

City of Gainesville

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



Meeting Minutes

Thursday, October 21, 2010

1:00 PM

City Hall Auditorium

City Commission

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

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

CALL TO ORDER - 1:03 PM**ROLL CALL**

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

Commissioner Poe moved and Commissioner Hawkins seconded to adopt the Consent Agenda, as presented.

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

Mayor Lowe recognized Pat Fitzpatrick who spoke to the matter.

CITY MANAGER, CONSENT AGENDA ITEMS**100387. Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF)
Funding for Mounted Unit Operation Budget for FY2011 (B)**

RECOMMENDATION *The City Commission approve the appropriation of \$63,282 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Mounted Unit.*

This Matter was Approved as Recommended on the Consent Agenda.

100391. Update of Code of Ordinances Section 9-1.1 - Election Districts (B)

As a result of approved annexation, the City's Code of Ordinances must be updated to include election districts that are now part of the City's corporate limits.

RECOMMENDATION *The City Commission authorize the City Attorney to draft, and the Clerk of the Commission to advertise, an ordinance adding Precinct 36 to Election District No. 3.*

This Matter was Approved as Recommended on the Consent Agenda.

100398. Settlement of Worker's Compensation Claim - Dwight Farmer (NB)

This item involves the full and final settlement of Dwight Farmer's Worker's Compensation claim(s), which will include all future medical and indemnity. The total settlement amount is \$230,000 and represents a significant cost advantage to the City.

RECOMMENDATION *The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of Dwight Farmer Worker's Compensation claim in the amount of \$230,000.*

This Matter was Approved as Recommended on the Consent Agenda.

100400. Ratification of Agreement to Amend North Central Florida Police Benevolent Association, Inc. Labor Agreement for October 1, 2008 through September 30, 2011 (B)

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

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

This Matter was Approved as Recommended on the Consent Agenda.

100407. Request To Increase Trespass Towing Rates (B)

RECOMMENDATION *The City Commission refer this item to the Public Safety Committee to review and address the proposed rate increase.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

100422. Post Duct Leak Repair Testing Services (NB)

Staff requests authorization for post duct leak repair testing services from Enalasy under GRU's energy conservation program through February 2011.

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to procure services from Enalasy for post duct leak repair testing services through February 2011, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Enalasy for these services in amount not exceeding the budgeted amount.*

This Matter was Approved as Recommended on the Consent Agenda.

100426. Innovation Square Energy Center Land Lease (NB)

On September 2, 2010, the Commission authorized the General Manager or his designee to: 1) negotiate and execute agreements with the University of Florida (UF) and Shands Healthcare and Clinics, Inc. (Shands) to provide utility services to the Innovation Hub, and Innovation Square, and 2) negotiate and execute agreements for the design and construction of a Central Utility Plant (CUP) to provide these services. To provide these services in a cost effective manner, a location must be secured within close proximity to locate the CUP. GRU and Shands have identified a location are ready to negotiate and execute a land lease for this property.

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a land lease which may include purchase option with Shands Teaching Hospitals and Clinics, Inc. ("SHANDS") to provide a location for CUP to provide utility services to The UF Innovation Hub and the Innovation Square site.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

100412. LINDA HEITZ-SHORE v. UNITED STATES OF AMERICA, AND CITY OF GAINESVILLE; US DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA; CASE NO. 01:10-CV-164-MP/GRJ (B)

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City of Gainesville in the case styled Linda Heitz-Shore v. United States of America, and City of Gainesville; U.S. District Court for the Northern District of Florida; Case No.: 01:10-CV-164-MP/GRJ.*

This Matter was Approved as Recommended on the Consent Agenda.

100404. KIM BERRYMAN-DAGES vs THE CITY OF GAINESVILLE; NORTHERN DISTRICT OF FLORIDA; CASE NO. 10CV-00177-MP/AK (B)

RECOMMENDATION *The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available, to represent the City in the case styled Kim Berryman-Dages vs. the City of Gainesville; Northern District of Florida; Case No.: 10-CV-00177-MP/AK.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

100425. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of September 27, 2010, and October 7, 2010, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

080817. Citizen Comment - Robert Pearce - Street Lights Causing Road Glare (B)

This item seeks City Commission approval of the Community Development Committee's recommendations on this pending referral.

RECOMMENDATION *Community Development Committee to City Commission: 1) send the City Manager and General Manager of Utilities the issue of lighting glare violations to be resolved by GRU, Parks and Recreation, Code Enforcement and the CRA directing them to take appropriate steps to resolve light glare trespass regarding existing lighting inventory on private and public property; 2) direct Building inspections to review its procedures regarding the issuance of electrical permits for lighting; 3) report back findings to the City Commission; and, 4) remove this referral from the CDC pending referral list.*

City Commission to CRA: 1) the CRA review installed inventory of fixtures and street lights for issues involving lighting glare violations and report back to the City Commission on findings.

This Matter was Approved as Recommended on the Consent Agenda.

090366. Provide a Forum for Review: Alachua General Hospital Redevelopment Site (B)

This item seeks City Commission approval of the Community Development Committee's recommendations on this pending referral.

RECOMMENDATION

Community Development Committee to City Commission: 1) the staff continues to work with Shands representatives, their agents, CRA staff and other interested parties on amending the University Heights Special Area Plan and bring back a draft to the CDC in October: 2) continue this item on the Committee's pending referral list.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

*Commissioner Poe moved and Mayor-Commissioner Pro Tem Mastrodicasa seconded to adopt the regular agenda, as modified.
(VOTE: 5-0, Commissioners Henry and Wells, Absent - MOTION CARRIED)*

MODIFICATIONS:

- 1. File #100431 - (City Manager) - Metropolitan Transportation Planning Organization's 2035 Long Range Transportation Cost Feasible Plan - (ppt. submitted).*
- 2. File #100457 - (New Item) - Commissioner Scherwin Henry - Conference Center in East Gainesville.*
- 3. File #100189 - (Adoption Reading) - Land Use Change - Commonly known as Plum Creek (New staff report, City Attorney memorandum, recommendation and additional backup submitted).*
- 4. File #100141 - (Adoption Reading) - Land Use Change - Portion of Forest Park - (New staff report, City Attorney memorandum, recommendation and additional backup submitted).*
- 5. File #090741 - (Adoption Reading) - Land Use Change - 4700 Block of Archer*

Road - (New ppt. received from the applicant).

6. File #090298 & 090299 - (Adoption & 1st Reading) - Alachua County Fairgrounds - Amend Future Land Use Map and Rezoning - (New ppt. received from the applicant).

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

100431. Metropolitan Transportation Planning Organization's 2035 Long Range Transportation Cost Feasible Plan (B)

This item is to discuss the Metropolitan Transportation Planning Organization's (MTPO) Draft 2035 Long Range Transportation Cost Feasible Plan.

Public Works Director Teresa Scott gave a presentation.

RECOMMENDATION *The City Commission discuss the Draft 2035 Long Range Transportation Cost Feasible Plan.*

No Action Taken

100410. Report for the Community Workshop on Meal Services and Food Distribution (B)

This item involves hearing a presentation from City Staff on a Community Workshop on Meal Services that was held on June 29, 2010 at the Alachua County Health Department.

Assistant City Manager Fred Murry gave a presentation.

NOTE: Commissioner Henry entered the meeting room @ 2:22 PM.

Mayor Lowe recognized Pat Fitzpatrick, Joe Jackson, Walter Willard and Kent Vann who spoke to the matter.

MOTION: Refer to staff to explore the following issues: 1) Extending the hours for meal service at the St. Francis House; 2) increased policing in the St. Francis House area; 3) establishing a courtyard situation where the homeless can socialize; 4) establishing a code of conduct in relation to receiving services; 5) dispersing food service sites throughout the City; 6) assisting in making bus passes more readily available; 7) providing training in agriculture; and 8) increasing food stamp

enrollment.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff on the June 29, 2010 Community Workshop on Meal Services; 2) receive the summary report on the Workshop and breakout group discussions and recommendations; and 3) provide specific direction to City staff if the City Commission wishes to implement any of the recommendations contained in the report.

A motion was made by Commissioner Donovan, seconded by Commissioner Hawkins, that this matter be Approved as shown above and Referred to the City Manager, due back on April 21, 2011. The motion carried by the following vote:

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

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

COMMUNITY DEVELOPMENT COMMITTEE

090737. Historic Preservation Issues - Referral to the CDC (B)

This item seeks City Commission approval of the Community Development Committee's recommendations on this pending referral.

MOTION: 1) Retain this item on the Community Development Committee referral list; and 2) request that staff add the Northeast Neighbors and the Grove Street Neighborhood for consideration as future historic districts and include any other neighborhoods that may be interested.

RECOMMENDATION

Community Development Committee to City Commission: 1) the City Manager receive and present additional information to the Commission on the applicability of the Florida Main Street Program in Gainesville; 2) staff contact representatives of the College Park, Golfview and 5th Avenue/Pleasant Street neighborhoods to inquire about the interest in implementation of future historic districts; and, 3) recommend this referral be

removed from the CDC pending referral list.

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

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

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

100457. Commissioner Scherwin Henry - Hotel and Conference Center in Downtown Gainesville - Referral to Community Redevelopment Agency (CRA) Staff (B)

RECOMMENDATION *Refer to CRA staff: 1) The desire for a hotel and conference center located in downtown Gainesville and to determine possible locations including, but not limited to, Lot 10; and 2) direct CRA staff to bring back a report no later than the December 20, 2010 CRA meeting.*

A motion was made by Commissioner Henry, seconded by Commissioner Hawkins, that this matter be Referred to the CRA Executive Director, due back on December 20, 2010. The motion carried by the following vote:

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

COMMISSION COMMENTS (if time available)

RECESS - 4:02 PM

RECONVENE - 5:44 PM

NOTE: Commissioner Henry did not return for the evening portion of the meeting.

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

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

100302. Collaborative Law Awareness Week (B)

RECOMMENDATION *Gainesville Collaborative Divorce Team President Jennifer Curcio and Secretary Randi Dincher to accept the proclamation.*

Heard

100423. Delta Sigma Theta Sorority, Inc. Weekend - October 22-24, 2010 (B)

RECOMMENDATION *Delta Sigma Theta Sorority, Inc. Gainesville Alumnae President Gwendolyn Saffo, Co-Chair Kenitra Robinson, and Co-Chair Melanie Swain to accept the proclamation.*

Heard

100424. Meet the Blind Day - October 23, 2010 (B)

RECOMMENDATION *Gainesville Chapter, NFB of Florida Chapter President Judith Hamilton to accept the proclamation.*

Heard

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

130 Meal Limit at St. Francis House.

Joe Cenker

130 Meal Limit at St. Francis House.

Tara Lee

130 Meal Limit at St. Francis House.

Katie Walters

130 Meal Limit at St. Francis House.

James Smith

130 Meal Limit at St. Francis House.

Robbie Czopek

130 Meal Limit at St. Francis House.

Sean Larsen

130 Meal Limit at St. Francis House.

John Davies

130 Meal Limit at St. Francis House.

Tyler McCann

130 Meal Limit at St. Francis House.

Walter Willard

130 Meal Limit at St. Francis House.

Alan Martin

130 Meal Limit at St. Francis House.

Frank Blankenship

130 Meal Limit at St. Francis House.

Jeremiah Tattersall

130 Meal Limit at St. Francis House.

Dianne Tornay

130 Meal Limit at St. Francis House.

Isabel Hasty

130 Meal Limit at St. Francis House.

Mark Jaskowski

130 Meal Limit at St. Francis House.

Zackary Thorne

130 Meal Limit at St. Francis House.

Harold Saive

Chem-trails and 9/11 issues.

Judi Regassa

Chem-trails and 9/11 issues.

Ed Reyes

Chem-trails and 9/11 Issues.

Bob Tuskin

Chem-trails and 9/11 Issues.

Michael Adler

130 Meal Limit at St. Francis House.

Sheila Payne

130 Meal Limit at St. Francis House.

Rob Brinkman

November 2, Ballot - Amendment 4.

Ozzie Angula

130 Meal Limit at St. Francis House.

RESPONSE TO CITIZEN COMMENT

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

- 100380.** **Adoption resolution for the Evaluation and Appraisal Report (EAR) on the City of Gainesville 2000-2010 Comprehensive Plan (B)**

A Resolution of the City of Gainesville adopting the Evaluation and Appraisal Report for the Gainesville Comprehensive Plan; stating the intent of the City of Gainesville to amend the Comprehensive Plan based upon recommendations contained in the report; and approving transmittal of the report to the Department of Community Affairs in accordance with Section 163.3191, Florida Statutes, providing directions to the Clerk of the Commission; and providing an immediate effective date.

Planning and Development Services Manager Erik Bredfeldt gave a presentation.

RECOMMENDATION

Staff to City Commission - The City Commission adopt the resolution and transmit the EAR to the Florida Department of Community Affairs.

City Plan Board to City Commission - Approve Petition PB-10-97 MSC, and recommend that the City Commission adopt the EAR. The Plan Board voted 4:0.

Staff to City Plan Board - Approve Petition PB-10-97 MSC.

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

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

ADOPTION READING-ROLL CALL REQUIRED

100189. LAND USE CHANGE – PLUM CREEK (B)

Ordinance No. 100189, Petition PB-10-25CPA

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element; amending Ordinance No. 070447 that adopted Policy 4.3.4 relating to the LandMar Development; generally located north of U.S. 441 and Northwest 74th Place lying east and west of SR 121 and CR 231, and south of Northwest 121st Avenue and consisting of approximately 1778 acres; providing for extension of rezoning time limitations; amending Policy 4.3.4; by renaming the Development; amending and revising certain environmental and transportation policies; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.

Lead Planner Dean Mimms gave a presentation.

RECOMMENDATION

The City Commission (1) receive the report of the Department of Community Affairs; and (2) adopt the proposed ordinance.

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

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

100141. LAND USE CHANGE – JOHN MAHON PARK (B)

Ordinance No. 100143, Petition PB-10-31LUC

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from the land use category of “Single-Family (up to 8 units per acre)” to “Conservation”; located in the vicinity of south of Newberry Road and south of property commonly known as the Central Park Medical Plaza; providing a severability clause; providing a repealing clause; and providing an effective date.

Senior Planner Susan Niemann gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition PB-10-31LUC; and 2) adopt the proposed ordinance.*

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

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

090738. LAND USE CHANGE – 900 S.E. 4TH STREET (DEPOT PARK) (B)

Ordinance No. 0-10-03, Petition PB-09-133LUC

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain property, as more specifically described in this ordinance, from “Industrial” to “Public Facilities”; consisting of approximately 34 acres, located in the vicinity of 900 S.E. 4th Street, commonly known as Depot Park; providing a severability clause; providing a repealing clause; and providing an effective date.

Planner Jason Simmons gave a presentation.

RECOMMENDATION *The City Commission: (1) receive the report of the Department of Community Affairs; and (2) adopt the proposed ordinance.*

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

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

090741. LAND USE CHANGE – 4700 BLOCK OF ARCHER ROAD (B)**Ordinance No. 0-10-07, Petition PB-09-143LUC**

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Plan and Map; changing the land use categories of certain property from the Alachua County land use category of “Low Density Residential (1-4 DU/acre)” to the City of Gainesville land use categories of “Conservation”, and “Residential Low-Density (up to 12 units per acre)” and by overlaying the “Planned Use District” category over certain portions of the property, as more specifically described and shown in this ordinance, consisting of approximately 28.98 acres located in the vicinity of the 4700 block of Archer Road, north side; providing for conditions; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Lead Planner Lawrence Calderon gave a presentation.

RECOMMENDATION *The City Commission: (1) receive the report of the Department of Community Affairs; and (2) adopt the proposed ordinance.*

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

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

090298. AMEND THE FUTURE LAND USE MAP FROM PUBLIC FACILITIES AND CONSERVATION TO BUSINESS INDUSTRIAL FOR THE ALACHUA COUNTY FAIRGROUNDS AND COOPERATIVE EXTENSION SERVICE SITE(B)**Ordinance No. 0-09-55, Petition PB-09-80 LUC**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from the City of Gainesville land use categories of "Public Facilities (PF)" and "Conservation (CON)" to the City of Gainesville land use category of "Business Industrial (BI)," consisting of approximately 74.48 acres, located in the vicinity of 2900 N.E. 39th Avenue, commonly known as the Alachua County Fairgrounds and Cooperative Extension Office; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission (1) receive the report of the Department of Community Affairs; and (2) adopt the proposed ordinance.*

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

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

090299. REZONE THE ALACHUA COUNTY FAIRGROUNDS AND COUNTY EXTENSION SERVICE SITE FROM PS (PUBLIC SERVICES AND OPERATIONS DISTRICT) AND CON (CONSERVATION DISTRICT) TO BI (BUSINESS INDUSTRIAL DISTRICT) (B)

Ordinance No. 090299, Petition PB-09-81 ZON

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 City of Gainesville zoning categories of "Public Services and Operations (PS) District" and "Conservation (CON) District" to the City of Gainesville zoning category of "Business Industrial (BI) District," located in the vicinity of 2900 Northeast 39th Avenue, commonly known as the Alachua County Fairgrounds and Cooperative Extension Office and consisting of approximately 74.48 acres; providing a severability clause; providing a repealing clause; and providing an effective date.

Lead Planner Dean Mimms, Agent for the Petitioner Gerry Dedenbach and Assistant County Manager Rick Drummond gave presentations.

RECOMMENDATION *The City Commission (1) approve Petition PB-09-81 ZON and (2) adopt the proposed ordinance.*

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

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

100101. ADDITIONAL SIGNAGE FOR MULTIPLE-FAMILY DEVELOPMENTS (B)

Ordinance No. 100101; Petition PB-10-21-TCH.

An ordinance of the City of Gainesville, Florida, amending Section 30-318(d)(2) of the Land Development Code, related to permanent development identification signs and structures for subdivisions and neighborhoods; by allowing additional signage for multi-family developments with more than one frontage and increasing the maximum size of the secondary entrance signs; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date

Planner Jason Simmons gave a presentation.

RECOMMENDATION *The City Commission (1) continue the petition hearing on Petition PB-10-21-TCH to a date certain of November 4, 2010*

and (2) continue the first reading of the proposed ordinance to a date certain of November 4, 2010.

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, that this matter be Continued (Petition) and First Reading (Ordinance). The motion carried by the following vote:

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

ADOPTION READING - ROLL CALL REQUIRED

100147. LAND USE CHANGE - SUGARFOOT PRAIRIE (B)

Ordinance No. 100147, Petition PB-10-27LUC

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from the land use category of "Residential Medium-Density (8-30 units per acre)" to "Conservation"; located in the vicinity of north of Southwest 20th Avenue and east of Southwest 62nd Boulevard; providing a severability clause; providing a repealing clause; and providing an effective date.

Senior Planner Susan Niemann gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

100148. REZONING – SUGARFOOT PRAIRIE

Ordinance No. 100148, Petition PB-10-28ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties within the City, as more specifically described in this Ordinance, from the zoning categories of "RMF-6: 8-15 units/acre multiple-family residential district" and "PD: Planned Development District" to "CON: Conservation district"; located in the vicinity of north of Southwest 20th Avenue and east of Southwest 62nd Boulevard; providing a severability clause; providing a repealing clause; and providing an effective date.

Senior Planner Susan Niemann gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, 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: Jeanna Mastrodicasa, Lauren Poe, Thomas Hawkins, Jack Donovan and Craig Lowe
Absent: Randy Wells and Scherwin Henry

091038. VEHICLES FOR HIRE – DRIVER PERMIT REQUIREMENTS (B)

Ordinance No. 091038

An ordinance of the City of Gainesville, Florida, amending Chapter 28, Vehicles for Hire, City of Gainesville Code of Ordinances, relating to driver permit requirements; amending the calculation of time periods of the offenses set forth in Sections 28-8.5(d)(2), (3) and (4); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

GPD Lieutenant Pete Backhaus gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, 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: Jeanna Mastrodicasa, Lauren Poe, Thomas Hawkins, Jack Donovan and Craig Lowe
Absent: Randy Wells and Scherwin Henry

100306. TOWING AND IMMOBILIZING OF VEHICLES - PERMIT REQUIREMENTS(B)

Ordinance No. 100306

An ordinance of the City of Gainesville amending Article III of Chapter 14.5, Division 1, Towing of Vehicles on Private Property, and Division 2, Immobilizing Vehicles on Private Property, relating to wrecker operator permit requirements and immobilization operator permit requirements; amending the calculation of time periods of offenses set forth in Section 14.5-27(c) and Section 14.5-42(c); providing directions to the codifier, providing a severability clause; providing a repealing clause and providing an immediate effective date.

GPD Lieutenant Pete Backhaus gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, 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: Jeanna Mastrodicasa, Lauren Poe, Thomas Hawkins, Jack Donovan and Craig Lowe

Absent: Randy Wells and Scherwin Henry

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Lauren Poe

1. *Upcoming election - voting.*
2. *CRA Open House*
3. *Paint-in. See following referral item.*

100470. Fifth Avenue Paint-In Sponsorship (NB)

RECOMMENDATION *The City Commission refer the issue of the City of Gainesville sponsoring a paint-in with local artists in the Fifth Avenue area to the Recreation, Cultural Affairs and Public Works Committee.*

A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on April 21, 2011. The motion carried by the following vote:

Votes: Aye: Jeanna Mastrodicasa, Lauren Poe, Thomas Hawkins, Jack Donovan and Craig Lowe

Absent: Randy Wells and Scherwin Henry

Mayor-Commisisoner Pro Tem Jeanna Mastrodicasa

1. *CRA Open House.*
2. *Upcoming Civic Events the weekend of October 23 & 24, 2010.*

Commissioner Jack Donovan

Assignment and supervision of Charter Officer personnel - Clerk's Office staff.

CITIZEN COMMENT

Rob Brinkman

Ballot Issues - Charter Amendment - 3.

ADJOURNMENT - Approximately 7:40 PM.

Kurt M. Lannon, Clerk of the Commission