

City of Gainesville

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



Meeting Minutes

Thursday, November 3, 2011

1:00 PM

City Hall Auditorium

City Commission

*Mayor Craig Lowe (At Large)
Mayor-Commissioner Pro Tem Thomas Hawkins (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Todd Chase (District 2)
Commissioner Susan Bottcher (District 3)
Commissioner Randy Wells (District 4)
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 - 1:04 PM**ROLL CALL**

Present: Craig Lowe, Jeanna Mastrodicasa, Scherwin Henry, Thomas Hawkins, Randy Wells, Todd Chase and Susan Bottcher

INVOCATION**Prophet George Young****CONSENT AGENDA**

MOTION: A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells to adopt the Consent Agenda.

(VOTE: 5-0, Commissioners Henry and Mastrodicasa - Absent, MOTION CARRIED)

CITY MANAGER, CONSENT AGENDA ITEMS**110376. Assistance to Firefighters Grant 2011 Application for Self-contained Breathing Apparatus Equipment Upgrades (NB)**

This item requests that the Commission authorize the City Manager to execute a grant award, if awarded, for the 2011 Assistance to Firefighters Grant for purchase of equipment to upgrade the department's Self-contained Breathing Apparatus (SCBA) system.

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 payment process for expending the grant funds and matching funds.*

This Matter was Approved as Recommended on the Consent Agenda.

110399. State LECFTF Funding To Purchase 25 Tasers With Holsters From Taser International X 26E Advanced Tasers For The Gainesville Police Department (B)

This item requests that the City Commission appropriate and expend an amount not to exceed \$24,997.50 from the State Law Enforcement Contraband Forfeiture Fund for the purchase of 25 tasers from Taser International X 26E Advanced Tasers, associated holsters and four year extended customer care warranty for the Gainesville Police Department.

RECOMMENDATION *The City Commission authorize the appropriation of an amount not to exceed \$24,997.50 from the State Law Enforcement Contraband Forfeiture Trust Fund and issuance of a purchase order to DGG Taser Inc for the purchase of 25 tasers.*

This Matter was Approved as Recommended on the Consent Agenda.

110401. Contract Agreement for Gainesville Police Department - Request for Purchase Order to SunGard OSSI's (B)

This item requests the City Commission to authorize the issuance of a Purchase Order to renew the contract with SunGard OSSI for annual maintenance fees and licenses.

RECOMMENDATION *The City Commission authorize the City Manager to execute a purchase order to SunGard OSSI, a specified source, in an amount not to exceed \$143,150.70 for payment of this contract.*

Alternative Recommendation A: The City Commission authorizes less than \$143,150.70 for the contract renewal with the understanding that this will drastically limit the Police Department's ability to manage its Records Management Database.

This Matter was Approved as Recommended on the Consent Agenda.

110404. Request for Bid Award - ARAMARK Uniform & Career Apparel, LLC (B)

This item is a request for the City Commission to authorize the Bid Award to ARAMARK Uniform & Career Apparel, LLC, for uniform rentals, laundering, and maintenance for the City of Gainesville Regional Transit System (RTS) Maintenance Division.

RECOMMENDATION *The City Commission: 1) authorize the Bid Award to ARAMARK Uniform & Career Apparel, LLC, for Regional Transit System (RTS) Maintenance Division uniform rentals, laundering, and maintenance; and 2) authorize the City Manager to execute a five (5) year contract with ARAMARK Uniform & Career Apparel, LLC, and related documents, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

110405. Fifth Extension to Contract for Professional Civil Engineering Services for FY 2012 (B)

This item is a request for an extension to the Contract for Professional Civil Engineering Services with Causseaux, Hewett and Walpole, Inc.

RECOMMENDATION *The City Commission authorize the City Manager to execute the Fifth Extension to the contract with Causseaux, Hewett and Walpole, Inc., extending the term of the contract from October 1, 2011 to September 30, 2012.*

This Matter was Approved as Recommended on the Consent Agenda.

110406. Purchase of Federal Assets from Palm Beach County Transit (Palm Tran) to the Regional Transit System (RTS) (B)

This item is a request to authorize the City Manager to execute an Agreement between the City of Gainesville Regional Transit System (RTS) and Palm Beach County Transit (Palm Tran) to purchase Federal Assets.

RECOMMENDATION *The City Commission authorize the City Manager to execute an agreement with Palm Beach County Transit (Palm Tran) to purchase the Federal Assets, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

110418. Design and Construction of the RTS Bus Fleet Maintenance & Operations Facility (B)

This is a request for the City Commission to approve staff's recommended ranking of the Design/Build firms for the Design and Construction of the RTS Bus Fleet Maintenance & Operations Facility.

RECOMMENDATION *The City Commission: 1) approve staff's recommended ranking of the Design/Build Firms; and 2) authorize the City Manager to negotiate and execute a contract and any related documents, subject to approval from the City Attorney as to form and legality, for the Design and Construction of the RTS Bus Fleet Maintenance & Operations Facility.*

This Matter was Approved as Recommended on the Consent Agenda.

110450. Land Acquisition Contracts for parcels (#6738, #6743-4, and #6743-5) adjacent to Green Acres Park (B)

This item involves a request for the City Commission to approve and authorize the City Manager to execute the purchase contract and closing documents in order to proceed with the acquisition of 3 parcels totaling 39.11 acres adjacent to the City-owned Green Acres Park.

RECOMMENDATION *The City Commission approve and authorize the City Manager to execute all necessary closing documents, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

110452. IRS Revenue Ruling 2011-1, Pension Plan Amendments Required by the IRS Related to the Exclusive Benefit Rule (NB)

This item involves amendments to the City of Gainesville Consolidated Police Officers' and Firefighters' Pension Plan to comply with IRS Revenue Ruling 2011-1, which requires pension plans to have certain exclusive benefit rule language in their plans to continue to invest in group trusts and not affect the tax status of the group trusts they invest in.

RECOMMENDATION *Recommended Motion: The City Commission authorize the City Attorney to draft, and the Clerk to advertise, an ordinance amending the City of Gainesville's Consolidated Police Officers' and Firefighters' Plan to add the exclusive benefit rule language required by IRS Revenue Ruling 2011-1.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

110416. TONIA SUBER BATTLE VS. THE CITY OF GAINESVILLE; FCHR NO. 201102359 (NB)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Tonia Suber Battle vs. the City of Gainesville; FCHR No.: 201102359.*

This Matter was Approved as Recommended on the Consent Agenda.

110442. JAMES R. YAKUBSIN VS. THE CITY OF GAINESVILLE; EEOC NO. 846-2011-75949 (NB)

RECOMMENDATION *The City Commission authorize the City Attorney to represent*

the City in the case styled James R. Yakubsin vs. the City of Gainesville; EEOC No.: 846-2011-75949.

This Matter was Approved as Recommended on the Consent Agenda.

110443. OKEIMA BROWN VS. THE CITY OF GAINESVILLE; EEOC NO. 846-2011-72998 (NB)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Okeima Brown vs. the City of Gainesville; EEOC No.: 846-2011-72998.*

This Matter was Approved as Recommended on the Consent Agenda.

110451. STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY A/S/O FRANKLIN NOLAN VS. THE CITY OF GAINESVILLE, FLORIDA; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 2011- CC-4174 (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City of Gainesville in the State Farm Mutual Automobile Insurance Company a/s/o Franklin Nolan vs. the City of Gainesville, Florida; Eighth Judicial Circuit, Court Case No. 2011-CC-4174.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem 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: Craig Lowe, Randy Wells, Todd Chase, Susan Bottcher and Thomas Hawkins
Absent: Jeanna Mastrodicasa and Scherwin Henry

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

MOTION: A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells to adopt the Regular Agenda, as modified.

(VOTE: 5-0, Commissioners Henry and Mastrodicasa - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File # 110483 - (New Item) Agreement for Depot Park Remediation Project - (Add to the Regular Agenda).*
- 2. File #119449 - Commissioner Todd Chase (Remove from the Regular Agenda).*
- 3. File #110448 - (Proclamation) William Ryan Day - (Remove from the Regular Agenda).*
- 4. File # 100697 - Urban Village - Comprehensive Plan Amendment - Ordinance No. 100697 - (Revised Recommendation and 3 additional pieces of back-up - 100697C, 100697D and 100697E).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

110407. Vision, Funding and Governance Structure Study Report Presentation (B)

This item is a request to receive a presentation of the Vision, Funding and Governance Structure Study report (RTS Premium Transit Service report) from RTS staff and project consultants Tindale-Oliver & Associates, Inc. (TOA).

RTS Director Jesus Gomez, Tindale-Oliver & Associates, Inc. Project Consultants Joel Ray and Ryan Suarez; and Chief Transit Planner Doug Robinson gave presentations.

NOTE: Commissioner Mastrodicasa entered the meeting room at 1:09 PM.

RECOMMENDATION

The City Commission: 1) accept the Vision, Funding and Governance Structure study; 2) authorize RTS to continue seeking funds to complete phase two of the study; and 3) authorize RTS to present the Vision, Funding and Governance Structure Study Report to the Metropolitan Transportation Planning Organization (MTPO).

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Todd Chase, Susan Bottcher and Thomas Hawkins
Absent: Scherwin Henry

110483. Agreement for Depot Park Remediation Project (B)

This item is a request to execute an Agreement between the City of Gainesville Public Works Department and Environmental Consulting and Technology, Inc. (ECT) to complete remediation services on the Depot Park site.

Public Works Director Teresa Scott , GRU AGM for Customer and Administrative Services Kathy Viehe and Assistant Public Works Director Don Hambidge gave presentations.

MOTION: Approve the recommendation and in addition request that GRU also bring back information regarding potential funding for this project.

RECOMMENDATION *The City Commission: 1) approve the agreement with ECT; 2) authorize the City Manager to execute all necessary documents, subject to approval by the City Attorney as to form and legality, and 3) direct staff to return to the City Commission on November 17, 2011 with details of a bank-qualified loan to fund Phase 2 the Depot Park Remediation Project and the Gainesville Police Department project.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Susan Bottcher and Thomas Hawkins
Nay: Todd Chase
Absent: Scherwin Henry

GENERAL MANAGER FOR UTILITIES

110415. Low Income Energy Efficiency Program (LEEP) Update

Staff will provide a brief summary of the LEEP program results since inception including customer feedback.

GRU Energy and Business Services Manager Bill Shepherd gave a presentation.

RECOMMENDATION *The City Commission receive a brief presentation from staff on the current status of the LEEP program.*

Heard

CITY ATTORNEY

City Attorney Marion Radson

City vs. School Board Litigation. See following item # 110490.

110490. Continuation of Trial Date Re: City of Gainesville v. School Board of Alachua County (B)

RECOMMENDATION *The City Commission authorize the City Attorney's Office to file a motion for continuation of the trial date in the City of Gainesville v. School Board of Alachua County pending in the circuit court.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Todd Chase, Susan Bottcher and Thomas Hawkins
Absent: Scherwin Henry

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

110449. Commissioner Todd Chase (B)

RECOMMENDATION *The City Commission discuss the future policy implications of Referral 110210 and wording currently in the Regional Utilities Committee.*

Withdrawn

COMMISSION COMMENTS (if time available)**Commissioner Todd Chase**

Dioxin Dust Study - See following item #110494.

110494. Commissioner Todd Chase - Commission Comment - Koppers Dioxin Dust Study (NB)

RECOMMENDATION *The City Commission authorize the Mayor to draft a letter regarding the Koppers Dioxin Dust Study.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Todd Chase, Susan Bottcher and Thomas Hawkins
Absent: Scherwin Henry

RECESS - 4:06 PM**RECONVENE - 5:54 PM**

Commissioner Scherwin Henry was in attendance when the meeting reconvened.

PLEDGE OF ALLEGIANCE (5:30pm)**Gator Detachment of the Marine Corp League Bob Gasche****PROCLAMATIONS/SPECIAL RECOGNITIONS****110446. Liberty Fest Day - November 14, 2011 (B)**

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

Placed on File

110447. Hunger Awareness Month - November 2011 (B)

RECOMMENDATION *Alachua County Government County Commissioner Rodney J. Long and Alachua County Partners for a Productive*

Community Program Manager Marie Small to accept the proclamation.

Heard

110448. William Ryan Day - November 2, 2011 (B)

RECOMMENDATION *William Ryan to accept the proclamation.*

Withdrawn

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

Debbie Martinez

Biomass Plant.

Duane Schwingel

Bo Diddley Downtown Plaza.

Willie Lewis

Homeless Issues - Occupy Gainesville - See following file #110495.

110495. Willie Lewis - Citizen Comment - Homeless Issues and Occupy Gainesville (B)

RECOMMENDATION *The City Commission hear comments from Willie Lewis and place back-up submitted on file.*

Placed on File

Clara Bea Horton

Koppers Superfund Site.

Harold Saive

Biomass Plant - Termination Clause - See following File #110496.

110496. Harold Saive - Citizen Comment - Biomass Plant Termination Clause (B)

RECOMMENDATION *The City Commission hear comments from Harold Saive and place back-up submitted on file.*

Placed on File**Pat Fitzpatrick**

Hungry and Homeless.

Ed Ramos Reyes

Occupy Gainesville and Various Issues.

Ellis McDaniel

Occupy Gainesville.

John Davies

1. *St. Francis House Feeding Issues.*
2. *Biomass Plant.*
3. *Occupy Gainesville - against.*
4. *County Fairgrounds.*

Jo Beatty

Biomass Plant.

Michael Canney

Occupy Gainesville and Occupy UF.

Gabriel Hillel

Income disparity in Gainesville.

110497. Gabriel Hillel - Citizen Comment - Income Disparity (B)

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

Placed on File

Michael Jordan

Bo Diddley Downtown Plaza.

Rob Brinkman

Biomass Plant.

Response to Citizen Comment

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

110411. Hidden Lake Final Plat, Phase II (B)

Petition CC-11-101 SUB. Causseaux, Hewett and Walpole Inc., agent for Land Estates, LLC. Final Plat review for Phase II, Hidden Lake Residential Planned Development to allow a subdivision consisting of 18 lots on 8.35 acres. Zoned PD (Planned Development). Located at NW 75th Place and NW 21st Way, Parcel No. 07814-002-001.

Planning and Development Services Lead Planner Lawrence Calderon gave a presentation.

RECOMMENDATION

Planning Staff to City Commission - the City Commission adopt the following resolution: A Resolution approving the final plat of "Hidden Lake Phase II", located in the vicinity of NW 75th Place at NW 21st Way, Gainesville, Florida; accepting a cash deposit to secure the construction of required improvements; providing directions to the Clerk of the Commission; providing conditions; and providing an immediate effective date.

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

ADOPTION READING-ROLL CALL REQUIRED

100515. REZONING - HISTORIC PRESERVATION CONSERVATION OVERLAY IMPOSED ON PROPERTY AT 1013 NW 7 AVENUE (B)

Legistar No. 100515; Petition No. PB-10-11-ZON

An ordinance of the City of Gainesville amending the Zoning Map Atlas by rezoning and imposing the historic preservation/conservation overlay district on a certain property commonly known as the A. Quinn Jones House, located at 1013 NW 7th Avenue, as more specifically described in this ordinance; providing directions to the codifier; providing a severability clause; providing a repealing

clause; and, providing an immediate effective date.

Planning and Development Services Historic Preservation Planner Dee Henrichs gave a presentation.

RECOMMENDATION *The City Commission (1) approve Petition PB-10-11-ZON; and (2) adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

110370. AMENDMENT TO THE CITY OF GAINESVILLE GENERAL EMPLOYEES PENSION PLAN AND THE CITY OF GAINESVILLE EMPLOYEES' DISABILITY PLAN (B)

Ordinance No. 110370

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII of the Code of Ordinances of the City of Gainesville, relating to the City of Gainesville General Employees Pension Plan and the City of Gainesville Employees' Disability Plan; amending Sections 2-533 and 2-549 of each plan to expressly provide that the corpus and income of the plan are to be used for the exclusive benefit of the plan participants and their beneficiaries; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date. (NB)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110377. RATE SCHEDULE FOR SOLAR ENERGY PURCHASE AGREEMENTS OF THE FEED-IN TARIFF (B)

Ordinance No. 110377

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY SUBSECTION i(C) (vii). OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING THE RATE SCHEDULE FOR SOLAR ENERGY PURCHASE AGREEMENTS OF THE FEED-IN TARIFF; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A

SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Mayor Lowe recognized Rob Brinkman who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

100696. FUTURE LAND USE ELEMENT MAP CHANGE - ADOPTING THE URBAN VILLAGE AREA MAP (B)

Ordinance/Legistar No. 100696; Petition No. PB-10-141 LUC

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element Map Series to add a map designating the Urban Village; imposing the Urban Village designation and its policies on the properties depicted in the Map; providing directions to the City Manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission (1) receive and consider the letters from the Florida Department of Community Affairs, the Florida Department of Transportation and the Florida Department of State; (2) adopt the ordinance as revised to add new language to be consistent with the Chapter Law 2011-139.*

A motion was made by Commissioner Henry, seconded by Commissioner Wells, that this matter be Adopted on Final Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

100697. AMENDING THE FUTURE LAND USE ELEMENT BY ADDING A POLICY FOR THE URBAN VILLAGE (B)

Ordinance/Legistar No. 100697; Petition No. PB-10-142 CPA

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element by adding a new Policy 4.3.7 to regulate the Urban Village as mapped in the Future Land Use Element Map Series; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

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

RECOMMENDATION

The City Commission: (1) Receive and consider the letters from the Florida Department of Community Affairs, the Florida Department of Transportation and the Florida Department of State; (2) adopt the alternative ordinance as revised to add new language to be consistent with the Chapter Law 2011-139 and staff recommends approval of the alternative ordinance based upon the fact that it better states the intent of having a pedestrian-scaled, gridded street network in the Urban Village.

A motion was made by Commissioner Henry, seconded by Commissioner Wells, that this matter be Adopted on Final Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

100698.

LAND USE CHANGE - VICINITY OF SW 34TH STREET AND SW 20TH AVENUE (B)

Ordinance/Legistar No. 100698; Petition No. PB-10-137 LUC

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain property, as more specifically described in this ordinance, from the Alachua County land use categories of "Low Density Residential (1-4 DU/acre)", "Medium Density Residential (4-8 DU/acre)", "Medium High Density Residential (8-14 DU/acre)", "High Density Residential (14-24 DU/acre)", "Commercial" and "Institutional" to the City of Gainesville land use categories of "Urban Mixed-Use 2 (UMU-2: up to 100 units per acre)", "Conservation (CON)" and "Public Facilities (PF)"; consisting of approximately 396 acres located generally east of Interstate 75, west of Southwest 34th Street and north and south of Southwest 20th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission (1) receive and consider the letters from the Florida Department of Community Affairs, the Florida Department of Transportation and the Florida Department of State; (2) adopt the ordinance, as revised, to add new language to be consistent with the Chapter Law 2011-139 and to remove two parcels that were given the incorrect land use designation on first reading.

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110112. LAND DEVELOPMENT CODE - ICE MANUFACTURING/VENDING MACHINES AS SPECIALLY REGULATED USE (B)

Ordinance No.110112; Petition No. PB-11-55 TCH

An ordinance of the City of Gainesville, Florida; by creating and adding Section 30-120 to the Land Development Code by adding Ice Manufacturing/Vending Machines as a specially regulated use; as more specifically set forth in this ordinance; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.

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

Mayor Lowe recognized Bea Horton who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110289. AMEND LAND DEVELOPMENT CODE – ADDING DEFINITION OF ICE MANUFACTURING/VENDING MACHINES (B)

Ordinance No.110289; Petition No. PB-11-104 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code; by creating and adding the definition of Ice Manufacturing/Vending Machines to Section 30-23; adding Ice Manufacturing/Vending Machines as a specially regulated use by right to the list of permitted uses in the following districts: “BI: Business industrial district”, “W: Warehousing and wholesaling district”, “I-1: Limited industrial district”, “I-2: General industrial district”; adding Ice Manufacturing Vending Machines as a specially regulated use by special use permit in the following districts: “BUS: General business district”, “BA: Automotive-oriented business district”, and “BT: Tourist-oriented business district”; providing directions to the City Manager; providing directions to the codifier; providing a severability 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 Bottcher, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

**110247. TEXT AMENDMENT - AMEND THE CENTRAL CORRIDORS
AUTO-ORIENTED USE STANDARDS (B)**

Ordinance No. 110247; Petition No. PB-11-90 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-23 of the Land Development Code of the City of Gainesville by defining "service bay" and "service area entrance"; amending Appendix A, Section 5, Exhibit B. Central Corridors Special Area Plan of the Land Development Code, by revising the limitations on service bays for limited automotive services and deleting an obsolete graphics figure; providing directions to the codifier; 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 Bottcher, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Thomas Hawkins

Graffiti on GRU Boxes. Update on GRU's process.

Commissioner Scherwin Henry

- 1. Issue of a Financial Institution wishing to locate on City owned property across from GTEC - SEGRI Overlay doesn't allow drive-throughs - See following Referral items 110498 and 110499.*
- 2. Eastside Library Branch at Cone Park.*
- 3. Fairgrounds Issue.*

110498. Re-establishment of an Economic Development Office (NB)

This item was also referred to the Economic Development/University Community Committee.

Mayor Lowe recognized Jo Beatty who spoke to the matter.

RECOMMENDATION *The City Commission refer the issue of re-establishing an Economic Development Office to the Audit, Finance and Legislative Committee and the Economic Development/University Community Committee.*

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Hawkins, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on May 3, 2012. The motion carried by the following vote:

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110499. Financial Institution Development on Hawthorne Road (NB)

Mayor Lowe recognized Jeffrey Phillips who spoke to the matter.

RECOMMENDATION *The City Commission direct Planning Staff to present to the Plan Board some suggestions for allowing drive-through banking on the City owned parcel on Hawthorne Road across from the GTEC Building which is in the SEGRI Overlay District.*

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Hawkins, that this matter be Referred to the Planning Staff. The motion carried by the following vote:

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

Commissioner Todd Chase

- 1. Update on the One Stop Homeless Center.*
- 2. Sebastian Ferrero Foundation.*
- 3. Arbor House.*

Mayor-Commissioner Pro Tem Thomas Hawkins

- 1. Economic Development Issues.*

Commissioner Randy Wells

- 1. Special Meeting at Senior Rec Center.*
- 2. Homecoming Parade.*

3. *United Downtown.*

EO Director Cecil Howard

Dismantling Racism Meeting Monday @ Lincoln Middle School.

Mayor Craig Lowe

1. *Canvassing Board for Run-Off.*
2. *NAACP Banquet.*

CITIZEN COMMENT

Jo Beatty

Biomass Contract.

Jeffrey Phillips

One Stop Homeless Center.

ADJOURNMENT - 8:26 PM

Kurt M. Lannon, Clerk of the Commission