

City of Gainesville

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



Meeting Minutes

Thursday, April 7, 2011

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 Warren Nielsen (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 - 1:05 PM

ROLL CALL

NOTE: Commissioner Henry was not present for the afternoon portion of the meeting, but arrived for the evening portion of the meeting.

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

INVOCATION

Prophet George Young

CONSENT AGENDA

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

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

MODIFICATIONS:

- 1. File #100774 - Main Street Streetscape - (Withdraw from the agenda).*
- 2. File #100186 - Florida Certified Organic Growers Request for "Edible Gardens" - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*
- 3. File # 100842 - City Commission Minutes - File #100744 NW 16th Avenue Resurfacing and Rehabilitation Project - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

CITY MANAGER, CONSENT AGENDA ITEMS

100773. Main Street Streetscape (NB)

This item is to discuss options for advancing the Main Street Streetscape and Lighting project.

This item was withdrawn from the agenda and will be on the April 21, 2011 meeting agenda.

RECOMMENDATION

The City Commission: 1) approve the reallocation of \$1,616,984.73 to the Main Street Streetscape project to allow work to begin in FY 11; and 2) direct the City Manager to come back at a future meeting with recommendations for the reallocation of the FY 15 \$1.1 million.

Withdrawn

100774. Vacate a Portion of North Main Street Right of Way (B)

This item is a request to vacate a portion of right of way, adjacent Gainesville Ford.

RECOMMENDATION

The City Commission: 1) approve the request of Public Works to vacate the unimproved 100 foot segment of right of way, east of North Main Street and adjacent Prestige Lincoln-Mercury, Inc; and 2) authorize the Planning Department to initiate a petition to the Plan Board to vacate unimproved 100 foot segment of right of way, east of North Main Street and adjacent Prestige Lincoln-Mercury, Inc.

This Matter was Approved as Recommended on the Consent Agenda.

100792. Federal Law Enforcement Contraband Forfeiture Trust Fund (FLECFTF) Funding for Equipment for Local Florida Highway Patrol (NB)

This item requests that the City Commission appropriate and expend \$22,292 in funds from the Federal Law Enforcement Contraband Forfeiture Trust fund for equipment for the Florida Highway Patrol.

RECOMMENDATION

Recommended Motion: The City Commission approve the appropriation of \$22,292 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the purchase of appropriate equipment for the Florida Highway Patrol.

This Matter was Approved as Recommended on the Consent Agenda.

100793. Overtime Reimbursement From High Intensity Drug Trafficking Areas For Special Investigations Division (Combined Alachua Drug Enforcement Team) (NB)

RECOMMENDATION

The City Commission approve the Gainesville Police Department's request to seek reimbursement.

Alternative Recommendation A: The City Commission deny seeking reimbursement.

This Matter was Approved as Recommended on the Consent Agenda.

100799. State LECFTF Funding for the Corner Drug Store Interface Youth Program and Spotlight on Youth (B)

RECOMMENDATION *The City Commission authorize the appropriation of an amount not to exceed \$2,500 from the State Law Enforcement Contraband Forfeiture Trust Fund, for the Corner Drug Store Interface Youth Program and Spotlight on Youth.*

This Matter was Approved as Recommended on the Consent Agenda.

100811. Purchase of Equipment for Regional Transit System (RTS) (B)

This item is a request for the City Commission to approve the procurement of one (1) Drive On Vertical Rise Vehicle Lift with 30' Platform (55,000# Lifting Capacity) from Heavy Duty Lift & Equipment, Inc., for the Regional Transit System (RTS).

RECOMMENDATION *The City Commission approve the purchase of one (1) Drive On Vertical Rise Vehicle Lift with 30' Platform (55,000# Lifting Capacity) from Heavy Duty Lift & Equipment, Inc.*

This Matter was Approved as Recommended on the Consent Agenda.

100813. FDOT Highway Safety Grant Application (NB)

This is a request for the City Commission to authorize staff to submit a grant application to the Florida Department of Transportation to a Bicycle and Pedestrian Safety Action Plan.

RECOMMENDATION *Recommended Motion: The City Commission authorize the City Manager or designee to submit a grant application.*

This Matter was Approved as Recommended on the Consent Agenda.

100815. Revisions to City Code Chapter 7 - Cemeteries (NB)

This item involves a request for the City Commission to direct the City Attorney to prepare and the Clerk to advertise amendments to City Code Chapter 7, Section 7-15.

RECOMMENDATION *The City Commission direct the City Attorney to prepare and the Clerk to advertise amendments to City Code Chapter 7, Section 7-15.*

This Matter was Approved as Recommended on the Consent Agenda.

100830. Amendment to the FY 2008-2009 CDBG and HOME Annual Action Plan (NB)

This is a request for the City Commission to approve a fourth amendment to the FY 2008-09 CDBG and HOME Annual Action Plan to allow for the CDBG-R funds to be allocated to additional CDBG Target areas of Gainesville.

RECOMMENDATION *The City Commission: 1) approve the fourth amendment to the FY 2008-2009 CDBG and HOME Program Annual Action Plan; and 2) authorize the City Manager or designee to prepare and submit the fourth amendment to the FY 2008-2009 Annual Action Plan to the U.S. Department and Urban Development (HUD) for approval.*

This Matter was Approved as Recommended on the Consent Agenda.

100832. Amendment to Parking Code (NB)

A request to authorize the City Attorney to prepare and the Clerk of the Commission to advertise amendments to Section 26 of the Code of Ordinances of the City of Gainesville, Florida regarding decal parking requirements.

RECOMMENDATION *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise amendments to Sections 26 as necessary.*

This Matter was Approved as Recommended on the Consent Agenda.

100840. Open and Outdoor Burning Ordinance Amendment (NB)

RECOMMENDATION *The City Commission direct the City Attorney to draft and the Clerk of the Commission to advertise an ordinance relating to open and outdoor burning.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

100823. 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 (NB)

RECOMMENDATION *The City Commission 1) approve the terms of the settlement; and 2) authorize the City Manager and the City Attorney's Office to settle the case styled 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.

100838. ALACHUA LAND INVESTORS, LLC V. CITY OF GAINESVILLE; CASE NO. 01-2008-CA-3088 (NB)

RECOMMENDATION *The City Commission authorize the City Attorney to retain special counsel in the case styled Alachua Land Investors, LLC v. City of Gainesville, Case No. 01-2008-CA-3088.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

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

090616. Taxi Cab Costs in Gainesville (NB)

RECOMMENDATION *The City Commission 1) authorize the City Attorney to draft and the Clerk of the Commission to advertise the amendments to the Vehicle For Hire Ordinance to incorporate requiring a Taxi Service Bill of Rights to be posted in the taxis and to establish a minimum fee that must be prominently posted.*

This Matter was Approved as Recommended on the Consent Agenda.

100429. Vehicles for Hire and Pedicab Safety (NB)

RECOMMENDATION *The City Commission remove this item from the Public Safety Committee referral list and request that staff continue to monitor the safety issues of the vehicles for hire and pedicabs.*

This Matter was Approved as Recommended on the Consent Agenda.

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**REGIONAL UTILITIES COMMITTEE CONSENT****100008. Rebates/Incentives for Window Replacement (NB)**

On February 16th, 2011, staff recommended to the RUC that a pilot program for energy efficient windows and window film rebates be implemented beginning in FY 2012. Assuming the pilot is successful; these rebates would then be added to the energy efficiency programs.

RECOMMENDATION *The City Commission remove item #100008 from the RUC referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, 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, Lauren Poe, Craig Lowe, Thomas Hawkins and Warren Nielsen
Absent: Scherwin Henry

EQUAL OPPORTUNITY COMMITTEE, CONSENT**DISABILITY REVIEW COMMITTEE, CONSENT****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

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

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

MODIFICATIONS:

- 1. File #100812 - Traffic Management System - (Revised ppt. submitted).*

2. *File #100820 - Modification to the City of Gainesville Urban Reserve Area and Statement of Services - (Revised recommendation in the agenda item and the ppt).*
3. *File #100847 - State of Florida Legislative Update - (Additional back-up submitted).*
4. *File #100864 - (New Item) Mayor Craig Lowe - National League of Cities Prescription Discount Card Program - (Add to the agenda).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

100834. City Commission Special Meetings (NB)

AMENDMENT: The City Commission Retreat to begin at 12:00 Noon instead of 9:00 AM.

RECOMMENDATION

The City Commission schedule meetings as follows:

June 9, 2011 - 9:00 AM City Commission Retreat

July 12, 2011 - 1:00 PM General Government Budget

July 13, 2011 - 5:15 PM Gainesville Regional Utilities Budget

July 14, 2011 - 1:00 PM General Government Budget

July 18, 2011 - 1:00 PM Gainesville Regional Utilities Budget

July 20, 2011 - 5:15 General Government Budget

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

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

100842. City Commission Minutes (B)

AMENDMENT: File #100744 NW 16th Avenue Resurfacing and Rehabilitation Project - (Under First Choice #3 and Second Choice #1 add "complete reconstruction of the sidewalks - from a 7 1/2 ft minimum up to 10 ft. maximum where feasible").

RECOMMENDATION

The City Commission approve the minutes of March 3, 2011

and March 17, 2011, as circulated.

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

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

CITY MANAGER

100812. Traffic Management System - Gainesville Alachua County Smart Traffic (B)

This item is a request for the City Commission to hear a presentation on the public outreach and real time motorist information provided by the Traffic Management System.

Traffic Operations Manager Phil Mann gave a presentation.

RECOMMENDATION *The City Commission receive a presentation from staff on the status of the public outreach efforts and real time motorist information provided by the Traffic Management System.*

Heard

100820. Modification to City of Gainesville Urban Reserve Area and Statement of Services (B)

This item is to discuss the five-year update to the Gainesville Urban Reserve Area and the accompanying Statement of Services.

Senior Strategic Planner Lila Stewart gave a presentation.

Mayor Lowe recognized David Flagg who spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve the Statement of Services and proposed map to be submitted to the Alachua County Commission, the North Central Florida Regional Planning Council and the other municipalities in the County; 2) authorize the City Manager to notify Alachua County, the North Central Florida Regional Planning Council and the other municipalities in the County of the City's desired changes to the Gainesville Urban Reserve Area and submit the Statement of Services; and 3) hold a public hearing on the proposed modifications to the Gainesville Urban Reserve Area.*

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

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

100833. Butler Plaza Planned Development Rezoning - City Commission Special Meeting Request (NB)

The City Commission is being asked to consider scheduling a City Commission Special Meeting in April to continue deliberations on the Butler Plaza Planned Development Rezoning Petition.

Planning and Development Services Director Erik Bredfeldt gave a presentation.

MOTION: Direct the Clerk of the Commission to schedule a special meeting as soon as practical, and meet advertising deadlines.

Mayor Lowe recognized David Flagg who spoke to the matter.

RECOMMENDATION *The City Commission: 1) consider scheduling a Special Meeting in April to hear the Butler Plaza Planned Development Rezoning Petition and if amenable, set an appropriate date/time.*

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

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

100847. State of Florida Legislative Update (B)

The City Commission will be provided with an update of legislation filed during the Florida Legislature's 2011 Regular Session.

Code Enforcement Manager Chris Cooper gave a presentation.

RECOMMENDATION *The City Commission: 1) receive the legislative update; and 2) determine if issues presented necessitate the support or opposition of the City Commission.*

Heard

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY**CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****100186. Florida Certified Organic Growers Request for "Edible Gardens" (B)**

This item involves closure of a referral to the Recreation, Cultural Affairs and Public Works Committee regarding Florida Organic Growers' request to utilize City property for "Edible Gardens."

Parks, Recreation and Cultural Affairs Director Steve Phillips and Florida Organic Growers Director of Education and Outreach Christine Hale gave presentations.

RECOMMENDATION *The City Commission: 1) authorize the City Manager or designee to execute the "License for Use of Property" agreement with Florida Organic Growers, Inc.; and 2) remove this item from the Recreation, Cultural Affairs and Public Works Committee pending referral list.*

A motion was made by Commissioner Wells, 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, Lauren Poe, Craig Lowe, Thomas Hawkins and Warren Nielsen
Absent: Scherwin Henry

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE****PUBLIC SAFETY COMMITTEE****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES**

MEMBERS OF THE CITY COMMISSION**100864. Mayor Craig Lowe - National League of Cities Prescription Discount Card Program (B)**

RECOMMENDATION *The City Commission authorize the City of Gainesville to participate in the National League of Cities Prescription Discount Card Program.*

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

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

COMMISSION COMMENTS (if time available)**Mayor-Commissioner Pro Tem Jeanna Mastrodicasa**

Wind Energy - See following referral item #100869.

100869. Wind Energy Referral (NB)

RECOMMENDATION *The City Commission refer the issue of wind energy to the Regional Utilities Committee for discussion.*

A motion was made by Mayor-Commissioner Pro Tem Mastrodicasa, seconded by Commissioner Poe, that this matter be Referred to the Regional Utilities Committee, due back on October 7, 2011. The motion carried by the following vote:

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

RECESS - 2:31 PM**RECONVENE - 5:35 PM****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS**

100785. Administrative Professionals Week - April 24-30, 2011 & Administrative Professionals Day - April 27, 2011 (B)

RECOMMENDATION *International Association of Administrative Professionals Executive Assistant, Patty Foster, to receive the proclamation.*

Heard

100786. Child Abuse Prevention Month - April 2011 (B)

RECOMMENDATION *Alachua County Child Abuse Prevention Task Force Chair, Annie McPherson, and member, Elizabeth Hartsfield, to receive the proclamation.*

Heard

100787. REinvest Day - April 12, 2011 (B)

RECOMMENDATION *Blue Oven Kitchens President, Val Leitner, to receive the proclamation.*

Heard

100836. National Public Safety Telecommunications Week (B)

RECOMMENDATION *Combined Communications Center staff to receive the proclamation.*

Heard

100837. Water Conservation Month (B)

RECOMMENDATION *Bob Hunzinger, GRU General Manager, to receive the proclamation.*

Heard

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

Kali Blount

Qur'an Burning.

John Davies

Biomass Plant and other issues.

Rob Zeller

Biomass Plant.

Harold Saive

Biomass Plant.

Milagros Ruiz

Noise Issues.

Pat Fitzpatrick

130 Meal Limit at St. Francis House.

Jeff Rood

Cabot-Koppers Superfund Site Questions.

Rob Brinkman

Biomass Plant.

RESPONSE TO CITIZEN COMMENT

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

100775. Resolution Approving the Application for a Utility Easement from the Department of Environmental Protection (B)

This item involves the approval and authorization to adopt a Resolution for the application for a Utility Easement from the Department of Environmental Protection

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to apply for a Utility Easement with the Department of Environmental Protection, Division of State Lands, over all the 6th Street Rail Trail and the Downtown Connector from the northern terminus at the south

right of way line of Northwest 16th Avenue, running south and southeasterly to western right of way line of State Road 331 (Williston Road).

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

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

100822. REPORT OF THE BOARD OF CANVASSERS ELECTION (B)

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 15, 2011; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

100824. Resolution Opposing Pending Legislation (B)

This item involves a Resolution opposing pending legislation that will prohibit local governments from enacting fertilizer ordinances such as adopted by the City of Gainesville.

NOTE: Direct the City Manager to forward a copy to the St. John's River Water Management District and the Suwannee Water Management District.

RECOMMENDATION *The City Commission adopt the Resolution.*

Alternative Recommendation A: The City Commission not adopt the Resolution.

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

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

100762. WALNUT CREEK – TIME EXTENSION FOR PLAT APPROVAL (B)**Ordinance No. 100762**

An Ordinance of the City of Gainesville, Florida; amending Condition 5 of Section 3 and Condition 18 of Section 4 of Ordinance No. 071066, by providing for an extension of time to obtain final or conditional approval on property that is zoned “Planned Development District”, commonly known as “Walnut Creek Planned Development Phase II”; generally located in the vicinity of the 2500 block of Northwest 39th Avenue; 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 Henry, seconded by Commissioner Hawkins, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

TRANSMITTAL HEARING**100684. AMEND FUTURE LAND USE ELEMENT POLICIES 4.1.1 AND 4.1.3 TEXT AND ADD ZONING DISTRICTS TO THE IMPLEMENTING ZONING DISTRICTS TABLE (B)****Ordinance/Legistar No. 100684; Petition No. PB-10-139 CPA**

An ordinance amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan; by amending the text of Policy 4.1.1 for the land use categories of Mixed-Use Low-Intensity (MUL), Mixed-Use Medium-Intensity (MUM), Urban Mixed-Use 1 (UMU-1) and Urban Mixed-Use 2 (UMU-2); by amending the text in Policy 4.1.3 to revise criteria for proposed changes to the Future Land Use Map; by adding additional zoning districts to the table titled "Future Land Use Categories and Corresponding/Implementing Zoning Districts"; stating intent to adopt the amendments as part of the City of Gainesville 2000-2010 Comprehensive Plan; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Planning and Development Services Principal Planner Onelia Lazzari gave a presentation.

Mayor Lowe recognized CRA Project Coordinator Kelly Fisher who made comments.

AMENDMENT: Commissioner Henry moved and Commissioner Wells seconded to amend the main motion by adding zoning districts CCD-1 and UMU-3 to the table on page 5.

(VOTE: 6-1, Commissioner Poe- No, Motion Carried)

RECOMMENDATION *The City Commission (1) approve Petition PB-10-139 CPA*

and (2) adopt the proposed ordinance.

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

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

100690. COMPREHENSIVE PLAN TEXT AMENDMENT – INNOVATION ZONE MAP (B)

Ordinance No. 100690; Petition No. PB-10-138LUC&PB-10-140CPA
An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element; amending the Intergovernmental Coordination Element by repealing the obsolete Innovation Zone Map and adopting the new Innovation Zone Map and adding it to the Future Land Use Map Series; amending Objective 1.7 of the Intergovernmental Coordination Element to reference the Innovation Zone Map in the Future Land Use Map Series; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.

Planning and Development Services Principal Planner Onelia Lazzari gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition Nos. PB-10-138LUC and PB-10-140CPA and; 2) adopt the proposed ordinance.*

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

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

100682. REZONING - 1308 E. UNIVERSITY AVENUE AND 13 NORTHEAST 13th STREET (B)

Ordinance No. 100682, Petition No. PB-10-119ZON
An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the zoning category of "RMF-7: 8 - 21 units/acre multiple-family residential district" to "MU-1: 8 - 30 units/acre mixed use low intensity"; located in the vicinity of 1308 E. University Avenue and 13 Northeast 13th 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 Henry, seconded by Commissioner Nielsen, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

090483.

**TEXT CHANGE AND REZONING - SOUTHEAST GAINESVILLE
RENAISSANCE INITIATIVE (SEGRI) SPECIAL AREA PLAN (B)**

Ordinance No. 090483; Petition No. PZ-09-02TCH & Petition No. PZ-09-03ZON

An ordinance of the City of Gainesville, Florida, rezoning certain property and amending the Land Development Code in order to repeal the Five Points Special Area Plan and create and impose the Southeast Gainesville Renaissance Initiative (SEGRI) Special Area Plan; by repealing the regulations for the Five Points Special Area Plan as set forth in Appendix A, Section 8 of the Land Development Code; amending the zoning map atlas to remove the Five Points Overlay Zoning District from certain properties (as imposed by Ordinance No. 050162); by creating new regulations hereinafter known as the Special Area Plan for Southeast Gainesville Renaissance Initiative (SEGRI); by rezoning (by imposing the SEGRI Overlay Zoning District) on certain property generally located in the Five Points area and South of University Avenue and East of Main Street as more specifically described in this ordinance; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing for operation to pending applications for development order; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

100602.

**TEXT CHANGE TO LAND DEVELOPMENT CODE – AIRPORT FACILITY
DISTRICT (B)**

Ordinance No. 100602, Petition No. PB-10-107TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code of the City of Gainesville; amending Section 30-76, (AF: Airport facility district); by adding and removing certain permitted uses; by adding conditions to certain uses, as more specifically set forth in this ordinance; by amending certain uses, and amending restrictions on certain uses in the Airport Development Area, Airfield Infrastructure Area, and the

Non-development Area, as more specifically set forth in this ordinance; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

NOTE: Mayor-Commissioner Pro Tem Mastrodicasa stated that she is related to an agent for the petitioner, but had no conflict of interest and would be voting on the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

PLAN BOARD PETITIONS

100789. Amendment to Foxfield/Crown Point Planned Development (B)

Petition PB-11-2 PDA, Rick and Leigh Howe, agent for Foxfield/Crown Point. Planned development amendment to update the list of allowable uses for the professional office area. Located in the vicinity of Northwest 16th Blvd. and Northwest 40th Terrace.

Lead Planner Lawrence Calderon gave a presentation.

Mayor Lowe recognized Rick Howe who spoke to the matter.

RECOMMENDATION *Plan Board to the City Commission- approve the petition with staff conditions.*

Staff to Plan Board - approve the petition with staff conditions.

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

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Scherwin Henry

- 1. Water Conservation Symposium - April 14, 2011 from 10:00 AM - 2:00 PM.*
- 2. Community Meeting at T.B. McPherson with Breezy Acres - City Manager is following up on the issues brought up at the meeting.*
- 3. Florida Trend Magazine - Tallahassee and Gainesville.*

Commissioner Randy Wells

- 1. East Gainesville Relay for Life.*
- 2. Sister City Program - May 18 -May 25, 2011.*

CITIZEN COMMENT

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

ADJOURNMENT- 7:59 PM

Kurt M. Lannon, Clerk of the Commission