

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, September 20, 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 - 1:04 PM

ROLL CALL

INVOCATION

CONSENT AGENDA

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

MODIFICATION: File #120291 - City of Gainesville Business Tax Ordinance Update - (Withdraw from the agenda).

Mayor Lowe recognized Gigi Simmons, President of the Porter's Neighborhood Association who spoke to the matter.

CITY MANAGER, CONSENT AGENDA ITEMS

120291. City of Gainesville Business Tax Ordinance Update (B)

This item involves revisions to the City of Gainesville Section 25-51 of the Code of Ordinance.

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise the referenced changes to the City of Gainesville Section 25-51 Business Tax Code of Ordinance.*

120305. Bid Award - Annual Contract for Purchase of Plant Mix Asphalt Concrete (B)

This item is a request for the City Commission to authorize bid awards to APAC Southeast, Inc., John C. Hipp Construction Equipment Company, and V.E. Whitehurst & Sons, Inc., for pickup of asphalt.

RECOMMENDATION *The City Commission: 1) authorize the City Manager to execute contracts with APAC Southeast, Inc., John C. Hipp Construction Equipment Company and V.E. Whitehurst & Sons, Inc., for pickup of asphalt, subject to approval of the City Attorney as to form and legality; and 2) authorize the City Manager to execute any and all related documents.*

This Matter was Approved as Recommended on the Consent Agenda.

120315. Authorizing Additional Alternative Home Financing Options for the Infill Housing Program (B)

This item proposes that the City Commission approve additional alternative home financing options for the Infill Housing Program to sell affordable homes to income eligible first-time homebuyers to meet expenditure deadlines required

by the U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnership Program (HOME).

RECOMMENDATION

The City Commission: 1) authorize the Homebuyer Lease Purchase Program option for use with the City's Infill Housing Program; 2) authorize the City Manager to execute Lease Purchase Agreements for the three new homes located at 303 SW 8th Avenue, 316 SW Depot Avenue and 317 SW 8th Avenue with income eligible homebuyers to be identified at a future date, subject to approval by City Attorney as to form and legality; and 3) authorize the Housing and Community Development Division to use standard program subsidies and purchase and sale documents to consummate the transactions for the lease purchase option, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[120353.](#)

Construction of the Waldo Wastewater Interconnect Project (B)

Staff recommends awarding a contract to Watson Construction to perform construction services for the Waldo Wastewater Interconnect project.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to execute a contract with Watson Construction to perform construction services for the Waldo Wastewater Interconnect Project, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Watson Construction for these services in an amount not to exceed \$1,782,848; and 3) authorize staff to procure services, equipment and materials, as required, to complete the project as budgeted, subject to the final appropriation of funds.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

[120338.](#)

ROBERT WILLIAMS, AND LAVERNE WILLIAMS, HIS WIFE, V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2012-CA-1984 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Robert Williams, and Laverne Williams, his wife, v. City of Gainesville; Eighth Judicial Circuit, Case No. 2012-CA-1984

This Matter was Approved as Recommended on the Consent Agenda.

[120339.](#)

JUSTIN STARR V. CITY OF GAINESVILLE, AND KATHRYN SPENCER; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2012-CA-3639 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City of Gainesville and the City employee in

the case styled Justin Starr v. City of Gainesville, and Kathryn Spencer; Eighth Judicial Circuit, Case No. 2012-CA-3639.

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[120332.](#) City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of August 21, 2012 and September 6, 2012, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

[080477.](#) Status Update on the City Commission Strategic Initiative to Complete Capital Projects at Parks - Improve Land Conservation and Acquisition Program (B)

This item is a request for the City Commission to approve placing additional parcels on the acquisition priority list.

RECOMMENDATION *The Recreation, Cultural Affairs and Public Works Committee recommends that the City Commission add the newly identified parcels to the acquisition priority list.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

[090925.](#) Strategic Initiative 6.1 - Develop Creative Ways to Measure Progress in Code Enforcement (B)

Discuss the possibility of creating a Livability Court model in the City of Gainesville as it relates to Code Enforcement issues.

RECOMMENDATION *The Community Development Committee to the City Commission: 1) amend the Code of Ordinances to allow for the use of a Special Magistrate in lieu of the Code Enforcement Board; 2) include a funding increment of up to \$20,000 in the FY2013/14 budget; 3) if funding is approved direct staff to draft an RFP for a Code Enforcement Special Magistrate; and 4) refer the issues of the Notice of Hearing Process, Civil Citation Process, and Landlord Permit Points Process back to the Community Development Committee for further discussion as part of item #090925 Strategic Initiative*

6.1 - Develop Creative Ways to Measure Progress in Code Enforcement.

This Matter was Approved as Recommended on the Consent Agenda.

[110779.](#)

Agricultural Uses in Residential Districts (B)

RECOMMENDATION

The City Commission: 1) direct staff to initiate a Petition to the Plan Board incorporating the above components regarding the keeping of chickens in residentially zoned areas of the City; and 2) remove this item from the CDC pending referral list.

This Matter was Approved as Recommended on the Consent Agenda.

[100001.](#)

Transfer of Development Rights (B)

RECOMMENDATION

The City Commission remove this item from the CDC pending referral list.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

*MOTION: A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, to adopt the Regular Agenda, as modified.
(VOTE: 6-0, Commissioner Hawkins - Absent, MOTION CARRIED)*

MODIFICATIONS:

1. *File #120063 - Request to increase Trespass Towing Rates - (Additional Back-up Submitted).*
2. *File 3120354 - Resolution Authorizing and Approving the Purchase of 60 acres from the Suwannee River Water Management District - (Withdraw from the agenda).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

120300.**60% Design Approval of the Regional Transit System (RTS) Bus Fleet Maintenance, Administration, and Operations Facility (B)**

This item is a request for the City Commission to approve the 60% design of the Regional Transit System (RTS) Bus Fleet Maintenance, Administration, and Operations Facility located at the intersection of SE 1st Street and Veitch Street.

RTS Director Jesus Gomez, Shawn Webber of Causseaux, Hewitt and Walpole; April Ponikvar of Ponikvar and Associates; and Kurt Toble of Charles Perry Partners gave presentations.

NOTE: Commissioner Hawkins wanted to add a new #3 to the recommendation to issue a hearty congratulations to all RTS staff and all involved.

RECOMMENDATION *The City Commission: 1) approve the 60% design and instruct the design build team to continue working on construction drawings; and 2) waive the 100% design review by the Commission.*

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

120355.**Amend the Capital Improvement Plan and update the budget for the Centralized Garage Project (B)**

This is a request for the City Commission to approve amendment of the Capital Improvement Plan and update the budget for the Centralized Garage Project.

Assistant City Manager Fred Murry, Project Manager Reid Rivers, Finance Director Mark Benton and General Services Director Milton Reid gave presentations.

MOTION: Approve the recommendation; and schedule a review of the Capital Improvement Program (CIP).

RECOMMENDATION *The City Commission: 1) approve amending the Capital Improvement Plan; and 2) update the budget for the Centralized Garage Project by approving the appropriation of \$1,810,000.*

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

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

Nay: 1 - Commissioner Chase

GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY**

CITY AUDITOR**EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****PUBLIC SAFETY COMMITTEE**[080472.](#)

Streamline the Efforts of Those Agencies Providing Child Victim Services Throughout the City - CCOM Strategic Initiative (NB)

Strategic initiatives have been referred to Standing Committees and the Community Redevelopment Agency (CRA), to promote efficient and effective communication streams between elected officials, city staff and Gainesville residents concerning the implementation of the City's Strategic Plan. This item is a request for the City Commission to receive an update on the progress of Strategic Initiative 3.4: Streamline Efforts to Provide Child Victim Services throughout the City.

Assistant City Manager Paul Folkers gave a presentation.

FIRST MOTION: A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Poe to approve 1-3 of the recommendation and include endorsing a community meeting to gather ideas for use of the property including, but not limited to the following elements: 1) Serves a broad community purpose; 2) achieves our goals as a City especially as it relates to the City's Strategic Plan; 3) adds value to the surrounding neighborhood and community; 4) emphasizes the ability of the applicant to leverage outside community support and resources; and 5) integrates uses. (VOTE: 7-0, MOTION CARRIED)

SECOND MOTION: A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher to direct City staff to work with the Child Advocacy Center to research possible use of the Community Development Block Grant funding. (VOTE: 7-0, MOTION CARRIED)

Child Advocacy Center President/CEO Sherry Kitchens made comments.

RECOMMENDATION

The City Commission: 1) identify community issues, concerns, and recommended criteria for future use of the US Army Reserve property; 2) solicit input from City Commissioners on criteria for future use of the property; 3) request that City staff develop criteria for rating and approving uses of the property; and 4) direct City staff to work with the Child Advocacy Center to research possible use of Community Development Block Grant funding.

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

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

120063. Request To Increase Trespass Towing Rates (B)

This item requests the City Commission consider raising the Trespass Towing Rates for the upcoming year (2013).

RECOMMENDATION *The City Commission: 1) authorize the City Attorney's Office to draft a resolution to increase the Trespass Towing rates from \$76 to \$84 for Class 1 and Class 2 light vehicles; and 2) remove this item from the Public Safety Committee's referral list.*

A motion was made by Commissioner Hawkins, seconded by Commissioner Hinson-Rawls, that this matter be Continued. The motion carried by the following vote:

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

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 3:20 PM

RECONVENE - 5:58 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[120351.](#) **Lesbian, Gay, Bisexual and Transgender Pride Days - September 21-30, 2012 (B)**

RECOMMENDATION *Pride Community Center of North Central Florida Terry Fleming to accept the proclamation.*

Heard

[120352.](#)

Sons of the American Revolution Constitution Week - September 16-22, 2012 (B)

RECOMMENDATION

Gainesville Chapter Sons of the American Revolution Past President Ray M. Davis, Jr. to accept the proclamation.

Heard

[120361.](#)

City Attorney, Marion J. Radson Day - September 20, 2012 (B)

RECOMMENDATION

City Attorney, Marion J. Radson to accept the proclamation.

Heard

CITIZEN COMMENT (6:00pm)

Meg Neiderhofer

- 1. Positive comments for a City employee (Police Officer Jeff McAdams) helping with a dog that had been hit by a car.*
- 2. Positive comments for City employees in general and the City Commission.*

Gabriel Hillel

Butterfly City recertification - Filed under 120405.

Mac McEachern

RUC Meeting.

John Davies

Political Issues.

Nancy Parkinson

Move to Amend Model Resolution - Filed under #120400.

Steve Kalishman

Sister Cities.

Debbie Martinez

GRU Biomass Plant.

Wilbur Holloway

1. *Tree removal - thanks to the City.*
2. *Fuel surcharge and GRU Biomass Plant.*

Rob Brinkman

Climate Change Issues and Biomass Plant.

Pat Fitzpatrick

Social Issues.

Jo Beaty

GRU Bond Issues - Filed under 120401.

Armando Grundy

GRU Biomass Plant.

Ernesto Martinez

1. *Fuel Adjustment overcharge.*
2. *Free speech issues.*

Mark Venske

Climate Change - GRU Biomass Plant.

Don Glendening

Retrofit of biomass plant - Filed under #120403.

Jim Konish

Fuel Adjustment issue.

PUBLIC HEARINGS

[120270.](#)

FINAL MILLAGE RATE - FISCAL YEAR 2012-2013 (B)

Resolution No. 120270

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 2012-2013 FISCAL YEAR; ADOPTING THE FINAL MILLAGE RATE; DIRECTING THE

TRANSMITTAL OF CERTIFIED COPIES; AUTHORIZING A SPECIFIED ADJUSTMENT TO THE FINAL MILLAGE RATE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Administrative Services Director Becky Rountree gave a presentation.

Mayor Lowe recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

Absent: 1 - Commissioner Chase

[120271.](#)

FINAL GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2012-2013 (B)

Resolution No. 120271

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; ADOPTING THE GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Mayor Lowe recognized Mac McEachern, Jo Beaty and Armando Grundy who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

Absent: 1 - Commissioner Chase

[120277.](#)

FINAL GAINESVILLE REGIONAL UTILITIES BUDGET (B)

Resolution No. 120277

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE FINAL BUDGET FOR THE CITY OF GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; PROJECTING REVENUES AND ADOPTING A FINAL BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Mayor Lowe recognized Jim Konish, Rob Brinkman, Debbie Martinez, Jo Beaty, Mac McEachern and Ernesto Martinez who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

Absent: 1 - Commissioner Chase

RESOLUTIONS- ROLL CALL REQUIRED

120107.

RESOLUTION OPPOSING THE "FIX OUR ROADS" .75% (3/4 CENT) TRANSPORTATION SALES SURTAX (B)

Resolution No. 120107

A Resolution of the City Commission of the City of Gainesville, Florida, Opposing the "Fix Our Roads" .75% (3/4 cent) Transportation Sales Surtax Proposed by the Alachua County Board of County Commissioners for the November 6, 2012 general election ballot; urging the citizens of the City of Gainesville to vote "Against" this referendum because it would unfairly tax Gainesville residents, and not return a proportionate share of tax monies to the City to address its transportation needs; and providing an immediate effective date.

AMENDMENT: Modify the last Whereas clause on page 2 to read: Whereas the City Commission of the City of Gainesville also believes that the Board of County Commissioners is unfairly and unwisely ignoring the transportation needs of the City of Gainesville and Alachua County.

Mayor Lowe recognized Debbie Martinez, Armando Grundy, Walter Willard, Jo Beaty, Don Glendening, Alachua County Commissioner Winston Bradley, Mac McEachern, Wilbur Holloway and Ernesto Martinez who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

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

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

Absent: 2 - Commissioner Chase, and Commissioner Hinson-Rawls

120301.

Resolution for a Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 76 (B)

This item is a request for a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive Service Development Funds for the operation of new Route 76.

RECOMMENDATION

The City Commission adopt the Resolution.

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

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

Absent: 2 - Commissioner Chase, and Commissioner Hinson-Rawls

120354.

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.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; 2) confirm payment for purchase of the property from the Greenspace Acquisition Fund and determine if the Commission would like to establish a repayment schedule, and 3) 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.

Withdrawn

ADOPTION READING-ROLL CALL REQUIRED

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[120167.](#)

NATURAL GAS RATES (B)

Ordinance No. 120167

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (5) NATURAL GAS OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING RESIDENTIAL SERVICE RATES; DELETING INTERRUPTIBLE SERVICE RATES; AMENDING LARGE VOLUME INTERRUPTIBLE SERVICE RATES; 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 Poe, seconded by Commissioner Hawkins, that this matter be Adopted on Final Reading (Ordinance). The

motion carried by the following vote:

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

Absent: 1 - Commissioner Chase

[120168.](#)

WATER SERVICE FEES AND CHARGES (B)

Ordinance No. 120168

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (3) WATER, OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING INSPECTION SERVICE FEES; INCREASING WATER MAIN TAPPING CHARGES; INCREASING METER INSTALLATION CHARGES; INCREASING BASE RATES FOR SERVICE; INCREASING WATER TRANSMISSION, DISTRIBUTION AND WATER TREATMENT PLANT CONNECTION CHARGES; INCREASING STANDBY FIRE LINE CHARGES; 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 Poe, seconded by Commissioner Bottcher, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: 1 - Commissioner Chase

[120169.](#)

WASTEWATER BASE RATES AND CHARGES (B)

Ordinance No. 120169

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING WASTEWATER BASE RATES; INCREASING CONNECTION AND INSPECTION CHARGES; 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 Poe, seconded by Commissioner Hawkins, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: 1 - Commissioner Chase

[120171](#)

INTERRUPTIBLE SERVICE DEFINITION (B)

Ordinance No. 120170

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING CHAPTER 27, SECTION 27-271, OF THE GAINESVILLE CODE OF ORDINANCES BY DELETING INTERRUPTIBLE SERVICE DEFINITION; AMENDING LARGE VOLUME INTERRUPTIBLE SERVICE DEFINITION; 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 Poe, seconded by Commissioner Wells, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: 1 - Commissioner Chase

[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.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

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

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

Absent: 1 - Commissioner Chase

[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.

Mayor Lowe recognized Mark Venske who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Chase

[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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Chase

[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.

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:

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

Absent: 1 - Commissioner Chase

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

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

Absent: 1 - Commissioner Chase

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.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

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

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

Absent: 1 - Commissioner Chase

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

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

Absent: 1 - Commissioner Chase

PLAN BOARD PETITIONS

120309.

Rezone property from I-1 (Limited industrial district) to BI (Business industrial district)
(B)

Petition PB-12-74ZON. Eng, Denman and Associates, agent for Access Self Storage SE, LLC; Davis M. Rembert, Jr., trustee; Northwest Park, LLC; W.G. Johnson, Jr., and Turkey Creek, Inc. Rezone property from I-1: Limited industrial district to BI: Business industrial district. Located in the 6600 block of State Road 121.

Planner Bedez Massey gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PB-12-74 ZON.*

Staff to City Plan Board - Approve Petition PB-12-74 ZON.

*Alternate Recommendation
The City Commission deny Petition PB-12-74 ZON.*

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

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

Absent: 1 - Commissioner Chase

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Mayor-Commissioner Pro Tem Lauren Poe

Thanks to City Attorney Marion Radson for his service.

Commissioner Hinson-Rawls

- 1. *Thanks to City Attorney Marion Radson for his service.*
- 2. *Job Fair - EO Director Cecil Howard gave a presentation.*

Commissioner Thomas Hawkins

Thanks to City Attorney Marion Radson for his service.

Commissioner Marion Radson

Thanks to City Attorney Marion Radson for his service.

Mayor Craig Lowe

- 1. *Thanks to City Attorney Marion Radson for his service.*
- 2. *Resolution opposing Amendment Four - See following item #120404.*

[120404](#)

Amendment Four - Property Taxes (NB)

RECOMMENDATION

The City Commission authorize the City Attorney's office to draft a resolution stating the City of Gainesville's opposition to Amendment Four.

A motion was made by Commissioner Wells, seconded by Commisiosner Hawkins that this matter be Approved as Recommended.

The motion carried by the following vote.

(VOTE: 6-0, Commissioner Chase - Absent, MOTION CARRIED)

Commissioner Randy Wells

Homeless Vets.

CITIZEN COMMENT

Debbie Martinez

1. *Thanks to City Attorney Marion Radson for his service.*
2. *Citizen Comment issues.*

Jo Beatty

Thanks to City Attorney Marion Radson for his service.

Rob Brinkman

Carbon neutrality of biomass.

ADJOURNMENT - 10:28 PM

Kurt Lannon, Clerk of the Commission