

City of Gainesville

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



Meeting Minutes

Thursday, May 17, 2012

1:00 PM

City Hall Auditorium

City Commission

*Mayor Craig Lowe (At Large)
Mayor-Commissioner Pro-Tem Lauren Poe (At Large)
Commissioner Thomas Hawkins (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Commissioner Todd Chase (District 2)
Commissioner Susan Bottcher (District 3)
Commissioner Randy Wells (District 4)*

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 - 2:03 PM**ROLL CALL**

Present: Craig Lowe, Lauren Poe, Thomas Hawkins, Randy Wells, Todd Chase, Susan Bottcher and Yvonne Hinson-Rawls

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

*MOTION: A motion was made by Commissioner Hawkins, seconded by Commissioner Wells to adopt the Consent Agenda.
(VOTE: 7-0, MOTION CARRIED)*

CITY MANAGER, CONSENT AGENDA ITEMS**110937. Options for Land Use and/or Zoning Changes in the North Main Street Charrette Area (B)**

RECOMMENDATION *Staff to City Commission - Refer this item to the Community Development Committee for review of options for land use and zoning changes proposed for the North Main Street Charrette area.*

This Matter was Approved as Recommended on the Consent Agenda.

110939. Florida Division of Cultural Affairs General Program Support, Local Arts Agency Grant (NB)

This item requests approval by the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) to apply to the Florida Division of Cultural Affairs for a Local Arts Agency grant.

RECOMMENDATION *The City Commission: 1) approve the submission of an application to the State of Florida, Division of Cultural Affairs Local Arts Agency grant program; 2) authorize the Parks, Recreation and Cultural Affairs Department to accept the grant if awarded; and 3) authorize the City Manager or designee to execute any grant related documents, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**110946. Engineering Services for Water Reclamation Facilities Dewatering Project (NB)**

Staff recommends approval of the final ranking of the engineering firms and authorization to negotiate a contract in accordance with the Consultants Competitive Negotiations Act (CCNA) for engineer design services for the Water Reclamation Facilities Dewatering Project.

RECOMMENDATION

The City Commission: 1) approve the ranking of engineering firms in the given order of preference for the engineering design of the Water Reclamation Facilities Dewatering Project; 2) authorize the General Manager, or his designee, to initiate contract negotiations with the top ranked firm in accordance with the CCNA; and 3) authorize the General Manager, or his designee, upon successful negotiations, to execute a contract with the top ranked firm, subject to approval of the City Attorney as to form and legality, in an amount not to exceed budgeted amounts for the project.

This Matter was Approved as Recommended on the Consent Agenda.

110947. Main Street WRF Phosphorus Removal Project (B)

Staff recommends awarding a contract to Sawcross, Inc. for construction services for the Main Street Water Reclamation Facility Phosphorus Removal Project.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to execute a contract with Sawcross, Inc. to perform construction services for the Main Street Water Reclamation Facility Phosphorus Removal Project, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Sawcross, Inc. for these services in an amount not to exceed \$844,700; and 3) authorize staff to procure services, equipment and materials, as required, to complete the project as budgeted, subject to the final appropriation of funds.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS**110672. AMENDMENTS TO THE CITY OF GAINESVILLE NOISE ORDINANCE IN**

**LIGHT OF RECENT COURT DECISIONS HOLDING FLORIDA STATUTE
SECTION 316.3045 UNCONSTITUTIONAL (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to draft, and the Clerk to advertise, an ordinance amending Section 15-3(d) (3) and (e)(7) of the City of Gainesville Code of Ordinances to provide identical noise restrictions for commercial and noncommercial amplified sounds.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

110943. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of April 19, 2012, and May 3, 2012, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

110950. Appointment to the Gainesville Housing Authority (NB)

RECOMMENDATION *The City Commission confirm the Mayor's appointment for the following:*

Arthur Stockwell to the Gainesville Housing Authority for a term to expire 4/1/16.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

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

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

- 1. File #110492 - Charter County and Regional Transportation System Surtax - (Revised back-up).*
- 2. File # 110936 - Resolution Supporting Naming a portion of SW 23rd Street as Coach Jimmy Carnes Boulevard - (Revised language in resolution).*
- 3. File #110798 - Land Use Change - Vicinity of 515 NW 13th Terrace - (New ppt. submitted from CHW).*
- 4. File #110799 - Rezoning - Vicinity of 515 NW 13th Terrace - (New ppt. submitted from CHW)*
- 5. File #110800 - Rezoning - Amendment to Special Area Plan; Vicinity of 515 NW 13th Terrace - (New ppt. submitted from CHW).*

NOTE: Files #110798, 799, and 800 have the same ppt.

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

110492. Charter County and Regional Transportation System Surtax (B)

Section 212.055, Florida Statutes allows charter counties to impose a discretionary sales surtax of up to 1 percent. The Alachua County Board of County Commission are proposing two ballot initiatives for November 2012; one for a ¾ cent surtax for roads and a ¼ cent surtax for transit each for a 15 year period. An Interlocal Agreement between Alachua County Board of County Commission and the City of Gainesville are required to allow the County to transfer revenue from the surtax to the City.

City Public Works Director Teresa Scott and RTS Director Jesus Gomez gave presentations.

RECOMMENDATION

The City Commission 1) approve the Interlocal Agreement

Between Alachua County and the City of Gainesville For Use and Distribution of 0.75 Percent (3/4%) Of the Funds Generated By a Charter County and Regional Transportation System Sales Surtax To Be Used For Improvement and Maintenance of Roads and Bridges, including Exhibit A; and 2) approve Interlocal Agreement Between Alachua County and the City of Gainesville For Use and Distribution of 0.25 Percent (1/4%) Of the Funds Generated By a Charter County and Regional Transportation System Sales Surtax To Be Used For Bus and Fixed Guideway Systems, including Exhibit A.

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Nay: Todd Chase

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

110949. Appointments to City Commission Advisory Boards and Committees (NB)

MOTION (AMENDMENT): Approve the recommendation with an amendment to readvertise the position for the Gainesville Enterprize Zone and the Public Recreation and Parks Board.

RECOMMENDATION

The City Commission appoint:

Monica Petrella to the City Beautification Board for a term to expire 11/1/15.

Monica Petrella to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/15.

Byron Harper to the Gainesville Enterprize Zone

Development Agency for a term to expire 3/31/16.

Byron Harper to the Public Recreation and Parks Board for a term to expire 6/1/15.

Tom Rider to the Student Community Relations Advisory Board for a term to expire 2/26/14.

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

Votes: Aye: Lauren Poe, Randy Wells, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Susan Bottcher

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Commissioner Yvonne Hinson-Rawls

Job Fair Referral.

120033. Request for Job Fair at the MLK Center (NB)

RECOMMENDATION *The City Commission refer the issue of the City hosting a job fair at the MLK Center, including private sector employers to the City Manager, the EO Director and the General Manager for Utilities.*

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Wells, that this matter be Referred to the City Manager, due back on November 17, 2012. The motion carried by the following vote:

Votes: Aye: Lauren Poe, Randy Wells, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Susan Bottcher

Commissioner Thomas Hawkins

- 1. Thanks to the Parks, Recreation and Cultural Affairs Department and the Clerk's Office for the Swearing-In Ceremony.*
- 2. Florida Trust for Historic Preservation Conference being held in Gainesville at the Hampton Inn and other events in various downtown venues.*

Commissioner Todd Chase

Status of the City Attorney search.

RECESS - 4:31 PM

RECONVENE - 5:56 PM

PLEDGE OF ALLEGIANCE (5:30pm)

Gainesville Detachment of the Marine Corp League World War II Veteran Bob Gasche

PROCLAMATIONS/SPECIAL RECOGNITIONS

110953. Memorial Day - May, 28, 2012 (B)

RECOMMENDATION *Gainesville Detachment of the Marine Corp League World War II Veteran Bob Gasche to accept the proclamation.*

Heard

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

Von Frasier Alachua County Tax Collector

Presentation of a check for the City.

Al Dickerson

Lien reduction.

John Davies

Various Issues.

Jon Isaacson

GRU rates in relation to the Biomass Plant.

Mary Anderson

Various community issues.

Gabriel Hillel

Public records request.

Pat Fitzpatrick

Social Issues.

Walter Willard

Various Issues.

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

110592. SALE AND MARKETING OF CANDY FLAVORED TOBACCO PRODUCTS (B)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, URGING TOBACCO RETAILERS TO STOP THE SALE AND MARKETING OF CANDY FLAVORED TOBACCO PRODUCTS IN GAINESVILLE, FLORIDA

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Todd Chase

110936. Resolution Supporting Naming a portion of SW 23 Street as Coach Jimmy Carnes Boulevard (B)

This item involves a Resolution authorizing the naming of a portion of SW 23 Street, in front of James G. Pressly Stadium and 4211 SW 23rd Street, between SW 2nd Avenue and Fraternity Row/Drive as Coach Jimmy Carnes Boulevard.

Mayor Lowe recognized Jack Hughes and Frank Sayer who spoke to the matter.

RECOMMENDATION *The City Commission adopt the Resolution.*

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Todd Chase

ADOPTION READING-ROLL CALL REQUIRED

110798. LAND USE CHANGE - VICINITY OF 515 NW 13TH TERRACE (B)

Ordinance No. 110798; Petition No. PB-12-10 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of property located in the vicinity of 515 NW 13th Terrace, as more specifically described in this ordinance, from Residential Medium-Density (RM) to Mixed-Use Low-Intensity (MUL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Lead Planner Dean Mimms, and Agent for the Petitioner Gerry Dedenbach gave presentations.

Mayor Lowe recognized Clara Bea Horton who spoke to the matter.

RECOMMENDATION *The City Commission: (1) approve Petition PB-12-10 LUC and (2) adopt the proposed ordinance.*

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Todd Chase

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

110799. REZONING - VICINITY OF 515 NW 13TH TERRACE (B)

Ordinance No. 110799; Petition No. PB-12-11 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville by rezoning property located in the vicinity of 515 NW 13th Terrace, as more specifically described in this ordinance, from multiple-family medium density residential district (RMF-8) to mixed use low intensity district (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Lead Planner Dean Mimms and Agent for the Petitioner Gerry Dedenbach gave

presentations.

Mayor Lowe recognized Clara Bea Horton who spoke to the matter.

RECOMMENDATION *The City Commission: (1) approve Petition PB-12-11 ZON and (2) adopt the proposed ordinance.*

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Todd Chase

110800. REZONING - AMENDMENT TO SPECIAL AREA PLAN; VICINITY OF 515 NW 13TH TERRACE (B)

Ordinance No. 110800; Petition No. PB-12-12 ZON

An ordinance amending the Special Area Plan for College Park in the City of Gainesville Land Development Code; by deleting and replacing the "Master Plan & Regulating Plan for New Construction" map to reflect an amended building type for property located in the vicinity of 515 NW 13th Terrace, as more specifically described in this ordinance, from Type III - House to Type I - Shopfront/Office/Apartment; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Principal Planner Onelia Lazzari, Senior Planner Andrew Persons and Lead Planner Dean Mimms gave presentations.

Mayor Lowe recognized Clara Bea Horton who spoke to the matter.

RECOMMENDATION *The City Commission (1) approve Petition PB-12-12 ZON and (2) adopt the proposed ordinance.*

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Todd Chase

110740. PLANNED DEVELOPMENT AMENDMENT - GAINESVILLE AUTO TOWN CENTER PD (B)

Ordinance No. 110740, Petition No. PB-11-158PDA

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 070706 (as was subsequently amended by Ordinance No. 100520) related to Gainesville Auto Town Center Planned Development (PD); by deleting Condition 24, Section 2 of Ordinance No. 100520 relating to development time limits for

Phase II; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Lead Planner Lawrence Calderon gave a presentation.

NOTE: Commissioner Chase entered the meeting room at 6:47 PM.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Lauren Poe, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Randy Wells

110642.

AMEND THE UMU-2 ZONING DISTRICT IN THE LAND DEVELOPMENT CODE TO INCLUDE CLARIFICATIONS/UPDATES AND ADD NEW REQUIREMENTS FOR THE URBAN VILLAGE (B)

Ordinance No. 110642

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to the Urban Mixed-Use 2 (UMU-2) zoning district; by amending Section 30-23 to add definitions; by amending Section 30-65.2 Urban mixed-use district 2 (UMU-2) to add regulations regarding uses, site development, public realm, circulation, landscaping, parking, signage and other development standards and limitations specific to property zoned UMU-2 within the Urban Village area; by amending Section 30-65.2 to make general clarifications and revisions to the existing UMU-2 regulations; by amending Section 30-65.2 to repeal existing illustrative figures and adopt new illustrative figures, including a map defining the Urban Village area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Principal Planner Onelia Lazzari and Agent for the Petitioner Gerry Dedenbach gave presentations.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

110283.

VENDING BOOTH VENDORS AND ITINERANT FOOD VENDORS HOURS OF OPERATION (B)

Ordinance No. 110283

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to vending booth vendors and itinerant food vendors; by amending Chapter 19, Article IV, sections 19-93(a) and 19-93(b) to extend permissible hours of operation for vending booth vendors and itinerant food vendors in the Central City District, and vending booth vendors in the College Park Special Area Plan; 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 Poe, seconded by Commissioner Wells, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls and Craig Lowe
Absent: Todd Chase and Thomas Hawkins

110898. 2013 CITY COMMISSION ELECTION DATES (B)

Ordinance No. 110898

An ordinance of the City of Gainesville, Florida, setting March 19, 2013 as the date for the 2013 regular city election and April 16, 2013 as the date for the 2013 run-off election, if necessary; setting the dates for qualifying for the 2013 regular election; 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 Bottcher, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Todd Chase

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

110599. COMPREHENSIVE PLAN AMENDMENT - FUTURE LAND USE ELEMENT (B)

Ordinance No. 110599; Petition No. PB-11-138 CPA

An ordinance amending the Future Land Use Element of the City of Gainesville Comprehensive Plan; by amending Policy 4.6.1; by amending Objective 4.7, Policy 4.7.1 and the Future Land Use Categories and Corresponding/Implementing Zoning Districts table; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission (1) receive letters of no comment from the North Central Florida Regional Planning Council, Florida Department of Education, St. Johns River Water Management District, Florida Department of Environmental Protection, and Florida Department of Economic Opportunity; and (2) adopt the proposed ordinance.

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

Votes: Aye: Lauren Poe, Randy Wells, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Susan Bottcher

110608. COMPREHENSIVE PLAN AMENDMENT - RECREATION ELEMENT (B)**Ordinance No. 110608; Petition No. PB-11-135 CPA**

An ordinance amending the Recreation Element of the City of Gainesville Comprehensive Plan; by amending Objective 1.1 and its Policies 1.1.1, 1.1.5; by amending Policies 1.2.2, 1.2.3, 1.3.1, 1.3.2, 1.3.3 and 1.6.1; by amending Objective 1.8 and its Policy 1.8.3; by amending Policies 2.1.2 and 3.1.2; by amending Objective 3.2 and its Policies 3.2.1 and 3.2.2; by amending "Table 1: Service Level Standards for Parks and Facilities"; by amending the Park Design and Function Standards and the Park and Facility Substitution standards; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Mayor Lowe recognized Walter Willard who spoke to the matter.

RECOMMENDATION

The City Commission (1) receive letters of no comment from the North Central Florida Regional Planning Council, Florida Department of Education, St. Johns River Water Management District, Florida Department of Environmental Protection, and Florida Department of Economic Opportunity; and (2) adopt the proposed ordinance.

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

Votes: Aye: Lauren Poe, Randy Wells, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe
Absent: Susan Bottcher

PLAN BOARD PETITIONS**110873. Personal Outdoor Storage Facilities Within Residential Zoning Districts (B)**

Petition PB-12-13 TCH: City Plan Board. Amend the Land Development Code to allow personal outdoor storage facilities as temporary outdoor storage within residential zoning districts.

Lead Planner Lawrence Calderon gave a presentation.

AMENDMENTS (2):

1. Where there is an active building permit for development occurring on the site where the storage unit is located, the storage unit shall be subject to the regulations of the Building Department and may remain on site as long as the building permit is active;

2. Duration of time: C). PODS and Roll-offs may be allowed on a property for no more than 30 calendar days as directed by the City Commission. An additional 30 day extension of time may be granted upon a demonstration that the circumstances resulting in the need for the storage unit continue to exist and that it would be unreasonably burdensome to remove the unit immediately.

RECOMMENDATION *City Plan Board to City Commission - Approve Petition PB-12-13 TCH with additional condition drafted by staff.*

Staff to City Commission - Approve Plan Board's recommendation.

Staff to City Plan Board - Approve petition.

A motion was made by Commissioner Wells, seconded by Commissioner Bottcher, that this matter be Approved (Petition) as amended by staff. The motion carried by the following vote:

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

110866. Amendment to a Planned Development at 4405 N.W. 39th Avenue, OR 050254, Petition 111PDV-05 PB (B)

Petition PB-12-8 PDA: Ricardo Cavallino, agent for Los Volcanes. Planned Development Amendment to allow additional parking for an existing restaurant. Zoned: PD (Planned Development). Located at 4405 NW 39th Ave

Lead Planner Lawrence Calderon gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - Approve Petition PB-12-08 PDA with conditions.*

Staff to City Commission - Approve Plan Board's recommendation.

Staff to City Plan Board - Approve petition with conditions.

A motion was made by Commissioner Poe, seconded by Commissioner Wells, that this matter be Approved (Petition) with Conditions. The motion carried by the following vote:

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

110951. Mayor Craig Lowe - Committee Assignments (B)

RECOMMENDATION *The City Commission confirm the Mayor's appointments.*

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

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Todd Chase

1. *Fourth of July Fireworks - See following referral item #120043.*
2. *Mayor-Commissioner Pro Tem Issue.*

120043. Fourth of July Fireworks (NB)

RECOMMENDATION *The City Commission direct the City Manager to identify \$5,410 in the Parks, Recreation and Cultural Affairs budget to help fund the 2012 Fourth of July Fanfare and Fireworks.*

A motion was made by Commissioner Chase, seconded by Commissioner Wells, that this matter be Referred to the City Manager. The motion carried by the following vote:

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

Commissioner Thomas Hawkins

Mayor-Commissioner Pro Tem Issue.

Commissioner Randy Wells

Early voting site on the University of Florida campus.

120044. Early Voting Site on the University of Florida (UF) Campus (NB)

RECOMMENDATION *The City Commission refer the issue of supporting an early voting site on the UF campus, and one additional site within the City.*

A motion was made by Commissioner Wells, seconded by Commissioner Hawkins, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on November 17, 2012. The motion carried.

CITIZEN COMMENT (If time available)

EO Director Cecil Howard

Upcoming Youth Summit.

ADJOURNMENT - 9:37 PM

Kurt M. Lannon, Clerk of the Commission