regional Transit System (RTS).*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120041.                      Non-Ad Valorem Assessment for Solid Waste Management (B)**

This item is a request for the City Commission to authorize the City Attorney to draft an ordinance allowing the assessment for solid waste management to continue inside the city limits for an additional three years.

**RECOMMENDATION**      *The City Commission authorize the City Attorney to draft an ordinance allowing the assessment for solid waste management to continue inside the municipal limits of Gainesville for an additional three years.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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

**120036.                      Disposal of Surplus Electric Distribution Equipment (NB)**

Staff recommends extending the contract with Solomon Corporation for the repair, analysis and disposal of used electric distribution equipment.

**RECOMMENDATION**      *The City Commission: 1) declare electric distribution equipment removed from service and classified as decommissioned as surplus; and 2) authorize the General Manager, or his designee, to execute amendments extending the contract with Solomon Corporation for up to three one-year periods.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**120048.                      Asset Management Software (B)**

Staff recommends the purchase of asset management software from Digital Inspections, a division of KEMA, Inc. for the Substation and Relay Division

**RECOMMENDATION**      *The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a Software License, Consulting Agreement, and Software Support Contract with Digital Inspections, a division of KEMA, Inc. for CASCADE software licenses, installation, and support, subject to the*

*approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Digital Inspections for the purchase, implementation, and first year maintenance of their CASCADE asset management software in the amount of \$172,700.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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

### **110938. ALFREDO NOBLE-RODRIGUEZ V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2012-CA-1399 (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Alfredo Noble-Rodriguez v. City of Gainesville; Eighth Judicial Circuit, Case No. 2012-CA-1399.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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

### **120046. City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of May 14, 2012 and May 17, 2012 (Swearing In and Regular Meeting), as circulated.*

**This Matter was Approved as Recommended on the Consent Agenda.**

## **EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

## **COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

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

## **COMMUNITY DEVELOPMENT COMMITTEE, CONSENT**

### **070777. Partial Release of Lien Affecting 1245 Southeast 4th Avenue, Tax Parcel #11669-000-000 and 1239 Southeast 3rd Avenue, Tax Parcel #11670-000-000 (B)**

**RECOMMENDATION**      *The Community Development Committee to the City*

*Commission: 1) remove item #070777 from the Community Development Committee referral list; and 2) refer the issue of the reduction or rescission of administrative liens to the Community Development Committee referral list.*

**This Matter was Approved as Recommended on the Consent Agenda.**

## **Passed The Consent Agenda**

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

## **COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

### **END OF CONSENT AGENDA**

### **ADOPTION OF THE REGULAR AGENDA**

*MOTION: A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher to adopt the Regular Agenda, as modified.  
(VOTE: 7-0, MOTION CARRIED)*

#### *MODIFICATIONS:*

- 1. File #120042 - Follow-up to Annexation Strategy Workshop - 2012 Northwest Area Annexation Referendum - (Move to the beginning of the afternoon portion of the Regular Agenda).*
- 2. File #110874 - Charter County and Regional Transportation System Surtax - (Additional back-up submitted).*
- 3. File #120058 - (New Item) - Request for Letter of Support for Cotton Club Grant from the City of Gainesville and the Gainesville Community Redevelopment Agency (CRA) - (Add to the agenda under "Members of the City Commission").*
- 4. File #120037 - Approval of Resolution and Granting of a Pedestrian Trail Easement to the Florida Department of Transportation - (Modified resolution submitted).*
- 5. File #120050 - (New Item) - Resolution for Interlocal Agreement for the Allocation and Implementation of National Pollutant Discharge Elimination System (NPDES) Program Requirements and for Orange Creek Basin Management Action Plan (OCBMAP) Projects - (Add to the agenda under Resolutions).*
- 6. File #110659 - City of Gainesville Elections - Expanded Examination of Several*

*Issues (Additional back-up submitted - memo from Dan Smith, Ph.D.)*

## **CHARTER OFFICER UPDATES**

## **CLERK OF THE COMMISSION**

## **CITY MANAGER**

### **120042. Follow-up to Annexation Strategy Workshop - 2012 Northwest Area Annexation Referendum (B)**

**This is a request for authorization to commence the process for an annexation by referendum of an area west of NW 43rd Street, north of W. Newberry Road, east of I-75 and south of NW 53rd Avenue.**

*Administrative Services Director Becky Rountree gave a presentation.*

#### **RECOMMENDATION**

*The City Commission: 1) direct the City Manager to analyze both precincts 22 and 40; 2) direct the City Manager to notify the Supervisor of Election of the desire to conduct the referendum on November 6, 2012; 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation referendum of the area, if appropriate; and 4) approve the dates for the ordinance readings as shown in the schedule and waive the rules to hear the ordinance reading before 5pm on July 17, if necessary.*

#### *Alternative Recommendation A:*

*The City Commission: 1) direct the City Manager to analyze precinct 22 only; 2) direct the City Manager to notify the Supervisor of Election of the desire to conduct the referendum on November 6, 2012; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation referendum of the area, if appropriate; and 4) approve the dates for the ordinance readings as shown in the schedule and waive the rules to hear the ordinance reading before 5pm on July 17, if necessary.*

#### *Alternative Recommendation B:*

*The City Commission: 1) direct the City Manager to analyze precinct 40 only; 2) direct the City Manager to notify the Supervisor of Election of the desire to conduct the referendum on November 6, 2012; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation referendum of the area, if appropriate; and 4) approve the dates for the ordinance*



*readings as shown in the schedule and waive the rules to hear the ordinance reading before 5pm on July 17, if necessary.*

*Alternative Recommendation C:*

*The City Commission deny authorization to initiate the process for the annexation referendum.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**120005. Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2012  
Formula Program: Local Solicitation (NB)**

**This is a request for the City Commission to hear a discussion on the proposed use of funds in the amount of \$70,083 from the Edward Byrne Memorial Justice Assistance Grant (JAG) and approve the grant application for these funds.**

*GPD Community Relations Coordinator Pat Grunder gave a presentation.*

**RECOMMENDATION**

*The City Commission: 1)hear a report from staff on the City's proposed use of these funds; 2) authorize the City Manager to accept and execute the grant award and any other necessary documents, subject to approval by the City Attorney as to form and legality; and 3) approve the expenditures as outlined in the approved grant award.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**110874. Charter County and Regional Transportation System Surtax (B)**

**This item is to provide an update to the City Commission on action that the Alachua County Board of County Commissioners took at their May 22, 2012 meeting.**

*Public Works Director Teresa Scott and RTS Director Jesus Gomez gave presentations.*

*Mayor Lowe recognized David Coffey, David Flagg, and Pat Fitzpatrick who spoke to the matter.*

*DIVIDED QUESTION: A request was made to divide the question.*

*A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Poe to approve the following:*

*FIRST PART OF THE DIVIDED QUESTION: 1) Reconsider the Transit Surtax Interlocal Agreement with a modified Exhibit A that includes the Transit Action Plan with asterisks noting the detailed information is conceptual and subject to modification; and 2) forward as additional background information a copy of the Transportation Development Plan and the March 2010 Gainesville Regional Transit System Rapid Transit Feasibility Study; and (see following)  
(VOTE: 6-1, Commissioner Chase - No, MOTION CARRIED)*

*SECOND PART OF THE DIVIDED QUESTION: renegotiate the distribution formula for the 3/4 cent road Interlocal Agreement to be a 50% split of the revenue (less the 13.54% to the smaller municipalities) and to eliminate the prohibition on the use of the proceeds on sidewalks.  
(VOTE: 7-0, MOTION CARRIED)*

*THIRD PART OF THE DIVIDED QUESTION: renegotiate the distribution formula for the 3/4 cent road Interlocal Agreement to be a 50% split of the revenue (less the 13.54% to the smaller municipalities) and to eliminate the prohibition on the use of the proceeds on transit.  
(VOTE: 6-1, Commissioner Chase - No, MOTION CARRIED)*

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

**Approved as shown above (Divided Question)**

## **WAIVER OF RULES**

*The rules were waived by consensus to move the following items File #110819 and File #120031 next on the agenda.*

### **110819.      Selection of Candidates for the City Attorney Recruitment/Replacement Process (B)**

*Human Resources Director Sandy Barnard, Bob Murray and Associates Consultant Renee Narloch, and Equal Opportunity Director Cecil Howard gave presentations.*

*MOTION: A motion was made by Commissioner Hawkins, seconded by Commissioner Wells to approve the recommendation and select the following candidates:*

- 1. Tami Bach*
- 2. Brian Fitzgerald*
- 3. Susan Henderson*
- 4. Vivian Monaco*
- 5. Daniel Nee*
- 6. David Schwartz*

7. Nicolle Shalley
8. Jeffrey Sheffel
9. Cherry Shaw

**RECOMMENDATION**

*The City Commission: 1) select at least three (3), but no more than eight (8), applicants to move forward in the selection process; 2) authorize Bob Murray and Associates to invite the selected candidates to participate in the interview process; and 3) approve a special meeting for City Attorney interviews and selection of the new City Attorney (and authorize the Mayor to negotiate a contract with the top ranked candidate if deemed appropriate) on June 26 at 9:00 a.m.*

**A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, that this matter be Approved as shown above (See Motion). The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**120031. Temporary Re-appointment of Marion J. Radson as City Attorney (NB)****RECOMMENDATION**

*The City Commission: 1) temporarily appoint Marion J. Radson to serve as City Attorney effective August 1, 2012 should his successor not be selected or available to start work with the City by August 1, 2012 in accordance to the terms and conditions of employment set forth in this agenda item; and 2) authorize the Mayor to execute an employment agreement with Mr. Radson outlining the terms and conditions of employment set forth in this agenda item.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**GENERAL MANAGER FOR UTILITIES****CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)**

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

**AUDIT, FINANCE & LEGISLATIVE COMMITTEE**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

**RECESS - 5:26 PM**

**RECONVENE - 6:31 PM**

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

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

**Donna Lutz**

*Election Issues.*

**John Davies**

*Environmental Issues.*

**Tim Strauser**

*Tires Plus Issue.*

**Debbie Martinez**

*Political Issues.*

**Gabriel Hillel**

*City Attorney selection issue.*

**Syed Mohammed I. Haider**

*North American Islamic Trust, Inc.*

**Pat Fitzpatrick**

*Social Issues.*

**Jo Beaty**

*Commission discussion issues.*

**WAIVER OF RULES**

*The rules were waived by consensus to hear File #110398 immediately after Citizen Comment.*

**110398. Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)**

**This item provides an update to the City Commission from the Recreation, Cultural Affairs and Public Works Committee regarding the public use elements of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project.**

*Assistant City Manager Paul Folkers and Engineer Stewart Pearson gave presentations.*

**RECOMMENDATION**

*The City Commission: 1) hear an update from staff on this item; 2) direct the City Manager to add this item to the list of increments to be discussed during City Commission budget discussions; and 3) remove this item from the Recreation, Cultural Affairs and Public Works Committee pending referral list.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**120058. Request for Letter of Support for Cotton Club Grant from the City of Gainesville and the Gainesville Community Redevelopment Agency (CRA) (B)**

*MOTION: Request that Mayor Lowe and CRA Chair Bottcher send letters of support for the Cotton Club Museum.*

**RECOMMENDATION**

*The City Commission discuss the request for the letter of support for the Cotton Club Grant and take appropriate action.*

**A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, that this matter be Approved as shown above (See Motion). The motion carried by the following vote:**

**Votes:** Aye: Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe  
Absent: Lauren Poe

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

**120037. Approval of Resolution and Granting of a Pedestrian Trail Easement to the Florida Department of Transportation (B)**

**The Florida Department of Transportation (FDOT) is constructing a pedestrian trail from 91st Street and Archer Road west to the SR 45 in the City of Archer and they require an easement on City property to complete the project.**

*AMENDMENT: If possible provide distance between Archer Road and the trail.*

**RECOMMENDATION**

*The City Commission: 1) adopt a Resolution, subject to approval by the City Attorney as to form and legality, granting FDOT an easement on City of Gainesville property in the 15000 block of SW Archer Road; and 2) authorize the Mayor to execute said Resolution and associated Pedestrian Trail Easement, subject to approval by the City Attorney as to form and legality.*

**A motion was made by Commissioner Wells, seconded by Commissioner Hawkins, that this matter be Adopted (Resolution) and Approved the Recommendation, as amended. The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**120050. Resolution for Interlocal Agreement for the Allocation and Implementation of National Pollutant Discharge Elimination System (NPDES) Program Requirements and for Orange Creek Basin Management Action Plan (OCBMAP) Projects (B)**

**This item is associated with a Resolution authorizing the City Manager to execute an Interlocal Agreement between the Florida Department of Transportation and the City of Gainesville for the Allocation and**

**Implementation of NPDES Program Requirements and OCBMAP Projects**

**RECOMMENDATION**      *The City Commission adopt the Resolution.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**ADOPTION READING-ROLL CALL REQUIRED****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

**110283.                    VENDING BOOTH VENDORS AND ITINERANT FOOD VENDORS HOURS OF OPERATION (B)**

**Ordinance No. 110283**

**An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to vending booth vendors and itinerant food vendors; by amending Chapter 19, Article IV, sections 19-93(a) and 19-93(b) to extend permissible hours of operation for vending booth vendors and itinerant food vendors in the Central City District, and vending booth vendors in the College Park Special Area Plan; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

**A motion was made by Commissioner Bottcher, seconded by Commissioner Hinson-Rawls, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**110642.                    AMEND THE UMU-2 ZONING DISTRICT IN THE LAND DEVELOPMENT CODE TO INCLUDE CLARIFICATIONS/UPDATES AND ADD NEW REQUIREMENTS FOR THE URBAN VILLAGE (B)**

**Ordinance No. 110642**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to the Urban Mixed-Use 2 (UMU-2) zoning district; by amending Section 30-23 to add definitions; by amending Section 30-65.2**

Urban mixed-use district 2 (UMU-2) to add regulations regarding uses, site development, public realm, circulation, landscaping, parking, signage and other development standards and limitations specific to property zoned UMU-2 within the Urban Village area; by amending Section 30-65.2 to make general clarifications and revisions to the existing UMU-2 regulations; by amending Section 30-65.2 to repeal existing illustrative figures and adopt new illustrative figures, including a map defining the Urban Village area; 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 Poe, seconded by Commissioner Bottcher, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**110740.                      PLANNED DEVELOPMENT AMENDMENT - GAINESVILLE AUTO TOWN CENTER PD (B)**

**Ordinance No. 110740, Petition No. PB-11-158PDA**

**An ordinance of the City of Gainesville, Florida, amending Ordinance No. 070706 (as was subsequently amended by Ordinance No. 100520) related to Gainesville Auto Town Center Planned Development (PD); by deleting Condition 24, Section 2 of Ordinance No. 100520 relating to development time limits for Phase II; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

**A motion was made by Commissioner Bottcher, seconded by Commissioner Hinson-Rawls, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**110799.                      REZONING - VICINITY OF 515 NW 13TH TERRACE (B)**

**Ordinance No. 110799; Petition No. PB-12-11 ZON**

**An ordinance amending the Zoning Map Atlas of the City of Gainesville by rezoning property located in the vicinity of 515 NW 13th Terrace, as more specifically described in this ordinance, from multiple-family medium density residential district (RMF-8) to mixed use low intensity district (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

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



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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**110800. REZONING - AMENDMENT TO SPECIAL AREA PLAN; VICINITY OF 515 NW 13TH TERRACE (B)**

**Ordinance No. 110800; Petition No. PB-12-12 ZON**

**An ordinance amending the Special Area Plan for College Park in the City of Gainesville Land Development Code; by deleting and replacing the "Master Plan & Regulating Plan for New Construction" map to reflect an amended building type for property located in the vicinity of 515 NW 13th Terrace, as more specifically described in this ordinance, from Type III - House to Type I - Shopfront/Office/Apartment; providing directions to the codifier; 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 Bottcher, seconded by Commissioner Poe, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe  
Absent: Todd Chase

**110898. 2013 CITY COMMISSION ELECTION DATES (B)**

**Ordinance No. 110898**

**An ordinance of the City of Gainesville, Florida, setting March 19, 2013 as the date for the 2013 regular city election and April 16, 2013 as the date for the 2013 run-off election, if necessary; setting the dates for qualifying for the 2013 regular election; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Mayor Lowe recognized Gabriel Hillel who spoke to the matter.*

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

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**PLAN BOARD PETITIONS**

**120023. Modification to the Lighting Ordinance (B)**

**Petition PB-12-40 TCH City Plan Board. Amend the Land Development Code to allow additional procedures for considering lighting intensities within off-street parking facilities, including parking structures.**

*Planning and Development Services Director Erik Bredfeldt and Lead Planner Lawrence Calderon gave presentations.*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve petition PB-12-40 TCH as revised by the Plan Board. Plan Board vote 6-0.*

*Staff to City Commission - the City Commission approves Plan Board's recommendation without request that staff address the concept of regulating the color of lighting at a later date through a separate petition.*

*Staff to City Plan Board - Approve petition.*

**A motion was made by Commissioner Bottcher, seconded by Commissioner Poe, that this matter be Approved (Petition) as revised by the City Plan Board. The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****110659. City of Gainesville Elections - Expanded Examination of Several Issues (B)**

*City Auditor Brent Godshalk gave a presentation.*

*AMENDMENT: A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Hinson-Rawls to: 1) Receive items 1, 2, and 3 of the recommendation; 2) direct the City Manager and the Clerk to work on hosting a Town Hall Forum to receive input from the public in July or August; 3) refer the overall Charter review process to the Audit, Finance and Legislative Committee for further discussion; and 4) ask staff to develop a FAQ page.*

*Mayor Lowe recognized Gabriel Hillel, Jo Beaty, and Donna Lutz who spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) Approve a City Charter ballot initiative for Spring 2013 that would, if approved by the*

*voters, move City Commission elections to the Fall of even years and extend the term of office to four years; 2) discuss possible changes to City ordinances regarding qualification requirements for City Commission candidates; 3) maintain non-partisan elections; 4) Hold a community forum to receive input from the public on the proposed ballot initiative; and 5) refer an overall Charter review process to the Audit, Finance and Legislative Committee.*

**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:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls and Craig Lowe  
Nay: Thomas Hawkins

**120125. Overall Charter Review Process Referral (NB)**

**RECOMMENDATION**      *The City Commission refer the issue of an overall Charter Review Process to the Audit, Finance and Legislative Committee.*

**A motion was made by Commissioner Poe, seconded by Commissioner Hinson-Rawls, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on December 7, 2012. The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**Mayor-Commissioner Pro Tem Lauren Poe**

*Referral to the Regional Utilities Committee (RUC) regarding the Glen Springs Restoration - (See following referral item #120126).*

**120126. Glen Springs Restoration (NB)**

*Mayor Lowe recognized Gabe Kaimowitz who spoke to the matter.*

**RECOMMENDATION**      *The City Commission refer the issue of the Glen Springs Restoration to the Regional Utilities Committee.*

**A motion was made by Commissioner Poe, seconded by Commissioner Wells, that this matter be Referred to the Regional Utilities Committee, due back on December 7, 2012. The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

### **Commissioner Susan Bottcher**

*First Annual Gainesville Fire Rescue Citizens Academy.*

### **Commissioner Todd Chase**

1. *Employee Opinion Survey - Four Day Work Week vs. Five Day Work Week.*
2. *Old Landfill referral - See following referral item #120127.*
3. *One Stop Center - Legal Issues (mediation).*

### **120127. Old Landfill Remediation Referral (NB)**

#### **RECOMMENDATION**

*The City Commission refer to the Recreation, Parks and Public Works Committee the issue of old landfill remediation and funding sources.*

**A motion was made by Commissioner Chase, seconded by Commissioner Hawkins, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on December 7, 2012. The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

### **Mayor Craig Lowe**

*Calling a Special City Commission Meeting for June.18, 2012 @ 6:00 PM after the CRA Meeting regarding the Economic Development Project in the Power District (Prioria).*

### **Commissioner Randy Wells**

*US Army Reserve building contamination and Vision Workshop.*

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

### **ADJOURNMENT - 9:42 PM**

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Kurt M. Lannon, Clerk of the Commission