

City of Gainesville

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



Meeting Minutes

Thursday, April 15, 2010

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 - 1:07 PM

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ROLL CALL

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

INVOCATION

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The City Commission observed a moment of silence.

CONSENT AGENDA

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

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

MODIFICATIONS:

1. File #090910 - University of Florida Wayfinding Signage - (Withdraw from the agenda).

2. File #090911 - Vacate a Portion of Southwest 2nd Place - (Revised recommendation).

CITY MANAGER, CONSENT AGENDA ITEMS

090910. University of Florida Wayfinding Signage (B)

RECOMMENDATION *The City Commission approve the proposed locations and design of wayfinding signage and entrance features as presented.*

Withdrawn

090910a_Map_20100415.pdf

090910b_Map_20100415.pdf

090911. Vacate a Portion of Southwest 2nd Place (B)

This item is a request for the City Commission to approve a petition to the Planning and Development Services Department to vacate a portion of

Southwest 2nd Place at the request of the Public Works Department.

RECOMMENDATION *The City Commission authorize staff to initiate a petition to vacate a portion of Southwest 2nd Place, running easterly from Southeast 10th Street, along the south side of Lots 6, 7, and 8, Block 7, University Place, Plat Boot A, page 77 for approximately 157.2 feet.*

Alternative Recommendation: City Commission deny this request and Public Works purchases the required 1,400 square feet of Shands property needed for the traffic roundabout for \$41,120.

This Matter was Approved as Recommended on the Consent Agenda.

090911_Map_20100415.PDF

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**CITY ATTORNEY, CONSENT AGENDA ITEMS****CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****090924.****City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of April 1, 2010, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

090924_april 1, 2010_20100415.pdf

090922.**Joint Meeting - Alachua County Commission (B)**

RECOMMENDATION *The City Commission add Fire Merger/Consolidation to April 29, 2010 meeting scheduled for 3:00 PM.*

This Matter was Approved as Recommended on the Consent Agenda.

090922_jointmtg_20100415.pdf

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****COMMUNITY DEVELOPMENT COMMITTEE, CONSENT**

080579.**Landlord Licensing Late Fees (B)****RECOMMENDATION**

The City Commission: 1) approve the Community Development Committee's recommendation to amend the current landlord permit late fee by adding a new payment tier for 1 business day to 15 calendar days late to 50% of the current 30 day late amount for new applications and renewals. The current 1 business day to 30 calendar day tier will be amended to 16 to 30 calendar days; 2) authorize the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the Code of Ordinances amending Appendix A Schedule of Fees, Rates and Charges to implement the amended late fee prior to August 1, 2010; and 3) remove this item from the Community Development Committee referral list.

This Matter was Approved as Recommended on the Consent Agenda.

080579_Late LLP Memo_20090326.pdf
080579_Ordinance Excerpt_20090326.pdf
080579_Memo_20100112.PDF
080579_CDC Minutes_20100415.pdf

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**090898.****City of Gainesville Fiscal Year 2009 Comprehensive Annual Financial Report, Audited Financial Statements, Auditors' Reports, Auditors' Management Letters and Single Audit Reports, and Management's Written Response (B)****RECOMMENDATION**

The City Commission accept the subject financial report, financial statements, auditors' reports, management letters and single audit reports; and accept management's written response.

This Matter was Approved as Recommended on the Consent Agenda.

090898_City Auditor's Transmittal Memo for FY2009 Financial Statements.pdf
090898_Summary of FY 2009 Audit Results - General Government.pdf
090898_1 City-Wide CAFR FY2009.pdf
090898_2 GRU FY2009 Financial Statements.pdf
090898_3 WSPP FY2009 Financial Statements.pdf
090898_4 Employees Pension Fund FY2009 Financial Statements.pdf
090898_5 Consolidated Pension Fund FY2009 Financial Statements.pdf
090898_6 Disability Pension Fund FY 2009 Financial Statements.pdf
090898_7 Other Postemployment Benefits Fund FY2009 Financial Statements.pdf
090898_GRU Audit Results_FINAL_20100329.pdf

090902.**Human Resources Holiday Policy (B)**

The Charter Officers seek direction on an amendment to the Human Resources Holiday Policy for non-represented employees.

RECOMMENDATION *The City Commission adopt the Human Resources Holiday Policy (L-6) outlined in Exhibit "A".*

This Matter was Approved as Recommended on the Consent Agenda.

090902_Holiday_Policy_20100329.pdf

090899.

Review of Affirmative Action Program (B)

RECOMMENDATION *The City Commission: 1) Accept the City Auditor's report and response from the Equal Opportunity Director; and 2) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

090899_CityAuditor's Review of Affirmative Action Program with EO Response.pdf

090900.

Quarterly Financial Report - Gainesville Regional Utilities (B)

RECOMMENDATION *The City Commission receive the GRU Quarterly Financial Report as of December 31, 2009.*

This Matter was Approved as Recommended on the Consent Agenda.

090900_GRU_Quarterly_20100329.pdf

090901.

Fiscal Year 2010 Operating Funds Quarterly Monitoring Report - Quarter Ending December 31, 2009 (B)

RECOMMENDATION *The City Commission receive the General Government quarterly budget monitoring report for the quarter ended December 31, 2009.*

This Matter was Approved as Recommended on the Consent Agenda.

090901_GG_QTR_MONITORING REPORT.pdf

Passed The Consent Agenda

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

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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

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

MODIFICATIONS:

1. File #090537 - Transmittal Hearing (Ordinance) - Land Use Amendment - Butler Plaza Area - (Additional condition added).

2. File #090977 - Request for Public Hearing Regarding Possible Issuance of Revenue Bonds - (New Item added late yesterday).

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

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090932. May 3, 2010 - Wal-Mart Meeting (NB)

[Play Video](#)

- 1. Reschedule May 3, 2010 Wal-Mart Meeting for May 4, 2010 @ 6:00 PM.*
- 2. Reschedule the April 29, 2010 Joint City County Meeting to start at 1:00 PM instead of 3:00 PM.*
- 3. Schedule Joint City/School Board Meeting for May 18, 2010 @ 1:00 PM.*

RECOMMENDATION *The City Commission discuss the Wal-Mart appeal meeting scheduled for May 3, 2010.*

Discussed

CITY MANAGER

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090923**Voluntary Separation Program (NB)**

This item requests authorization to implement a Voluntary Separation Program.

[Play Video](#)

Administrative Services Director Becky Rountree gave a presentation.

RECOMMENDATION *The City Commission authorize the implementation of a Voluntary Separation Program.*

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

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

090927.**Solid Waste Management System (B)**

This item involves a request for the Commission to hear a presentation on the status of the City and County discussions regarding the need to capture control of the commercial waste stream.

[Play Video](#)

Assistant City Manager Paul Folkers, Alachua County Public Works Director Richard Hedrick, Waste Alternatives Manager Sally Palmi, Solid Waste Professional Engineer Ron Bishop, City Solid Waste Manager Steve Joplin, EWS Attorney Patrice Boyes, EWS Director Bob Shires, and New River Landfill Executive Director Mr. Darrell O'Neil gave presentations.

RECOMMENDATION *Recommended Motion: The City Commission: 1) hear a presentation on the status of the City and County discussions regarding the need to capture control of the commercial waste stream; and 2) authorize the City Manager to begin the process to implement exclusive franchise to commercial property jointly with Alachua County.*

Discussed

090927_Franchise_20100415.pdf
090927_Resolution_20100415.pdf
090927_mod_backup_slides_April_15_transfer_station.PDF
090927_mod_EWS to CComm 4.15.10.PDF
090927_mod_NewRiverFinancialAnalysisMainReport.pdf
090927_mod_solidwaste09.pdf
090927_mod_SW_exclusive_commercial_franchise.PDF

090930.**Preliminary Design Approval of the Alachua County/City of Gainesville Senior Recreation Center (B)**

This is a request for the City Commission to approve the preliminary site plan, and floor plan in the 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, W. G. Mills Project Manager Ty Bliss , Brown & Cullen Engineer Jay Brown, MRI Architectural Group, Inc. Project Manager Christopher O'Brien and Parks, Recreation and Cultural Affairs Director Steve Phillips gave presentations.

RECOMMENDATION

The City Commission: 1) approve the preliminary design and instruct the architect to start construction drawings for review by the City Commission at the 30% stage; and 2) allow the design team to submit the site plans to the City of Gainesville Planning Department.

Alternative Recommendation A: The City Commission approve the preliminary design with suggestions and instruct the architect to start construction drawings for review by the City Commission at the 30% stage; and 2) allow the design team to submit the site plans to the City of Gainesville Planning Department.

Alternative Recommendation B: The City Commission reject the recommendation and direct staff to obtain a new design plan.

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

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

090930_PPT_20100415.pdf

GENERAL MANAGER FOR UTILITIES**ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE**[Play Video](#)**090824.****City of Gainesville - Strategic Action Plan for Economic Development Five Year Update and Council for Economic Outreach (CEO) - Innovation Gainesville (B)**

This item is a recommendation from the Economic Development University Community Committee (EDUCC) requesting the City Commission endorse a five year update to the City's Strategic Action Plan for Economic Development and CEO Innovation Gainesville effort.

[Play Video](#)

MOTION: Continue this item to the May 6, 2010 Consent Agenda including Commissioner Donovan's comments.

COMMENTS:

- 1. Add a recommendation 5) request the EDUCC bring back quarterly reports regarding the City Commission's strategic plan.*
- 2. Page 5, "Workforce" Include School Board of Alachua County, Agenices involved early childhood development and family life development.*
- 3. Page 6, "Quality of Life" under "Action Steps" change "market area culture" to "promote the development of area culture and recreation activities."*
- 4. Page 7, "Quality of Life" under "Action Steps" add to work with GPD " Equal Opportunity Office and Community Development (Neighborhood Associations)".*

RECOMMENDATION *EDUCC to the City Commission: 1) hear a brief presentation from City and CEO staff on the respective economic development plans and efforts; 2) approve the five year update to the City's Strategic Action Plan for Economic Development and CEO's Innovation Gainesville effort; 3) direct staff to work to implement these efforts with community partners in subsequent years; and, 4) approve removal of the referral from the Committee's referral list.*

A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this matter be Continued for May 6, 2010. The motion carried by the following vote:

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

090824a_Plan & EDUCC Minutes_20100318.pdf

090824b_Innovation G'ville_20100318.pdf

090824c_CEO PPT_20100318.pdf

090824_Final ED Strategic-Action Plan_20100506.pdf

090824a_EDUCC Miiinutes_20100506.pdf

090824b_Innovation G'ville_20100506.pdf

090824c_CEO PPT_20100506.pdf

CITY ATTORNEY

090977

Graduate Student Housing Facility by Provident Group - UF Continuum Properties LLC (B)

City Attorney Marion Radson introduced the item.

Agent for the Developer David Coffey made comments.

MOTION: Wave the rules of the City Commission to schedule a public hearing for May 6, 2010 @ 3:00 PM regarding possible issuance of revenue bonds.

RECOMMENDATION *The City Commission discuss the request for a public hearing regarding the possible issuance of Revenue bonds.*

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

Votes: Aye: Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Pegeen Hanrahan

Absent: Jeanna Mastrodicasa and Craig Lowe

090977_Revenue Bonds_20100415.pdf

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 4:54 PM

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RECONVENE - 5:49 PM

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PLEDGE OF ALLEGIANCE (5:30pm)

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PROCLAMATIONS/SPECIAL RECOGNITIONS

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090920. City of Gainesville's Citizens' Academy Spring 2010 Graduates (NB)

[Play Video](#)

RECOMMENDATION *The City Commission: 1) recognize accomplishments of Gainesville 101 Spring 2010 City of Gainesville Citizens' Academy graduates; and 2) hear brief comments from the class speaker on what they have learned.*

Heard

090889. National Public Safety Telecommunications Week - April 12-18, 2010 (B)

[Play Video](#)

RECOMMENDATION *Combined Communications Center Technical Services Division Manager Linda Jones, Technical Services Bureau Chief Patricia Ford-Thomas, Communications Commander Sylvia Armstrong, and Communications Commander Susie Westfall to accept the proclamation.*

Heard

090889_TelecommunicationsProc_20100415.pdf

090890. Tacachale Bombers Day - April 15, 2010 (B)

[Play Video](#)

RECOMMENDATION *Tacachale Bombers Athletes Kevin Mills, David Waldie, Alan Miller, Steve Mack, Carl McKinney, Elida Deboe, and Ron Johnson, Head Coach Thaddeus Merricks, and Assistant Coaches Alvin Bryant, Rod Johnson, and Curtis Pierre to accept the proclamation.*

Heard

090890_TacachaleBomersProc_20100415.pdf

090891. National Volunteer Week - April 18-24, 2010 (B)

[Play Video](#)

RECOMMENDATION *Parks Recreation and Cultural Affairs Volunteer Coordinator Gary Paul, Cultural Affairs Volunteer Ms. Rie Burton, Recreation Volunteer Ms. Peggy Shade, and Recreation Volunteer Ms. Rosa B. Williams to accept the proclamation.*

Heard

090891_VolunteerWeekProc_20100415.pdf

090892.

Friends of Nature Parks' 30th Anniversary - April 17 - June 13, 2010 (B)

[Play Video](#)

RECOMMENDATION *Friends of Nature Parks President Penny Weber to accept the proclamation.*

Heard

090892_Proc_20100415.pdf

090933.

Fifth Avenue Arts Festival Days - April 16-18, 2010 (B)

[Play Video](#)

RECOMMENDATION *Cultural Arts Coalition, Inc. Director NKwanda Jah to accept the proclamation.*

Heard

090933_FifthAveArts_20100415.pdf

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

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John Davies

Biomass Plant and other issues.

Kimberly Hall - Chamber of Commerce Representative

Butler Plaza Ordinance.

Pat Fitzpatrick

Homeless Issues.

Tom Bussing

1. City Commission emails on the WEB.
2. Solar Feed-In Tariff program.

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

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090813. Adoption of Alachua County Fertilizer Ordinance (B)

It is proposed that the City Commission adopt a Resolution opting into Alachua County's Fertilizer Ordinance (Ordinance 09-06). The Resolution would allow Alachua County to enforce Florida Friendly Fertilizer rules within the City of Gainesville. This Resolution will satisfy Florida Legislature requirements put forth by SB494 and SB2080.

[Play Video](#)

RECOMMENDATION *The City Commission: 1) adopt the Resolution to opt into Alachua County's Fertilizer Ordinance (Ordinance 09-06).*

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

Votes: Aye: Jeanna Mastrodicasa, Lauren Poe, Scherwin Henry and Pegeen Hanrahan

Absent: Thomas Hawkins, Craig Lowe and Jack Donovan

090813_Resolution_20100415.pdf

090813_resolution_20100415.pdf

090903. First Amendment to the FY 2009-2010 General Government Financial and Operating Plan (B)

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Jeanna Mastrodicasa, Thomas Hawkins, Scherwin Henry and Pegeen Hanrahan

Absent: Craig Lowe, Jack Donovan and Lauren Poe

090903_FY10-1ST-AMEND-BGT-RESOLUTION and Backup.pdf

090903_resolution_20100415.pdf

TRANSMITTAL HEARING

[Play Video](#)

090537. LAND USE AMENDMENT - BUTLER PLAZA AREA (B)

Ordinance No. 0-09-75, Petition PB-09-74 LUC

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element and Future Land Use Map; by changing the land use categories from the Alachua County Land Use Categories of Medium High Density Residential (8-14 DU/acre), High Density Residential (14-24 DU/acre), Office/Residential, Commercial, Institutional, and Industrial to the City of Gainesville underlying land use categories of Commercial (C), Office (O), Mixed-Use Medium (MU-M) and Residential Medium Density (RM) with the overlay category of Planned Use District (PUD), all as more specifically described in this ordinance on lands commonly referred to as "Butler Plaza" generally located between Southwest Archer Road and Southwest 24th Avenue, and between Southwest 40th Boulevard and Southwest 34th Street; by creating and adopting Policy 4.3.6 in the Future Land Use Element of the Comprehensive Plan to govern the Butler Plaza PUD; providing time limitations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

[Play Video](#)

Planning Manager Ralph Hilliard and RTS Director Jesus Gomez gave presentations.

Mayor Hanrahan recognized Rosa Williams and Mr. Bowden of Representative Corrine Brown who spoke to the matter.

REVISIONS: The following revisions were submitted in writing to the Clerk by Planning Manager Ralph Hilliard.

- 1. Revised policy 4.3.6.d.4 (Subarea 1)*
- 2. Revised policy 4.3.6.e.7 (Subarea 2)*
- 3. Revised 4.3.6.f.1. (Subarea 3)*
- 4. Changed the word "drives" to "streets" throughout.*
- 4. Page 16 of the ordinance - Parking lot spaces changed from 100 to 50.*

RECOMMENDATION *The City Commission adopt the proposed ordinance*

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

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

Petitioner_BP_market study.pdf
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
Info_FDOT & County_Letters.pdf
Attachment (map) County Letter..pdf
Attachment (map) County Letter.pdf
C-Hawkins-EMAIL and Comments.pdf
090537A_revised plan board adopted conditions_20091130.pdf
090537B_091007 cpb action agenda_20091130.pdf
090537C_090929 cpb minutes_20091130.pdf
090537D_090921 cpb minutes_20091130.pdf
090537E_staff report_20091130.pdf
090537F_cpa map_20091130.pdf
090537G_2.0 urban activity centers policy_20091130.pdf
090537H_4.3.5 butler plaza policy_20091130.pdf
090537I_s.w. 20th ave study area_20091130.pdf
090537J_butler plaza traffic report_20091130.pdf
090537K_neighborhood workshop info_20091130.pdf
090537L_091007 cpb minutes draft_20091130.pdf
090537M_staff ppt_20091130.pdf
090537_draftordinance_2010415.pdf
090537_MOD_2010415.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[Play Video](#)

090829. VOLUNTARY EARLY SEPARATION INCENTIVE PROGRAM (B)

Ordinance No. 0-10-10

An ordinance of the City of Gainesville, Florida, amending Article VII, Division 5 of Chapter 2 of the City of Gainesville Code of Ordinances relating to the City of Gainesville Employees Pension Plan; creating a subsection (m) of Section 2-523, providing for additional service credit or waiver of certain actuarial reductions associated with an early separation incentive; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

[Play Video](#)

Administrative Services Director Becky Rountree gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090829_early separation incentive ordinance_20100415.pdf

090733.

URBAN SERVICES REPORT OF CITY-OWNED PROPERTY - NW & NE 53RD AVE. (B)

Ordinance No. 0-10-08

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to two areas owned by the City of Gainesville and comprised of Tax Parcels 07874-001-001 and a portion of 07871-000-000. Tax parcel 07874-001-001 is generally located south of tax parcel 07874-001-000 and tax parcel 07872-008-000, west of tax parcel 07872-008-000 and the vicinity of NE Waldo Road, north of the city limits and NE 53rd Avenue, and east of the city limits and tax parcel 07875-000-000. The portion of tax parcel 07871-000-000 is generally located south of tax parcels 07876-002-000 and 07876-000-000, west of the city limits, tax parcel 07875-000-000 and NE 15th Street, north of the city limits and the northern boundary of Section 21, Township 09, Range 20, and east of the city limits and tax parcel 07877-000-000; the areas are proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

Strategic Planner Lila Stewart gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090733_Voluntary Annexation Petition_20100218.pdf

090733A_Voluntary Annexation Petition_20100218.pdf

090733_53rd Annexation USR Ordinance_20100415.pdf

090733_voluntary annexationpet_20100218.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

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090809.

VOLUNTARY ANNEXATION OF TOWER CENTER (B)

Ordinance No. 0-10-06

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of Tax Parcels 06654-003-000 and 06654-003-001, as more specifically described in this ordinance, generally located south of the vicinity of Newberry Road, west of Interstate 75 and the City limits, north of West University Avenue, and east of Tower Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090809_Tower Center Ordinance_20100401.pdf

090809_ordinance-20100415.pdf

090643.**AMENDMENTS TO LAND DEVELOPMENT CODE RELATING TO SEXUALLY ORIENTED BUSINESSES (B)****Ordinance No. 0-10-02, Petition PB-09-124-TCH**

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to sexually oriented businesses; by revising the definitions for sexually oriented businesses; by allowing certain types of sexually oriented businesses as uses by right in the Tourist-Oriented Business District (BT), General Business District (BUS) and General Industrial District (I-2); by stating the intent, purpose and findings for the regulation of sexually oriented businesses; by imposing spacing requirements and design restrictions; by allowing for limited retail sales as an accessory use to retail trade establishments; by providing for permitted nonconforming uses; 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 Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Hawkins, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

090643_cpb recommendation_20100121.pdf
090643A_cpb minutes_20100121.pdf
090643B_staff report_20100121.pdf
090643C_zoning recommend_20100121.pdf
090643D_findings & recommend revision_20100121.pdf
090643E_BUS & BT 1000 ft-eligible parcels_20100121.pdf
090643F_I2-1000 ft-eligible parcel_20100121.pdf
090643G_case law 5-1_20100121.pdf
090643H_case law 5-2_20100121.pdf
090643I_case law 5-3_20100121.pdf
090643J_case law 5-4_20100121.pdf
090643K_staff ppt_20100121.PDF
090643_draftordinance_20100401.pdf
090643_ordinance_20100415.pdf

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

[Play Video](#)

090936.

Mayor Pegeen Hanrahan - Consideration of Designation of Mayor Hanrahan to Represent the City of Gainesville as a Member of the Board of ICLEI-USA (NB)

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RECOMMENDATION

Authorize a letter to be signed by the City Manager (or Mayor Pro-Tem or Mayor-Elect, as appropriate), on behalf of the Gainesville City Commission, designating Mayor Hanrahan to continue to serve as Gainesville's representative to ICLEI-USA for purposes of board membership.

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 and Scherwin Henry
Abstain: Pegeen Hanrahan

COMMISSION COMMENT

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Commissioner Thomas Hawkins

Referral to the Recreation, Parks and Public Works Committee - Bike Trail.

090979.

Bike Trail Intersection Concern at East University Avenue, Waldo Rd. and Williston Rd. (NB)

RECOMMENDATION

The City Commission refer the issue of the bike trail intersection at East University Avenue, Waldo Rd. and Williston Rd. to the Recreation, Cultural Affairs and Public Works Committee.

A motion was made by Commissioner Hawkins, seconded by Commissioner Poe, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on October 15, 2010. The motion carried by the following vote:

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

Commissioner Jack Donovan

- 1. Creation Care Month Proc.*
- 2. Public Service Commission - Biomass Plant.*

Commissioner Scherwin Henry

- 1. Biomass Plant*
- 2. Florida A & M coming to Gainesville to the Springhill Baptist Church.*
- 2. Professor Bill Sanders Proclamation.*
- 3. South Main Businesses - Roadway concerns.*

Mayor Pegeen Hanrahan

- 1. Green Capital Global Challenge - Assistant City Manager Paul Folkers made comments.*
- 2. Mast Arm at Main St. and 8th Avenue - Complaints regarding the scale and design.*
- 3. 6th Street Rail Trail along the edge of Porter's - Chain link fence.*
- 3. LED Sign Issue Sign Code - Rewrite - In Plan Board.*

Commissioner Lauren Poe

Internet Gambling Franchises.

CITIZEN COMMENT (If time available)

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

ADJOURNMENT - 8:08 PM

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Kurt M. Lannon, Clerk of the Commission