

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, February 21, 2013

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

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

AGENDA STATEMENT

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

[120792.](#) **2013 Plum Creek Foundation Grant Program Application (NB)**

This item requests City Commission authorization to apply for the 2013 Plum Creek Foundation Grant Program funds in the amount of \$2,100 for GPD’s Summer Kids Camp and Honor Roll recognition.

RECOMMENDATION *The City Commission authorize the City Manager to execute the grant application, grant award, if received, and any other necessary documents subject to review by the City Attorney.*

This Matter was Approved as Recommended

[120798.](#) **State Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for “You and the Law” Crime Prevention Program (NB)**

This item requests that the City Commission appropriate and expend \$15,000 in funds from the State Law Enforcement Contraband Forfeiture Trust Fund for Gainesville Police Department’s for “You and the Law” Program.

RECOMMENDATION *The City Commission authorize the appropriation of \$15,000 from the State Law Enforcement Contraband Forfeiture Trust Fund to supplement the grant awarded and assist with the implementation of the “You and the Law” Program.*

Alternative Recommendation A: The City Commission decline the appropriation and direct staff to seek alternative maintenance options and not implement new programs designed to curb youth violence.

This Matter was Approved as Recommended

[120799.](#)

**State Law Enforcement Contraband Forfeiture Trust Fund (LECF TF)
Funding for the 2013 Summer Heat Wave/Operation Respect Yourself
Program (NB)**

**This is a request for funding to support the 2013 Summer Heat
Wave/Operation Respect Yourself Program.**

RECOMMENDATION

*The City Commission approves the use of State Law
Enforcement Contraband Forfeiture Trust Funds not to
exceed \$10,000 to support the Summer Heat
Wave/Operation Respect Yourself 2013 Program.*

Alternative Recommendation

*The City Commission deny funding which will result in the
Summer Heat Wave/Operation Respect Yourself 2013
Program being cancelled or scaled back*

This Matter was Approved as Recommended

[120800.](#)

**State Law Enforcement Forfeiture Funding Expenditure for Hiring of
One FTE for Reichert House Youth Academy (B)**

**This item requests that the City Commission appropriate and expend
\$28,000 for the hiring of one full time employee (fte) for the Reichert
House Youth Academy.**

RECOMMENDATION

*The City Commission approve the appropriation in the
amount of \$28,000 from the State Law Enforcement
Contraband Forfeiture Trust Fund for the hiring of one FTE
for the Reichert House Youth Academy.*

*Alternative recommendation: The City Commission deny
funding.*

This Matter was Approved as Recommended

[120681.](#)

**Lease Agreements with Alachua County Library District for Fred Cone
Park (NB)**

**This item requests approval and authorization by the Gainesville City
Commission for the Mayor to execute a modified Ground Lease
agreement for a permanent library building with the Alachua County
Library District for Fred Cone Park**

RECOMMENDATION

*The City Commission: 1) approve the modified Ground
Lease between the City of Gainesville and the Alachua
County Library District for a permanent library building, to
include a 99-year lease; and 2) authorize the Mayor to
execute and the Clerk of the Commission to attest the
modified Ground Lease agreement for the permanent library,
subject to approval by the City Attorney as to form and
legality.*

This Matter was Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

[120811.](#) BAYCORP HOLDINGS LTD.; ENERGY MANAGEMENT, INC.; STARWOOD ENERGY GROUP GLOBAL, LLC; STARWOOD ENERGY GROUP GLOBAL, INC.; RONALD FAGEN; AND DIANE FAGEN, PLAINTIFFS V. THE CITY OF GAINESVILLE, FLORIDA, D/B/A GAINESVILLE REGIONAL UTILITIES, DEFENDANT; NORTHERN DISTRICT OF FLORIDA, CASE NO. 13CV00024-SPM-GRJ (B)

RECOMMENDATION *The City Commission authorize the City Attorney, assisted by special counsel, to represent the City in the case styled Baycorp Holdings Ltd.; Energy Management, Inc.; Starwood Energy Group Global, LLC; Starwood Energy Group Global, Inc.; Ronald Fagen; and Diane Fagen, Plaintiffs v. the City of Gainesville, Florida, d/b/a Gainesville Regional Utilities, Defendant; Northern District of Florida, Case No. 13CV00024-SPM-GRJ.*

This Matter was Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[120832.](#) **Appointments to City Commission Advisory Boards and Committees (NB)**

RECOMMENDATION *The City Commission appoint:*

Paige Phelps to the Citizens Advisory Committee for Community Development for a term to expire 11/1/16.

Steven Schell, Dustin Stephany and John Lawson to the Gainesville Energy Advisory Committee for a term to expire 9/30/16.

Jason McLean to the Gainesville Human Rights Board for a term to expire 2/22/16.

James Reeves to the Historic Preservation Board for a term to expire 6/1/14.

Meg Niederhofer to the Tree Advisory Board for a term to expire 1/1/16.

This Matter was 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

[120755.](#) **Review of GRU Billing and Collection (B)**

RECOMMENDATION

The City Commission:

- 1. Accept the City Auditor's report and the response from the General Manager for Utilities, and*
- 2. Instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.*

This Matter was Approved as Recommended

[120201.](#) **Community Grant Program Requirements (B)**

RECOMMENDATION

The City Commission accept the changes to the Community Grant Program Guidelines and Application Form.

This Matter was Approved as Recommended

[120741.](#) **Amendment to Purchasing Procedures to Provide for Bid Protest Bond (B)**

RECOMMENDATION

The Audit, Finance and Legislative Committee recommends the City Commission approve staff's request to amend the Purchasing Procedures to provide for a bid protest bond. Included in the procedural change will be staff's explanation of the bid protest bond process.

This Matter was Approved as Recommended

[120757.](#) **Fiscal Year 2013 Operating Funds Quarterly Monitoring Report - Quarter Ending December 31, 2012 (B)**

RECOMMENDATION

The City Commission receive the quarterly budget monitoring report for the quarter ended December 31, 2012.

This Matter was Approved as Recommended

Approval of the Consent Agenda

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

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

Absent: 1 - Mayor Lowe

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Mayor Lowe arrived at 1:13PM

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

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

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

[120871.](#) Canvass Board Appointment (NB)

Motion: Appoint Shirley Whitfield

RECOMMENDATION *The City Commission make a citizen appointment.*

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

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

CITY MANAGER

[120250.](#) **Declare the Property at 217 Northeast 1st Street Surplus (B)**

This item is a request to declare the City owned property, located at 217 Northeast 1st Street as surplus and offer it in exchange for a portion of the State owned Correctional Facility on Northeast 39th Avenue.

Fred Murry made a presentation.

RECOMMENDATION

The City Commission: 1) declare the City owned property located at 217 Northeast 1st Street, identified as Alachua County Tax Parcel 14733-000-000 as surplus; 2) waive the City real estate guideline requirement to route Alachua County Tax Parcel 14733-000-000 to all departments for potential use; 3) authorize the City Manager to negotiate the exchange of Tax Parcel 14733-000-000 for the remnant of the State owned Correctional Facility; 4) authorize City staff to initiate the appropriate petition to seek a special use permit to allow "Individual and Family Services" at 217 Northeast 1st Street; and 5) authorize the Mayor to execute and the Clerk to attest the deed, to effect the conveyance of this property, subject to approval by the City Attorney.

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

120750.

Main Street Streetscaping Project Update (B)

This item is a request to update the City Commission on the progress of the Main Street Streetscaping project and request input on some design elements.

Stefan Broadus, Teresa Scott and Daniel Sostrum made presentations.

Amendment: Stripe eight crosswalks and prioritize crosswalks over electric charging stations

Donald Sheppard spoke to the matter.

RECOMMENDATION

The City Commission: 1) approve the conceptual design of Phase 2; and 2) direct staff to proceed toward final plans.

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

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

Nay: 1 - Commissioner Chase

[120861.](#)**US Department of Energy Rooftop Solar Challenge II Grant (B)**

This item involves a request to the City Commission to hear a presentation on the US Department of Energy (DOE) Rooftop Solar Challenge II Grant, the second phase of Broward County's Rooftop Solar Challenge I, which expands the grant initiative to additional entities.

Paul Folkers, Sean Mclendon and Erik Bredfeldt made presentations.

RECOMMENDATION

Authorize the Mayor to sign a Letter of Commitment for the City of Gainesville's participation with Alachua County as a sub-recipient through Broward County's Rooftop Solar Challenge II Grant application.

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

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

[120803.](#)**Approval of Reprogramming Community Development Block Grant Funds (B)**

This item requests for the City Commission to approve the reprogramming of Community Development Block Grant (CDBG) funds from the GRACE One Stop Homeless Assistance Center to the City's Homeowner Rehabilitation Program to enable timely use of the CDBG funds.

Fred Murry and Jacki Richardson made a presentation.

Donald Sheppard spoke to the matter.

RECOMMENDATION

The City Commission approve the reprogramming of the \$660,308 CDBG funds from the GRACE Project to the City's Homeowner Rehabilitation Program.

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

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

Nay: 1 - Commissioner Chase

Absent: 1 - Commissioner Hinson-Rawls

GENERAL MANAGER FOR UTILITIES[120827.](#)**GRU 2012 Community Relations Update (B)**

A presentation will be made regarding the community relations programs

and activities currently managed by Gainesville Regional Utilities.

Nona Jones made a presentation.

RECOMMENDATION

The City Commission hear a presentation from Community and Government Relations Director Nona C. Jones.

Heard

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

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

COMMISSION COMMENTS (if time available)

Commissioner Poe-1. Meridian Program 2. Audit/Finance referral county participation on Regional Utilities Committee 3. Consent Decree EPA Koppers

Commissioner Hawkins 1. Buffer Zone at Health Clinics 2. New Road map

Commissioner Chase 1. Koppers memo 2. Mother death 3. Audit and Finance Committee referrals discussion

Commissioner Wells 1. Koppers meeting

Fred Murry spoke on several of these issues.

[120889.](#) Commissioner Hawkins Materials

Placed on File

[120890.](#) County Participation on RUC

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Hawkins, that this Matter be Referred to the Audit, Finance and Legislative Committee, due back on 8/21/2013. The motion carried by the following vote:

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

RECESS-4:39PM

RECONVENE-6:00PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[120824.](#) **World Spay Day - February 26, 2013 (B)**

RECOMMENDATION *No More Homeless Pets, Inc. Executive Director Sandi Richmond to accept the proclamation.*

Heard

[120825.](#) **Jim and Anne Voyles Day - February 21, 2013 (B)**

RECOMMENDATION *Bread of the Mighty Food Bank Jim Voyles and Ann Voyles to accept the proclamation.*

Heard

[120826.](#) **Visionaires Day - February 24, 2013 (B)**

RECOMMENDATION *Gussie Campbell to accept the proclamation.*

Heard

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

John Davies-Election and Biomass

Ernesto Martinez-Charter Ammendment

Rob Brinkman-Biomass and Feed in Tariff

Debbie Martinez-Biomass

Nathan Skop-Biomass

Jo Beaty-Fuel Adjustment

Annie Orlando-Feed in Tariff

Pat Fitzpatrick-Bible and Homeless

[120886.](#)

Jo Beaty Materials

Placed on File

[120887.](#)

Pat Fitzpatrick Materials

Placed on File

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[120791.](#)

SISTER CITIES PROGRAM CITY OF RZESZOW, POLAND (B)

Resolution No. 120791

A Resolution of the City Commission of the City of Gainesville, Florida recognizing the City of Rzeszow, Podkarpackie Province, Poland, as a Sister City of the City of Gainesville, Florida, U.S.A. authorizing execution of a Sister City agreement; and providing an immediate effective date.

Nathan Skop, Annie Orlando, Jo Beatty, Ernesto Martinez and Donald Sheppard spoke to the matter.

The Commissioner recessed at 7:32PM and reconvened at 7:51PM.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

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

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

Abstain: 1 - Commissioner Wells

[120758.](#)

FIRST AMENDMENT TO THE FY 2012-2013 GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN (B)

Mark Benton made a presentation.

Nathan Skop, Jo Beaty, Debbie Martinez, Annie Orlando and Ernesto Martinez spoke to the matter.

RECOMMENDATION *The City Commission adopt the resolution.*

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

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

ADOPTION READING - ROLL CALL REQUIRED

120525.

REZONING - APPROXIMATELY .04 ACRES OF PROPERTY GENERALLY LOCATED AT 1126 NW 7TH AVENUE (B)

Ordinance No.120525; Petition PB-12-111 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately .04 acres of property generally located at 1126 NW 7th Avenue, as more specifically described in this ordinance, from Public services and operations district (PS) to Single-family residential district (RSF-4); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Onelia Lazzari made a presentation.

Donald Sheppard spoke to the matter.

RECOMMENDATION *The City Commission (1) approve Petition No. PB-12-111 ZON and (2) adopt the proposed ordinance.*

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

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

120209.

COMPREHENSIVE PLAN AMENDMENT - FUTURE LAND USE ELEMENT AND STORMWATER MANAGEMENT ELEMENT (B)

Ordinance No. 120209; Petition No. PB-12-58 CPA

An ordinance amending the City of Gainesville Comprehensive Plan; by amending Policy 3.1.5 in the Future Land Use Element; by amending Policies 1.1.1, 1.3.1, 1.3.5, 1.3.8, 1.3.10, 1.5.2, and by deleting Objective 1.11 and its Policies in the Stormwater Management Element; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Onelia Lazzari made a presentation.

RECOMMENDATION

The City Commission (1) approve Petition PB-12-58 CPA and (2) adopt the proposed ordinance.

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

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

[120234.](#)

**COMPREHENSIVE PLAN AMENDMENT -
INTERGOVERNMENTAL COORDINATION ELEMENT (B)**

Ordinance No. 120234; Petition No. PB-12-72 CPA

An ordinance amending the Intergovernmental Coordination Element of the City of Gainesville Comprehensive Plan by deleting Policy 1.6.3; 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 North Central Florida Regional Planning Council, St. Johns River Water Management District and Florida Department of Environmental Protection; (2) receive "comment" letters from Florida Department of Economic Opportunity and Florida Department of Education; and, (3) adopt the proposed ordinance.

A motion was made by Mayor-Commissioner Pro Tem Poe, 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: 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

[120221.](#)

**LAND USE CHANGE - 3500-3700 BLOCKS OF SOUTHWEST
WILLISTON ROAD (B)**

Ordinance No. 120221; Petition No. PB-11-49 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 acres of property located in the vicinity of the 3500-3700 blocks of SW Williston Road, as more specifically described in this ordinance, from the Alachua County land use category of Heavy Industrial (INDH) to the City of Gainesville land use category of Office (O); 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 North Central Florida Regional Planning Council, St.

Johns River Water Management District and Florida Department of Environmental Protection; (2) receive "comment" letters from Florida Department of Economic Opportunity and Florida Department of Education; and, (3) adopt the proposed ordinance.

A motion was made by Commissioner Hinson-Rawls, 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: 7 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, Commissioner Chase, and Commissioner Hinson-Rawls

[120222.](#)

LAND USE CHANGE - 4600-5000 BLOCKS OF SOUTHWEST 41st BOULEVARD (B)

Ordinance No. 120222; Petition No. PB-11-51 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 285 acres of property located in the vicinity of the 4600-5000 blocks of SW 41st Boulevard, as more specifically described in this ordinance, from the Alachua County land use categories of Heavy Industrial (INDH), Light Industrial (INDL), and Low Density Residential (1-4 DU/acre)(LOW) 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.

RECOMMENDATION

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

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

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[120220.](#)

REZONING - VICINITY OF 3500-3700 BLOCKS OF SW WILLISTON ROAD (B)

Ordinance No. 120220; Petition No. PB-11-50 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 24 acres of property located in the vicinity of the 3500-3700 blocks of SW Williston Road, north side, west of SW 41st Boulevard, as more specifically described in this ordinance, from the Alachua County Highway oriented business services (BH) zoning district to the City of Gainesville General office (OF) zoning district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Jason Simmons made a presentation.

RECOMMENDATION *The City Commission (1) approve petition PB-12-59 TCH and (2) adopt the proposed ordinance.*

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

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

[120223.](#)

**REZONING - VICINITY OF 4600-5000 BLOCKS OF SW 41ST BLVD.
(B)**

Ordinance No. 120223; Petition PB-11-52 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 285 acres of property located in the vicinity of the 4600-5000 blocks of SW 41st Boulevard, west side, as more specifically described in this ordinance, from the Alachua County zoning districts of Industrial services and manufacturing (MS), Multiple family, high density (R-3), Single family, low density (RE-1), and Agricultural (A) to the City of Gainesville Business industrial (BI) zoning district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Jason Simmons made a presentation.

RECOMMENDATION *The City Commission (1) approve Petition PB-11-52 ZON and (2) adopt the proposed ordinance.*

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

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

[120179.](#)

TEXT CHANGE - TEMPORARY PARKING - UMU-2 ZONING (B)

Ordinance No. 120179; Petition No. PB-12-59 TCH
An ordinance of the City of Gainesville, Florida, amending Section 30-65.2 Urban mixed-use district 2 (UMU-2) of the Land Development Code by adding surface parking to the list of permitted uses by special use permit within the University Heights Area and providing regulations for surface parking; providing clarifying amendments related to surface and structured parking; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Ralph Hilliard made a presentation.

RECOMMENDATION *The City Commission (1) approve Petition PB-12-59 TCH and (2) adopt the proposed ordinance.*

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

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

120617.

REZONING - VICINITY OF 1961 NORTH MAIN STREET (B)

Ordinance No. 120617; Petition No. PB-12-130 ZON
An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 3.88 acres of property generally located at 1961 North Main Street, as more specifically described in this ordinance, from Automotive-oriented business district (BA) to General business district (BUS); 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 Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

120767.

SANTA FE COLLEGE SPRING ARTS FESTIVAL - SPECIAL EVENT PERMIT FOR SALE OF BEER AND WINE (B)

Ordinance No. 120767
An Ordinance of the City of Gainesville, Florida, amending Chapter 4 of the City of Gainesville Code of Ordinances, relating to alcoholic beverages; by creating and adding a new subsection (6) to Sec. 4-4.(b) to provide an

exception for the temporary outdoor sale, dispensing and consumption of beer and wine at the Santa Fe College Spring Arts Festival; establishing a permit process and setting forth conditions and requirements for the permit; 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 Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Chase-General Fund Transfer, open City positions and NW 8th Avenue.

CITIZEN COMMENT (If time available)

Annie Orlando-Solar Roofs

Jo Beatty-Process for citizen comment, back-up and motions

Commissioner Bottcher left the meeting at 8:54PM

Nathan Skop-Biomass costs

Donald Sheppard-Biomass

ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)-9:00PM

Kurt Lannon, Clerk of the Commission

