

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, September 6, 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 - 1:03 PM

ROLL CALL

INVOCATION

Prophet George Young

CONSENT AGENDA

*MOTION: A motion was made by Commissioner Bottcher, seconded by Commissioner Wells to adopt the Consent Agenda, as modified.
(VOTE: 5-0, Commissioner Hinson-Rawls and Mayor Lowe - Absent, MOTION CARRIED)*

MODIFICATIONS:

- 1. File #120274 - Roadway Transfer Agreement with Alachua County - (Remove from the agenda).*
- 2. File #120289 - Model Block Homes - Partial Release of Mortgage - (Additional back-up submitted).*
- 3. File #120310 - City Attorney Employment Agreement - (Revised back-up submitted).*
- 4. File #110129 - City of Gainesville Website and Equipment Update - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*
- 5. File #120231 - Cade Museum Memorandum of Understanding - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

CITY MANAGER, CONSENT AGENDA ITEMS

[090307.](#)

Tourist Product Development Interlocal Agreement with Alachua County (B)

This is a request to enter into an agreement with Alachua County to administer the Tourist Product Development Grant Program.

RECOMMENDATION

The City Commission: 1) approve the Interlocal Agreement; and 2) authorize the City Manager or designee to execute the Interlocal Agreement on behalf of the City, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

[120239.](#)

Extension of Service Agreement for Full Grounds Keeping and Maintenance of Ironwood Golf Course Bid Award (B)

This item is a request that the City Commission authorize a month-to-month extension of the current City contract for grounds keeping and maintenance of Ironwood Golf

Course to ensure adequate time for reviewing all options regarding golf course operations.

RECOMMENDATION

The City Commission authorize the City Manager or designee to execute a month-to-month agreement extending the current grounds keeping and maintenance services with OneSource Landscape and Golf Services, Inc., subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

120242.

State Homeland Security Grant Program Sub-recipient Agreement (NB)

This item requests that the City Commission authorize the City Manager to enter into a contract with the State of Florida, Department of Financial Services, to support equipment maintenance and training for Gainesville Fire Rescue's Hazardous Materials and Technical Rescue Teams.

RECOMMENDATION

The City Commission authorize the City Manager or designee to enter into a contract with the State of Florida, Department of Financial Services, subject to approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

120244.

Revision to Regional Transit System Advisory Board Bylaws (B)

This item is a request to approve changes to the Regional Transit System Advisory Board Bylaws.

RECOMMENDATION

The City Commission approve the proposed revisions.

This Matter was Approved as Recommended on the Consent Agenda.

120273.

Agreement between the City of Gainesville and Keep Alachua County Beautiful for FY2013 (B)

This item is a request for the City Commission to approve the execution of an agreement with Keep Alachua County Beautiful in the amount of \$55,000.

RECOMMENDATION

The City Commission authorize the City Manager to execute the contract with Keep Alachua County Beautiful for the period of October 1, 2012 through September 30, 2013, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

120274.

Roadway Transfer Agreement with Alachua County (B)

The City of Gainesville entered into a Maintenance Agreement with Alachua County for the Section of Main Street from Depot Avenue to University Avenue in 2004. The Roadway Transfer Agreement will transfer ownership of Main Street from South 16th Avenue to University Avenue to the City of Gainesville.

RECOMMENDATION

The City Commission authorize the City Manager to execute the Roadway Transfer Agreement with Alachua County for Main Street from South 16th Avenue to University Avenue subject to approval of the City Attorney as to form and

legality.

This Matter was Withdrawn on the Consent Agenda.

[120275.](#)

Firehouse Subs Public Safety Foundation (NB)

This is a request for City Commission approval for the Gainesville Police Department to participate in the Firehouse Subs Public Safety Foundation grant process by the local and regional Firehouse Subs managers.

RECOMMENDATION

The City Commission authorize the City Manager to accept and execute the grant award if received as well as any other necessary documents, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

[120276.](#)

Agreement between School Board of Alachua County and the City of Gainesville for the School Resource Officer Program (B)

This is a request for City Commission approval for the Gainesville Police Department to enter into an agreement with the School Board of Alachua County (SBAC) for the School Resource Officer Program.

RECOMMENDATION

The City Commission: 1) approve the agreement for \$182,725.20 between the City of Gainesville, the Gainesville Police Department and the Alachua County School Board; 2) authorize the City Manager to accept and execute any other necessary documents, subject to approval by the City Attorney as to form and legality

This Matter was Approved as Recommended on the Consent Agenda.

[120283.](#)

Construction Managers for Minor Construction Services (B)

RECOMMENDATION

The City Commission: 1) approve the final ranking of the top five (5) construction managers; and 2) authorize the City Manager to negotiate and execute contracts for construction management services with the top five (5) firms, subject to approval as to form and legality by the City Attorney.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[120286.](#)

General Engineering and Consultation Services (NB)

Staff recommends approval of the addition of Intertek APTECH and Power Grid Engineering LLC as qualified architectural, engineering and consultation firms and authorization to negotiate contracts with Intertek APTECH and Power Grid Engineering LLC in accordance with the Consultants Competitive Negotiations Act for required services.

RECOMMENDATION

The City Commission:

1) approve the addition of Intertek APTECH and Power Grid Engineering LLC for the provision of design or consultation

services associated with Utility System facilities and City Commission approved Capital Improvement Projects or unexpected projects that may emerge from time to time;

2) authorize the General Manager, or his designee, to initiate contract negotiations with Intertek APTECH and Power Grid Engineering LLC in accordance with the Consultants Competitive Negotiations Act (CCNA);

3) authorize the General Manager, or his designee, upon successful negotiations, to execute professional services agreements (PSA) for a term extending through September 30, 2013, consistent with previously established PSA's, subject to approval of the City Attorney as to form and legality, in an amount not to exceed budgeted amounts for professional architectural, engineering or consultation services.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

[120289.](#)

MODEL BLOCK HOMES - PARTIAL RELEASE OF MORTGAGE (B)

RECOMMENDATION

The City Commission (1) authorize the Mayor to execute and the Clerk of the Commission to attest the Partial Release of Mortgage for the CRA Model Block home located at 403 NW 8th Street, subject to approval by the City Attorney as to form and legality and (2) authorize the City Manager to execute Partial Releases of Mortgage for parcels located at 321 NW 7th Terrace and 725 NW 4th Avenue at such time as closings are scheduled for those homes, subject to approval by the City Attorney as to form and legality and further subject to the executed releases being held in escrow until the City receives payment from the CRA or the closing agent.

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[120278.](#)

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of July 24, 2012, August 2, 2012, and August 16, 2012, as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

[120282.](#)

Appointment to the Gainesville Housing Authority Resident Member (NB)

RECOMMENDATION

The City Commission confirm the Mayor's appointment for the following:

Jane Morris to the Gainesville Housing Authority for a term to

expire 8/1/16.

This Matter was Approved as Recommended on the Consent Agenda.

[120310.](#)

City Attorney Employment Agreement (B)

RECOMMENDATION

*The City Commission approve the employment agreement of
Nicolle Shalley.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

*MOTION: A motion was made by Commissioner Bottcher, seconded by Commissioner Wells to adopt the Regular Agenda, as modified.
(VOTE: 5-0, Commissioner Hinson-Rawls and Mayor Lowe - Absent, MOTION CARRIED)*

1. File #120284 - Transportation Concurrency and the Evaluation and Appraisal Comprehensive Plan Amendment Process (Revised recommendation and revised ppt. (last page).

2. File #120254 - (RES) - Joint Participation Agreement -State Block Grant Funds for RTS Operating Assistance for FY 2012-2013 - (Revised Resolution)

3. File #110866 - (ORD) - Hawley 39th Avenue Planned Development - (Additional back-up submitted).

4. File #110942 - (ORD) - Land Development Code - Sidewalk Cafés - (Additional back-up submitted).

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER120284.

Transportation Concurrency and the Evaluation and Appraisal Comprehensive Plan Amendment Process. (B)

Principal Planner Onelia Lazzari gave a presentation.

Scott Buchanan with AMJ made comments.

RECOMMENDATION

Staff to City Commission: Direct staff, as part of the update of the Comprehensive Plan for the Evaluation and Appraisal Process, to pursue alternative number three, which includes rescinding transportation concurrency and replacing the TCEA with a transportation mobility program city-wide.

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

110129.

City of Gainesville Website and Equipment Update (B)

This item is a request for the City Commission to review and approve the website Redesign Upgrade Team Selection Committee ranking of qualified vendors and to direct the City Manager to negotiate and execute a contract with the number one ranked vendor for the Website Redesign Upgrade Project.

Communications and Marketing Manager Bob Woods and IT Senior Web Developer Scott Sheridan gave presentations.

MOTION: 1) Approve the recommendation striking the word "execute" from #3; and 2) bring back to the City Commission before executing the contract.

RECOMMENDATION

The City Commission: 1) approve the Website Redesign Upgrade Team Selection Committee ranking list and award for phase I to Ingen Systems, Inc. at a cost of \$113,550; 2) authorize and direct the City Manager to negotiate and execute a professional services contract with Ingen Systems for phase I of the upgrade, subject to approval of the City Attorney as to form and legality; and 3) upon satisfactory completion of phase I and subject to the availability of funding, authorize the option of the City Manager to negotiate and execute a professional services contract with Ingen Systems for phase II of the upgrade at a project cost not to exceed \$186,500, subject to approval of the City Attorney as to form and legality; or to conduct a Request For Proposal process for phase II of the upgrade.

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

120231.

Cade Museum Memorandum of Understanding (MOU) (B)

This is a request for City Commission approval for a Memorandum of Understanding between the City of Gainesville and Cade Museum.

Interim CRA Director Kelly Fisher gave a presentation.

RECOMMENDATION

The City Commission: 1) approve the Memorandum of Understanding, and 2) authorize the City Manager to execute the Memorandum of Understanding, subject to the approval of the City Attorney as to form and legality.

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 - Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Chase, and Commissioner Hawkins

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Commissioner Thomas Hawkins

1. NW and SW 6th Street - Innovation Square project- requested that this issue be put on the agenda of the Recreation, Cultural Affairs and Public Works Committee - (already pending referral).
2. Special Event Permits for boundary extensions for bars - referral to the Public Safety Committee - See following File #120347.
3. Breweries locating downtown - referral to the Community Development Committee - See following File #120348.

[120347.](#)

Special Event Permits for Bars (NB)

RECOMMENDATION

The City Commission refer the issue of the frequency and timing of issuing special event permits for bars in order to extend their boundaries for alcohol sales to the Public Safety Committee.

A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, that this matter be Referred to the Public Safety Committee, due back on March 6, 2013. The motion carried by the following vote:

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

[120348.](#)

Breweries Locating in the Downtown Area (NB)

RECOMMENDATION

The City Commission refer the issue of breweries locating in the downtown area to the Community Development Committee.

A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, that this matter be Referred to the Community Development Committee, due back on March 6, 2013. The motion carried by the following vote:

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

Commissioner Todd Chase

1. Speeding in neighborhoods - refer to the Public Safety Committee - See following File # 120349.
2. Plan for NW 8th Avenue from 34th to 6th - public workshop - See following File #120350.

[120349.](#)

Vehicles Speeding in Neighborhoods (NB)

RECOMMENDATION

The City Commission refer the issue of speeding in neighborhoods and traffic calming procedures to the Public Safety Committee.

A motion was made by Commissioner Chase, seconded by Commissioner Hawkins, that this matter be Referred to the Public Safety Committee, due back on March 6, 2013. The motion carried by the following vote:

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

[120350.](#)

Plan for NW 8th Avenue from 34th Street to 6th Street Workshop (NB)

RECOMMENDATION

The City Commission direct staff to schedule a public workshop to discuss the plan for NW 8th Avenue from 34th Street to 6th Street.

A motion was made by Commissioner Chase, seconded by Commissioner Bottcher, that this matter be Referred to the City Manager, due back on March 6, 2013. The motion carried by the following vote:

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

Nay: 1 - Commissioner Hawkins

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

RECESS - 3:18 PM

RECONVENE - 5:57 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[120293.](#)

Constitution Week September 17-23, 2012 (B)

RECOMMENDATION

Gainesville Chapter of the National Society Daughters of the American Revolution to accept the proclamation.

[120294.](#)

The SE Rotary Mentor Center Boys & Girls Club Day - September 8, 2012 (B)

RECOMMENDATION

Boys & Girls Club of Alachua County President and Chief Professional Officer Keith Blanchard, Area Director Freddy Williams, Mentor Center Director Liz Martin, Lincoln Estates Neighborhood Watch Committee Members and Block Captains and Doris Edwards to accept the proclamation.

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

Debbie Martinez

GRU Biomass Plant Contract.

Mac McEachern

GRU Biomass Plant and Citizen Comment.

John Davies

Political Issues.

Dian Deevey

GRU bill stuffer to residential customers - (See following File #120359).

[120359.](#)

Dian Deevey - Citizen Comment - GRU Bill Stuffer (B)

RECOMMENDATION

The City Commission hear comments from Dian Deevey and place back-up submitted on file.

Gabriel Hillel

- 1. Public Records Request - Memo from Marion Radson to City Commission on January 9, 2012 and original sent sometime before October 19, 2004, Re: Judge Monaco.*
- 2. Citizen Comment issues.*

Syed Mohammed Haider

Religious and political issues - (See following File #120360).

[120360.](#)

Citizen Comment - Syed Mohammed I. Haider (B)

RECOMMENDATION

The City Commission hear comments from Syed Mohammed I. Haider and place back-up submitted on file.

Walter Willard

Various Issues.

Pat Fitzpatrick

Social and political issues.

Rob Brinkman

Citizen Comment issues.

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[120226.](#)

Acceptance of anticipated US Department of Transportation FAA - AIP Grant #3-12-0028-034-2012 in the amount of \$1,187,542. (B)

This item seeks City of Gainesville acceptance of an anticipated 2012 US Department of Transportation FAA - AIP Grant to the Gainesville Regional Airport in the amount of \$1,187,542 for 1) Rehabilitation and Improvement of Internal Service Road, 2) Rehabilitation of Apron High Mast Lighting and Related Work, 3) Taxiway E Rehabilitation - Design Only, 4) Preparation of Airport Wildlife Hazard Management Plan, 5) Acquisition / Replacement of ARFF Equipment Mutual Aid Radios, and 6) Acquisition of Emergency Command Communications Vehicle.

Planning and Development Services Director Erik Bredfeldt gave a presentation.

RECOMMENDATION

The City Commission: 1) hear a brief presentation regarding this request; and 2) adopt the proposed 2012 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 Hawkins, seconded by Commissioner Wells, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

[120287.](#)

Acceptance of anticipated US Department of Transportation FAA - AIP Grant #3-12-0028-035-2012 in the amount of \$333,000 (B)

This item seeks City of Gainesville acceptance of an anticipated 2012 US Department of Transportation FAA - AIP Grant to the Gainesville Regional Airport in the amount of \$333,000 for:

- 1) an Airport Master Plan Study Update and Related Planning Studies.

RECOMMENDATION

The City Commission: 1) hear a brief presentation regarding this request; and 2) adopt the proposed 2012 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 Hawkins, seconded by Commissioner Wells, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

[120254.](#)

Resolution for a Joint Participation Agreement - State Block Grant Funds for RTS Operating Assistance for FY 2012-2013 (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to accept the allocation for Gainesville of \$1,632,478 from the State Block Grant Funds for FY 2012-2013.

RECOMMENDATION

The City Commission adopt the Resolution.

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

ADOPTION READING-ROLL CALL REQUIRED

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[110864.](#)**LAND DEVELOPMENT CODE - STORMWATER MANAGEMENT (B)**

Ordinance No. 110864; Petition No. PB-12-20 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code; by amending Section 30-270 Stormwater management generally; erosion and sediment control; design and maintenance of facilities to make it consistent with the Stormwater Management Element of the City of Gainesville Comprehensive Plan regarding the use and design of stormwater management facilities; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Senior Planner Andrew Persons gave a presentation.

Mayor Lowe recognized Walter Willard who spoke to the matter.

RECOMMENDATION

The City Commission (1) approve petition PB-12-20 TCH and (2) adopt the proposed ordinance.

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

[110866.](#)**HAWLEY 39TH AVENUE PLANNED DEVELOPMENT (B)**

Ordinance No. 110866; Petition No. PB-12-08 PDA

An ordinance of the City of Gainesville, Florida, amending the Planned Development commonly known as "Hawley 39th Avenue Planned Development" located in the vicinity of 4405 NW 39th Avenue; by amending City of Gainesville Ordinance No. 050254 to provide for additional parking; by providing a severability clause; and providing an immediate effective date.

Lead Planner Lawrence Calderon gave a presentation.

RECOMMENDATION*The City Commission adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

110888.**DEVELOPMENT ORDER AND BUILDING PERMIT EXTENSIONS (B)**

Ordinance No. 110888

An ordinance of the City of Gainesville, Florida, establishing administrative procedures, requirements and limitations to carry out the development order and building permit extensions authorized by Section 252.363, Florida Statutes; providing a severability clause; and providing an immediate effective date.

Principal Planner Onelia Lazzari gave a presentation.

RECOMMENDATION*The City Commission adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

120001.**LAND DEVELOPMENT CODE - LEVELS OF SERVICE STANDARDS AND WATER AND WASTEWATER FACILITIES (B)**

Ordinance No. 120001; Petition No. PB-12-37 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code; by amending Section 30-35 Level of service standards and Section 30-271 Centralized water and wastewater facilities for consistency with the Potable Water & Wastewater, Recreation, Solid Waste, and Stormwater Management Elements of the City of Gainesville Comprehensive Plan; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Lead Planner Dean Mimms gave a presentation.

RECOMMENDATION*The City Commission (1) approve Petition PB-12-37 TCH and (2) adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

120129.

DEVELOPMENT ORDER AND BUILDING PERMIT EXTENSIONS (B)

Ordinance No. 120129

An ordinance of the City of Gainesville, Florida, establishing administrative procedures, requirements and limitations to carry out the development order and building permit extensions authorized by House Bill 503, now known as Chapter 2012-205, Laws of Florida; providing a severability clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

120211.

WATER AND SEWERAGE AMENDMENTS (B)

Ordinance No. 120211

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING CHAPTER 27, DIVISION 3, SEWERAGE, OF THE GAINESVILLE CODE OF ORDINANCES; BY AMENDING SECTION 27-180, "PRETREATMENT PROGRAM - GENERALLY", RELATING TO OBJECTIVES AND IMPLEMENTATION; AMENDING SECTION 27-180.1 "SAME - PROHIBITED SUBSTANCES" RELATING TO STANDARDS AND REQUIREMENTS; AMENDING SECTION 27-180.3, "SAME - PERMITTING" RELATING TO REQUIREMENTS FOR INDUSTRIAL WASTES; AMENDING SECTION 27-180.4 "SAME - MONITORING, REPORTING AND NOTIFICATION", RELATING TO SEMI-ANNUAL COMPLIANCE REPORTS; AMENDING SECTION 27-180.5 "SAME - PRETREATMENT FACILITIES AND MONITORING EQUIPMENT" RELATING TO OPERATING PROCEDURES FOR HANDLING HARMFUL WASTE; AMENDING SECTION 27-180.6 "SAME - ACCIDENTAL DISCHARGE/SLUG PREVENTION" RELATING TO PROCEDURES FOR SLUG DISCHARGE; AMENDING SECTION 27-180.7 "SAME - ENFORCEMENT" RELATING TO COMPLIANCE AND INSPECTIONS; AMENDING SECTION 27-180.8 "SAME - REGULATION OF WASTEWATER RECEIVED FROM OTHER JURISDICTIONS" RELATING TO INTER-JURISDICTIONAL AGREEMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Supervising Utility Engineer Tony Cunningham gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

120261.

CHAPTER 27-96 AMENDMENTS RELATING TO WATER AND SEWERAGE (B)

Ordinance No. 120261

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING CHAPTER 27 OF THE GAINESVILLE CODE OF ORDINANCES RELATING TO WATER AND SEWERAGE; AMENDING SECTION 27-96 OF THE CODE OF ORDINANCES BY CREATING AND AMENDING CERTAIN DEFINITIONS AS MORE SPECIFICALLY SET FORTH IN THE ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

120218.

GENERAL EMPLOYEE'S PENSION PLAN ORDINANCE AMENDMENTS (B)

Ordinance No. 120218

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; amending Section 2-521, Definitions; amending the definition of credited service related to sick leave and personal critical leave bank; amending the definition of earnings related to overtime pay and termination vacation pay; amending the definition of final average earnings related to the computation of such earnings; amending the definition of service credit rules to conform and clarify the Plan with regard to a member's death while performing qualified military service; amending Section 2-523, Membership and service, related to the computation of final average earnings for participants in the Gainesville Gas Group Pension Plan; amending Section 2-524, Contributions and funding, related to member contributions, by changing the term gross pay to earnings; amending Section 2-526, Benefits, related to years of service and age required for normal retirement and early retirement, payment of accrued benefit with an actuarial present value of \$5,000.00 or less, the timing of termination benefits, and the amount of monthly pension benefit; amending Section 2-534, Deferred Retirement Option Program (DROP), related to eligibility, sick leave and personal critical leave bank, and interest rate; amending Section 2-535, Cost of living adjustment of benefits; non-eligibility during DROP participation, related to age and years of service; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing

an immediate effective date.

Risk Management Director Steve Varvel gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

110814.

FUTURE LAND USE MAP CHANGE - VICINITY OF 2000 SW 43RD STREET (B)

Ordinance No. 110814; Petition No. PB-11-137 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 24.7 acres of property located in the vicinity of 2000 SW 43rd Street, as more specifically described in this ordinance, from the Alachua County land use category of Recreation to the City of Gainesville land use categories of Recreation (REC), Conservation (CON), and Public Facilities (PF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission (1) receive letters of "no comment" from the Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, Florida Department of Education, St. Johns River Water Management District; and (2) adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

110925.

COMPREHENSIVE PLAN AMENDMENT - CAPITAL IMPROVEMENTS ELEMENT (B)

Ordinance No. 110925; Petition No. PB-11-140 CPA

An ordinance amending the Capital Improvements Element of the City of Gainesville Comprehensive Plan; by amending Policies 1.1.1 and 1.1.12; by adding Policy 1.1.13; by amending Policies 1.2.1, 1.2.4, 1.2.6, and deleting Policy 1.2.5; by amending Policies 1.3.6 and 1.4.1; by deleting Objective 1.10 and its Policy 1.10.1;

by updating Table 14: 5-Year Schedule of Capital Improvements (FY 10/11-14/15); by deleting Table 15. School Board of Alachua County 5-Year District Facilities Work Program (FY 10/11-14/15); providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission (1) receive letters of "no comment" from the Florida Department of Economic Opportunity and the North Central Florida Regional Planning Council; (2) receive "comment" letters from St. Johns River Water Management District and Florida Department of Education and staff response letters; and (3) adopt the proposed ordinance, as amended.

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

110942.

SIDEWALK CAFES - TEXT CHANGE TO THE LAND DEVELOPMENT CODE (B)

Ordinance No. 110942; Petition No. PB-12-41 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to sidewalk cafes; by amending Section 30-23 to add a definition; by creating Section 30-121 to add sidewalk cafes as a specially regulated use; by amending Section 30-66(c) to allow sidewalk cafes within the Central City District; by deleting Section 30-66(e)(3) related to requirements for sidewalk cafes within the Central City District; by amending Appendix A. - Special Area Plans, Section 3. - Special Area Plan for College Park, Exhibit B, Urban Regulations For New Construction - Type 1, Building Use to allow sidewalk cafes; by amending Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances to add an annual fee for sidewalk cafes; 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, as amended at first reading.

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

120146.

PROHIBITION - TEMPORARY OUTDOOR ALCOHOLIC BEVERAGE SPECIAL EVENT PERMITS (B)

Ordinance No. 120146; Petition No. PB-12-60 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development

Code; by amending Section 30-67 General provisions for business and mixed use districts to prohibit the issuance of special event permits and temporary game day permits to establishments that are subject to an underage prohibition order relating to underage drinking incidents; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 3 - Commissioner Chase, Commissioner Hinson-Rawls, and Mayor Lowe

120051.

FIRE PREVENTION CODE AMENDMENT (B)

Ordinance No. 120051

An ordinance of the City of Gainesville, Florida, amending Chapter 10 of the Code of Ordinances of the City of Gainesville, relating to fire prevention; amending Sec. 10-10. - Amendments to NFPA 1 Section 13.1.3 of the Florida Fire Prevention Code; Sec. 10-11. - Amendments to NFPA 1 Section 13.1.4 18.3.3 of the Florida Fire Prevention Code; Sec. 10-12. - Amendments to NFPA 1 Section 13.1.3 18.3.6 of the Florida Fire Prevention Code; Sec. 10-13. - Amendments to NFPA 1 Section 13.1.7 18.4.5 of the Florida Fire Prevention Code; Sec. 10-50. - Definitions; Sec. 10-51. - Requirements for assembly occupancy owners and crowd managers; Sec. 10-52. - Fire rescue connections; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

PLAN BOARD PETITIONS

120227.

Update the Comprehensive Plan Conservation, Open Space & Groundwater Recharge Element, and associated maps in the Future Land Use Map Series (B)

Petition PB-12-61 CPA. Update the City of Gainesville Comprehensive Plan Conservation, Open Space & Groundwater Recharge Element, and associated maps in the Future Land Use Map Series.

Lead Planner Dean Mimms gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission*

approve Petition PB-12-61 CPA. The Plan Board voted 5-0.

Staff to City Commission - The City Commission approve Petition PB-12-61 CPA.

Staff to City Plan Board - Staff recommends approval of Petition PB-12-61 CPA.

A motion was made by Commissioner Wells, seconded by Commissioner Hawkins, that this matter be Approved (Petition). The motion carried by the following vote:

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

Absent: 2 - Commissioner Hinson-Rawls, and Mayor Lowe

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Todd Chase

- 1. City Attorney Nicolle Shalley - Congratulations.*
- 2. Santa Fe College.*
- 3. File #120335 on the Monday, September 10, 2012 City Commission agenda.*

Commissioner Randy Wells

- 1. Santa Fe College - Number 10 in US.*
- 2. Water protection.*

Commissioner Thomas Hawkins

File #120335 - on Monday, September 10, 2012 agenda.

CITIZEN COMMENT

Director of Equal Opportunity Cecil Howard

Job Fair, Tuesday, September 11, 2012.

ADJOURNMENT - 8:21 PM

