

City of Gainesville

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



Meeting Minutes

Thursday, August 19, 2010

1:00 PM

City Hall Auditorium

City Commission

*Mayor Craig Lowe (At Large)
Mayor-Commissioner Pro Tem Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Lauren Poe (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Randy Wells (District 4)
Commissioner Thomas Hawkins (At Large)*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER - 1:03 PM

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ROLL CALL

Present: Craig Lowe, Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Lauren Poe, Thomas Hawkins and Randy Wells

INVOCATION

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CONSENT AGENDA

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Commissioner Hawkins moved and Commissioner Donovan seconded to adopt the Consent Agenda, as modified.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

- 1. File #100237 - Interlocal Agreement with the School Board of Alachua County - (Move to the Regular Agenda; and revised back-up and recommendation to approve).*
- 2. File #100273 - School Board Joint Meeting - (Move to the Regular Agenda, add backup and discuss whether to hold a second mediation session).*
- 3. File #100253 - Energy Efficiency Recommendations of the Community Development Committee (Remove from General Manager Consent - Duplication).*
- 4. File #100288 - (NEW ITEM) Air Construction Permit Process - (Add to the Consent Agenda under General Manager for Utilities).*

CITY MANAGER, CONSENT AGENDA ITEMS

090581.

Amendment to Government Services Group Contract (NB)

This item requests authorization for the City Manager to expend additional funds to cover the costs of mailing the first class notices to property owners required for the fire assessment project.

RECOMMENDATION

The City Commission: 1) appropriate an additional amount of \$14,928.16 from the general fund fund balance for the fire assessment project; and 2) authorize the City Manager to expend total funds for the fire assessment project in the amount of \$55,000 to Government Services Group for

consultant services, and \$44,928.16 to Government Services Group to cover the costs of mailing the required first class notices.

Approved as Recommended

090581_Power Point_20091217.PDF
090581A_Assessment Memorandum_20100524.pdf
090581B_GSG PPT_20100524.pdf
090581C_STAFF PPT_20100524.pdf

100125.

Contract for Departmental Medical Director Services for the Gainesville Fire Rescue Department (B)

This item requests approval to renew the "Agreement Between the City of Gainesville and the University of Florida for Assistant Medical Director" for a three-year period to meet statutory requirements for the provision of advanced life support services by Gainesville Fire Rescue.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the contract with the University of Florida for the benefit of the Department of Anesthesiology, College of Medicine to provide a Departmental Medical Director for the period of September 1, 2010 through August 31, 2013, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to the University of Florida, Contracts and Grants for Departmental Medical Director services not to exceed \$58,500 for the period of September 1, 2010 through August 31, 2013.

This Matter was Approved as Recommended on the Consent Agenda.

100125_Agreement_20100819.pdf

100194.

Design and Construction of the One Stop Homeless Assistance Center (B)

This is a request for the City Commission to approve staff's recommended ranking of the Design Build firms for the Design and Construction of the One Stop Homeless Assistance Center.

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking of the Design Build Firms; and 2) authorize the City Manager to negotiate and execute a contract and any related documents, subject to approval from the City Attorney as to form and legality, for the Design and Construction of the One Stop Homeless Assistance Center.

This Matter was Approved as Recommended on the Consent Agenda.

100194_Bid Tab_20100805.pdf
100194_Bid Tab_20100819.pdf

100212.**2005/2009 Special Appropriations Project (SPAP) Grant Application for Depot Park (NB)**

This item is a request for the City Commission to authorize the City Manager to file a funding application with the Environmental Protection Agency (EPA) for the Depot Park Project.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to make application with EPA for the SPAP Grant; and 2) if the grant is offered, authorize the City Manager to execute all related documents, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

100213.**Alachua County Courthouse Connector Project Construction Contract (B)**

This item is a request to authorize the City Manager to approve the construction contract from J.B. Coxwell Contracting, Inc. for the Alachua County Courthouse Connector Project.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to approve the sole source construction proposal from J.B. Coxwell Contracting, Inc. for the Alachua County Courthouse Connector Project; 2) execute the construction contract and related documents, subject to approval by the City Attorney as to form and legality; and 3) issue a purchase order in an amount not to exceed \$131,675.28.

This Matter was Approved as Recommended on the Consent Agenda.

100213_SourceSelection_20100819.pdf

100214.**State Homeland Security Grant Program Sub-recipient Agreement (NB)**

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

RECOMMENDATION

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

Alternative Recommendation A: The City not enter into a

contract resulting in a loss of up to \$79,545 of available reimbursement funds for equipment maintenance and training and requiring expenditures from the general fund.

This Matter was Approved as Recommended on the Consent Agenda.

100222.

Ratification of Agreement to amend North Central Florida Police Benevolent Association, Inc. Labor Agreement for October 1, 2008 through September 30, 2011 (B)

This item proposes the ratification of the amended Agreement between North Central Florida Police Benevolent Association, Inc. and the City of Gainesville.

RECOMMENDATION *The City Commission ratify the amended Agreement between North Central Florida Police Benevolent Association, Inc. and the City of Gainesville for October 1, 2008 through September 30, 2011.*

This Matter was Approved as Recommended on the Consent Agenda.

100222_Amended Agreement_20100819.PDF

100238.

Request for Qualifications for Architectural and Engineering Services for Wild Spaces, Public Places (WSPP) Projects (B)

This item involves a request for the City Commission to approve staff's ranking of Architectural and Engineering firms for development of the approved WSPP Alfred A. Ring Park project.

RECOMMENDATION *The City Commission: 1) approve staff's recommended ranking of the firms; and 2) authorize the City Manager or designee to negotiate and execute a contract and any related documents, subject to approval from the City Attorney as to form and legality, for design and construction oversight of the Alfred A. Ring Park development.*

This Matter was Approved as Recommended on the Consent Agenda.

100238_RFQ Ranking_20100819.pdf

100239.

Morningside Nature Center Pavilion Public Art (B)

This item involves a request by the Art in Public Places Trust to designate an artist to create public art for the Morningside Nature Center Pavilion.

RECOMMENDATION *The City Commission approve the designation of artist Peter Davidson to create public artwork for the Morningside Nature Center Pavilion.*

This Matter was Approved as Recommended on the Consent Agenda.

100239_Ltr of Interest_20100819.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

100252. Contract Amendment for Herbicides (NB)

Staff recommends extending the term of the contract for herbicides with Helena Chemical Company.

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to execute an amendment to extend the contract with Helena Chemical Company for herbicides for Energy Delivery for an additional three-year period; and 2) approve the issuance of purchase orders in amounts not to exceed budgeted amounts, subject to the final appropriation of funds for each year of the contract.*

This Matter was Approved as Recommended on the Consent Agenda.

100288. Air Construction Permit Process (NB)

The General Manager recommends the City intervene in the Division of Administrative Hearings Air Permit hearing for the Gainesville Renewable Energy Center.

RECOMMENDATION *The City Commission authorize 1) The City Attorney take all steps necessary for the City to intervene as a party in the air construction permit proceeding pending at the Division of Administrative Hearings (DOAH), and 2) authorize the City Attorney to retain the law firm of Hopping, Green and Sams to represent the interests of the City in said proceeding.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

100235. TAYLOR PARKER VS. THE CITY OF GAINESVILLE, FLORIDA, A MUNICIPAL CORPORATION, AND OFFICER DAVID REVEILLE, IN HIS INDIVIDUAL CAPACITY, COURT CASE NO. 1:10-CV-00146 (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 Taylor Parker vs. the City of Gainesville, Florida, a municipal corporation, and Officer David Reveille, in his individual capacity, Court Case No. 1:10-CV-00146

This Matter was Approved as Recommended on the Consent Agenda.

100235_Taylor Parker_20100819.pdf

100240.

FRATERNAL ORDER OF POLICE, GATOR LODGE 67 V. CITY OF GAINESVILLE, FLORIDA, CASE NUMBER: 2010-CA-4182, DIV. K (B)

RECOMMENDATION *The City Commission authorize the City Attorney's Office to represent the City of Gainesville in Fraternal Order of Police, Gator Lodge 67 v. City of Gainesville, Florida, Case Number: 2010-CA-4182.*

This Matter was Approved as Recommended on the Consent Agenda.

100240_Fraternal Order Police_20100819.pdf

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

100272.

City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of June, 21, 2010; June 22, 2010; July 13, 2010; July 20, 2010; July 15, 2010; July 22, 2010; July 26, 2010; and August 5, 2010; as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

100272_spec_june 21, 2010_20100819.pdf
100272_spec_july 13, 2010_20100819.pdf
100272_spec_july 20, 2010_20100819.pdf
100272_spec_july 22, 2010_20100819.pdf
100272_reg_july 15, 2010_20100819.pdf
100272_spec_July 26, 2010_20100819.pdf
100272_reg_august 5, 2010_20100819.pdf
100272_spec_june22, 2010_20100819.pdf

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC SAFETY COMMITTEE, CONSENT

091038.**Towing Company Ordinance Prohibiting Employment of Persons With A Previous Domestic Violence Charge (NB)****RECOMMENDATION**

The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise the amendments to the Rotation Towing Ordinance, Roam Towing Ordinance, and the Vehicle For Hire Ordinance to incorporate the changes proposed by the Public Safety Committee.

This Matter was Approved as Recommended on the Consent Agenda.

091038a_DriverInfo_20100616.pdf
091038b_DriverApplGuidelines_20100616.pdf
091038c_GPDTowRules_20100616.pdf
091038a_FSSCoOrg_20100727.pdf
091038b_FSSMunic_20100727.pdf
091038c_FSSFHPPenalties_20100727.pdf
091038d_FHPWreckerPol_2100727.pdf
091038e_FHPTowRates_20100727.pdf
091038f_FHPWreckerQual_20100727.pdf
091038g_FHPComplaintForm_20100727.pdf
091038h_RotationList_20100727.pdf
091038i_FHPWreckerInspForm_20100727.pdf
091038j_TallTowOrd_20100727.pdf
091038k_TrotterLetter_20100727.pdf
091038_DraftOrdinance_20101007.pdf

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT**100253.****Energy Efficiency Recommendations of the Community Development Committee (CDC) (NB)**

On November 16th, 2009, the CDC heard recommendations from staff on Energy Efficiency Standards and Requirements and results of landlord focus groups. The CDC agreed with a number of recommendations that would assist apartment complexes and rental units with energy efficiency, but is retaining in committee the item "R19 Attic Insulation as a Standard of the Minimum Housing Code."

RECOMMENDATION

The City Commission endorse the CDC recommendations.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

[Play Video](#)

Commissioner Donovan moved and Commissioner Hawkins seconded to adopt the Regular Agenda, as modified.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

- 1. File #090538 - Butler Plaza Planned Development (PD) Rezoning - (Additional back-up submitted from the petitioner and notes submitted from Commissioner Hawkins).*
- 2. File #100231 - Legacy Small Scale Land Use Amendment (Back-up submitted from the petitioner ppt.).*
- 3. File #100229 - Fat Tuscan - (Petition) - (Move to the end of the agenda).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

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100251. City Commission Referral Status Update (B)

[Play Video](#)

MOTION (MODIFICATION): Retain File #080925 City Plan Board and Development Review Board Request for City Attorney Representation on the City Attorney's Referral List.

RECOMMENDATION *The City Commission review the referral status reports submitted by staff and take appropriate action.*

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

100251_referral status_20100819.pdf

100251_City Manager's Referrals_20100819.pdf

100266.

Appoint District III Seat (B)

[Play Video](#)

MOTION (MODIFICATION): Approve the selection process and timeline as presented by the Clerk of the Commission with the modification that the appointment be made after the City Commission selection forum on October 11, 2010, if possible.

RECOMMENDATION *The City Commission discuss the appointment process for District III seat.*

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

100266_appointment_20100819.pdf

100266_appointment_20100902.pdf

100266_MOD_20100902.pdf

100273.

School Board Joint Meeting (B)

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MOTION: 1) Indicate to the School Board that there is no need for an October joint meeting; 2) waive any further mediation with the School Board; 3) declare an impasse with the School Board regarding payment of stormwater fees; 4) authorize the City Attorney to start the process for litigation regarding the School Board's non payment of City of Gainesville stormwater fees; and 5) offer mediation to the new Board when seated.

RECOMMENDATION *The City Commission schedule a joint meeting with the Alachua County School Board on October 4, 2010 at 1:00 PM.*

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe and Craig Lowe

Nay: Scherwin Henry

Absent: Thomas Hawkins

100273_Update to The Resolution Center_20100819.pdf

CITY MANAGER

[Play Video](#)

091059. 60% Design Approval of the Alachua County/City of Gainesville Senior Recreation Center (B)

This is a request for the City Commission to approve the 60% design of the Alachua County/City of Gainesville Senior Recreation Center within Northside Park located at 5701 NW 34th Street, Gainesville, FL 32653.

[Play Video](#)

City Construction Manager Amy Raimer and W. G. Mills Project Manager Ty Bliss gave presentations.

RECOMMENDATION *The City Commission: 1) hear presentation; 2) approve the 60% design; 3) instruct the architect to continue working on construction drawings; and 4) waive the 100% construction document presentation to the City Commission.*

Alternative Recommendation A: The City Commission approve the 60% design with suggestions.

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

091059_Senior Rec PPT_20100603.pdf
091059_MOD Senior Rec PPT_20100603.pdf
091059_Senior Center PPT_20100819.pdf

100233. Proposed Enhancement to Facilitate Gainesville Regional Airport Economic Development Opportunities (B)

Planning staff recently met with the Airport CEO and agent to discuss enhancing economic development opportunities at the Gainesville Regional Airport and suggested sharing this information with the City Commission.

[Play Video](#)

Planning and Development Services Director Erik Bredfeldt, Clay Sweger of Eng, Denman and Associates and Airport CEO Alan Penksa gave presentations.

NOTE: Commissioner Mastrodicasa declared that she had no conflict of interest regarding this item and would be voting on the motion.

RECOMMENDATION *The City Commission: 1) hear a brief presentation from staff and the Airport's agent and CEO; and 2) direct staff to initiate a Petition to the Plan Board reflecting the Airport's proposal.*

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

100233A_Airport LU & Zoning ppt_20100819.pdf

100233B_Airport Map_20100819.pdf

100232.

Progress Report on Comprehensive Plan Evaluation and Appraisal Report (B)

[Play Video](#)

Chief of Comprehensive Planning Dean Mimms, Concurrency Management Planner Onelia Lazzari, GRU Supervising Design Engineer Rick Hutton, Alachua County Environmental Protection Representative Gus Olmos and Solid Waste Manager Steve Joplin gave presentations.

Mayor Lowe recognized Rob Brinkman and Pat Fitzpatrick who spoke to the matter.

RECOMMENDATION *Staff to City Commission - the Commission hear a presentation by Planning staff on the draft EAR Report chapters on the following Elements: Public Schools Facilities; Potable Water & Wastewater; Solid Waste; and Housing.*

Heard

100232_public schools facilities element_20100819.pdf

100232A_potable water & wastewater element_20100819.pdf

100232B_solid waste element_20100819.pdf

100232C_housing element_20100819.pdf

100232D_staff ppt_20100819.PDF

100237.

Interlocal Agreement with the School Board of Alachua County (B)

This item involves an agreement with the School Board of Alachua County to assume operational duties of the Teen Zone After-School Program at Westwood Middle School.

[Play Video](#)

NOTE: The interlocal agreement was modified by the City Attorney and is attached.

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

100237_Agreement_20100819.pdf

100237_revised Agreement_20100819.pdf

GENERAL MANAGER FOR UTILITIES

[Play Video](#)

100274. Update on Staff Policy Recommendations for 2010 Solar Feed In Tariff (FIT) Program (B)

The Commission received a presentation on changes to the Solar Feed In program on July 1, 2010. Following the presentation, there was a request from the Commission to consider FIT program policy changes to better accommodate smaller-sized and residential solar systems. There was an additional request from local solar industry representatives to consider policies that would help them maintain an even workflow throughout the year.

[Play Video](#)

GRU Assistant General Manager for Strategic Planning Ed Regan gave a presentation.

Mayor Lowe recognized Rob Brinkman who spoke to the matter.

RECOMMENDATION *The City Commission receive a presentation on administrative policy changes that staff proposes for the 2010 Feed In Tariff program which would address the concerns raised.*

Heard

100274_SolarFIT20100819.pdf

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

[Play Video](#)

080471.

Analyze the Availability and Accessibility of Youth Programs and Identify a Role for City Government - CCOM Strategic Initiative (B)

This item provides a status update on the progress of Strategic Initiative 3.3: Analyze the Availability and Accessibility of Youth Programs and Identify a Role for City Government.

[Play Video](#)

GPD Police Chief Tony Jones and Assistant Recreation and Parks Director Michelle Park gave presentations.

RECOMMENDATION

The City Commission: 1) receive the GIS presentation on youth programs and the gap analysis; and 2) adopt the draft recommendation of the Role of Government to Create a City of Gainesville Youth Alliance that will: 1) consists of all youth service providers in the city; and 2) meets regularly to build a stronger network of support for youth programs and services by: a) sharing information; b) identifying possible partnerships; and c) providing logistical support and/or assistance.

Heard

080471_PPT_20100819.PDF
080471_FY10 Qtr 3 Update_20100513.pdf
080471_4th Quarter Updates_20091008.pdf
080471_Strategic Initiatives_20090108.pdf

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**PUBLIC SAFETY COMMITTEE****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)**

[Play Video](#)

Commissioner Scherwin Henry

Trees on East University Avenue.

Commissioner Lauren Poe

Butler Plaza.

RECESS - 5:50 PM

[Play Video](#)

RECONVENE - 5:51 PM

[Play Video](#)

PLEDGE OF ALLEGIANCE (5:30pm)

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PROCLAMATIONS/SPECIAL RECOGNITIONS

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100254. Roberta Lisle Kline Conference Room (B)

[Play Video](#)

RECOMMENDATION *Catherine Lisle (daughter), Nathan Lisle (son) and Mary Hagan (sister) to accept the proclamation.*

Heard

100254_proclamation_20100819.pdf

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

[Play Video](#)

John Davies

Property Taxes.

Harold Saive

September 11, 2010 - Dove World Burning of the Koran.

Bob Tuskin

September 11, 2010 - Dove World Burning of the Koran.

Gabriel Hillel

Butterfly City Signs.

100324.**Citizen Comment - Gabriel Hillel - Butterfly City (B)****RECOMMENDATION**

The City Commission hear comments from Gabriel Hillel and place back-up submitted on file.

Placed on File

Rob Brinkman

Biomass Plant.

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

[Play Video](#)

100141.**LAND USE CHANGE – FOREST PARK (B)****Ordinance No. 100141, Petition PB-10-29LUC**

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use categories of certain property, as more specifically described in this ordinance, from the land use category of “Residential Medium-Density (8-30 units per acre)” to “Conservation”; consisting of approximately 12 acres, located in the vicinity of South of S.W. 20th Avenue between I-75 and Forest Park; providing a severability clause; providing a repealing clause; and providing an effective date.

[Play Video](#)

Senior Planner Susan Neimann gave a presentation.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-10-29LUC; and 2) adopt the proposed ordinance on first

reading.

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

100141_staff letter-20100819.pdf
100141A_flu element_obj 3.1_20100819.pdf
100141B_maps_existing and proposed land use_20100819.pdf
100141C_application_neighbrhd wkshp info_20100819.pdf
100141D_100527 cpb minutes_20100819.pdf
100141E_staff ppt_20100819.PDF
100141_draft ordinance_20100819.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[Play Video](#)

100042.

SOLID WASTE NON-AD VALOREM TAX ASSESSMENT (B)

Ordinance No. 100042

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 2010-2011 fiscal year; providing conditions for the consent; providing that the consent is for a one-year period; 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 Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

100042_Alternatives_20100701.pdf
100042_Assessment_20100701.pdf
100042_Rates_20100701.pdf
100042_MOD_Memo_20100701.pdf
100042_DraftOrdinance_Non-Ad Valorem_SW_20100805.pdf
100042a_ExhibitA_20100805.pdf
100042_ordinance_20100819.pdf

100140.**LANDLORD PERMIT RENEWAL FEES (B)****Ordinance No. 100140**

An ordinance of the City of Gainesville, Florida, amending Appendix A, City of Gainesville Code of Ordinances, relating to late fees for landlord permit renewals; 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 Wells, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

100140 Draft Ordinance - Landlord Permit Renewals.pdf

100140_ordinance_20100819.pdf

DEVELOPMENT REVIEW BOARD PETITIONS

[Play Video](#)

090844.**Hidden Lake Design Plat, Phase II (B)**

Petition DB-09-88 SUB Causseaux, Hewett and Walpole, Inc., agent for Land Estates, LLC. Design plat review for Phase II of Hidden Lake Subdivision. Zoned PD (Planned Development). Located at NW 75th Place and NW 21st Way, Parcel No. 07814-002-001.

[Play Video](#)

Chief of Current Planning Lawrence Calderon and Agent for the Petitioner Robert Walpole gave presentations.

Mayor Lowe recognized Hidden Lake Homeowners Association President George Cast and Hidden Lake Vice President (name inaudible) who spoke to the matter.

MOTION (MODIFICATIONS: Approve the recommendation with the modifications set out by Mr. Walpole that include: 1) Deeding Lot 2 to the Homeowners Association; 2) creating the right of way, but not improving the connection to the north; 3) not fencing the interior wetland; and 4) not constructing the sidewalk.

RECOMMENDATION *Staff to City Commission - the City Commission approve the DRB's recommendation included in the report, including the following:*

- *Approve a modification to allow removal of the cul-de-sac*

per the reviewing department.

- Require the placement of sidewalks in Phase II as required by code*
- Approve the wetland mitigation plan, finding that the Public Interest Test has been met; the avoidance and minimization criteria has been satisfied and approve the mitigation plan as proposed.*
- Require a 12-foot wide pedestrian/bicycle connection to the adjacent development to the north, subject to agreement by the owners of Eryn's Gardens.*
- Require compliance with GRU requirements including a 12-foot wide stabilized surface to service existing manholes and lift station managed by GRU.*

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

Votes: Aye: Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe
Nay: Randy Wells

090844_staff comments_20100401.pdf
090844A_development plans_20100401.pdf
090844B_maps_20100401.pdf
090844C_alachua cty pd_20100401.pdf
090844D_100211 drb minutes_20100401.pdf
090844E_staff ppt_20100401.PDF
090844_petitionform_20100401.pdf
090844a_petitionform_20100401.pdf
090844_hidden lake revised_20100603.pdf
090844A_original hidden lake 100401 ccom_20100603.pdf
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PLAN BOARD PETITIONS

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090538.

Butler Plaza Planned Development (PD) Rezoning (B)

Petition PB-09-84 PDV. Kimley-Horn and Associates, Inc., agent for S. Clark Butler Properties, Ltd. (Butler Plaza PD) Rezone property from Alachua County Automotive Oriented Business (BA), Retail Sales, and Services (BR), Highway Oriented Businesses (BH), Manufactured/Mobile Home Park (RM), Manufacturing and Services Industrial (MS), Residential Multi-Family (R-2), Residential Multi-Family (R-3), Residential Single Family (R-1C), Residential and Professional (RP) to City of Gainesville PD (Planned Development District) to allow commercial, office and residential uses. Located between Southwest Archer Road and Southwest 24th Ave., and between Southwest 40th Blvd. and Southwest 34th St. Related to Petition PB-09-74 LUC.

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Senior Planner Scott Wright, Attorney for the Petitioner Linda Shelley, Agent for the Petitioner Noel Cupkovick, Agent for the Petitioner Jonathan Thigpen, Petitioner Debra Butler, Agent for the Petitioner Richard Bush, Assistant City Attorney Nicolle Shalley, Planning Manager Ralph Hilliard and Public Works Director Teresa Scott gave presentations.

Mayor Lowe recognized Arnall Downs, Cathleen Pagan and Rob Brinkman who spoke to the matter.

NOTE: Commissioner Poe left the meeting room at 6:29 PM.

MOTION: Commissioner Hawkins moved and Commissioner Donovan seconded to approve the petition as revised by the Plan Board and the revised and additional conditions and with the referrals that were mentioned by Commissioner Hawkins; and continue the petition to October 21, 2010.

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

Condition 1 - Twenty year time frame, with language to develop a phasing schedule with input from the applicant, staff and the City Attorney.

Condition 18 - Referred to staff to review Commission request that applicant provide funding for maintenance or amenities for the first 3 years.

Condition 28 - Added language with regards to ornamental plants in stormwater facilities for aesthetic and other beneficial purposes; and LID standards throughout the project.

Condition 30 - Approved staff's language.

Condition 32 - Approved staff's language.

Condition 33 - Approved staff's language.

Condition 34 - Approved staff's language.

Condition 44 - Approved applicant's language.

Condition 45 - Added language that the development shall be consistent with a completed Exhibit K.

Condition 46 - Historic Marker for Stengle Air Field.

Condition 47 - All signs shall be externally lit.

Condition 48 - All roads shall not be inverted crown.

Condition 49 - Only permit Typical Sections "F" and "G" directly adjacent to front or side facades of destination retail buildings on all other streets limited driveway or alleyway access to two curb cuts per block face and to four curb cuts per block.

Condition 50 - Street naming shall be according to Chapter 23, Article II Division I of the Code of Ordinances.

The City Commission also referred the following to staff:

Condition 28 - Referred to staff to discuss firmer language on LID Standards and stormwater pond aesthetics.

Bullet Point 6 of Mr. Bredfeldt's memo which is the Development Standards for Existing Retail.

Bullet Point 7 of Mr. Bredfeldt's memo which is Building Orientation.

Bullet Point 8 of Mr. Bredfeldt's memo which is Parking Location.

Referred to Public Works staff the lane widths in coordination with the applicant to

have appropriate lane widths in our cross sections.

Referred to the City Attorney the question of Public Forum on the streets in the Development for refinement.

Referred to staff the maximum number of destination retail stores, buildings with a drive through, and cellular telecommunications towers.

WAIVER OF RULES: Commissioner Wells moved and Commissioner Hawkins seconded to waive the rules to extend the meeting to 11:45 PM.

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

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve petition PB-09-84 PDV, as revised by the Plan Board. The Plan Board voted approval of the petition with revisions (6-1).

Staff to City Commission - The City Commission approve the revised recommendation from City staff.

A motion was made by Commissioner Hawkins, seconded by Commissioner Donovan, that this matter be Continued (Petition) for October 21, 2010. The motion carried by the following vote:

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Scherwin Henry and Craig Lowe
Absent: Lauren Poe

Petitioner_BP_ comprehensive plan subarea policies 11-19-09 .pdf
Petitioner_BP- PD Conditions 11-19-09 .pdf
Petitioner_BP_PP_ additional information.PDF
Letter_Deborah Butler_November 19, 2009.pdf
090538_butler plaza PD table of contents_20091130.pdf
090538A_cpb revised PD conditions_20091130.pdf
090538B_additional staff changes to PD conditions_20091130.pdf
090538C_090921 cpb minutes_20091130.pdf
090538D_090929 cpb minutes_20091130.pdf
090538E_091007 cpb action agenda_20091130.pdf
090538F_staff report_20091130.pdf
090538G_trc comments to cpb_20091130.pdf
090538H_Letters_citizen,city arborist,rts dir,ac plan dept,fdot_20091130.pdf
090538I_neighborhood workshop info_20091130.pdf
090538J_petitioner response to PD detail comments_20091130.pdf
090538K_091007 cpb minutes draft_20091130.pdf
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090538A_cpb pd conditions_20100805.pdf
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090538G_Airport Marker Ltr_20100819.pdf
090538H_butler plaza land use signed ordinace 090537_20100819.pdf
090538i_Memo from EB&SWright_20100819.pdf
090538J_City-Object 1.3_20100819.pdf
090538K_Architectural Guideline_20100819.pdf
090538_MOD_agent for Butler_20100819.PDF
090538_MOD_C- Hawkins Butler_NOTES_20100819 (2).pdf

100231.**Legacy Small-Scale Land Use Amendment (B)**

Petition PB-09-115 LUC. Causseaux, Hewett, and Walpole, Inc., agent for Legacy Fountains, LLC. Amend the Future Land Use Map from REC (Recreation) to PUD (Planned Use District) to allow a residential, commercial, office, and retail development. Located at 1420, 1424, 1428 and 1432 Southwest 52nd Street. Related to Petition PB-09-116 PDV.

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Planner Bedez Massey and Agent for the Petitioner Gerry Dedenbach gave presentations.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PB-09-115 LUC with staff conditions and the modification to Condition 7.*

Staff to City Plan Board - Staff recommends approval of Petition PB-09-115 LUC, subject to the approval of proposed conditions in the staff report and Appendix D.

Alternate Recommendations -

The City Commission approve Petition PB-09-115 LUC as submitted.

The City Commission deny Petition PB-09-115 LUC.

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, that this matter be Approved (Petition). The motion carried by the following vote:

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Scherwin Henry and Craig Lowe
Absent: Lauren Poe

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100231A_staff letter_20100819.pdf
100231B_attach A_comp plan GOPs_20100819.pdf
100231C1_attach B_ecological inventory legacy pd_20100819.pdf
100231C2_attach B_supplement docs_legacy pd report_20100819.pdf
100231D_attach C_application and neighbd wkshp_20100819.pdf
100231E_attach D_trc forms_20100819.pdf
100231F_staff ppt_20100819.pdf
100231G_petitioner ppt_20100819.pdf
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PLAN BOARD PETITIONS - (CONTINUED)

100229.

Fat Tuscan (B)

Petition PB-10-68 PDA. Jay and Michele Reeves. Amend the Planned Development Ordinance No. 070819 (Fat Tuscan) to allow additional office uses and outdoor music; expand the hours to 6:30am -10:30pm Monday thru Saturday, 8:00am-5:00pm on Sundays; and to increase the amount of seating from 30 to 70 seats. Located at 725 Northeast 1st Street.

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Planning Manager Ralph Hilliard and Petitioners Jay and Michelle Reeves gave presentations.

Mayor Lowe recognized Joe Montalto, Rob Brinkman, Ron Hall, Barry Gerten and Melanie Barr who spoke to the matter.

*WAIVER OF RULES: Commissioner Hawkins moved and Commissioner Donovan seconded to waive the rules to extend the meeting to 11:55 PM.
(VOTE: 6-0, Commissioner Poe - Absent, MOTION CARRIED)*

MOTION (MODIFICATIONS): Approve the petition as modified by the Plan Board and by the City Commission: 1) Plan Board Condition 7 - remove the word "private" from the line - After hours private parties shall be prohibited; and 2) no outdoor seating/service after 10:00 PM.

RECOMMENDATION *Plan Board to the City Commission - approve the petition as modified.
Staff to the Plan Board- approve the petition with conditions.
Alternative recommendation - deny the petition.*

A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, that this matter be Approved (Petition) as Modified. The motion carried by the following vote:

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Scherwin Henry and Craig Lowe
Absent: Lauren Poe

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100229_A_table 1_list of permitted office uses_20100819.pdf
100229B_staff letter_20100819.pdf
100229C_table 1__list of permitted uses_20100819.pdf
100229D_exhibit 1_cpb 071115 minutes_20100819.pdf
100229E_exhibit2_staff report_112PDV_07PB_20100819.pdf
100229F_exhibit 3_ord 070819_20100819.pdf
100229G_exhibit 4_notice of violation_20100819.pdf
100229H_exhibit 5_fat tuscan web page_20100819.pdf
100229I_exhibit 6_staff recommended conditions_20100819.pdf
100229J_exhibit 7_petitioner appl and backup mat_20100819.pdf
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SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:51 PM.

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Kurt M. Lannon, Clerk of the Commission