

City of Gainesville

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



Meeting Minutes

Thursday, October 20, 2011

1:00 PM

City Hall Auditorium

City Commission

*Mayor Craig Lowe (At Large)
Mayor-Commissioner Pro Tem Thomas Hawkins (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Todd Chase (District 2)
Commissioner Susan Bottcher (District 3)
Commissioner Randy Wells (District 4)
Commissioner Jeanna Mastrodicasa (At Large)*

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

CALL TO ORDER - 1:15 PM

ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

*MOTION: A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells to adopt the Consent Agenda, as modified.
(VOTE: 6-0, Commissioner Henry - Absent, MOTION CARRIED)*

Mayor Lowe recognized Nathan Skop and Jo Beatty who spoke to the matter.

MODIFICATIONS:

- 1. File #110370 - IRS Revenue Ruling 2011-1, Pension Plan Amendments Required by the IRS Related to the Exclusive Benefit Rule - (Revised text language by the City Attorney).*
- 2. File #110385 - Rental Rehabilitation Grant and City Loan to Ken Kraus - (Remove from the agenda).*
- 3. File #110364 - Vacate the Abandoned Northerly Portion of Southeast 3rd Street - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*
- 4. File #110400 - Contract for Cost of Service and Utility Rate Studies - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

CITY MANAGER, CONSENT AGENDA ITEMS

110356. 2010 Actuarial Valuation Report for the City of Gainesville Consolidated Police Officers' and Firefighters' Retirement Plan (B)

This item involves the Consolidated Police Officers' and Firefighters' Retirement Plan actuarial valuation as of October 1, 2010.

RECOMMENDATION

Recommended Motion: The City Commission: 1) accept the 2010 Actuarial Valuation Report for the City of Gainesville Consolidated Police Officers' and Firefighters' Retirement Plan; 2) approve the 2012 Fiscal Year Consolidated Police

Officers' and Firefighters' Retirement Plan City contribution rate of 11.77% presented in the 2010 Actuarial Valuation Report.

This Matter was Approved as Recommended on the Consent Agenda.

110357. 2010 Actuarial Valuation Report for the City of Gainesville Disability Pension Plan (B)

This item involves the Disability Pension Plan actuarial valuation as of October 1, 2010.

RECOMMENDATION *Recommended Motion: The City Commission: 1) accept the 2010 Actuarial Valuation Report for the City of Gainesville Disability Pension Plan; 2) approve the Plan's investment return assumption rate change from 9.25% to 8.5%; 3) approve the 2012 Fiscal Year Disability Pension Plan City contribution rate of .34% presented in the 2010 Actuarial Valuation Report.*

This Matter was Approved as Recommended on the Consent Agenda.

110362. Funding for Gainesville Police Department Police Beat Television Show (B)

RECOMMENDATION *The City Commission: 1) approve the expenditure and issuance of a purchase order to Studio 601, Inc., Gainesville, Florida in the amount of \$49,500 for the continuation of funding for the Police Beat Television show.*

This Matter was Approved as Recommended on the Consent Agenda.

110363. Human Resources Policies C-2, Performance-Based Merit Awards and E-2, Nepotism (B)

RECOMMENDATION *The City Commission approve Human Resources Policies C-2, Performance-Based Merit Awards and E-2, Nepotism.*

This Matter was Approved as Recommended on the Consent Agenda.

110366. Update of Adopted City of Gainesville Strategic Plan for Fiscal Years 2011/2012 (B)

This item is to update the Adopted City of Gainesville Strategic Plan for Fiscal Years 2011/2012.

RECOMMENDATION *The City Commission: 1) adopt the updated City of*

Gainesville Strategic Plan for Fiscal Years 2011/2012; 2) refer Strategic Initiative 1.3: "Develop a long-term plan for public safety facilities and personnel" to the Public Safety Committee; and 3) remove Strategic Initiative 4.3 "Increase opportunities for civic engagement" from the Audit, Finance & Legislative Committee Referral List.

This Matter was Approved as Recommended on the Consent Agenda.

110370. IRS Revenue Ruling 2011-1, Pension Plan Amendments Required by the IRS Related to the Exclusive Benefit Rule (NB)

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

RECOMMENDATION *Recommended Motion: The City Commission authorize the City Attorney to draft, and the Clerk to advertise, an ordinance amending the General Employees' Pension Plan and Disability Pension Plan to add the exclusive benefit rule language required by IRS Revenue Ruling 2011-1.*

This Matter was Approved as Recommended on the Consent Agenda.

110371. Amendment to Parking Code (NB)

A request to authorize the City Attorney to prepare and the Clerk of the Commission to advertise amendments to Section 26 of the Code of Ordinances of the City of Gainesville, Florida regarding mid-street parking for loading/unloading.

RECOMMENDATION *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise amendments to Sections 26 as necessary.*

This Matter was Approved as Recommended on the Consent Agenda.

110372. Request for extension on Butler Plaza Planned Use District - Petition PB-09-74 (B)

RECOMMENDATION *Staff to City Commission - The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance extending the date for obtaining PD rezoning for the Butler Plaza PUD to January 19, 2012.*

This Matter was Approved as Recommended on the Consent Agenda.

110375. Award of Contract for Group Life Insurance to Standard Life Insurance Company as Proposed by Gallagher Benefits Services (B)

This item involves a request for the City Commission to approve the selection of Standard Life Insurance Company as the provider for Group Life Insurance Benefit.

RECOMMENDATION *The City Commission authorize: 1) the selection for Group Life Insurance to Standard Life Insurance Company as proposed by Gallagher Benefit Services for three years beginning October 1, 2011, 2) the issuance of a Purchase Order in an amount sufficient to cover the applicable charges for Group Life Insurance, and 3) the City Manager or designee to negotiate and execute, subject to the approval of the City Attorney as to form and legality, a contract with Standard Life Insurance Company and Gallagher Benefits Services.*

This Matter was Approved as Recommended on the Consent Agenda.

110385. Rental Rehabilitation Grant and City Loan to Ken Kraus (B)

This item involves a request for the City Commission to consider the approval of loan financing for the rehabilitation of a rental housing project to provide affordable housing to very low and low-income tenant households.

RECOMMENDATION *The City Commission: 1) approve the award of a \$39,000 Rental Rehabilitation due-on-sale loan, \$550 closing cost grant and \$2,300 insulation and venting grant to Ken Kraus; 2) authorize the award of a \$20,000 loan to KBR Investments, LLC, with a 3% interest rate and 10-year term; 3) authorize the Housing & Community Development Division to use the standard Rehabilitation Program grant and loan closing documents to consummate the grant and loan awards, subject to approval by the City Attorney as to form and legality; and 4) authorize the issuance of purchase orders to the contractors performing the work for the rehabilitation of the units, parking lot improvements and fencing improvements not to exceed a combined total of \$78,000.*

Withdrawn

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

110386. QUIT CLAIM DEED TO PRESTIGE LINCOLN-MERCURY, INC. FOR VACATED RIGHT-OF-WAY (NB)

RECOMMENDATION *The City Commission authorize the Mayor and Clerk of the Commission to execute a Quit Claim Deed to Prestige Lincoln-Mercury, Inc. relating to right-of-way vacated by Ordinance No. 110048.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

110403. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of October 6, 2011, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

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 Mastrodicasa to adopt the Regular Agenda, as modified.
(VOTE: 6-0, Commissioner Henry - Absent, MOTION CARRIED)*

MODIFICATIONS:

1. File #110398 - Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project -

(ppt. submitted).

2. *File #110377 - Proposed Solar Feed-in-Tariff Rates - (Revised ppt. by City Attorney).*

3. *File #110425 - (New Item) - GRU Community and Government Relations Update - (Place on the Regular Agenda under General Manager and ppt. submitted.)*

4. *File #110358 - (Resolution) Bond Resolution Related to the Refunding of First Florida Governmental Financing Commission Series 2002 (FFGFC2002) Bonds - (Corrected resolution submitted).*

5. *File #110247 - (Ordinance) - Land Development Code Central Corridors Special Area Plan - (Move from "Transmittal Hearing" to "1st Reading").*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

GENERAL MANAGER FOR UTILITIES

110398. Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)

GRU Design Engineer Alice Rankeillor and GRU Managing Design Engineer Rick Hutton gave presentations.

RECOMMENDATION

The City Commission

1) Hear a presentation from staff.

2) Refer Public Use Management of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project to the Recreation, Cultural Affairs and Public Works Committee for further discussion.

A motion was made by Commissioner Bottcher, seconded by Mayor-Commissioner Pro Tem Hawkins, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on April 20, 2012. The motion carried by the following vote:

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

110377. Proposed Solar Feed-in-Tariff Rates (B)

Assistant General Manager for Utilities David Richardson and GRU Analyst Scott Schlossman gave presentations.

Mayor Lowe recognized Nathan Skop who spoke to the matter.

NOTE: Commissioner Henry entered the meeting room at 1:56 PM.

RECOMMENDATION *The City Commission receive a presentation from staff and direct the City Attorney to draft and the City Clerk to advertise the ordinance to adopt the recommended 2012 FIT rates.*

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

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

110425. GRU Community and Government Relations Update (B)

A presentation will be made regarding the community relations programs and activities currently managed by Gainesville Regional Utilities. A brief report will also be provided highlighting a few of the key legislative and regulatory issues GRU is following and advocating for.

Community Relations Director Nona Jones gave a presentation.

Mayor Lowe recognized Nathan Skop and Jo Beatty who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation from Community and Government Relations Director Nona Jones.*

Heard

110400. Contract for Cost-of-Service and Utility Rate Studies (B)

Assistant General Manager for Water/Wastewater Utilities David Richardson and GRU Analyst Diane Wilson gave presentations.

Mayor Lowe recognized Jo Beatty, Nathan Skop, Walter Willard and Harold Saive who spoke to the matter.

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a one-year contract and a one-year extension with Baker Tilly Virchow Krause, LLP for the provision of cost-of-service and utility rate studies, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services in amounts not exceeding \$190,000, pending*

final appropriation of funds.

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

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

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

110364. Vacate the Abandoned Northerly Portion of Southeast 3rd Street (B)

This item involves a request for the City Commission to approve a petition to the Planning Department to vacate a portion of Southeast 3rd Street at the request of the Public Works Department.

City Public Land Rights Coordinator Sam Bridges gave a presentation.

Mayor Lowe recognized Nathan Skop who spoke to the matter.

MOTION: Continue and bring back additional information.

RECOMMENDATION

The City Commission: 1) approve the request of Public Works to vacate a portion of Southeast 3rd Street, a thirty feet wide street, located south of the south right of way line of Southeast 10th Avenue (1st Avenue by plat) and north of the north right of way line of Southeast 10th Place (2nd Avenue by plat); and 2) authorize the Planning Department to circulate a petition to the Plan Board to vacate a portion of Southeast 3rd Street, a thirty feet wide street, located south of the south right of way line of Southeast 10th Avenue (1st Avenue by plat) and north of the north right of way line of Southeast 10th Place (2nd Avenue by plat), retaining an overall utility easement.

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

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

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****110409. Membership of the City of Gainesville in Mayors for Peace (B)**

Mayor Lowe recognized Nathan Skop, Harold Saive and Jo Beatty who spoke to the matter.

RECOMMENDATION *The City Commission approve the membership of the City of Gainesville in Mayors for Peace.*

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

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

COMMISSION COMMENTS (if time available)**Mayor-Commissioner Pro Tem Thomas Hawkins**

Auditorium Usage - See following referral item #110445.

110445. Outside Agencies Using the City Commission Auditorium (NB)

RECOMMENDATION *The City Commission refer the question of outside agencies using the City Commission Auditorium to the Audit, Finance, and Legislative Committee.*

A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on April 20, 2012. The motion carried by the following vote:

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

Commissioner Todd Chase

- 1. Citizen Comment Issues (times)*
- 2. RUC meeting discussion.*

Commissioner Jeanna Mastrodicasa

Tourist Development Council update.

Commissioner Susan Bottcher

Citizen Comment Issues.

Commissioner Randy Wells

Energy Issues.

RECESS - 4:06 PM

RECONVENE - 5:38 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

110395. Gainesville Community Planning Month - October 2011 (B)

RECOMMENDATION *American Planning Association Chairman San Felasco Chapter Doug Robinson, Planning Division Planning Manager Ralph Hilliard and Planning Pricipal Onelia Lazzari to accept the proclamation.*

Heard

110396. National Arts and Humanities Month - October 2011 (B)

RECOMMENDATION *Gainesville Alachua County Cultural Affairs Board Chair Joe Savastano to accept the proclamation.*

Heard

110397. DECA Week - October 9-15, 2011 (B)

RECOMMENDATION *Buchholz DECA President Cameron Gera and Executive Vice President Nicole Puente-Solis to accept the proclamation.*

Heard

110408. One Less Car (B)**RECOMMENDATION**

University of Florida Office of Sustainability Director Anna Prizzia to accept the proclamation.

Heard

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

Koppers Superfund Site - Water Sampling Request.

110457. Roy Geiersbach - Citizen Comment - Koppers Superfund Site (B)**RECOMMENDATION**

The City Commission hear comments from Roy Geiersbach and place back-up submitted on file.

Frank Blankenship

Occupy Gainesville.

Duane Schwingel

Occupy Gainesville.

Michael Jordan

Occupy Gainesville.

Edward Berry

RTS Service.

Mitchell White

Occupy Gainesville.

110458. Mitchell White - Citizen Comment - Occupy Gainesville (B)**RECOMMENDATION**

The City Commission hear comments from Michael White and place back-up submitted on file.

Garrett Burgess

Occupy Gainesville.

John David Feldman

Occupy Gainesville.

Joanna Montana Pakula

Occupy Gainesville.

Annette Gilley

Occupy Gainesville.

Walter Willard

Various Issues.

Alex Duffy

Occupy Gainesville.

Carol Thomas

Occupy Gainesville.

Mariette Yellan

Addiction and Health Care - Occupy Gainesville.

Eduardo Reyes

Occupy Gainesville.

Tom Bussing

Biomass Plant.

Utahna Hunter

Occupy Gainesville.

Rainiah Goldfeather

Occupy Gainesville.

Lars Din

Occupy Gainesville.

110459. Lars Din - Citizen Comment - Occupy Gainesville (B)**RECOMMENDATION**

The City Commission hear comments from Lars Din and place back-up submitted on file.

Evie VanDerveer

Occupy Gainesville.

Bea Horton

1. *Occupy Gainesville.*
2. *Koppers.*

Sandra Watts Kennedy

1. *Koppers Superfund Site.*

110460. Sandra Watts Kennedy - Citizen Comment - Koppers Superfund Site (B)**RECOMMENDATION**

The City Commission hear comments from Sandra Watts Kennedy and place back-up submitted on file.

Placed on File

Maria Parsons

Koppers Superfund Site.

Paula Stahmer

Biomass Plant.

Ian Brandon Smith

Occupy Gainesville.

Debbie Martinez

Biomass Plant.

Harold Saive

Occupy Gainesville.

Ricky Atwood

Occupy Gainesville.

Pat Fitzpatrick

Occupy Gainesville.

J Carlo Diaz

Occupy Gainesville.

Ahren Tsacrios

Occupy Gainesville.

Hugh Suggs

Occupy Gainesville.

Frederick Fisher

Occupy Gainesville.

Jo Beatty

Biomass Plant.

Michael Canney

Biomass Plant.

Darlene Pifalo

Towing Issue Downtown.

Rob Brinkman

Biomass Plant.

Gabriel Hillel

Occupy Gainesville.

110462. Gabriel Hillel - Citizen Comment - Occupy Gainesville (B)

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

Placed on File

Zot Lynn Szurgot

Occupy Gainesville.

RESPONSE TO CITIZEN COMMENT

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

110358. Bond Resolution Related to the Refunding of the First Florida Governmental Financing Commission Series 2002 (FFGFC 2002) Bonds (B)

This item involves a request for the City Commission to adopt the proposed resolution authorizing the issuance of bonds to refund the outstanding FFGFC 2002 bonds.

Finance Director Mark Benton gave a presentation.

MODIFICATION: Corrected Resolution submitted.

RECOMMENDATION *The City Commission: 1) adopt the proposed resolution authorizing issuance of the Capital Improvement Revenue Refunding Bonds, Series 2011; 2) authorize the City Manager, Administrative Services Director, and Finance Director to retain the required professional services to execute the proposed bond issue; and 3) authorize the Clerk of the Commission, City Attorney, City Manager, Administrative Services Director, and Finance Director to execute documents required to close the proposed bond issue.*

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

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

ADOPTION READING-ROLL CALL REQUIRED**TRANSMITTAL HEARING****110046. LAND USE CHANGE - NORTH SIDE OF N. 53RD AVENUE IN THE VICINITY FROM THE NORTHWEST 3400 BLOCK TO THE NE 3000 BLOCK (B)****Ordinance No.110046; Petition No. PB-11-29 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 undesignated right-of-way and the Alachua County land use category of "Rural/Agriculture" to the City of Gainesville land use category of "Public Facilities"; consisting of approximately 35 acres, and located in the vicinity of the north side of North 53rd Avenue, extending from the Northwest 3400 block to the Northeast 3000 block; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-11-29LUC; and 2) adopt the proposed ordinance.*

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

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

110110. LAND USE CHANGE – 7200 – 7300 BLOCK OF NW 4TH BLVD (B)**Ordinance No. 110110; Petition No. PB-11-47 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 Alachua County land use category of "Commercial" to the City of Gainesville land use category "Commercial"; consisting of approximately 27.8 acres, and located in the vicinity of the 7200-7300 block of Northwest 4th Blvd; providing directions to the City Manager; providing a severability clause; providing a repealing clause and providing an effective date.

Planning and Development Services Lead Planner Dean Mimms gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-11-47LUC and; 2) adopt the proposed ordinance.*

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

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

110246. COMPREHENSIVE PLAN AMENDMENT - CONSERVATION, OPEN SPACE & GROUNDWATER RECHARGE AND FUTURE LAND USE ELEMENTS (B)

Ordinance No. 110246; Petition No. PB-11-75 CPA

An ordinance amending the City of Gainesville Comprehensive Plan; by amending the Conservation, Open Space & Groundwater Recharge Element Policies 1.1.1, 1.1.1.b, 1.1.1.b.2, 1.1.1.b.3, 1.1.1.b.4, 1.1.1.b.11, 1.1.1.c, 1.1.1.f, Objective 2.4, and Policies 2.4.1, 2.4.2, 2.4.11, and 2.4.12; by amending the Future Land Use Element Policies 3.1.1, and 3.1.2; by creating and adding a Policy 3.2.4 to the Future Land Use Element; by deleting the Uplands map and replacing it with a Strategic Ecosystems map in the Environmentally Significant Land and Resources Map Series within the Future Land Use Map Series; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Planning and Development Services Principal Planner Onelia Lazzari and Environmental Coordinator John Hendrix gave presentations.

RECOMMENDATION *The City Commission (1) approve Petition PB-11-75 CPA and (2) adopt the proposed ordinance.*

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

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

110249. COMPREHENSIVE PLAN AMENDMENT – POTABLE WATER & WASTEWATER ELEMENT (B)

Ordinance No.110249; Petition No. PB-11-93 CPA

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Potable Water & Wastewater Element by updating and amending the Objectives and Policies as more specifically set forth in this ordinance; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Planning and Development Services Lead Planner Dean Mimms gave a presentation and Water/Wastewater Assistant General Manager David Richardson made comments.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-11-93 CPA; and 2) adopt the proposed ordinance.*

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

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

110263

LAND USE CHANGE - TRANSPORTATION MOBILITY ELEMENT MAP SERIES AND CONCURRENCY MANAGEMENT ELEMENT MAP SERIES (B)

Ordinance No.110263; Petition No. PB-11-36 LUC

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by amending the Future Land Use Element Map Series, the Transportation Mobility Element Map Series, and the Concurrency Management Element Map Series; by incorporating and adding additional parcels of land that were annexed into the City to Transportation Concurrency Exception Area maps of said Series, as more specifically described in this ordinance; including Parcel No. 07874-001-001, located in the vicinity of the 1500 block of NE 53rd Avenue, north side to Zone A, and including the western portion of Parcel No. 07871-000-000 to Zone B; including Parcel Nos. 06654-003-000 and 06654-003-001, located in the vicinity of the 7200-7300 blocks of NW 4th Boulevard, east of NW 75th Street to Zone D; providing directions to the City Manager; providing a severability clause; providing a repealing clause and providing an effective date.

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

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-11-36LUC; and 2) adopt the proposed ordinance.*

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

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

110290.

COMPREHENSIVE PLAN AMENDMENT - INTERGOVERNMENTAL COORDINATION ELEMENT - FUTURE LAND USE ELEMENT (INNOVATIVE ECONOMY) (B)

Ordinance No. 110290; Petition No. PB-11-103 CPA

An ordinance amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan; by updating and amending the Objective and

Policies relating to the development of the Innovative Economy within the non-residential areas of the Gainesville Innovation Zone, as more specifically set forth in this ordinance; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Planning and Development Services Lead Planner Dean Mimms gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-11-103 CPA; and 2) adopt the proposed ordinance.*

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

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

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

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

An ordinance of the City of Gainesville, Florida, amending Section 30-23 of the Land Development Code of the City of Gainesville by defining "service bay" and "service area entrance"; amending Appendix A, Section 5, Exhibit B. Central Corridors Special Area Plan of the Land Development Code, by revising the limitations on service bays for limited automotive services and deleting an obsolete graphics figure; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planning and Development Services Senior Planner Scott Wright and Principal Planner Onelia Lazzari gave presentations.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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

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

An ordinance of the City of Gainesville, Florida, amending the Land Development Code; by creating and adding the definition of Ice Manufacturing/Vending Machines to Section 30-23; adding Ice Manufacturing/Vending Machines as a specially regulated use by right to the list of permitted uses in the following districts: “BI: Business industrial district”, “W: Warehousing and wholesaling district”, “I-1: Limited industrial district”, “I-2: General industrial district”; adding Ice Manufacturing Vending Machines as a specially regulated use by special use permit in the following districts: “BUS: General business district”, “BA: Automotive-oriented business district”, and “BT: Tourist-oriented business district”; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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

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

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

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

110106. HOUSE BILL 7207 - PERMIT EXTENSIONS PROVISIONS - EFFECT ON AND IMPLEMENTATION BY THE CITY OF GAINESVILLE (B)

Ordinance No. 110106

An Ordinance of the City of Gainesville, Florida, establishing administrative procedures, fees, requirements and limitations to carry out the development order and building permit extensions authorized by House Bill 7207, now known as Chapter 2011-139, Laws of Florida; providing a severability clause; and providing an immediate effective date.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

110175. RENAMING THE CITY OF GAINESVILLE 2000-2010 COMPREHENSIVE PLAN (B)

Ordinance No.110175

An Ordinance of the City of Gainesville, Florida relating to the City of Gainesville Comprehensive Plan; by redesignating and renaming the “City of Gainesville 2000-2010 Comprehensive Plan” to the “City of Gainesville Comprehensive Plan”; providing directions to the city manager and the codifier; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

110309. 2012 ELECTION QUALIFYING DATES (B)

Ordinance No. 110309

An ordinance of the City of Gainesville, Florida, setting the dates for qualifying for the 2012 regular election; providing a severability clause; providing a preemption clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

PLAN BOARD PETITIONS

110373. **Development Review Process and Neighborhood Workshop Text Amendment (B)**

Petition PB-11-74 TCH. City Plan Board. Amend the Land Development Code to revise neighborhood workshop requirements, development plan submittal requirements, and levels of review for development.

Planning and Development Services Senior Planner Scott Wright gave a presentation.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve petition PB-11-74 TCH, with recommended changes from the City Plan Board.

Staff to City Commission - The City Commission approve the Plan Board's recommendation, with additional revisions from City staff.

Staff to City Plan Board - The City Plan Board recommend approval of Petition PB-11-74 TCH.

A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, that this matter be Approved (Petition) with recommended changes from the Plan Board and additional revisions from Staff. The motion carried by the following vote:

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

110222. **Small-scale Comprehensive Plan Amendment from Public Facilities (PF) to MUL (Mixed-Use Low-Intensity (8-30 units per acre)) (B)**

Petition PB-11-63 LUC. Eng, Denman and Associates, agent for City of Gainesville. Amend the City of Gainesville Future Land Use Map from PF (Public Facilities) to MUL (Mixed-Use Low-Intensity (8-30 units per acre)). Located at 4322 Northwest 53rd Avenue. Related to Petition PB-11-64 ZON.

Planning and Development Services Lead Planner Dean Mimms gave a presentation.

NOTE: Commissioner Jeanna Mastrodicasa disclosed for the record that she was related to an agent for the petitioner, had no conflict, and would be voting on the matter.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-11-63 LUC. The Plan Board voted 6-0.

Staff to City Commission - The City Commission approve Petition PB-11-63 LUC.

Staff to City Plan Board - The City Plan Board approve Petition PB-11-63 LUC.

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

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

110223.

Rezone from PS (Public services and operations district) to MU-1 (8-30 units/acre mixed use low intensity) (B)

Petition PB-11-64 ZON. Eng, Denman and Associates, agent for City of Gainesville. Rezone property from PS (Public services and operations district) to MU-1 (8-30 units/acre mixed use low intensity). Located at 4322 Northwest 53rd Avenue. Related to Petition PB-11-63 LUC.

Planning and Development Services Lead Planner Dean Mimms gave a presentation.

NOTE: Commissioner Jeanna Mastrodicasa disclosed for the record that she was related to an agent for the petitioner, had no conflict, and would be voting on the matter.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-11-64 ZON. The Plan Board voted 6-0.

Staff to City Commission - The City Commission approve Petition PB-11-64 ZON.

Staff to City Plan Board - The City Plan Board approve Petition PB-11-64 ZON.

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

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS**COMMISSION COMMENT****Mayor-Commissioner Pro Tem Hawkins**

Alachua County Proposed Sales Tax Issue.

Commissioner Scherwin Henry

- 1. Fairgrounds Issue.*
- 2. 5th Avenue Paint Out.*
- 3. Son - Junior Sailor of the Quarter*
- 4. Thanks to Assistant City Managers Fred Murry and Paul Folkers.*
- 5. Habitat for Humanity Construction - New Homeowner.*

Commissioner Susan Bottcher

One-Stop Homeless Shelter.

Commissioner Todd Chase

Joint Meeting with School Board.

CITIZEN COMMENT**Unidentified Male**

Occupy Gainesville.

Mark Venzke

Occupy Gainesville - See following item #110465.

110465. Mark Venzke - Citizen Comment - Occupy Gainesville (B)**RECOMMENDATION**

The City Commission hear comments from Mark Venzke and place back-up submitted on file.

Placed on File

Ray Washington

Biomass Plant - See following item #110466.

110466. Ray Washington - Citizen Comment - Biomass Plant (B)

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

Placed on File

Thomas Baker

Occupy Gainesville.

ADJOURNMENT - 9:56 PM

Kurt M. Lannon, Clerk of the Commission