

City of Gainesville

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



Minutes - Draft

Thursday, August 1, 2013

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

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

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

CALL TO ORDER-1:00PM

Present 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe,
Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and
Commissioner Hinson-Rawls

Absent 1 - Commissioner Chase

AGENDA STATEMENT

ROLL CALL

INVOCATION

Prophet George Young

CONSENT AGENDA

*130133 and 130154 were heard as part of the regular agenda. The appointment of
Gracy Castine was removed from the agenda.*

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe,
Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and
Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

CITY MANAGER, CONSENT AGENDA ITEMS

**130119. Annexation of City-owned Parcel North of Morningside Nature Center
(B)**

This is the submission of petition for voluntary annexation of city-owned property of Tax Parcel 10860-000-000, which is located North of Morningside Nature Center and east of Northeast Waldo Road.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Approved

130120. Annexation of City-owned Parcel South of Fred Cone Park (B)

This is the submission of petition for voluntary annexation of city-owned property that is a portion of Tax Parcel 16146-000-000, which is located south of Fred Cone Park on Southeast Hawthorne Road and in the vicinity of Southeast 27th Street.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Approved

130121. Annexation of City-owned Parcels Northeast of Gainesville Regional Utilities Deerhaven Generating Station (B)

This is the submission of petitions for voluntary annexation of city-owned property composed of Tax Parcels 05871-003-000 and 05871-002-000, both of which are located northeast of Gainesville Regional Utilities Deerhaven Generating Station along State Road 121.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Approved

130122. Authorization to draft amendments to the General Employees' Pension Plan and the Police Officers and Firefighters Consolidated Retirement Plan (NB)

RECOMMENDATION

The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise the proposed amendments to the General Employees' Pension Plan and the Police Officers and Firefighters Consolidated Retirement Plan.

Approved

130124. Approval of the Regional Transit System (RTS) Title VI Program (B)

This item is a request to approve the RTS Title VI Program and its subsequent submission to the Federal Transit Administration (FTA) for final review and approval.

RECOMMENDATION

The City Commission approve the Regional Transit System (RTS) Title VI program.

Alternative Recommendation

The City Commission continue to work with the City of Gainesville Equal Opportunity Office for an acceptable alternative program.

Approved as Recommended

130133. Service Agreement for an Open Data Portal and Performance Measurement Dashboard for the Government 2.0 Initiative (NB)

This item requests approval by the City Commission to authorize the City Manager to enter into a specified source contract with Socrata, Inc., for The Socrata Open Data Platform™ and GovStat™ to make data available through shared public datasets and display performance metrics using interactive dashboards.

Heard on Regular Agenda. Fred Murry and Becky Rountree made presentations.

Jo Beaty, Nathan Skop, Gabe Kaimowitz, Mac McEachern, Donald Sheppard and Mark Venske spoke to the matter.

RECOMMENDATION

The City Commission: 1) approve Socrata, Inc., to be a specified source for The Socrata Open Data Platform™ and GovStat™; and 2) authorize the City Manager, or his designee, to negotiate and execute a three-year service agreement with Socrata, Inc., subject to the approval of the City Attorney as to form and legality.

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

Aye: 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Nay: 1 - Mayor Braddy

Absent: 1 - Commissioner Chase

130143. Scheduling of a Compensation Study Workshop (NB)

RECOMMENDATION

The City Commission approve a workshop to discuss the Compensation Study on August 29, 2013, from 2:00 pm to 4:00 pm in City Hall, Room 16.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

130150. General Engineering and Consultation Services (NB)

Staff recommends authorization to negotiate amendments to contracts for professional engineering and consulting services.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute amendments to the contracts for professional engineering and consulting firms extending the term through September 30, 2018, in accordance with the Consultants Competitive Negotiations Act (CCNA) and subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services, in amounts not to exceed budgeted amounts, subject to the final appropriation of funds for each year of the contract.

Approved as Recommended

130154. Florida Municipal Power Agency (FMPA) Costs and Expenses for Crystal River Unit 3 Negotiations (B)

Heard on regular agenda. Nathan Skop, Rob Brinkman, Ray Washington, Jo Beaty and Donald Sheppard spoke to the matter.

RECOMMENDATION

The City Commission (1) authorize the General Manager, or his designee, to pay FMPA up to a total of \$110,000 for FMPA's efforts on GRU's behalf, inclusive of all amounts already incurred and paid by GRU for the CR3 negotiations with Duke; and (2) authorize the General Manager, or his designee, to execute the Authorization for Increased FMPA Costs and Expenses, agreeing to pay up to \$110,000 to FMPA on GRU's behalf.

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

Aye: 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Nay: 1 - Mayor Braddy

Absent: 1 - Commissioner Chase

CITY ATTORNEY, CONSENT AGENDA ITEMS

130155. EYE ASSOCIATES OF GAINESVILLE, LLC AND DEBORAH L. MARTINEZ, PETITIONERS IN RE: PETITION FOR EXPEDITED REVIEW OF ELECTRIC RATE STRUCTURE FOR GAINESVILLE REGIONAL UTILITIES; BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION, DOCKET NO. 130188-EM (B)

RECOMMENDATION

The City Commission authorize the City Attorney, assisted by special counsel, D. Bruce May, Jr. with Holland & Knight, to represent the City d/b/a Gainesville Regional Utilities in the administrative proceeding before the Florida Public Service Commission styled Eye Associates of Gainesville, LLC and Deborah L. Martinez, In re: Petition for Expedited Review of Electric Rate Structure for Gainesville Regional Utilities, PSC Docket No. 130188-EM

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

130142. Appointments to City Commission Advisory Boards and Committees

RECOMMENDATION

The City Commission appoint:

Gracy Castine to the CRA Downtown Redevelopment Advisory Board for a term to expire 6/7/16.

Brian Scarborough, Susan Crowley, and Racheal Johnson to the Gainesville/Alachua County Regional Airport Authority for a term to expire 7/31/16.

Kenneth Johnson to the Gainesville Enterprize Zone Development Agency for a term to expire 3/31/17.

Stanley Livengood to the Pension Review Committee for a term to expire 7/13/18.

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT****110489. Road Maintenance Costs Associated With Providing Residential Solid Waste Collection Services (B)**RECOMMENDATION

The City Commission approve the phasing in over a three year period accounting for the total cost of roadway pavement management for the Solid Waste Program beginning with Fiscal Year 2014.

Approved as Recommended

110858. Solid Waste - Can Sizes and Fees (B)RECOMMENDATION

The City Commission remove this item from the referral list.

Approved as Recommended

130101. Fiscal Year 2013 Operating Funds Quarterly Monitoring Report - Quarter Ending March 31, 2013 (B)RECOMMENDATION

The City Commission receive the quarterly budget monitoring report for the quarter ended March 31, 2013.

Approved as Recommended

130102. Quarterly Financial Report - Gainesville Regional Utilities (B)RECOMMENDATION

The City Commission receive the GRU Quarterly Financial Report as of March 31, 2013.

Approved as Recommended

090456. Payment Methods of City Fees and Licenses (B)

This item is to discuss the issue of traditional options of payment for City fees and licenses versus online payments and also includes Legistar Referral #100219.

RECOMMENDATION

The City Commission remove the item from the Audit, Finance and Legislative Committee referral list.

Approved as Recommended

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

Jo Beaty, Nathan Skop and Mac McEachern spoke to the matter.

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

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

Absent: 2 - Commissioner Chase, and Commissioner Hawkins

CHARTER OFFICER UPDATES**CLERK OF THE COMMISSION****CITY MANAGER****GENERAL MANAGER FOR UTILITIES****120516. Net Metering Policy and Practice (B)**

Lewis Walton and Scott Schlossman made presentations.

Donald Sheppard, Mac McEachern, Linda McGurn, Ken McGurn, Mike Warren, Nathan Skop and Mark Venske spoke to the matter.

Motion: Move alternative PSC model

RECOMMENDATION

The City Commission; 1) receive a presentation from staff; and 2) direct staff to draft an ordinance modifying the net metering policy and practice that implements the staff recommendation or the staff alternative.

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

130325. Net Metering Policy/Cap on Pay-out and Existing InstallationsRECOMMENDATION*Refer to Committee*

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Assigned to the Regional Utilities Committee, due back on 2/1/2014. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

CITY ATTORNEY**CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****130095. Report of Small Business Enterprise Activity for the City of Gainesville (GG and GRU) (B)**

Joann Dorval made a presentation and Nathan Skop spoke the matter.

RECOMMENDATION

The City Commission: hear a presentation from EO Director Cecil Howard on the SBPP and SBE 2012 spending reports; discuss and accept the reports.

Heard

COMMITTEE REPORTS (PULLED FROM CONSENT)**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE****PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE****PUBLIC SAFETY COMMITTEE****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

OUTSIDE AGENCIES**MEMBERS OF THE CITY COMMISSION****130158. Commissioner Yvonne Hinson-Rawls - Update on City's Major Construction Projects (B)**RECOMMENDATION

The City Commission: 1) hear a presentation from EO staff on the City's major construction projects; 2) discuss the capital projects that the EO Office is monitoring for compliance; and 3) take appropriate action.

130173. Mayor Ed Braddy: GRU Spill (B)

David Richardson made a presentation.

RECOMMENDATION

Hear a presentation from GRU staff.

Heard

COMMISSION COMMENTS (if time available)**RECESS****RECONVENE****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****130147. Ted Crom Day - August 10, 2013 (B)**RECOMMENDATION

Ted Crom's Family Widow of Honree Wynona Crom and Sons of Honoree Ted Crom, Brady Crom and Gary Crom to accept the proclamation.

Heard

130166. National Night Out - August 6, 2013 (B)RECOMMENDATION

Gainesville Police Department Crime Prevention Supervisor Sergeant Jamie Kurnick to accept the proclamation.

Heard

CITIZEN COMMENT (6:00pm)

*Kim Konish-Charter Review
Gabe Hillel-City Volunteer File #130284 Nathan Skop-Gainesville Sun Editorial
John Davies-DEC
Mark Venske-GRU Issues
Mary Furrell-MLK March on Washington
Donald Sheppard-GRU Charges
Pat Fitzpatrick-Hunger Issue File #130284
Rob Brinkman-GRU and Charter Issues
Ray Washington-GRU Issues
Mac McEachern-Charter Review/GRU Issues
Joe Beaty-Government 2.0*

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED****130100. SECOND AMENDMENT TO THE FY 2012-2013 GENERAL FINANCIAL AND OPERATING PLAN (B)**

A Resolution of the City Commission of the City of Gainesville, Florida; Relating to its General Government Budget for the Fiscal Year Beginning October 1, 2012 and Ending September 30, 2013; Amending Resolution No. 120271 as Amended by Resolution No. 120758, by Making Certain Adjustments to the General Operating and Financial Plan Budget; and Providing an Immediate Effective Date.

RECOMMENDATION *The City Commission adopt the proposed 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:

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

Clerk's Note: The City Commission waive the Rules to hear the item below after File #121102.

130082. RESOLUTION AUTHORIZING THE CODE ENFORCEMENT BOARD TO CONDUCT QUASI-JUDICIAL HEARINGS (B)

Resolution No. 130082

A Resolution of the City of Gainesville authorizing the code enforcement board to conduct quasi-judicial hearings related to violations of the City of Gainesville Code of Ordinances and providing an immediate effective date.

Donald Sheppard spoke to the matter.

RECOMMENDATION

The City Commission adopt the proposed 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:

Aye: 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Nay: 1 - Mayor Braddy

Absent: 1 - Commissioner Chase

ADOPTION READING - ROLL CALL REQUIRED

120796. LAND USE CHANGE - SMALL SCALE - APPROXIMATELY 0.24 ACRES OF PROPERTY GENERALLY LOCATED IN THE VICINITY OF THE 3600 BLOCK OF SW 40TH BOULEVARD (B)

Ordinance No. 120796; Petition No. PB-12-167 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 0.24 acres of property generally located in the 3600 block of SW 40th Boulevard, as more specifically described in this ordinance, from Alachua County Commercial to the City of Gainesville land use category of Business Industrial (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Onelia Lazari made a presentation.

RECOMMENDATION

The City Commission: (1) approve Petition PB-12-167 LUC and (2) adopt the proposed ordinance.

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

120797. REZONING - APPROXIMATELY 0.24 ACRES OF PROPERTY GENERALLY LOCATED IN THE 3600 BLOCK OF SW 40TH BOULEVARD (B)

Ordinance No.120797; Petition PB-12-168 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.24 acres of property generally located in the 3600 block of SW 40th Boulevard, as more specifically described in this ordinance, from Alachua County Highway oriented business services district (BH) to City of Gainesville Business industrial district (BI); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Donald Sheppard spoke to the matter.

RECOMMENDATION *The City Commission (1) approve Petition No. PB-12-168 ZON and (2) adopt the proposed ordinance.*

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

Aye: 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Absent: 2 - Mayor Braddy, and Commissioner Chase

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

121097. REZONING - PROPERTY GENERALLY LOCATED WEST OF NE 18TH STREET, SOUTH OF NE 6TH PLACE, EAST OF NE 17TH TERRACE, AND NORTH OF NE 5TH AVENUE (B)

Ordinance No. 121097; Petition No. PB-13-27 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 3.47 acres of property generally located west of NE 18th Street, south of NE 6th Place, east of NE 17th Terrace, and north of NE 5th Avenue, as more specifically described in this ordinance, from Residential low density district (RMF-5) to Multiple-family medium density residential district (RMF-7); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

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

Aye: 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Absent: 2 - Mayor Braddy, and Commissioner Chase

130098. VOLUNTARY ANNEXATION - URBAN SERVICES REPORT - WRH PROPERTIES (B)

Ordinance No. 130098

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services to Tax Parcel Nos. 07240-030-000, 07240-001-010 and 07242-001-000, which are generally located south of SW Archer Road, west of Fred Bear Drive and I-75, north of SE Williston Road, and east of SW 62nd Avenue, upon voluntary annexation as petitioned for by the property owner pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Onelia Lazzari made a presentation and Donald Sheppard spoke to the matter.

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:

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

121102. SPECIAL MAGISTRATE FOR CODE ENFORCEMENT (B)

Ordinance No. 121102

An ordinance of the City of Gainesville, Florida, amending the Gainesville Code of Ordinances by creating a special magistrate position as an alternative to the code enforcement board to enforce compliance with City Of Gainesville ordinances; amending Chapter 2, Article V, Division 8 , Code Enforcement Board to provide intent; provide minimum qualifications and requirements for appointment of special magistrates; 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 Hawkins, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Nay: 1 - Mayor Braddy

Absent: 1 - Commissioner Chase

PLAN BOARD PETITIONS

130118.

Amend the Magnolia Parke PD to add an additional drive-through lane for a financial institution. (B)

Petition PB-13-55 PDA. Causseaux, Hewett & Walpole, Inc., agent for HCA Federal Credit Union. Amend the Magnolia Parke Planned Development (PD) to add an additional drive-through lane for a financial institution. Located at 4720 NW 39th Avenue.

Jason Simmons and Craig Brashier made presentations.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-13-55 PDA with the additional amendment that Section 4, Condition 13 be changed from "Pod "A" and "B" to "Pod "A" and or "B". Plan Board vote 5-0.

Staff to City Commission - The City Commission approve Petition PB-13-55 PDA as amended by the Plan Board.

Staff to the Plan Board - Approve Petition PB-13-55 PDA.

Alternative Recommendation

Staff to City Commission - The City Commission deny Petition PB-13-55 PDA.

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

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

Commission Comment

*Yvonne Hinson-Rawls-Gainesville Job Fair
Mayor Braddy-Gainesville Builders's Association-request for memo*

CITIZEN COMMENT (If time available)

Rob Brinkman-Sewar Spill

Nathan Skop-GRU Issues

Ray Washington-Base Rate and Taxes issue

Jo Beaty-City Open Government

Donald Sheppard-Return Money

Comm Wells moved to extend the meeting by waiving the rules with Comm Bottcher seconding. Motion carried 5-1 with Comm Hawkins voting no.

ADJOURNMENT-11:03PM

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Draft

Thursday, September 5, 2013

1:00 PM

Modified Agenda

City Hall Auditorium

City Commission

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

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

CALL TO ORDER-1:05PM

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

AGENDA STATEMENT**ROLL CALL****INVOCATION**

Prophet George Young

CONSENT AGENDA**CITY MANAGER, CONSENT AGENDA ITEMS**

- 130116. Uniform Bid to Azar's Uniform and DGG Taser and Tactical Supply for the Gainesville Police Department Budget Amount for FY2014 (NB)**

This item is a request for FY2014 budget for uniforms for award GPDx-130016-FB not to exceed \$120,000.

RECOMMENDATION

The City Commission: 1) approve the amount not to exceed \$120,000; and 2) authorize the City Manager or designee to authorize two blanket purchase orders for the selected vendors.

This Matter was Approved as Recommended

- 130162. Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for FY 2014 (B)**

This item is an agreement between the City of Gainesville (City) and Alachua County (County) for traffic engineering services in the amount of \$196,618.37 in revenue to the City during FY14.

RECOMMENDATION

The City Commission authorize the City Manager to execute the renewal of the Agreement for Traffic Engineering Services between the City of Gainesville and Alachua County for the period of October 1, 2013 to September 30, 2014, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

130174. Bid Award - Termite Fumigation Tenting at Thomas Center A, Thomas Center B, and Wilhelmina Johnson Center (B)

This is a request for the City Commission to award the bid to the Joint Venture of Southern Fumigation and Pest Control/Dr. Buggs for Termite Fumigation Tenting at Thomas Center A, Thomas Center B, and Wilhelmina Johnson Center.

RECOMMENDATION

The City Commission: 1) award the bid for Termite Fumigation Tenting at Thomas Center A, Thomas Center B, and Wilhelmina Johnson Center to the Joint Venture of Southern Fumigation and Pest Control/Dr. Buggs in the amount of \$112,000; 2) authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality; and 3) issue a purchase order in an amount not to exceed \$112,000.

This Matter was Approved as Recommended

130207. Bid Award - West 6th Street Rails to Trails Section 3 (B)

This item is a request for the City Commission to authorize the bid award to V. E. Whitehurst & Sons, Inc. for the West 6th Street Rails to Trails Section 3 Project for the construction of an asphalt bike trail between SW 2nd Avenue and NW 10th Avenue, excluding the portion within the limits of the GPD Campus.

RECOMMENDATION

The City Commission: 1) award the bid award to V. E. Whitehurst & Sons, Inc., for the West 6th Street Rails to Trails Section 3 construction; 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; and 3) issue a purchase order in an amount not to exceed \$740,232.

This Matter was Approved as Recommended

130210. Bid Award - Annual Contract for Citywide Sidewalk Construction/Replacement Services for FY 2014 (B)

This item is a request for the City Commission to authorize the bid award to Hicks Seal Coating and Striping, LLC for the annual contract for sidewalk construction/ replacement services for FY 2014.

RECOMMENDATION

The City Commission: 1) approve the bid award to Hicks Seal Coating and Striping, LLC, for Annual Sidewalk Construction/Replacement Services for FY 2014; and 2) authorize the City Manager to execute an annual services contract with Hicks Seal Coating and Striping, LLC, and any necessary documents, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

130211. Contract for Inmate Work Crew for the Solid Waste Division (B)

This item is a request for the City Commission to approve a contract between the City of Gainesville (City) and Florida Department of Corrections (FDOC) for Inmate Work Crew for Litter Clean-up for the term of December 16, 2013 through December 15, 2014.

RECOMMENDATION

The City Commission authorize the City Manager to execute the contract with Florida Department of Corrections for a contractual inmate work crew through December 15, 2014, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended

130217. Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Mounted Unit Operation Budget for FY2014 (B)

This is a request for \$30,000 for funding the Mounted Unit for Fiscal Year 2014 for the Gainesville Police Department.

RECOMMENDATION

The City Commission to approve the appropriation of \$30,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Gainesville Police Department Mounted Patrol Unit for Fiscal Year 2014.

This Matter was Approved as Recommended

130218. Federal LECFTF Funding for the Joint Aviation Unit for FY2014 (B)

This request is for \$130,194 for the operating budget for the Gainesville Police Department's Joint Aviation Unit.

RECOMMENDATION

The City Commission: 1) approve the appropriation of the amount of \$130,194 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Joint Aviation Unit budget; and 2) approve a purchase order for ACSO for the estimated amount of \$50,000 for 1/2 hanger/office rent and mechanic's salary per inter-agency agreement dated July 8, 1996.

Alternative Recommendation

The City Commission deny funding this request.

This Matter was Approved as Recommended

130231. Request for Proposal for the Construction and Operation of a Museum - Proposal Selection (NB)

RECOMMENDATION

The City Commission: 1) approve the ranking; 2) authorize the City Manager or his designee to negotiate a Development and Disposition Agreement, subject to approval by the City Attorney as to form and legality; and 3) bring the Development and Disposition Agreement to the City Commission and the CRA Board for each body's approval prior to December 31, 2013.

This Matter was Approved as Recommended

130252. Strategic Plan Quarterly Report - 3rd Quarter of Fiscal Year 2013 (B)

This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 3rd quarter of Fiscal Year 2013.

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 3rd quarter of FY 2013.

This Matter was Approved as Recommended

110258 Private Purchase of Public Land Update (B)

This item involves a request for the City Commission to review the matter of private purchase of public land.

RECOMMENDATION

The City Commission discontinue further consideration of the potential surplus and sale of property in Loblolly Woods.

This Matter was Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

130242. Declare Scrap Metals Surplus and Authorize Contract for the Sale of Scrap Metals (B)

Staff recommends award of a contract to Trademark Metals Recycling, LLC for the sale of surplus scrap metals.

RECOMMENDATION

The City Commission: 1) declare scrap metals that become available as surplus; and 2) authorize the General Manager, or his designee, to negotiate and execute a three-year contract with Trademark Metals Recycling, LLC for the sale of surplus metals beginning October 1, 2013, subject to the approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended

130263. Request for Proposals for Commercial Real Estate Broker Services (NB)

Staff recommends establishing a contract for commercial real estate broker services to assist GRU with the sale of properties on an as-needed basis.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to issue a Request for Proposals for commercial real estate brokerage services to establish a three-year contract with a commercial real estate brokerage firm to market GRU surplus property on an as-needed basis; and 2) authorize the General Manager, or his designee, to use the real estate brokerage contract to enter into and negotiate purchase and sale agreements for the sale of surplus properties as authorized, reserving appropriate utility easements, and to execute all documents necessary to complete closings, subject to the approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS**130184. CITY OF GAINESVILLE v. INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL NO. 2157, GAINESVILLE PROFESSIONAL FIREFIGHTERS, INC. (B)****RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled: City of Gainesville v. International Association of Fire Fighters, Local No. 2157, Gainesville Professional Firefighters, Inc., Case No. SM-2013-038.

This Matter was Approved as Recommended

130204. JERRY ALLIGOOD vs. THE CITY OF GAINESVILLE, FCHR NO. 201301430 (NB)**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Jerry Alligood vs. the City of Gainesville; FCHR No.: 201301430

This Matter was Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

COMMITTEE REPORTS, CONSENT AGENDA ITEMS**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE,
CONSENT****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.

RECOMMENDATION

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

This Matter was Approved as Recommended

120643. Transportation Accessibility to Medical Clinics via Regional Transit System (RTS) (B)

This item is to provide information requested by the City Commission regarding accessibility to medical clinics in the City of Gainesville provided by Regional Transit System (RTS).

RECOMMENDATION

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

This Matter was Approved as Recommended

Approval of the Consent Agenda

A motion was made by Commissioner Poe, seconded by Commissioner Hinson-Rawls, to Adopt the Consent Agenda. The motion carried by the following vote:

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

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**PUBLIC SAFETY COMMITTEE, CONSENT****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**

EQUAL OPPORTUNITY COMMITTEE, CONSENT**END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

Remove Commissioner Wells item from the agenda and add #100523 to the end of the agenda.

A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Adopted. The motion carried by the following vote:

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

CHARTER OFFICER UPDATES**CLERK OF THE COMMISSION****CITY MANAGER****100672. Update on the Status of the Cabot-Koppers Superfund Site (B)**

This item involves a request from Environmental Manager Mitchell Brouman, P.G., of Beazer East, Inc. to provide an update and presentation to the City Commission regarding onsite and offsite remediation activities for the Koppers Superfund Site.

Motion: City Manager empower staff liaison and other staff to fully implement the March 2012 motion(110782), draft a written action plan for public review within two weeks and include funding up to full time staffing for a four month period.

Amy Schafer, Mitchell Brouman, Pat Kline, Rusty Kesel and John Mousa made presentations. Kim Popejoy, Bob Hallman, Alice Alandro, Nathan Skop, Barbara Ruth, Donald Sheppard, Ernesto Martinez, Bob Burton, Robert Pearce, Sandra Watts Kennedy, Maria Parsons, Barbara Sharpe, Brenda OSteen, Sharon Sheets and Debbie Martinez spoke to the matter.

RECOMMENDATION

The City Commission receive a presentation from Mr. Brouman regarding onsite and offsite remediation activities for the Koppers Superfund Site.

A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Poe, that this Matter be Approved, as shown above - See Motion(s). The motion carried by the following vote:

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

Absent: 1 - Commissioner Hawkins

120250. Update on the Purchase of Surplus DOC Property by the City of Gainesville (B)

The purpose of this item is to provide an update to the City Commission on the status of the negotiations between the City and the State for purchase of surplus Department of Corrections (DOC) property. The City would like to purchase the DOC facility known as the former Gainesville Correctional Institute (GCI) in order to provide a variety of services at the complex for homeless/needy individuals and families in our community. This item is being submitted to the City Commission for their consideration and approval to authorize the City Manager to negotiate the purchase of Phase II of the GCI property, seek Legislative support and assistance in obtaining the GCI property, and identify funds for the purchase of the Phase II portion of the GCI property.

Amendment: write letter asking for interim use of the property and for use of the site at the earliest possible date (but no longer than one month)

Ellen Allen, Donald Sheppard and Pat Fitzpatrick spoke to the matter.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to negotiate the purchase of Phase II of the GCI property; 2) authorize the City Manager or his designee to seek Legislative support and assistance in obtaining the entire GCI property; and 3) direct staff to identify funds for the purchase of the Phase II portion of the GCI property.

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

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

Absent: 1 - Commissioner Hawkins

GENERAL MANAGER FOR UTILITIES

130249. Annual Contract for Electric Distribution Line Clearance (B)

Staff recommends the award of a contract to Asplundh Tree Expert Company for electric distribution line clearance and related work.

David Beaulieu made a presentation. Donald Sheppard and Nathan Skop spoke to the matter.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to execute a three-year contract with Asplundh Tree Expert Company, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order in not-to-exceed budgeted amounts for these services for each year of the contract, subject to the final appropriation of funds for each year.

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

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

130272. Purchase of Innovation Energy Center Site at Innovation Square (B)

Staff is requesting approval of the purchase of the Innovation Energy Center site together with associated easements, located at 200 SW 7th Terrace, from Clarence T. Ayers Condominium Association, Inc.

This item was started in the afternoon and was completed during the evening session. David Richardson, Chuck Heidt, Jamie Verschage and Krisitie Williams made presentations. Motion by Comm Chase and seconded by Comm Bottcher Direct General Manager to renegotiate with Clarence T. Ayers Condominium Association Inc a new lease to purchase option to include a five year lease at a mutually agreeable purchase price and refer to City Attorney to review all associated agreements within the next 60 days. Nathan Skop, Jim Konish, Ray Washington, Jo Beaty, Debbie Martinez, Armando Grundy, Barbara Sharpe, Mac McEachern, Ed Poppell, Ernesto Martinez and Donald Sheppard spoke to the matter. Comm Wells returned at 7:30PM.

RECOMMENDATION

The City Commission: 1) approve the Purchase and Sale Agreement for the purchase of property located at 200 SW 7th Terrace from Clarence T. Ayers Condominium Association, Inc., for an amount not to exceed \$698,313.00 plus closing costs, as negotiated by staff and in accordance with that certain Agreement Between The City of Gainesville and Shands Teaching Hospital and Clinics, Inc, for Utility Services at Innnovation Square, dated February 7, 2011; and 2) authorize the General Manager, or his designee, to execute all documents necessary to complete the purchase of the property in accordance with the Purchase and Sale Agreement, subject to approval by the City Attorney as to form and legality.

A motion was made by Commissioner Chase, seconded by Commissioner Bottcher, that this Matter be Approved, as shown above - See Motion(s). The motion carried by the following vote:

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

Nay: 2 - Commissioner Poe, and Commissioner Hawkins

130280. GREC Proposal Discussion Item - Sections 27.3 and 21.1 of Power Purchase Agreement (NB)

This item was heard in the evening.

Motion: Staff recommends the City Commission request staff to assemble the information/analysis for further consideration towards the ultimate City Commission decision of exercising ROFO rights and to provide public and private briefings as appropriate on a regular basis to the City Commission and Direct the City Manager, City Auditor and City Attorney, or their designees to constitute a committee responsible for advising and informing the City Commission as to the financial impact on the City of the whole through fact finding, information gathering, and analysis of the impact of recommendations being developed, and report back to the City Commission as they individually deem appropriate.

Comm LP moved to waive rules and continue meeting until 11:15PM. Comm SB seconded. Motion carried 5-1 with Comm YHR voting no and Comm RW absent. Comm YHR moved the previous question with Comm RW seconding. Motion carried 7-0.

RECOMMENDATION

Hear a presentation and discussion.

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

Aye: 6 - Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Nay: 1 - Mayor Braddy

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

130277. Mayor-Comissioner Pro Tem Randy Wells - UF Family Data Center (NB)

RECOMMENDATION

The City Commission hear a presentation and take appropriate action.

Please Note: The County item can be found at the following link.

<<http://meetingdocs.alachuacounty.us/documents/bocc/agendas/2013-08-27/EC3081B5-21F7-49D8-8587-E670CE91CE0DAgenda.htm>>

Continued

130279. Mayor Ed Braddy - Update on Florida League of Cities and State Issues (NB)

Mayor Matt Surrency made a presentation.

RECOMMENDATION

The City Commission hear an update regarding the Florida League of Cities and State Issues and take appropriate action.

Heard

COMMISSION COMMENTS (if time available)

RECESS-5:13PM

RECONVENE-6:07PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

130260. Constitution Week - September 17-23, 2013 (B)

RECOMMENDATION

Gainesville Chapter Daughters of the American Revolution Regent Linda G. Williams to accept the proclamation.

CITIZEN COMMENT (6:00pm)

*Nathan Skop-Wood Truck, Risk Management and Filing statement
Debbie Martinez-Biomass meetings
Jim Konish-GREC agreement
Armando Grundy-Hotel Conference
Ernesto Martinez-GRU advertising
John Davies-Gainesville Government
Maria Parsons-GRU advertising
Jo Beaty-Records for agenda
Mac McEachern-GEAC Committee
Mark Venske-GRU issues
Pat Fitzpatrick-Homeless Issues-File #130323*

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED****130059. RESOLUTION TO SUPPORT FLORIDA'S WATER AND LAND
CONSERVATION AMENDMENT TO THE STATE CONSTITUTION
(B)**

RESOLUTION NO. 130059

A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA,
SUPPORTING THE FLORIDA WATER AND LAND CONSERVATION
AMENDMENT TO THE STATE CONSTITUTION; ENCOURAGING
SUPPORT OF THE AMENDMENT BY OTHER ORGANIZATIONS;
PROVIDING DIRECTIONS TO THE CLERK OF THE COMMISSION;
AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

*Jim Konish, Maryhelen Wheeler, Mac McEachern, Mark Venske, Pegeen Hanrahan
and Rob Brinkman spoke to the matter.*

RECOMMENDATION

*The City Commission: consider whether to adopt the
resolution in support of Florida's Water and Land
Conservation Amendment to the State Constitution, subject
to approval as to form and legality by the City Attorney.*

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

Aye: 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins,
Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Nay: 2 - Mayor Braddy, and Commissioner Chase

130220. Acceptance of anticipated US Department of Transportation FAA - AIP Grant #3-12-0028-036-2013 in the amount of \$4,661,619 (B)

This item seeks City of Gainesville acceptance of an anticipated 2013 US Department of Transportation FAA - AIP Grant to the Gainesville Regional Airport in the amount of \$4,661,619 for: 1) Rehabilitation of Taxiway E Pavement Full Length and Width (approximately 7,500' by 75'); 2) Construction of T/W E Connector to Commercial Apron and Rehabilitation of Taxiway E and R/W 11-29 Edge Lights and Markings; and 3) Removal of Airfield Debris Pile (Wildlife Attractant).

Eric Bredfeldt and Alan Penske made presentations.

RECOMMENDATION

The City Commission: 1) hear a brief presentation regarding this request; and 2) adopt the proposed 2013 FAA - AIP Grant Resolution and authorize the Mayor and City Attorney to execute said Grant Agreement and the City Clerk to certify said Grant Agreement.

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

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

130122. GENERAL EMPLOYEE'S PENSION PLAN AMENDMENTS (B)

Ordinance No. 130122

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 5 (Employees Pension Plan) of the Code of Ordinances of the City of Gainesville, for federal tax compliance purposes and to amend the investment authority of the board of trustees; amending Section 2-521, Definitions; amending Section 2-522, Establishment of system; amending Section 2-523, Membership and service; amending Section 2-524, Contributions and funding; amending Section 2-526, Benefits; amending Section 2-527, Administration of the plan; amending Section 2-530, Miscellaneous; 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 Hawkins, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

130203.

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

Ordinance No. 130203

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville, for purposes of compliance with federal tax law and Chapters 175 and 185, Florida Statutes; amending Section 2-596, Definitions; amending Section 2-597, Establishment; amending Section 2-600, Retirement dates and benefits; amending Section 2-601, Optional forms of retirement income; amending Section 2-602, Administration of the plan; amending Section 2-605, Amendment; termination of plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

130119. VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY-OWNED PARCEL LOCATED NORTH OF MORNINGSIDE NATURE CENTER AND EAST OF NORTHEAST WALDO ROAD (B)

Ordinance No. 130119

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary annexation of City-owned Tax Parcel No. 10860-000-000, which is generally located south of NE 39th Avenue, west of Morningside Nature Center, north of E University Avenue, and east of NE Waldo Road, as petitioned for by the property owner pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and 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 Hawkins, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

130120. VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY-OWNED PARCEL SOUTH OF FRED CONE PARK (B)

Ordinance No. 130120

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary annexation of City-owned Tax Parcel No. 16146-000-000, which is generally located south of E University Avenue and Fred Cone Park, west of Tax Parcel No. 16143-000-000, north of SE Hawthorne Road, and east of SE 24th Street and the Alachua County Sheriff's office, as petitioned for by the property owner pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and 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 Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

130121.

VOLUNTARY ANNEXATION - URBAN SERVICES REPORT OF CITY OWNED PARCELS NORTHEAST OF GRU DEERHAVEN GENERATING STATION (B)

Ordinance No. 130121

An ordinance of the City of Gainesville, Florida, adopting an Urban Services Report that sets forth plans to provide urban services upon the voluntary annexation of City-owned Tax Parcel Nos. 05871-002-000 and 05871-003-000, which are generally located south of NW 142nd Avenue and northeast of the Gainesville Regional Utilities Deerhaven Generating Station along State Road 121, as petitioned for by the property owner pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and 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 Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

120139. TEXT AMENDMENT - SPECIAL EVENT PARKING (B)

Ordinance No. 120139, Petition No. PB-11-92TCH

An ordinance of the City of Gainesville, Florida, amending the City Code of Ordinances and the Land Development Code related to special event parking; by amending Section 30-23(c) to create a definition for the University of Florida context area; by amending Section 30-56(c) to allow special event temporary off-street parking in the University of Florida context area; by amending Appendix A Schedule of Fees, Rates and Charges of the Code of Ordinances to add a permit fee for special event parking; amending Section 2-339 by adding violation of special event parking permit requirements to the list of ordinances enforceable as a civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Mark Venske and Rob Brinkman spoke to the matter. Ralph Hilliard and Charlie Lybrand made presentations.

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

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

Aye: 4 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

Nay: 3 - Mayor Braddy, Commissioner Chase, and Commissioner Hinson-Rawls

110658. TEXT CHANGE - BOARD ATTENDANCE REQUIREMENTS (B)

Ordinance No. 110658

An ordinance amending the Code of Ordinances of the City of Gainesville, Florida, relating to attendance requirements for members of quasi-judicial, administrative, and advisory boards; by amending Section 2-247. - *Removal from office*; 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 Mayor-Commissioner Pro Tem Wells, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: 1 - Commissioner Hawkins

PLAN BOARD PETITIONS**130180. Chickens in Single-Family Neighborhoods (B)**

Petition PB-13-64 TCH. City of Gainesville. Amend the Land Development Code to allow chickens in the single-family residential zoning districts and the RC (12 units/acre residential conservation district) zoning district to increase the number of chickens above the current allotment of two chickens.

Ralph Hilliard made a presentation. Becka High, Anita Kruger, Nathan Skop, Debbie Martinez, Wilbur Holloway, Gabe Sheding, Nick Armfield, Mark Venske, Ed Brown, Armando Grundy, Mac McEachern and Kevin Daly spoke to the matter.

RECOMMENDATION

City Plan Board to the City Commission - Approve the petition as modified to allow up to 10 chickens, and no rooster.

Staff to the City Plan Board - Approve the petition to allow up to four hens on lots of 10,000 square feet or less and up to six hens on lots greater than 10,000 square feet, and no roosters.

Alternative Recommendation

Allow up to six chickens on lots of 10,000 square feet or less and up to 10 chickens on lots greater than 10,000 square feet, and no roosters.

**A motion was made by Commissioner Bottcher, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Approved (Petition).
The motion carried by the following vote:**

Aye: 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Nay: 2 - Mayor Braddy, and Commissioner Chase

DEVELOPMENT REVIEW BOARD PETITIONS**SCHEDULED EVENING AGENDA ITEMS**

100523. City of Gainesville Registry of Protected Public Places Update (B)

This item will provide an update to the City Commission on the City of Gainesville's Registry of Protected Public Places.

Steve Phillips and Linda Demetropoulos made presentations. Cynthia Barnett, Mark Venske, Jonathan Day, Armando Grundy, Rob Brinkman, Wilbur Holloway, Nathan Skop, Karen Kiner and Ernesto Martinez spoke to the matter. Motion: Add Loblolly Woods to Phase 2 of Registry of Protected Public Places and Refer to Committee.

RECOMMENDATION

The City Commission receive a presentation from staff on the City of Gainesville Registry of Protected Public Places.

Alternative Recommendation:

The City Commission: 1) receive a presentation from staff on the City of Gainesville Registry of Protected Public Places; and 2) direct the City Attorney to draft and the Clerk of the Commission to advertise an ordinance placing the Loblolly Woods property in the City of Gainesville Registry of Protected Public Places.

A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on 3/5/2014. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

Nay: 1 - Commissioner Chase

UNFINISHED BUSINESS

Items 130262 and 130261 were placed on the September 19, 2013 agenda.

COMMISSION COMMENT**CITIZEN COMMENT (If time available)****ADJOURNMENT-11:15PM**