

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, December 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

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

- 1. #120626-Cade Museum and Depot Park-added
- 2. #120637-ATU Agreement-back up added

CITY MANAGER, CONSENT AGENDA ITEMS

[120601.](#) **Increase Maximum Funding Award for Homeowner Rehabilitation Program Funded by the Community Development Block Grant (CDBG) Program and HOME Investment Partnership Program (HOME) Funds (NB)**

This item requests for the City Commission to consider approval to increase the existing Homeowner Rehabilitation Program maximum funding awards with the use of the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program and HOME Investment Partnership Program (HOME) Funds.

RECOMMENDATION

The City Commission: 1) approve the increase of the Community Development Block Grant (CDBG) Program and HOME Investment Partnership Program (HOME) Homeowner Rehabilitation Program to be equivalent to the State Housing Initiatives Partnership (SHIP) Program funding as currently established in the City's Local Housing Assistance Plan as follows: 1) Roof Program \$15,000; 2) Minor Rehabilitation Program \$30,000; and 3) Major Rehabilitation Program \$50,000.

Approved as Recommended

[120602.](#) **FY 2012 U.S. Department of Housing and Urban Development (HUD) Continuum of Care Homeless Assistance Program Grant (CoC)**

Application (NB)

The City of Gainesville will participate in the development of an application for HUD Continuum of Care Homeless Assistance Program funding by serving as the sponsor grantee for two local projects. This item supports City Commission Strategic Goals & Initiatives for Human Capital to continue implementation of the 10 year plan to end homelessness.

RECOMMENDATION

The City Commission: 1) authorize the City Manager or his designee to apply for Continuum of Care Program grant funding to sponsor two agencies Meridian Behavioral Healthcare, Inc. and VETSPACE, Inc. in collaboration with the North Central Florida Continuum of Care under the U.S. Department of Housing & Urban Development (HUD) Continuum of Care Homeless Assistance Program; 2) authorize the City Manger or his designee to act on behalf of the City of Gainesville in all matters pertaining to said grants; and 3) authorize the City Manager or his designee to execute subrecipient agreements with Meridian Behavioral Healthcare, Inc. and VETSPACE, Inc. for funding through the Continuum of Care Homeless Assistance Program, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[120619.](#)**Surplus Property Sale (NB)**

This item is requesting City Commission approval for disposal of all items at the Surplus Lot to be declared surplus and disposed of through contract methods.

RECOMMENDATION

The City Commission declare all materials, equipment and vehicles stored at the Surplus Lot as surplus property and authorize the sale of such property for the time period covering FY2013.

Approved as Recommended

[120610.](#)**Budget Calendar (NB)**

This is a request for the City Commission to approve dates for discussion of the FY2014 budget and related items.

RECOMMENDATION

The City Commission: 1) approve the dates requested by staff; 2) waive the City Commission Rules to hear the Resolution to approve the Preliminary Fire Assessment Rate before 6:00pm on July 16, 2013; and 3) waive the City Commission Rules to hear the Resolutions to adopt the tentative budgets and set the tentative millage rate before 6:00pm on July 25, 2013.

Approved as Recommended

[120637.](#)**Ratification of Agreement between the Amalgamated Transit Union Local No. 1597**

Bargaining Unit and the City of Gainesville for October 1, 2012 through September 30, 2015 (B)

This item proposes the ratification of the Agreement between the Amalgamated Transit Union Bargaining Unit and the City of Gainesville.

RECOMMENDATION *The City Commission ratify the Agreement between the Amalgamated Transit Union Bargaining Unit and the City of Gainesville, extending the Agreement through September 30, 2015.*

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

[120607.](#) **RITA PUENTES VS. THE CITY OF GAINESVILLE, EEOC NO.: 510-2013-00348 (NB)**

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Rita Puentes vs. the City of Gainesville; EEOC No.: 510-2013-00348*

Approved as Recommended

[120618.](#) **LISA MELTON, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JARED MELTON, DECEASED VS. CITY OF GAINESVILLE D/B/A GAINESVILLE REGIONAL UTILITIES, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (B)**

RECOMMENDATION *The City Commission authorize the City Attorney, and/or Special Counsel if insurance coverage is available, to represent the City of Gainesville in the case styled Lisa Melton, as Personal Representative of the Estate of Jared Melton, Deceased vs. City of Gainesville d/b/a Gainesville Regional Utilities, a political subdivision of the State of Florida, Eighth Judicial Circuit, Case No. 2012-CA-4494.*

Approved as Recommended

[120626.](#) **Memorandum of Understanding for Cade Museum and Depot Park (NB)**

RECOMMENDATION *The City Commission receive the recommendation of the Community Redevelopment Agency Board that the City Attorney be authorized to prepare an amendment to the Memorandum of Understanding for Cade Museum and Depot Park.*

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[120634.](#) **Appointment to the Gainesville Housing Authority (NB)**

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

Jean Ritch to the Gainesville Housing Authority for a term to expire 8/1/16.

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

[120581.](#) **Review of General Fund Forecasted Revenues and Other Sources of Funds for the Fiscal Year Ending September 30, 2013 (B)**

RECOMMENDATION *The City Commission accept the City Auditor's report.*

Approved as Recommended

[110658.](#) **Advisory Board Attendance Appeals (B)**

RECOMMENDATION *The City Commission:*
1) Direct the City Attorney to draft and the Clerk of the Commission to advertise an amendment to City Ordinances, based on staff recommendations; and
2) Remove this item from the Audit, Finance and Legislative Committee referral list.

Approved as Recommended

[120573.](#) **Report on the Status of Outstanding Audit Recommendations for November 2012 (B)**

RECOMMENDATION *The City Commission accept the City Auditor's report.*

This Matter was Approved as Recommended

Approval of the Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, to Adopt the Consent Agenda. 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

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

#120206-Roam Towing-Powerpoint added

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

CITY MANAGER

[110631.](#) Downtown Conference Center Multi-Step Invitation to Negotiate Potential Funding Partners Research (B)

This is a request for the City Commission to hear a presentation regarding potential community funding partners to participate in financing a downtown conference center.

Motion: The City Commission 1. Terminate ITN 2. City/CRA staff work with all stakeholders for a Hotel Convention Center in Gainesville, and 3. work with Alachua County to utilize Alachua County Bed Tax for the Hotel Convention Center.

Lynn Janoski, CRA Finance Manager and Kelly Fisher made presentations.

Citizens Mark Vinske and Sherwin Henry spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff on potential local funding partners; 2) discuss requested assistance and whether it is feasible for the City to make any assistance available; and 3) provide direction to staff on whether to conclude the ITN or, if assistance is made available, to initiate phase two of the ITN.

Approved, as shown above - See Motion(s)

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

GENERAL MANAGER FOR UTILITIES

120641.

Request for Authorization to Submit a Claim to Arbitration with GREC (NB)

GRU Attorney Shayla McNeil read two corrections into the record: Paragraph 2 in the explanation was changed to January 2012 from January 2011 and in the recommendation the word opinion was changed to the word approval.

Attorney John Ansbro and Attorney Carl Lyon made presentations on behalf of GRU.

Amendment: word opinion changed to word approval in recommendation and January 2011 changed to January 2012 in explanation

Mark Goldstein, Jim Konish, Debbie Martinez, Paula Stahmer, David Dee, Annie Orlando and Donald Sheppard spoke to the item.

RECOMMENDATION

The City Commission (a) authorize the General Manager for Utilities, or his designee, to submit the claim to arbitration, and (b) authorize the General Manager or his designee, during the pendency of the arbitration, to negotiate with GREC a potential commercial resolution of the claim on terms mutually agreeable to the parties, subject to final approval of the City Commission and subject to City Attorney's opinion as to form and legality.

A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Hawkins, that this Matter be Approved as Amended. 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 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

120206. Roam Towing and the Appeals Process (B)

Melyssa Henagan and Lee Libby made presentations.

Amendment: eliminate spotter language and remove time restriction in ordinance

Mike Webber and Donald Sheppard spoke to the matter.

RECOMMENDATION *The City Commission 1) hear a presentation on proposed amendments to Chapter 14.5 of the Code of Ordinances; 2) authorize the City Attorney to draft and the Clerk of the Commission to advertise the proposed amendments to Chapter 14.5, of the Code of Ordinances; and 3) request the City Manager design a resource for open accessibility pertaining to towing contracts and payments.*

A motion was made by Commissioner Hinson-Rawls, seconded by Mayor-Commissioner Pro Tem Poe, that this Matter be Approved as Amended. 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

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Commissioner Chase discussd police in schools with Chief Jones commenting.

Commissioner Poe moved with Commissioner Wells seconding that that the City Manager coordinate with service providers and provide costs in dollars to 1., what is needed to fully fund a Police Task force on violence prevention and conflict resolution in youth 2., what are resources needed by mental health care providers in the community to fully fund needs 3., what would the School Board need to fully implement a violence prevention and violence in popular culture program in the schools and 4. direct the Police Chief to create an internal department to address violence prevention/conflict resolution. Motion carried 7-0.

Commissioner Hinson-Rauls moved with Commissioner Poe seconding to provide enhancements for Pine Ridge to include youth activities, code enforcement, SEPTED and rental issues and the City Manager to come back with an agenda item at a future meeting. Motion carried 7-0.

Commissioner Wells-Waldo Community Center meeting

Mayor Lowe-Gun violence

RECESS

RECONVENE

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

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

*John Davies-Biomass
Mac McEachern-City Elections
Wilbur Hollaway-Biomass Lawsuit and South Main
Larry Collier-Eight Floors for College Park Buildings
Gabriel Hillel-Public Records Request*

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[120574.](#)

Proposed Fiscal Year 2013 Annual Audit Plan (B)

RECOMMENDATION *The City Commission approve the resolution.*

A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Poe, 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

[120392.](#)

Water Conservation and Water Shortage Resolution (B)

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

A motion was made by Commissioner Bottcher, seconded by Mayor-Commissioner Pro Tem Poe, 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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[120175.](#)

TEXT CHANGE - UPDATE DENSITY REFERENCES IN UMU-1 & UMU-2 ZONING DISTRICTS (B)

**Ordinance No. 120175; Petition No. PB-12-62 TCH
An ordinance of the City of Gainesville, Florida, amending the Land Development Code Section 30-41 Establishment of zoning districts and categories; by correcting the density references for Urban mixed-use district 1 (UMU-1) and Urban mixed-use district 2 (UMU-2); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

Principal Planner Onelia Lazzari made a presentation.

RECOMMENDATION *The City Commission (1) approve Petition PB-12-62 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

120314.**TEXT CHANGE - RELATING TO NATURAL AND ARCHEOLOGICAL RESOURCES AND REGULATED SURFACE WATERS AND WETLANDS (B)****Ordinance No. 120314; Petition No. PB-12-88 TCH**

An ordinance of the City of Gainesville, Florida, relating to regulated natural and archeological resources and regulated surface waters and wetlands; amending Section 30-182(c) Pre-application conference for concept review; amending Section 30-183(e) Design plat specifications; amending Section 30-190(c) and (i) Cluster subdivisions; amending Section 30-216 Requirements and evaluation of PD; amending Section 30-254(i) commercial tree removal permits; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Lead Planner Dean Mimms made a presentation.

RECOMMENDATION

The City Commission (1) approve Petition PB-12-88 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 Adopted on First Reading and Approved the Recommendations. 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

120210.**REZONING - FOREST PARK - IN THE VICINITY OF 2000 SW 43RD STREET (B)****Ordinance No. 120210; Petition No. PB-12-38 ZON**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 24.7 acres of property located in the vicinity of 2000 SW 43rd Street, as more specifically described in this ordinance, from Alachua County Conservation district (C-1) to City of Gainesville Conservation district (CON) and Public service and operations district (PS); establishing uses permitted by right and minimum setbacks; excepting the requirement of a preliminary development plan for the portion of the property zoned Public services and operations district (PS); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planner Jason Simmons made a presentation.

Amendment: waive requirement for a preliminary development plan for all existing uses at the site.

RECOMMENDATION

The City Commission (1) approve Petition PB-12-38 ZON

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), as modified. 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

[120585.](#)

MANAGEMENT EMPLOYMENT POLICIES OF GAINESVILLE REGIONAL UTILITIES (B)

Ordinance No. 120585

An ordinance of the City of Gainesville, Florida, amending Chapter 2 of the Code of Ordinances of the City of Gainesville by amending Section 2-196 to designate additional Directors of Departments who the General Manager for Utilities may appoint and remove at will; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date and limited prospective application.

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 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

[120369.](#)

CHARTER LAW AMENDMENTS TO TRANSITION TO 4-YEAR CITY COMMISSION TERMS OF OFFICE AND TO HOLD ELECTIONS IN ODD-NUMBERED YEARS (B)

Ordinance No. 120369

An ordinance of the City of Gainesville, Florida; proposing an amendment to the Charter Laws of the City of Gainesville; amending Article II of the Charter Laws, entitled City Commission, by requiring regular municipal elections to be held every other year in odd-numbered years rather than every year, by changing the terms of office of the Mayor and City Commissioners from 3-year terms to 4-year terms, by providing transitional terms of office at specified lengths to achieve the changes; by specifying the commencement date of terms of office; providing for submission of the charter amendment to the voters for approval or disapproval at the March 19, 2013 regular municipal election; approving the question to be placed on the ballot; providing that

this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Robert Pearce, Rob Brinkman, Jo Beaty and Donald Sheppard spoke to the matter.

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 First Reading (Ordinance). The motion carried by the following vote:

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

Nay: 1 - Commissioner Hawkins

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

120304.

REZONING - TAX PARCEL 06724-000-000 (B)

Ordinance No. 120304; Petition No. PB-12-86 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 44 acres of property generally located north of SW 18th Place, west of SW 38th Terrace, east of SW 40th Terrace, and south of SW 9th Place, as more specifically described in this ordinance, from the Alachua County zoning categories of Agriculture (A) and Multiple family, high density (R-3) to the City of Gainesville zoning categories of Conservation (CON) and Urban mixed-use district 2 (UMU-2); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Hawkins, that this Matter be Adopted on Final Reading (Ordinance). 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

120023.

OUTDOOR LIGHTING - TEXT CHANGE (B)

Ordinance No. 120023; Petition No. PB-12-40 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to outdoor lighting; by adding new definitions to Section 30-23 Definitions; by deleting a subsection of Section 30-93 Gasoline and alternative fuel service stations (GN-554), and food stores (MG-54) with accessory gasoline and alternative fuel pumps; by amending Section 30-114 Off-site parking facilities for uses in MU-1 or MU-2 districts; by deleting a subsection of Section 30-160 Submittal requirements; by amending a subsection of Section 30-307 Nature park district; by deleting a subsection of Section 30-330 Design requirements for vehicle parking; by adding a new Section 30-344 Outdoor lighting; by deleting subsections of Section 30-345 General performance standards; by deleting Section 30-345.1 Nonconforming luminaires; by deleting a subsection of Appendix A. - Special Area Plans, Section 4. - Special Area Plan For Traditional City; by amending a subsection of Appendix A. - Special Area Plans, Section 8. - Special Area Plan Southeast Gainesville Renaissance Initiative Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planning Manager Ralph Hilliard made a presentation.

Citizens Pat Fitzpatrick and Rob Brinkman spoke to the matter.

Note: Pine Ridge lighting referred to City Manager

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Nay: 1 - Commissioner Hinson-Rawls

[120730.](#)

Lighting at Ironwood Golf Course(NB)

A motion was made by Commissioner Wells, seconded by Commissioner Hawkins, that this Matter be Assigned. 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

[120326.](#)

PLANNED DEVELOPMENT AMENDMENT - ONE COLLEGE PARK (B)

Ordinance No. 120326; Petition No. PB-12-83 PDA

An ordinance of the City of Gainesville, Florida, amending the Planned Development commonly known as "One College Park" located in the vicinity of the 1700 block between NW 1st Avenue and NW 2nd Avenue; by amending City of Gainesville Ordinance No. 080753 that rezoned the property to Planned Development and adopted the Development Plan; amending the Planned Development to add "dormitory" as defined in this Ordinance to the list of uses permitted by right under certain conditions; defining "dormitory"; adopting a revised development plan report and revised development plan maps; acknowledging extension granted pursuant to Ordinance No. 120129; providing a severability 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: 6 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, Commissioner Hawkins, and Commissioner Hinson-Rawls

Absent: 1 - Commissioner Chase

[120311.](#)

ELECTION DISTRICTS - REDISTRICTING BASED ON 2010 CENSUS DATA (B)

Ordinance No. 120311

An ordinance of the City of Gainesville, Florida, amending Section 9-1.1 Election districts of the Code of Ordinances by redistricting the City of Gainesville into four ratably or equally proportioned election districts as required by law; making findings; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Donald Sheppard, Armando Grundy and Ernesto Martinez spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

[120438.](#)

AMENDMENT TO RATE SCHEDULE FOR SOLAR FEED-IN-TARIFF PROGRAM (B)

Ordinance No. 120438

An ordinance of the City of Gainesville, Florida, amending Appendix A, Utilities, (1) Electricity, i. Distributed Resources

Rates, 1. General Provision, (C) Solar Energy Purchase Agreement/Solar Feed In-Tariff (SEPA), (vii), of the Code of Ordinances of the City of Gainesville, by amending rates for the Solar Feed-in-Tariff program; providing a repealing clause; providing directions to the codifier; providing a severability clause; and providing an effective date in accordance with the schedule provided herein.

Donald Sheppard, Rob Brinkman and Ernesto Martinez spoke to the matter.

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

[120631.](#)

GAINESVILLE CITIZENS CARE, INC. VS. CITY OF GAINESVILLE d/b/a GAINESVILLE REGIONAL UTILITIES AND GAINESVILLE RENEWABLE ENERGY CENTER, LLC; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2012-CA-1346 (B)

City Attorney Liz Waratuke, Attorney David Dee and Attorney Marcy Lahart made presentations.

Donald Sheppard, Debbie Martinez, Don Glendening, Armando Grundy, Ernesto Martinez and Rob Brinkman spoke to the matter.

Commissioner Poe moved with Commissioner Hawkins seconding to hold the biomass work-shop on January 9th at 4:00PM. Motion carried 7-0.

RECOMMENDATION *Approve the terms of the proposed Settlement Agreement reached between representatives of the City and Gainesville Citizens Care, Inc. in Case Number 2012-CA-1346, and authorize the Clerk of the Commission to schedule a public workshop in accord with the terms of the Settlement Agreement.*

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

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

Nay: 3 - Mayor Lowe, Commissioner Bottcher, and Commissioner Hinson-Rawls

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioners Poe and Hinson-Rauls left the meeting at 9:46PM.

Commissioner Wells-Tour of Correctional Institute-Fred Murry spoke to the matter

CITIZEN COMMENT (If time available)

Rob Brinkman-Airplane story

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

9:52PM

Kurt Lannon, Clerk of the Commission