

City of Gainesville

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



Meeting Minutes

Thursday, November 5, 2009

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Scherwin Henry (District 1)
Commissioner Lauren Poe (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)
Commissioner Thomas Hawkins (At Large)
Commissioner Jeanna Mastrodicasa (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 - 1:06 PM

ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

Mayor-Commissioner Pro Tem moved and Commissioner Mastrodicasa seconded to adopt the Consent Agenda, as modified.

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

MODIFICATIONS:

1. File #071118 - Land Surplus for Alachua County Historic Trust Matheson Museum, Inc. - (Withdraw from the agenda).

2. File #080078 - Referral Item #080078 - New Vision for GRU - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).

3. File #090405 - Referral Item #090405 - Utility Permits in Relation to Senate Bill 360 - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).

Chair Hanrahan recognized Maria Minnow, Pat Fitzpatrick, Mark Minske, Melissa Payne and Mark Goldstein who spoke to the adoption of the Consent Agenda.

CITY MANAGER, CONSENT AGENDA ITEMS

071118. Land Surplus for Alachua County Historic Trust Matheson Museum, Inc. (B)

This item is a request for the surplus of additional property for the Alachua County Historic Trust Matheson Museum, Inc.

RECOMMENDATION

Recommended Motion: The City Commission: 1) declare the additional 2 feet of Sweetwater Park as surplus; 2) accept the conveyance of the original portion from the Alachua County Historic Trust Matheson Museum, Inc; and 3) authorize the Mayor to execute, and the Clerk to attest the Special Warranty Deed, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A:

The City Commission: 1) deny this request, and 2) provide staff with further direction as appropriate.

Withdrawn

**090471. Assistance to Firefighters Grant FY09 Fire Prevention and Safety Grant
Emergency
Access System (NB)**

This item requests that the Commission authorize the City Manager to apply for, and execute a grant if awarded, for updating Gainesville Fire Rescue's emergency access system for secure properties.

RECOMMENDATION

The City Commission authorize the City Manager, if awarded the grant, to: 1) execute the grant award contract and other necessary documents, pending approval by the City Attorney as to form and legality; and 2) approve the required payments process for expending the grant funds and matching funds.

Alternate Recommendation A: The City Commission not authorize the City Manager to execute the grant award contract or provide the required match funding.

This Matter was Approved as Recommended on the Consent Agenda.

090482. Third Amendment to Interlocal Agreement with Alachua County for Solid Waste Disposal (B)

This item is a request to amend the agreement between the City of Gainesville (City) and Alachua County (County) for Solid Waste Disposal Services.

RECOMMENDATION

The City Commission: 1) approve the Third Amendment to the Interlocal Agreement with Alachua County for Solid Waste Disposal; and 2) authorize the Mayor to execute and the Clerk to attest the Third Amendment, subject to approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

090485. Ratification of Agreement between the Amalgamated Transit Union Local 1597 Bargaining Unit and the City of Gainesville for October 1, 2009 through September 30, 2012 (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 Amalgamated Transit Union Bargaining Unit and the City of Gainesville extending the Agreement through September 30, 2012.

This Matter was Approved as Recommended on the Consent Agenda.

090490. Federal LECFTF Funding for Grant Match for Bulletproof Vests (B)**RECOMMENDATION**

The City Commission approve the appropriation of the amount of \$27,443 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the grant match for the bulletproof vest grant.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**090524. Reimbursement for Oversizing of Wastewater Facilities at Arbor Greens Phase 3, Unit 1 (NB)**

Reimburse Arbor Greens Community, LLC of Gainesville, developer of Arbor Greens Phase 3, Unit 1, for the oversizing of wastewater facilities in accordance with provisions of the City of Gainesville Code of Ordinances, Chapter 27-179 Oversized Facilities.

RECOMMENDATION

The City Commission authorize the General Manager or his designee to negotiate and execute an agreement for reimbursement to Arbor Greens Community, LLC of Gainesville for the oversizing of wastewater facilities in an amount not to exceed \$73,715.00 subject to approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS**090522. CARLA L. WALKER vs. CITY OF GAINESVILLE, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 01-2009-CA-5267 (B)****RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Carla L. Walker vs. City of Gainesville, Florida, a political subdivision of the State of Florida; Eighth Judicial Circuit, Court Case No.

01-2009-CA-5267.

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

090513. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of October 5 & 6, 2009 (Special Meetings); October 15, 2009 (Regular Meeting); and October 19, 2009 (Workshop); as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

090526. Resignation of City Plan Board Member Jack Walls (B)

RECOMMENDATION *The City Commission accept the resignation of Jack Walls from the City Plan Board effective October 29, 2009 and extends its appreciation for his services.*

This Matter was Approved as Recommended on the Consent Agenda.

090527. Resignation of Gainesville/Alachua County Cultural Affairs Board Member Debbie Duffie (B)

RECOMMENDATION *The City Commission accept the resignation of Debbie Duffie from the Gainesville/Alachua County Cultural Affairs Board effective September 30, 2009 and extends its appreciation for her services.*

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

090023. Thomas Center 100th Anniversary (B)

This item involves a recommendation from the Recreation, Cultural Affairs and Public Works Committee to the City Commission regarding plans being developed to celebrate the Thomas Center's 100th anniversary in 2010.

RECOMMENDATION

RCAPW Committee to the City Commission: approve the proposed schedule of events developed to celebrate the Thomas Center's 100th anniversary in 2010 and remove this item from the RCAPW Committee referral list.

This Matter was Approved as Recommended on the Consent Agenda.

Regional Utilities Committee, Consent

070084. Referral Item #070084 - City of Gainesville Energy Policy - Gainesville Energy Advisory Committee (GEAC) (NB)

This item is in reference to the Regional Utilities Committee referral item #070084.

RECOMMENDATION

The City Commission remove this item from the referral list.

This Matter was Approved as Recommended on the Consent Agenda.

051194 Referral Item #051194- GRU Wholesale Sales of Electricity (NB)

This item is in reference to Regional Utilities Committee referral item #051194 GRU Wholesale Sales of Electricity.

RECOMMENDATION

The City Commission remove this item from the referral list.

This Matter was Approved as Recommended on the Consent Agenda.

090168. Referral Item #090168 - Efficacy and Safety of Fluoridating our Public Water Supply (NB)

This item is in reference to Regional Utilities Committee referral #090168 concerning the efficacy and safety of fluoridating our public water supply.

RECOMMENDATION

The City Commission accept the Regional Utilities Committee's recommendation to continue the current policy regarding fluoridation of the City's water supply and remove this item from the referral list.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Mastrodicasa, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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

(VOTE: 7-0, MOTION CARRIED)

1. File #090535 - Options for Addressing Holiday Meal Service at the St. Francis House - (Back-up submitted).

2. File #090479 - (Resolution) - Ending the Ban of Gays and Lesbians in the US Military - Broward County Action - (Revised resolution submitted).

3. File #090459 - Community Development Committee - Places of Religious Assembly Referral - (Withdraw from the agenda).

Chair Hanrahan recognized Roy Wegman who spoke to the matter.

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

090519. Butler Plaza: Potential dates associated with consideration of Proposed Land Use Plan Amendment (LUPA) and PD Zoning Petitions (NB)

This is a request by staff to identify dates for the public hearings associated with the Butler Plaza Land Use Plan Amendment (LUPA) and PD Zoning Petitions.

Planning and Development Services Director Erik Bredfeldt gave a presentation and Attorney for the Petitioner Ron Carpenter made comments.

MOTION: Schedule two special meetings for Monday, November 30, 2009 and

Tuesday, December 1, 2009 to review the Butler Plaza Land Use Plan Amendment and PD Zoning Petitions.

Chair Hanrahan recognized Karen Arrington and Rob Brinkman who spoke to the matter.

RECOMMENDATION *The City Commission: 1) direct staff on appropriate dates regarding review of the Butler Plaza Land Use Plan Amendment (LUPA) and PD Zoning Petitions.*

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

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

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

Community Development Committee

090459 Community Development Committee - Places of Religious Assembly Referral (B)

This item to the City Commission is a referral from the Community Development Committee and represents the Committee's recommendations regarding various standards for accessory uses to Places of Religious Assembly in Residential Single Family Zoning Districts.

RECOMMENDATION *The City Commission: 1) hear a presentation from staff and the Committee; and, 2) direct staff as appropriate.*

Continued

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

090535. Options for Addressing Holiday Meal Service at the St. Francis House (B)

Assistant City Manager Fred Murry gave a presentation.

Chair Hanrahan recognized the following citizens who spoke to the matter:

- 1. Father John Gillespie*
- 2. Ray Wegman*
- 3. Joe Jackson*
- 4. Robin Brook*
- 5. Liz McCullough*
- 6. Rob Brinkman*
- 7. Chelsey Carnes*
- 8. Richard Mellin*
- 9. Dr. Marilyn Maple*
- 10. Miriam Elliott*
- 11. Dr. Carolyn McCune*
- 12. Walter Willard*
- 13. Pat Fitzpatrick*
- 14. Michelle Matsco*
- 15. Pat Abbott*
- 16. Donna Boyle*
- 17. Mary Anderson*
- 18. Pamela Worsham*
- 19. Jennifer Hackett*
- 20. Raoul Gruez*
- 21. Bob Freeman*
- 22. Dr. Wally Sanders*
- 23. Kent Vann, Executive Director for St. Francis House*

RECOMMENDATION

The City Commission discuss and consider the option prepared by staff which would: 1) authorize staff to initiate a Petition to the Plan Board amending Section 30-111 of the Gainesville Land Development Code related to an allowance to exceed the established 130 meal limitation on three (3) national holidays as designated by covered food distribution centers; 2) authorize staff to include in the Petition any proposed amendments to other relevant section of the Gainesville Land Development Code.

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

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

COMMITTEE REPORTS (PULLED FROM CONSENT)

090405. Regional Utilities Committee Referral Item #090405 - Utility Permits in Relation to Senate Bill 360 (B)

This item is in regard to a referral to the Regional Utilities Committee concerning Senate Bill 360.

Water/Wastewater Engineering Director Ron Herget gave a presentation.

Chair Hanrahan recognized Ken Cornell who spoke to the matter.

RECOMMENDATION *The City Commission accept the Regional Utilities Committee's recommendation to adopt the proposed policy for Utility Construction Permit Extensions and remove this item from the referral list.*

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

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

080078. Referral Item #080078 - New Vision for GRU (NB)

This item is in reference to Regional Utilities Committee referral item #080078 titled New Vision for GRU.

General Manager for Utilities Bob Hunzinger gave a presentation.

Chair Hanrahan recognized Walter Willard and Rob Brinkman who spoke to the matter.

RECOMMENDATION *The City Commission remove this item from the referral list.*

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

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

COMMISSION COMMENTS (if time available)

Commissioner Scherwin Henry

1. Referral to the Recreation, Cultural Affairs and Public Works Committee regarding funding and process for neighborhood road repair - See following Referral Item # 090556.

2. *Future budget needs.*

090556. Flooding in Older Neighborhoods and Process for Road Repair (NB)

RECOMMENDATION *The City Commission refer the process of funding road repair in older neighborhoods to the Recreation, Cultural Affairs and Public Works Committee.*

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Lowe, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on May 5, 2010. The motion carried by the following vote:

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

Commissioner Jeanna Mastrodicasa

1. *Travel to Austin, Texas to the Responsible Hospitality Institute.*
2. *Tourist Development Council - One Cent Bed Tax.*

See following file #090559.

090559. Alachua County Tourist Development Council - Bed Tax Funds - Disbursement Issues (NB)

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission authorize staff to work with Commissioner Mastrodicasa to draft a letter to present to the County Commission indicating the City Commission's position regarding the disbursement of funds from the Bed Tax for various projects.*

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

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

Mayor Peegen Hanrahan

1. *Letter to Beazer/Cabot - Koppers Board of Directors - Assistant City Manager Fred Murry made comments.*
2. *Lawton Chiles Jr. coming to Gainesville.*
3. *Florida League of Cities - Legislative Agenda Issues.*

Commissioner Thomas Hawkins

Koppers Issue.

RECESS - 4:10 PM

RECONVENE - 5:47 PM

PLEDGE OF ALLEGIANCE (5:30pm)

Bob Gasche, Gator Detachment of the Marine Corps

PROCLAMATIONS/SPECIAL RECOGNITIONS

090520. Veterans Day - November 11, 2009 (B)

RECOMMENDATION

Gator Detachment of the Marine Corp League Bob Gasche to accept the proclamation.

Heard

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

Tom Cunilio

North Florida RC& D Council Proposal - Referred to the General Manager.

See following item #090568.

090568. Citizen Comment - Tom Cunilio (B)

RECOMMENDATION

The City Commission hear comments from Tom Cunilio and place back-up submitted on file.

Placed on File

Judy Raymond

Lay-Off December 31, 2009 - Referred to the Audit, Finance and Legislative Committee.

090567. Employment Status of Judy Raymond - Referral (NB)**RECOMMENDATION**

The City Commission refer the issue of Judy Raymond's employment status to the Audit, Finance and Legislative Committee.

A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on November 30, 2009. The motion carried by the following vote:

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

Kali Blount

Poverty Issues.

Walter Willard

Various Issues.

Richard Selwach

Transgender Issues.

090569. Citizen Comment - Richard Selwach - Transgender Issues (B)**RECOMMENDATION**

The City Commission hear comments from Richard Selwach and place back-up submitted on file.

Placed on File

PUBLIC HEARINGS**WAIVER OF RULES**

The rules were waived by consensus to hear File #090500 next.

090500. Villages of Kanapaha Follow Up - Request for Waiver of 12 Month Petition Consideration Limitation (B)

This is a request by the Petitioner regarding a waiver on the 12 month petition consideration limitation on the subject property (4123 SW 50th Street) consistent with Commission direction regarding prior consideration of this matter.

Gerry Dedenbach, Director of GIS and Planning Services with Causseaux, Hewett and Walpole gave a presentation.

RECOMMENDATION

The City Commission: 1) waive the 12 month petition consideration limitation on submission of a revised Petition for the subject property consistent with provision 30-347.7(c) of the Gainesville Land Development Code.

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

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

RESOLUTIONS- ROLL CALL REQUIRED

090479. Ending the Ban of Gays and Lesbians in the US Military - Broward County Action (B)

EO Director Cecil Howard gave a presentation.

Chair Hanrahan recognized Richard Selwach, Walter Willard and Terry Fleming who spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff on what steps Broward County took and what legislation the President and his advisors are working on; 2) consider options: (a) adopt the resolution as presented; (b) amend and adopt the Resolution presented, that the City of Gainesville can pursue on this issue, and 3) authorize further action deemed appropriate.

Alternative Recommendation

The City Commission: 1) direct staff to draft a Proclamation encouraging the citizens of Gainesville to get involved by writing letters to Congress supporting the Military Readiness Enhancement Act 2009, or 2) take no action at this time.

A motion was made by Commissioner Donovan, seconded by Commissioner Lowe, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

ADOPTION READING-ROLL CALL REQUIRED

090086. HUNTER/LANE SMALL-SCALE LAND USE ELEMENT (B)**Ordinance No. 0-09-64, Petition PZ-09-20LUC**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of "Medium High Density Residential (8-14 DU/acre)" to the City of Gainesville land use category of "Residential Medium-Density (8-30 units per acre)" and "Conservation"; generally located East of I-75, West of Marchwood Subdivision, and Southwest of Forest Park, a county park; the property is also known as tax parcel no. 06687-004-000, as more specifically described in this Ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Senior Planner Susan Niemann and Planning Manager Ralph Hilliard gave presentations.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090341. LAND USE CHANGE - VICINITY OF 1500 NW 45TH AVENUE (B)**Ordinance No. 0-09-60, Petition PZ-09-61LUC**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from the City of Gainesville land use category of "Residential Low-Density (up to 12 units per acre)" to "Recreation"; located in the vicinity of 1500 Northwest 45th Avenue; this property is also known as tax parcel no. 07883-010-005, as more specifically described in this ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planner Jason Simmons gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition PZ-09-61LUC; and 2) adopt the proposed ordinance.*

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

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

090342. REZONING - VICINITY OF 1500 NW 45TH AVENUE (B)

Ordinance No. 0-09-61, Petition No. PZ-09-62ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from "RMF-5: 12 units/acre single-family/multiple-family residential district" to "PS: Public services and operations district": to allow, as uses permitted by right, a public park and other related uses, as more specifically described in this ordinance, without the requirement of a preliminary development plan; located in the vicinity of 1500 Northwest 45th Avenue; this property is also known as tax parcel no. 07883-010-005, as more specifically described in this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date.

Planner Jason Simmons gave a presentation.

RECOMMENDATION

The City Commission: 1) approve Petition No. PZ-09-62ZON; and 2) adopt the proposed ordinance.

A motion was made by Commissioner Lowe, seconded by Commissioner Poe, that this matter be Approved (Petition) and Adopted on Adoption Reading. The motion carried by the following vote:

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

090344.

LAND USE CHANGE - VICINITY OF 2510 NW 6TH STREET (B)**Ordinance No. 0-09-63, Petition PZ-09-46LUC**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category on a portion of certain property, as more specifically described in this ordinance, from the City of Gainesville land use category of "Conservation" to "Office"; located in the vicinity of 2510 Northwest 6th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planner Jason Simmons and Agent for the Petitioner Stuart Cullen of Brown and Cullen gave presentations.

RECOMMENDATION

The City Commission: 1) approve Petition PZ-09-46LUC; and 2) adopt the proposed ordinance.

A motion was made by Commissioner Poe, seconded by Commissioner Mastrodicasa, that this matter be Approved (Petition) and Adopted on Adoption Reading. The motion carried by the following vote:

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

090345. REZONING - VICINITY OF 2510 NW 6TH STREET (B)**Ordinance No. 0-09-62, Petition No. PZ-09-47ZON**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning a portion of certain property within the City, as more specifically described in this Ordinance, from the City of Gainesville zoning category of "CON: Conservation district" to "OR: 20 units/acre office residential district"; located in the vicinity of 2510 Northwest 6th Street; 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 Mastrodicasa, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

090410. REFUSE RATES INCREASE (B)**Ordinance No. 0-09-67**

An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges by increasing fees and charges for residential solid waste and recyclables; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date in accordance with the schedule provided herein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Donovan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED**080762. DEPARTMENT AND DIRECTOR NAME CHANGE (B)****Ordinance No. 0-09-02**

An ordinance of the City of Gainesville, Florida, amending Article IV of Chapter 2 of the Code of Ordinances relating to city administration by changing the titles of two department directors; eliminating one department director title; changing

the name of one department; providing for the organization and structure of the newly named department; providing the duties and responsibilities of the department; 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 Donovan, seconded by Mayor-Commissioner Pro Tem Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

PLAN BOARD PETITIONS

090483. Southeast Gainesville Renaissance Initiative (SEGRI) Special Area Plan Text Change (B)

Petition PZ-09-02TCH. City of Gainesville. Text change to the Land Development Code to add Southeast Gainesville Renaissance Initiative (SEGRI) Special Area Plan. Related to Petition PZ-09-03ZON.

Senior Planner Susan Niemann and Planning Manager Ralph Hilliard gave presentations.

AMENDMENT: Page 10, F-7, On Street parking is encouraged; however, such parking, "if feasible, can be counted" towards a project's total required parking spaces.

Chair Hanrahan recognized Loan Ngo, Armando Grundy and Stuart Cullen who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PZ-09-02TCH. The Plan Board voted 6-0.*

Staff to City Commission - The City Commission approve Petition PZ-09-02TCH.

Staff to City Plan Board - Approve Petition PZ-09-02TCH.

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

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

090484. Southeast Gainesville Renaissance Initiative (SEGRI) Special Area Plan Rezoning (B)

Petition PZ-09-03ZON. City of Gainesville. Text change to the Land Development Code to add Southeast Gainesville Renaissance Initiative (SEGRI) Special Area Plan. Related to Petition PZ-09-02TCH.

Senior Planner Susan Niemann and Planning Manager Ralph Hilliard gave presentations.

AMENDMENT: Page 10, F-7, On Street parking is encouraged; however, such parking, "if feasible, can be counted" towards a project's total required parking spaces.

Chair Hanrahan recognized Loan Ngo, Armando Grundy and Stuart Cullen who spoke to the matter.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PZ-09-03ZON. The Plan Board voted 6-0.

Staff to City Commission - The City Commission approve Petition PZ-09-03ZON.

Staff to City Plan Board - Approve Petition PZ-09-03ZON.

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

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

090487. Rezone property on N.W. 13th Street from BUS to BA (B)

Petition PB-09-120 ZON, Brown & Cullen Inc., agent for William & Jo Beatty. Rezone property from BUS (General business district) to BA (Automotive-oriented business district).

Planner Jason Simmons, Planning Manager Ralph Hilliard and Interim Code Enforcement Manager Chris Cooper gave presentations.

Chair Hanrahan recognized Agent for the Petitioner Stuart Cullen, Armando Grundy, Asghar Etemadi and Jo Beatty, who spoke to the matter.

MOTION: Continue this item to December 3, 2009.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve petition PZ-09-120 ZON. Plan Board vote 6-1.

Staff to City Commission - The City Commission approve petition PZ-09-120 ZON.

Staff to the Plan Board - Approve petition PZ-09-120 ZON.

Alternative Recommendation - Deny petition PZ-09-120 ZON.

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Henry, that this matter be Continued (Petition) for December 3, 2009. The motion carried by the following vote:

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Lauren Poe

Internet Cafe'.

Interim Code Enforcement Manager Chris Cooper made comments.

CITIZEN COMMENT (If time available)

Armando Grundy

- 1. Thank you - Tree pruning request.*
- 2. RTS Issues.*

ADJOURNMENT - 9:48 PM

Kurt M. Lannon, Clerk of the Commission