

City of Gainesville

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



Meeting Minutes

Thursday, August 20, 2009

1:00 PM

City Hall Auditorium

City Commission

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

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

CALL TO ORDER - 1:01 PM**ROLL CALL**

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

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

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

MODIFICATION:

1. File #090291 - State Law Enforcement Contraband Forfeiture Trust Fund for Overtime For Robbery Task Force Details - (Revised Language in Fiscal Note - (Remove the reference to F.S. 932.7055 (4)(a) and replace with F.S. 932.7055 (5)(a)).

NOTE: Mayor Hanrahan declared she had no conflict of interest regarding File #090277 Land Acquisition Professional Services Contract with Alachua Conservation Trust.

CITY MANAGER, CONSENT AGENDA ITEMS

090230. Second Extension to the Annual Contract for Sidewalk Construction/Replacement Services for FY 2010 (B)

This item is an extension to the contract for sidewalk construction/replacement services with JoyTech Construction, Inc.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Second Extension to the Annual Contract with JoyTech Construction, Inc., for Sidewalk Construction/Replacement Services, extending the term of the contract from October 1, 2009 to September 30, 2010, subject to approval by the City Attorney as to form and legality and to final appropriation of funds for FY2010.

This Matter was Approved as Recommended on the Consent Agenda.

090231. First Extension to the Annual Contract for Provision of Redi-Mix Concrete for FY 2010 (B)

This item is a request to extend the Annual Contracts for the Provision of Redi-Mix Concrete with Florida Rock Industries, Inc., and Cemex, Inc.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the First Extensions to the Annual Contracts with Florida Rock Industries, Inc., and Cemex, Inc., for the Provision of Redi-Mix Concrete, extending the terms of the contracts from October 1, 2009 to September 30, 2010, subject to final appropriation of funds for FY2010.

This Matter was Approved as Recommended on the Consent Agenda.

090232. Conversion of NW 4th Avenue between Main Street and NW 1st Street from One-Way to Two-Way Street (NB)

This item is a request to convert a portion of NW 4th Avenue between Main Street and NW 1st Street from a one-way to a two-way street.

RECOMMENDATION

Recommended Motion: The City Commission approve the conversion of NW 4th Avenue to a two-way street between N. Main Street and NW 1st Street.

Alternate Recommendation: Deny the Recommended Motion and leave N.W. 4th Avenue in the unit block as a one-way street.

This Matter was Approved as Recommended on the Consent Agenda.

090277. Land Acquisition Professional Services Contract with Alachua Conservation Trust (B)

This item involves the City contracting with Alachua Conservation Trust (ACT) to provide land acquisition services for the Wild Spaces Public Places Half Cent Sales Tax project.

RECOMMENDATION

The City Commission authorize the City Manager to contract with ACT for the land acquisition services for the WSPP project. This contract is subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A): The City Commission: 1) decline the contract with ACT for the WSPP project, and 2) provide other direction as appropriate.

This Matter was Approved as Recommended on the Consent Agenda.

090278. Strategic Plan Quarterly Report - Fiscal Year 2009 3rd Quarter (B)

This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 3rd quarter of Fiscal Year 2009.

RECOMMENDATION *The City Commission receive a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 3rd quarter of FY 2009.*

This Matter was Approved as Recommended on the Consent Agenda.

090283. Adoption of the Ten-Year RTS Transit Development Plan for FY 2010-2019 (B)

This is a request for the City Commission to adopt the Ten-Year RTS Transit Development Plan (TDP) for FY2010-2019.

RECOMMENDATION *Recommended Motion: The City Commission adopt the Ten-Year TDP for FY2010-2019.*

This Matter was Approved as Recommended on the Consent Agenda.

090290. Federal LECFTF Funding for Special Investigations Division (NB)

RECOMMENDATION *The City Commission approve the appropriation of the amount of \$25,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Special Investigations Division Confidential Funds Enhancement.*

Alternative Recommendation A: The City Commission deny funding.

This Matter was Approved as Recommended on the Consent Agenda.

090291. State Law Enforcement Contraband Forfeiture Trust Fund For Overtime For Robbery Task Force Details (NB)

RECOMMENDATION *The City Commission authorize the Gainesville Police Department to appropriate \$40,000 from the State Forfeiture Fund account.*

Alternative recommendation: The City Commission deny the funding.

This Matter was Approved as Recommended on the Consent Agenda.

**090292. Federal Law Enforcement Contraband Forfeiture Trust Fund (LECF TF)
Funding for Robbery Prevention Campaign (NB)**

RECOMMENDATION

Recommended Motion: The City Commission approve the appropriation of \$25,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Robbery Prevention Campaign.

Alternative Recommendation A: The City Commission deny funding.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

090302. Purchases for Energy Conservation Programs (NB)

Staff requests authorizing the General Manager to purchase goods and/or services necessary for establishing or modifying energy conservation programs which do not to exceed \$100,000.

RECOMMENDATION

The City Commission: 1) waive the requirement for City Commission approval for budgeted energy conservation programs which do not exceed \$100,000; and 2) authorize the General Manager, or his designee, to negotiate and execute contracts for budgeted energy conservation programs which do not exceed \$100,000 in accordance with established Purchasing policies and procedures, subject to approval of the City Attorney as to form and legality; and 3) approve the issuance of purchase orders for required goods and services to various vendors for these programs, in amounts not exceeding \$100,000.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

**090304. Resignation of Citizens' Advisory Committee for Community Development
Member Frank Bracco (B)**

RECOMMENDATION

The City Commission accept the resignation of Frank Bracco from the Citizens' Advisory Committee for Community Development effective August 7, 2009, and expresses the City Commissions' appreciation for his service.

This Matter was Approved as Recommended on the Consent Agenda.

090305. Appointments to City Commission Advisory Boards and Committees (B)

RECOMMENDATION

*The City Commission appoint the following:
Debra Neill-Mareci and Joseph A. Schmid to the Board of
Adjustment for a term to expire 11/01/2012;
Robert S. Cohen and Christopher E. Dawson to the City Plan
Board for a term to expire 11/01/2012;
Seth T. Lane and Kathleen Norris to the Development Review
Board for a term to expire 11/01/2012;
Carrie J. Parker-Warren and Hugh Rhea to the Gainesville
Code Enforcement Board for a term to expire 08/01/2012;
Melissa K. Gerhardt to the Gainesville/Alachua County
Cultural Affairs Board for a term to expire 09/30/2012;
William R. Breeze to the Gainesville/Alachua County
Regional Airport Authority for a term to expire 07/31/2012;
Gina van Blokland to the Public Recreation and Parks Board
for a term to expire 06/01/2012; and
Cesar F. Fernandez to the Regional Transit System Advisory
Board for a term to expire 06/01/2012.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

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

*Commissioner Donovan moved and Commissioner Mastrodicasa seconded to adopt
the Regular Agenda, as modified and to waive the rules to hear File #090303 first.*

(VOTE: 7-0, MOTION CARRIED)

REGULAR AGENDA MODIFICATIONS:

- 1. File #090303 Request for Consideration of Providing Wastewater service to the City of Waldo (Move to the beginning of the afternoon portion of the agenda).*
- 2. File #090306 - Proposed Revisions to the Feed-In-Tariff - (Second item of the afternoon portion of the agenda).*
- 3. File #070275 - One Stop Homeless Assistance Center - (Additional back-up submitted).*
- 4. File #090270 - Gainesville-Alachua County Hunger Abatement Plan - (Remove from the agenda).*
- 5. File #090289 - Bethel Station - (Revised ppt. submitted).*
- 6. File #090301 - United States Constitution Month - September 2009 - (Remove from the agenda and place on the September 3, 2009 agenda).*
- 7. File # 090211 - Villages at Lake Kanapaha Land Use Amendment and File #090209 - Villages at Kanapaha Rezoning - (The Petitioner has requested that these items be continued to September 17, 2009 with the Petitioner agreeing to reimburse the City for the advertising costs.)*

Chair Hanrahan recognized Pat Fitzpatrick and Edward Berry who made comments.

NOTE: Mayor-Commissioner Pro Tem Henry entered the meeting room at 1:08 PM.

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

GENERAL MANAGER FOR UTILITIES

090303. Request for Consideration of Providing Wastewater Service to the City of Waldo (B)

On May 26, 2009 the Mayor and City Commissioners received a letter from Waldo Mayor Louie Davis indicating that the City of Waldo is interested in obtaining bulk wastewater service from GRU, and requesting information on what the charges for this service would be. Staff will present preliminary estimates for potential bulk wastewater service fees, and connection charges. Staff has also developed and will present preliminary opinions on capital costs for pipeline and pumping facilities needed to make this service possible.

GRU Supervising Design Engineer Rick Hutton gave a presentation.

Chair Hanrahan recognized City of Waldo Representative Kim Worley and Engineer for the City of Waldo Jim Norman who spoke to the matter.

MOTION: 1) Continue working with the City of Waldo; and 2) refer this item to the Community Development Committee.

RECOMMENDATION *The City Commission hear a brief presentation from staff on preliminary estimates of service fees and connection charges for potential wastewater service to the City of Waldo.*

A motion was made by Commissioner Hawkins, seconded by Commissioner Poe, that this matter be Approved as shown above and Referred to the Community Development Committee, due back on February 20, 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

090306.

Proposed Revisions to the Feed-In-Tariff (NB)

Staff is recommending changes to the ordinance enacting the Solar Feed-In-Tariff (FIT) designed to clarify program administration and to re-introduce the option of net metering for commercial customers. More specifically, language is proposed to clarify the application and administration of the program's standards and criteria, especially as related to the waiting list of applications and tariff pricing for future years.

Assistant General Manager for Strategic Planning Ed Regan and GRU Attorney Skip Manasco gave presentations.

Chair Hanrahan recognized Mary Anderson who spoke to the matter.

RECOMMENDATION *The City Commission 1) receive a presentation from staff regarding proposed changes to the Feed-in-Tariff ordinance, and; 2) authorize the City Attorney to draft and the Clerk to advertise the proposed changes to the ordinance.*

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

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

CITY MANAGER

070275.

One Stop Homeless Assistance Center (B)

This item is a follow-up to the April 16, 2009 City Commission referral to provide a status report of the One Stop Homeless Assistance Center and a request to the City Commission to authorize the City Manager to prepare a Section 108 Loan Application to the United States Department of Housing and Urban Development.

Assistant City Manager Fred Murry and Executive Director of the Office on Homelessness Jayne Morasky gave presentations.

AMENDMENT: Add to recommendation 2) to identify outside funding sources other than City revenues for the operation and maintenance of the One Stop Homeless Assistance Center; and no longer pursue interim sites for camping.

Chair Hanrahan recognized Ron Carpenter, Mary Anderson, Gail Monahan, Larry Cheshire, John Skelly, Richard Mellin and Pat Fitzpatrick who spoke to the matter.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to prepare an application to apply for a Section 108 Loan from the U.S. Department of Housing and Urban Development; 2) authorize the City Manager to continue to work with the GRACE Marketplace collaborative, the Office on Homelessness and other local providers to continue to identify financial resources for the development, operation and construction of the One Stop Homeless Assistance Center; and 3) provide staff direction whether to continue pursuing interim sites for a Tent City Camping Site.

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

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

090270. Gainesville-Alachua County Hunger Abatement Plan (B)

This item involves a request for City Commission to hear a presentation on and adopt the Gainesville-Alachua County Hunger Abatement Plan (HAP).

RECOMMENDATION

The City Commission: 1) hear a presentation on the Gainesville-Alachua County Hunger Abatement Plan; 2) approve and adopt the Hunger Abatement Plan; and 3) direct the City Manager to assist and implement the recommendations of the Hunger Abatement Plan.

Withdrawn

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

090289. Bethel Station (B)

This is request for City Commission approval for the top ranked proposal of the Bethel Station RFP.

CRA Project Coordinator Kelly Huard and Cafe' Lona Representatives Robin Mole and Lea Laurialt gave presentations.

RECOMMENDATION

The City Commission: 1) approve the ranking of Café Lono as the top ranked respondent to the Bethel Station RFP; 2) authorize City Manger, or designee, to negotiate and enter into a lease agreement at the Bethel site, as to form and legality by the City Attorney; and 3) approve use of funding from account 332-M660-5190 for this project, at a cost not to exceed \$55,000.

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

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

CITY ATTORNEY**090296. PROHIBITING SMOKING AT THE ROSA PARKS RTS DOWNTOWN STATION (B)**

Legal Extern Brian Klingel gave a presentation.

RECOMMENDATION

The City Commission: 1) hear a presentation; and 2) authorize the City Attorney to prepare, and the Clerk of the Commission to advertise the proposed ordinance.

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

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

090297. PERMITTING OBSTRUCTIONS AND CLOSURES OF CITY RIGHTS-OF-WAY

Legal Extern Brian Klingel gave a presentation.

RECOMMENDATION

The City Commission: 1) hear a presentation; and 2) authorize the City Attorney to prepare, and the Clerk of the Commission to advertise the proposed ordinance.

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

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

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Commissioner Lauren Poe

Port St. Lucie Enforcement Mechanism for Abandoned Properties - Refer to the City Manager to investigate whether or not this would be a good mechanism for the City's Code Enforcement Department.

Mayor Pegeen Hanrahan

Complete Count Committee for the Census - New local committee.

RECESS - 4:56 PM

RECONVENE - 5:50 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

090300. Pain Awareness Month - September 2009 (B)

RECOMMENDATION

University of Florida Professor of Orthodontics, Neuroscience, and Anesthesiology and Florida Pain Initiative President Robert P. Yezierski to accept the proclamation.

Heard**090301. United States Constitution Month - September 2009 (B)**

This proclamation was continued to the September 3, 2009 regular City Commission Meeting.

RECOMMENDATION

Gainesville Chapter Daughters of the American Revolution Chapter Regent Janet Messer to accept the proclamation.

Continued**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet****George Elmore**

Selling parking for Gator games - Occupational License.

Barbara Ruth

Public Works Compound Administration Building.

Gabe Hillel

Butterfly City.

Kevin Claney

Ironwood Subdivision - Airport Noise.

Carl Wilkin

Ironwood Subdivision - Airport Noise.

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED****090227 Acceptance of US Department of Transportation FAA - AIP Grant # 3-12-0028-030-2009**

This item seeks the City of Gainesville acceptance of a 2009 US Department of Transportation FAA - AIP Grant to the Gainesville Regional Airport in the

amount estimated at up to \$1,392,008 for following projects at the Gainesville Regional Airport: Conduct Wildlife Hazard Assessment, Complete Interim ALP Update, Acquire AOA/Runway Sweeper, Rehabilitate Portion of Commercial Apron (Up to 16,840 sq. yds.), Replace and Improve up to 30,200 l.f. of Perimeter Fencing.

Planning and Development Services Director Erik Bredfeldt gave a presentation.

RECOMMENDATION *The City Commission: 1) hear a brief presentation from staff regarding this request; 2) direct City staff to continue to work with the FAA to remove the Gumroot Swamp Park property from the FAA approved Airport Layout Map; and 3) adopt the proposed 2009 FAA - AIP Grant Resolution and authorize the Mayor and City Attorney to execute said Grant Agreement and the City Clerk to certify said Grant Agreement.*

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

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

090233. Resolution for Granting a Temporary Construction Easement on the Southeast Corner of South Main Street and Depot Avenue to Florida Department of Transportation (B)

This item is a request for approval and authorization to adopt a Resolution and execute Temporary Construction Easement onto the Florida Department of Transportation (FDOT).

RECOMMENDATION *The City Commission adopt the Resolution.*

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

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

090244. Resolution to Enter into a Maintenance Agreement with the State of Florida Department of Transportation (B)

This item is a Resolution for approval and authorization to enter into a Maintenance Agreement with the State of Florida Department of Transportation (FDOT), allowing the City of Gainesville to provide maintenance of the gloss black paint on a galvanized steel picket railing located on the south side of East University Avenue at the Sweetwater Branch crossing.

RECOMMENDATION *The City Commission adopt the 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, Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry and Pegeen Hanrahan

ADOPTION READING - ROLL CALL REQUIRED

090200. LAND USE CHANGE - 39 N.W. 39TH AVENUE (THE VILLAS) (B)

Ordinance No. 0-09-41, Petition PZ-09-43LUC

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from the City of Gainesville land use category of "Residential Low-Density (up to 12 units per acre)" to the City of Gainesville land use category of "Commercial"; consisting of approximately 7.5 acres, located in the vicinity of the Southwest corner of Northeast 2nd Street and 39th Avenue, a/k/a 39 N.W. 39th Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planner Jason Simmons gave a presentation.

Chair Hanrahan recognized Petitioner Howard Wallace and Affected Party Barbara Ruth who spoke to the matter.

RECOMMENDATION

The City Commission: 1) approve Petition No. PZ-09-43LUC; and 2) adopt the proposed ordinance.

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

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

TRANSMITTAL HEARING - ROLL CALL REQUIRED

090199 LAND USE CHANGE - 1500 NW 45TH AVENUE - HOGTOWN CREEK HEADWATERS AREA (B)

Ordinance No. 0-09-40, Petition PZ-09-59LUC

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use categories of certain properties owned by the City, as more specifically described in this ordinance, from the City of Gainesville land use categories of "Commercial," "Single-Family (up to 8 units per acre)," "Residential Low-Density (up to 12 units per acre)" and "Residential Medium-Density (8-30 units per acre)"; to the City of Gainesville land use category of "Conservation"; consisting of approximately 61.60 acres, located in

the vicinity of 1500 Northwest 45th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

Planner Jason Simmons and Recreation, Parks and Cultural Affairs Director Steve Phillips gave presentations.

RECOMMENDATION

The City Commission: 1) approve Petition No. PZ-09-59LUC; and 2) adopt the proposed ordinance.

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

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

090089

LAND USE CHANGE - TOWNHOMES OF WESTWOOD, LLC (B)

Ordinance No. 0-09-43, Petition PZ-09-129LUC

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain properties, as more specifically described in this ordinance, from the Alachua County land use category of "Medium High Density Residential (8-14 DU/acre)" to City of Gainesville "Residential Medium Density (8-30 units per acre)" and "Conservation," generally located southwest of the intersection of Southwest 20th Avenue and Southwest 43rd Street; providing a severability clause; providing a repealing clause; and providing an effective date.

Chief of Comprehensive Planning Dean Mimms gave a presentation.

Chair Hanrahan recognized Agent for the Petitioner Clay Sweger who made comments.

NOTE: Commissioner Mastrodicasa declared that she had no conflict of interest regarding this matter.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Donovan, seconded by Commissioner Hawkins, that this matter be Adopted (Ordinance) on Transmittal Hearing. The motion carried by the following vote:

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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

090201.

REZONING - 39 N.W. 39TH AVENUE (THE VILLAS) (B)

Ordinance No. 0-09-42, Petition No. PZ-09-44ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from the City of Gainesville zoning category of "MH: 12 units/acre mobile home residential district" to the City of Gainesville zoning category of "BUS: General business district"; consisting of approximately 7.5 acres, located in the vicinity of the Southwest corner of Northeast 2nd Street and 39th Avenue, a/k/a 39 N.W. 39th Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planner Jason Simmons gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Poe, 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 Peegen Hanrahan

081040. DEPOT PARK REZONING (B)

Ordinance No. 0-09-18, Petition No. PZ-09-37 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning certain property located generally south of Depot Avenue, east of South Main Street, north of Southeast Veitch Street and west of Southeast 4th Street, commonly known as "Depot Park", from "PS: Public services and operations district," "I-1: Limited industrial district" and "I-2: General industrial district" to "PS: Public services and operations district"; specifying permitted uses; specifying dimensional requirements; providing a severability clause; providing a repealing clause; and providing an effective date.

Planner Jason Simmons gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, 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 Peegen Hanrahan

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

090114. VOLUNTARY EARLY SEPARATION INCENTIVE PROGRAM (B)

Ordinance No. 0-09-38

An ordinance of the City of Gainesville, Florida, amending Division 5 of Chapter

2 of Gainesville Code of Ordinances, relating to the City of Gainesville Employees Pension Plan, providing for additional credited service associated with an early separation program; 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 Lowe, seconded by Mayor-Commissioner Pro Tem Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

090016. REZONING - 49 PARCELS IN THE VICINITY OF SW 34TH ST AND SOUTH OF SW 41ST PLACE (B)

Ordinance No. 0-09-24, Petition No. PZ-09-13

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning 49 parcels of land consisting of approximately 152 acres, more or less, as more specifically described in this Ordinance, from the zoning categories of "I-1: Limited industrial district" and "W: Warehousing and wholesaling district" to the zoning category of "BI: Business industrial district"; located in the vicinity of Southwest 34th Street, generally south of Southwest 41st Place, west of Southwest 34th Street, east of I-75, and north of the Williston Road; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, seconded by Commissioner Mastrodicasa, that this matter be Adopted on 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

PLAN BOARD PETITIONS

090211. Villages at Lake Kanapaha Land Use Amendment (B)

Petition PZ-09-35 LUC. Causseaux, Hewett & Walpole, Inc., agent for Archer Road Development, LLC and Eaglesrock International, LLC

Amend the City of Gainesville 2000-2010 Future Land Use Map from Alachua County Low Density Residential (1-4 DU/acre) to City of Gainesville Residential Medium-Density (8-30 units per acre) and Conservation. Located at 4123 Southwest 50th Street. Tax parcel numbers: 06916-000-000, 06916-001-000,

06929-000-000, 06935-001-000, 06917-000-000, 06933-000-000. Related to Petition PZ-09-36 ZON.

RECOMMENDATION

City Plan Board to City Commission: The City Commission deny Petition PZ-09-35 LUC. Plan Board vote 3-2.

Staff to City Commission: Approve Petition PZ-09-35 LUC. Plan Board vote Deny 3-2.

Staff to the Plan Board: Approve Petition PZ-09-35 LUC.

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Lowe, that this matter be Continued (Petition) for September 17, 2009. The motion carried by the following vote:

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

090209. Villages at Lake Kanapaha Rezoning (B)

Petition PZ-09-36 ZON. Causseaux, Hewett & Walpole, Inc., agent for Archer Road Development, LLC and Eaglesrock International, LLC.

Rezone property from Alachua County Single-family, low density (R-1a, R-1c) districts to City of Gainesville RMF-7 (8-21 units/acre multiple-family residential district) and Conservation district. Located at 4123 Southwest 50th Street. Tax parcel numbers: 06916-000-000, 06916-001-000, 06929-000-000, 06935-001-000, 06917-000-000, 06933-000-000. Related to Petition PZ-09-35 LUC.

RECOMMENDATION

City Plan Board to City Commission: The City Commission deny Petition PZ-09-36 ZON. Plan Board vote 3-2.

Staff to City Commission: Approve Petition PZ-09-36 ZON. Plan Board vote Deny 3-2.

Staff to the Plan Board: Approve Petition PZ-09-36 ZON.

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Lowe, that this matter be Continued (Petition) for September 17, 2009. The motion carried by the following vote:

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Mayor-Commission Pro Tem Henry

Economic Development Issues.

Commissioner Jeanna Mastrodicasa

Economic Development Issues.

Commissioner Lauren Poe

Economic Development Issues.

Commissioner Jack Donovan

Economic Development Issues.

Mayor Pegeen Hanrahan

Economic Development Issues.

CITIZEN COMMENT (If time available)

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

ADJOURNMENT - 7:31 PM

Kurt M. Lannon, Clerk of the Commission