

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, August 2, 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 - 1:00 PM

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## ROLL CALL

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

## INVOCATION

### Prophet George Young

## CONSENT AGENDA

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

*(VOTE: 7-0, MOTION CARRIED)*

*MODIFICATION: File # 120180 - Agreement with the Department of Juvenile Justice - (Revised signature page submitted)*

## CITY MANAGER, CONSENT AGENDA ITEMS

### 120180.

#### **Agreement With The Department of Juvenile Justice To Provide Security At The Gainesville Area Regional Booking And Screening Unit for FY2013 (B)**

**This item requests the City Commission's authorization to enter into an agreement with the Department of Juvenile Justice for operational costs of the Gainesville Area Regional Booking and Screening Unit (formerly called the Juvenile Assessment Center).**

#### **RECOMMENDATION**

*The City Commission: 1) authorize the City Manager to execute the agreement with the Department of Juvenile Justice, subject to the approval of the City Attorney as to form and legality; and 2) authorize the issuance of a purchase order in an amount not to exceed \$90,000 for this agreement.*

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

120180a\_DJJAgreement\_20120802.pdf

120180b\_DJJSoleSource\_20120802.pdf

120180-MOD\_Interagency Agreement\_20120802.pdf

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS****120177.**

**TERRY LEE VS. THE CITY OF GAINESVILLE FCHR NO.:  
201201651/EEOC No.: 15D201200514 (NB)**

**RECOMMENDATION**     *The City Commission authorize the City Attorney to represent the City in the case styled Terry Lee vs. the City of Gainesville; FCHR No.: 201201651/EEOC No.: 15D201200514.*

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

**120194.**

**AGNES BURKE V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT,  
CASE NO. 2012-CA-2195 (B)**

**RECOMMENDATION**     *The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Agnes Burke v. City of Gainesville; Eighth Judicial Circuit, Case No. 2012-CA-2195.*

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

120194\_Agnes Burke Consent\_20120802.pdf

**120195.**

**GREGORY ARTHUR V. CITY OF GAINESVILLE AND GAINESVILLE  
POLICE DEPARTMENT, ET AL; EIGHTH JUDICIAL CIRCUIT; CASE NO:  
2012-CA-2290 (B)**

**RECOMMENDATION**     *The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available to represent the City in the case styled Gregory Arthur v. City of Gainesville and Gainesville Police Department, et al; Eighth Judicial Circuit; Case No.: 2012-CA-2290.*

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

120195\_Gregory Arthur Consent\_20120802.pdf

**120196.**

**ANTHONY L. NORWOOD V. CITY OF GAINESVILLE AND POLICE  
OFFICER ANDY J. ZAWADZKI; NORTHERN DISTRICT OF FLORIDA,  
CASE NO.: 11-CV-00176-MP-GRJ (B)**

**RECOMMENDATION**     *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to*

*represent the City of Gainesville and the individual officer in the case styled Anthony L. Norwood v. City of Gainesville and Police Officer Andy J. Zawadzki; Northern District of Florida, Case No.: 11-CV-176-MP-GRJ.*

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

120196\_Anthony Norwood\_20120802.pdf

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

### **120203.**

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

**RECOMMENDATION**     *The City Commission approve the minutes of June 26, 2012, July 11, 2012, July 16, 2012, July 17, 2012, and July 19, 2012, as circulated.*

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

120203\_june 26, 2012\_minutes\_20120802.pdf  
120203\_july 11, 2012\_minutes\_20120802.pdf  
120203\_july 16, 2012\_minutes\_20120802.pdf  
120203\_july 17, 2012\_minutes\_20120802.pdf  
120128\_july 19, 2012\_minutes\_20120802.pdf

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

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

## **PUBLIC SAFETY COMMITTEE, CONSENT**

### **100271.**

#### **Underage Drinking Ordinance Issues (NB)**

**RECOMMENDATION**     *The City Commission direct City staff to: 1) investigate the standardization of security protocol for alcohol serving establishments; 2) investigate the standardization of the City's permitting process for alcohol serving establishments; and 3) remove this referral from the Public Safety Committee referral list.*

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

100271\_SoftClosingIOC\_20101011.pdf  
100271\_SoftClosingResearch\_20110214.pdf  
100271\_MillerData\_20110928.pdf  
100271\_2011AlcoholCharges\_20120628.pdf

**100624.****Dog Attacks on Other Dogs (B)**

**The Public Safety Committee discussed this referral and has concluded that the City and County have authority to regulate dangerous dogs and that no additional actions are needed.**

**RECOMMENDATION**      *The City Commission remove the referral from the Public Safety Committee referral list.*

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

100624\_DogBiteOrdSummary\_20110331.pdf

100624\_CountyUpdateDangerousDogs\_20120628.pdf

**Passed The Consent Agenda**

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

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

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**[Play Video](#)

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

*(VOTE: 7-0, MOTION CARRIED)*

**MODIFICATIONS:**

- 1. File #120191 - Watering Restrictions Update - (New ppt submitted by GRU staff).*
- 2. File #120216 -Resolution Authorizing and Approving the purchase of 60 acres from the Suwannee Water Management District - (Corrected Resolution and Contract submitted).*
- 3. File #110209 - Roam Towing - Successor Business - (New recommendation to strike the ordinance from the agenda and new explanation).*

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION****CITY MANAGER****GENERAL MANAGER FOR UTILITIES**

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**120211. Proposed Amendment to Chapter 27, Code of Ordinances (B)**

[Play Video](#)

*GRU Senior Environmental Engineer Tony Cunningham gave a presentation.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending sections 27-96 and 27-180 of Chapter 27 of the Gainesville Code of Ordinances as necessary to meet the regulatory requirements as set forth by the United States Environmental Protection Agency (USEPA) and Florida Department of Environmental Protection (FDEP).*

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

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

120211\_factsheet\_20120802.pdf

120211\_fdepltr\_20120802.pdf

120211\_permitltr\_20120802.pdf

120211\_requirements\_20120802.pdf

120211\_PPT\_20120802.pdf

120211\_GRU 27-180 amendment\_20120906.pdf

**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

## OUTSIDE AGENCIES

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### **120191**      **Watering Restrictions Update (B)**

[Play Video](#)

*Alachua County Environmental Protection Director Chris Bird and Assistant General Manager for Water/Wastewater Engineering gave presentations.*

*MOTION: Authorize the General Manager or designee, to enter into discussions with both water management districts and the Alachua County Office of Environmental Protection to develop and adopt appropriate and uniform water use restrictions, water shortage orders, and water shortage emergencies for all customers within the GRU's water service area.*

**RECOMMENDATION**      *The City Commission hear presentation.*

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

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

120191A\_Presentation\_20120802.pdf

120191B\_Letter\_20120802.pdf

120191C\_Interagency Agreement\_20120802.pdf

120191D\_Ordinance\_20120802.pdf

120191\_MOD\_GRU\_Staff\_ppt\_20120802.pdf

## MEMBERS OF THE CITY COMMISSION

### COMMISSION COMMENTS (if time available)

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#### **Mayor-Commissioner Pro Tem Poe**

*Referral to the City Manager and the City Attorney regarding parking in the University Context Area - See following Referral Item #120255.*

### **120255.**      **Parking Permit Policies in the University Context Area (NB)**

*NOTE: This item was also referred to the City Attorney.*

**RECOMMENDATION**      *The City Commission refer the issue of loopholes in the policies for on street parking permits in the University*

*Context Area to the City Manager and the City Attorney for their review.*

**A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this matter be Referred to the City Manager, due back on February 2, 2013. The motion carried by the following vote:**

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

### **Commissioner Thomas Hawkins**

*On street parking in the University Context Area.*

### **Commissioner Yvonne Hinson-Rawls**

*Gainesville Job Fair - September 11, 2012. - MLK Center 9:00AM - 2:00PM.*

### **Commissioner Todd Chase**

*Gainesville Girls All-Star Babe Ruth Softball Team World Series - Saturday @ 11:30 AM.*

### **RECESS - 3:29 PM**

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### **RECONVENE - 5:57 PM**

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

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### **PROCLAMATIONS/SPECIAL RECOGNITIONS**

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#### **120204. National Night Out - August 7, 2012 (B)**

[Play Video](#)

#### **RECOMMENDATION**

*Gainesville Police Department Crime Prevention Officer Ernest Graham to accept the proclamation.*

**Heard**



120204\_NightOut\_20120802.pdf

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

[Play Video](#)

**Cher McBride**

*GRU Biomass Plant.*

**Debbie Martinez**

*GRU Biomass Plant.*

**Mac McEachern**

*GRU Biomass Plant.*

**Bob Lynn**

*GRU Biomass Plant.*

**John Davies**

*GRU Biomass Plant.*

**Gabriel Hillel Kaimowitz**

*Lawsuit and Public Records Act.*

**120257.**

**Gabriel Hillel Kaimowitz - Citizen Comment (B)**

**RECOMMENDATION**      *The City Commission hear comments from Mr. Kaimowitz and place back-up submitted on file.*

120257\_Kaimowitz\_Cit.Comment\_20120802.pdf

120257\_Kaimowitz\_Citizen Comment\_20120802..pdf

**Steven Clark**

*GRU Biomass Plant.*

**Rob Brinkman**

*GRU Biomass Plant.*

**Armando Grundy**

*GRU Biomass Plant.*

**Jo Beaty**

*GRU Biomass Plant.*

**Pat Fitzpatrick**

*Homeless - Hungry Issues.*

**Karen Arrington**

*GRU Biomass Plant.*

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

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**120216**

**Resolution Authorizing and Approving the purchase of 60 acres from the Suwannee River Water Management District (B)**

**This item involves the adoption of a Resolution Authorizing and Approving the purchase of 60 acres commonly known as Buck Bay Recreation Area from the Suwannee River Water Management District.**

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*Parks, Recreation and Cultural Affairs Director Steve Phillips gave a presentation.*

*MODIFICATION: 1) Amend the contract term of payment to 10 equal payments; and 2) strike the sentence "the buyer has identified it's Greenspace Acquisition Fund as the source of repayment of the note."*

*Mayor Lowe recognized Rob Brinkman who spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute all documents associated with the acquisition of the 60 acres commonly known as Buck Bay Recreation Area from the Suwannee River Water Management District, subject to approval by the City Attorney as to form and legality.*

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

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

120216A\_Resolution\_20120802.PDF  
120216B\_Contract for Sale of Real Property\_20120802.PDF  
120216C\_50-yr lease with SRWMD for SR 121 Property\_20120802.pdf  
120216D\_Property Boundary Map\_20120802.pdf  
120216E\_Environmental Site Assessment\_20120802.pdf  
120216A\_MOD Resolution\_20120802.PDF  
120216B\_MOD Contract for Sale of Real Property\_20120802.PDF  
120216\_resolution\_080212.pdf

## **ADOPTION READING-ROLL CALL REQUIRED**

## **ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

## **ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

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### **120172.**

#### **ANNEXATION ORDINANCE - NW ANNEXATION REFERENDUM (B)**

##### **Ordinance No. 120172**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended, Special Act, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area generally described as follows: Area 1 is generally located west of NW 55th Street, east of Interstate 75, North of Newberry Road and that portion of the North Florida Regional Doctor's Park & Hospital vicinity already within the City Limits and south of NW 23rd Avenue (above road rights-of-way inclusive) ("Area 1"); providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the City Manager and Clerk of the Commission; providing ballot language; providing for land use plan and zoning regulations; providing for enforcement of Alachua County land use plan, zoning and subdivision regulations; providing for persons engaged in any occupation, business, trade or profession; providing a severability clause; and providing effective dates.**

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

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

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

120172 - NW Referendum Annexation Ordinance\_20120724.pdf

120172\_ordinance\_20120802.pdf

### **120003.**

#### **REZONING - VICINITY OF 500 BLOCK OF SE 7TH AVENUE AND 500 BLOCK OF SE 5TH AVENUE (B)**

**Ordinance No. 120003; Petition No. PB-12-35 ZON**

**An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning property located in the vicinity of the 500 block of SE 7th Avenue and the 500 block of SE 5th Avenue, as more specifically described in this ordinance, from Public services and operations district (PS) to Central city district (CCD); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

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

120003A\_draft ordinance\_20120719.pdf

120003B\_\_staff report\_20120719.pdf

120003C\_comp plan GOPs\_20120719.pdf

120003D\_supplemental documents\_20120719.pdf

120003E\_application package\_20120719.pdf

120003F\_CPB minutes\_20120719.pdf

120003G\_staff ppt\_20120719.pdf

120003H\_CRA PPT\_20120719.pdf

120003\_ordinance\_080212.pdf

### **110209.**

#### **ROAM TOWING - SUCCESSOR BUSINESSES (B)**

**Ordinance No. 110209**

**An ordinance of the City of Gainesville, Florida, amending the City of Gainesville, Sec. 14.5-27, relating to wrecker operator's permit; by amending the requirements to obtain or renew a wrecker operator's permit; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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**RECOMMENDATION**      *The City Commission: 1) Strike the Ordinance from the*

*Agenda; 2) refer the entire Towing or Immobilizing Vehicles from Private Property"Article, including the transfer of ownership to circumvent penalties issue to the Public Safety Committee for a comprehensive re-write of the City of Gainesville Towing Ordinances, Chapter 14.5.*

**A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this matter be Striken From the Agenda (Ordinance). The motion carried by the following vote:**

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

110209\_Roam Towing\_20120719.pdf

110209A\_draft ordinance\_20120802.pdf

110209 MOD\_Revised cover letter\_20120802.pdf

### 110076.

#### **LAND DEVELOPMENT CODE - PROTECTION OF NATURAL AND ARCHAEOLOGICAL RESOURCES (B)**

**Ordinance No. 110076, Petition No. PB-10-143 TCH**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code and amending Appendix A. Fees, Rates, and Charges of the Code of Ordinances, related to regulation of natural resources, archaeological resources and surface waters and wetlands; by amending Section 30-23 (c) definitions; by repealing Section 30-250 (c) Environmental review; by amending Section 30-275 Applicability and effect of overlay districts; by adding a new Section 30-300 Regulated surface waters and wetlands; by amending Section 30-301 Regulated surface waters and wetlands; by amending Section 30-307 Nature park district; by repealing Section 30-309 Significant ecological communities district and repealing Section 30-309.1 Rezoning to significant ecological communities district; by adding a new DIVISION 4. REGULATED NATURAL AND ARCHAEOLOGICAL RESOURCES and adding new Sections 30-310 generally, 30-310.1 Resources assessment, 30-310.2 Regulation of natural and archaeological resources, 30-310.3 Conservation management areas and management plans, 30-310.4 Avoidance, minimization, mitigation, and monitoring, and 30-310.5 Alternative compliance; by re-numbering existing DIVISION 4. RELIEF AND ENFORCEMENT to DIVISION 5. and amending and renumbering the sections within DIVISION 5; by amending Appendix A. of the City Code of Ordinances related to Fees, Rates and Charges for Environmental Review; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

#### **RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

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

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

110076A\_exhibit 8\_post cpb chgs\_20110707.pdf  
110076B\_staff report\_20110707.pdf  
110076C\_exhibit 1 timeline\_20110707.pdf  
110076D\_exhibit2\_envtl petition Table1\_20110707.pdf  
110076E\_exhibit 3\_envtl LDC chgs\_20110707.pdf  
110076F\_exhibit 4\_remove envtl LDC\_20110707.pdf  
110076G\_exhibit 5\_strategic ecosystems map\_20110707.pdf  
110076H\_exhibit 6\_sec 30-300\_20110707.pdf  
110076I\_exhibit 7\_sec 30-275\_20110707.pdf  
110076J\_cpb minutes.110324\_20110707.pdf  
110076K\_staff ppt\_20110707.pdf  
110076L\_MOD\_Fowler Ltr to O Lazzari\_20110707.pdf  
110076M\_MOD\_Fowler Ltr to COG\_20110707.pdf  
110076N\_MOD\_Supplemental Staff PPT Slides\_20110707.pdf  
110076A\_exhibit 8\_post cpb chgs\_20110804.pdf  
110076B\_staff report\_20110804.pdf  
110076C\_exhibit 1 timeline\_20110804.pdf  
110076D\_exhibit2\_envtl petition Table1\_20110804.pdf  
110076E\_exhibit 3\_envtl LDC chgs\_20110804.pdf  
110076F\_exhibit 4\_remove envtl LDC\_20110804.pdf  
110076G\_exhibit 5\_strategic ecosystems map\_20110804.pdf  
110076H\_exhibit 6\_sec 30-300\_20110804.pdf  
110076I\_exhibit 7\_sec 30-275\_20110804.pdf  
110076J\_cpb minutes.110324\_20110804.pdf  
110076K\_staff ppt\_combined\_20110804.pdf  
110076L\_Fowler Ltr to O Lazzari\_20110804.pdf  
110076M\_Fowler Ltr to COG\_20110804.pdf  
110076N\_7-6-11 Memo to Comm Hawkins\_20110804.pdf  
110076 O\_responses to GACAR comments\_20110804 .pdf  
110076\_MOD\_EC&D.CoG.LDCSuggestions\_20080804.PDF  
110076-MOD\_Memo&Maps(slides)\_20110804.pdf  
110076B\_staff ppt\_20120621.pdf  
110076A\_draft ordinance\_20120621.pdf  
110076B-MOD\_Memo\_20120621.pdf  
110076C-MOD\_Rare Species List\_20120621.pdf  
110076D-MOD\_Map Over 5 acres\_20120621.pdf  
110076E-MOD\_Eastside 5 Acres\_20120621.pdf  
110076A\_draft ordinance\_20120719.pdf  
110076D\_staff ppt\_20120719.pdf  
110076B\_Letter to Mayor and City Commissioners regarding Ord 110076.pdf  
110076C\_Memo to City Commissioners dated 06-21-12\_Response to Comments on Ordinance  
110076\_ordinance\_20120802.pdf

**110077.****REZONING - SIGNIFICANT ECOLOGICAL COMMUNITIES OVERLAY  
DISTRICT (B)****Ordinance No. 110077; Petition No. PB 11-16 ZON**

**An ordinance of the City of Gainesville amending the Zoning Map Atlas by removing the Significant Ecological Communities Overlay District from certain property located generally east of Southeast 24th Street, south of East University Avenue and north of Southeast Hawthorne Road; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

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

Nay: Todd Chase

110077A\_staff report\_20110707.pdf  
 110077B\_append A\_exhibit A-1 - A-3\_20110707.pdf  
 110077C\_append B\_application\_20110707.pdf  
 110077D\_cpb minutes 110428\_20110707.pdf  
 110077E\_staff ppt\_20110707.pdf  
 110077A\_staff report\_20110804.pdf  
 110077B\_append A\_exhibit A-1 - A-3\_20110804.pdf  
 110077C\_append B\_application\_20110804.pdf  
 110077D\_cpb minutes 110428\_20110804.pdf  
 110077E\_staff ppt\_20110804.pdf  
 110077A\_draft ordinance\_20120621.pdf  
 110077B\_staff ppt\_20120719.pdf  
 110077\_ordinance\_20120802.pdf

### **110078.**

#### **REZONING - SIGNIFICANT ECOLOGICAL COMMUNITIES OVERLAY DISTRICT (B)**

##### **Ordinance No. 110078; Petition No. PB-11-17 ZON**

**An ordinance of the City of Gainesville amending the Zoning Map Atlas by removing the Significant Ecological Communities Overlay District from certain property commonly known as Hatchet Creek PUD generally located south of Northeast 53rd Avenue, east of Northeast 15th Street, north of Northeast 39th Avenue and west of Waldo Road, as more specifically described in this ordinance; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

[Play Video](#)

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

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

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

Nay: Todd Chase

110078A\_staff report\_20110707.pdf  
110078B\_append A\_exhibits A-1 - A-3\_20110707.pdf  
110078C\_append B\_application\_20110707.pdf  
110078D\_cpb minutes 110428\_20110707.pdf  
110078E\_staff ppt\_20110707.pdf  
110078A\_staff report\_20110804.pdf  
110078B\_append A\_exhibits A-1 - A-3\_20110804.pdf  
110078C\_append B\_application\_20110804.pdf  
110078D\_cpb minutes 110428\_20110804.pdf  
110078E\_staff ppt\_20110804.pdf  
110078A\_draft ordinance\_20120621.pdf  
110078B\_staff ppt\_20120719.pdf  
110078\_ordinance\_20120802.pdf

#### **120041.**

#### **2012 NON AD VALOREM TAX ASSESSMENT (B)**

**An ordinance of the City of Gainesville, Florida, providing consent for the entire corporate limits of the City of Gainesville, Florida to be included in the non ad-valorem assessment for the municipal service benefit unit created by Alachua County for certain solid waste management services for the three fiscal years commencing with fiscal year 2012-2013 and extending through fiscal year 2014-2015; providing conditions for the consent; providing that the consent is for the three-year period; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

120041\_Letter\_20120607.pdf  
120041A\_draft ordinance\_20120719.pdf  
120041B\_Exhibit A\_20120719.pdf  
120041\_ordinance\_20120802.pdf

#### **PLAN BOARD PETITIONS**

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**120139.****Special Event Parking UF Context Area (B)**

**Petition PB-11-92TCH. City Plan Board. Amend the Land Development Code to add criteria for game day parking as a Special Event Permit on properties in the UF context area.**

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*Planning Manager Ralph Hilliard and Code Enforcement Manager Chris Cooper gave a presentation.*

*MOTION (REFERRAL): A motion was made by Commissioner Bottcher, seconded by Yvonne Hinson-Rawls to refer to the Community Development Committee (CDC) the task of contacting a UF representative requesting that they commit to several conversations with the CDC concerning porta-potties, RV parking, and parking in general, including time limits for parking in the University Context Area during special events.*

*(VOTE: 6-1, Commissioner Chase - No, MOTION CARRIED)*

*NOTE - See following Referral Item # 120253.*

*MOTION: (MAIN MOTION): A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Poe to approve the CDC recommendation with the following modifications: 1) Modify the language regarding the 12:00 AM deadline or 3 hours after conclusion of the event -change whichever occurs sooner to whichever occurs later; 2) clarify the intent of not accessing the vehicle after the property is closed; and 3) that the first year would be transitional and no citations would be issued during the 2012 football season and that this ordinance would not become effective until 2013.*

*(VOTE: 7-0, MOTION CARRIED)*

*ADDITIONAL MOTION (REFERRAL): A motion was made by Commissioner Chase, seconded by Commissioner Hawkins to ask the City Manager and the City Attorney to gather information regarding the City of Gainesville possibly assisting with porta-potties in the University Context Area during special events and to bring back a report in one (1) month.*

*(VOTE: 7-0, MOTION CARRIED)*

*Mayor Lowe recognized Mark Goldstein, Tom Rider, Martin Thrasher, Amelia Packard, Kevin Daly, Steve Packard, Thomas Hawkins, Sr., Donna Lutz, and Mike Lousley who spoke to the matter.*

**RECOMMENDATION**

*Community Development Committee to City Commission - Approve the petition conditions as modified.*

*City Plan Board to the City Commission - Approve the petition as modified.*

*Staff to the City Commission- Approve the Community*

*Development Committee's recommendation.*

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

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

120139A\_CDC Recommendation\_20120719.pdf  
 120139B\_CPB Recommendations\_20120719.pdf  
 120139C\_CPB staff report\_20120719.pdf  
 120139A\_CDC Recommendation\_20120802.pdf  
 120139B\_CPB Recommendations\_20120802.pdf  
 120139C\_CPB staff report\_20120802.pdf

**120253.**

**UF Representation in Special Event Parking Discussion with the CDC (NB)**

**RECOMMENDATION**

*The City Commission Refer to refer to the Community Development Committee (CDC) the task of contacting a UF representative requesting that they commit to several conversations with the CDC concerning porta-potties, RV parking, and parking in general, including time limits for parking in the University Context Area during special events.*

**A motion was made by Commissioner Bottcher, seconded by Commissioner Hinson-Rawls, that this matter be Referred to the Community Development Committee, due back on February 2, 2013. The motion carried by the following vote:**

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

**120256.**

**City Assistance with Porta-Potties During Special Events (NB)**

*NOTE: This item was also referred to the City Attorney.*

**RECOMMENDATION**

*The City Commission direct the City Manager to ask the City Manager and the City Attorney to gather information regarding the City of Gainesville possibly assisting with porta-potties in the University Context Area during special events and to bring back a report in one (1) month.*

**A motion was made by Commissioner Chase, seconded by Commissioner Hawkins, that this matter be Referred to the City Manager, due back on September 2, 2012. The motion carried by the following vote:**

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

**120152.****Local Exemption for Dogs at Public Food Service Establishment (B)**

**Petition PB-12-53 TCH. City of Gainesville. Amend the Land Development Code to allow the local exemption for dogs in designated outdoor portions of public food service establishments in accordance with F.S. 509.233.**

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*Planning Manager Ralph Hilliard gave a presentation.*

**RECOMMENDATION**      *City Plan Board to the City Commission - Approve the petition.*

*Staff to the City Commission- Approve the petition.*

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

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

120152A\_staff report\_20120802.pdf

120152B\_proposed amendment\_20120802 .pdf

120152C\_application\_20120802.pdf

120152D\_cpb minutes\_20120802.pdf

**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT**[Play Video](#)**Commissioner Todd Chase**

*Gainesville Girls All-Star Babe Ruth Softball Team World Series - Saturday @ 11:30 AM.*

**CITIZEN COMMENT**

*There were no citizens who wished to speak during this time.*

**ADJOURNMENT - 10:14 PM**

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Kurt M. Lannon, Clerk of the Commission