

City of Gainesville

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



Meeting Minutes

Thursday, May 3, 2012

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 - 1:13 PM**ROLL CALL**

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

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

*MOTION: A motion was made by Commissioner Mastrodicasa , seconded by Mayor-Commissioner Pro Tem Hawkins to adopt the Consent Agenda, as modified.
(VOTE: 7-0, MOTION CARRIED)*

MODIFICATION: File #110881 - Federal LECFTF Funding for the Gainesville Police Department Helicopter Repairs - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).

CITY MANAGER, CONSENT AGENDA ITEMS**100948. Homeless Respite Pilot Program (B)**

This item requests that the City Commission consider additional funding for the Homeless Respite Pilot Program.

RECOMMENDATION *The City Commission approve the payment of \$1,100 from the FY 12 budget to fund completion of the Homeless Respite Pilot Program.*

This Matter was Approved as Recommended on the Consent Agenda.

110903. Assistance to Firefighters Grant FY2011 Application for Community Risk Assessment Program (NB)

This item requests that the City Commission authorize the City Manager to execute a grant award, if awarded, for the FY2011 Assistance to Firefighters Grant to enable GFR to complete a Comprehensive Community Risk Assessment.

RECOMMENDATION *The City Commission authorize the City Manager, if awarded the grant, to: 1) execute the grant award contract and other necessary documents pending approval by the City Attorney*

as to form and legality; and 2) approve the required payments process for expending the grant funds and matching funds.

Alternate Recommendation:

The City Commission not authorize the City Manager to execute the grant award contract or provide the required match funding.

This Matter was Approved as Recommended on the Consent Agenda.

110910. Revised Community Grant Program Guidelines (B)

This item requests that the City Commission consider updating the list of activities eligible for Community Grant Program funds.

RECOMMENDATION *The City Commission approve the revised Community Grant Program Guidelines.*

This Matter was Approved as Recommended on the Consent Agenda.

110911. FY 2012 Internet Crimes Against Children Task Force Program Continuation (NB)

RECOMMENDATION *The City Commission 1) authorize the City Manager to apply for these funds, and 2) execute any additional documents as may be required, subject to review and approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

110912. Contract for Professional Planning and Engineering Services for BRT/Bus Alternatives Analysis with Parsons Brinckerhoff (B)

This item is a request to approve rankings for Request for Proposal (RFQ) #RTSX-120032-DS and execute a contract with Parsons Brinckerhoff to conduct a Bus Rapid Transit (BRT)/Bus Alternatives Analysis for the Regional Transit System (RTS).

RECOMMENDATION *The City Commission: 1) approve staff's recommended ranking of the top three (3) firms; and 2) authorize the City Manager to negotiate and execute a contract with the top ranked firm or next ranked firm if those negotiations are not successful, for Planning and Engineering Services to conduct a BRT/Bus Alternatives Analysis for the Regional Transit System (RTS), subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

110913. Overtime Reimbursement For ICAC Through FBI CCTF (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the Cost Reimbursement Agreement, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

110920. Request for a waiver to allow certain City employees with a potential conflict of interest under Florida's Code of Ethics for Public Officers and Employees, Florida Statute Section 112.311 et seq., to remain members of the Citizen Advisory Committee for Community Development (CACCD) (B)

This item requests the City Commission to approve a waiver pursuant to Florida Statute Section 112.313(12) to allow certain City employees who are current members of the CACCD and who have a potential conflict due to their employment with the City under Florida's Code of Ethics for Public Officers and Employees, Florida Statute Section 112.313, to remain members of the CACCD.

RECOMMENDATION *The City Commission: 1) consider the potential conflict which exists for CACCD members James Albright, Earther Wright, and Robert Wright due to their employment with the City and their affiliation with the Reichert House, as well as the City's relationship with the Reichert House; and 2) waive the conflict of members James Albright, Earther Wright, and Robert Wright under Florida Statute Section 112.313(3) and (7) to allow these members to remain on the Citizen Advisory Committee for Community Development until their current term expires.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**CITY ATTORNEY, CONSENT AGENDA ITEMS****110828. GAINESVILLE CITIZENS CARE, INC. VS. CITY OF GAINESVILLE d/b/a GAINESVILLE REGIONAL UTILITIES; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2012-CA-1346**

RECOMMENDATION *The City Commission authorize the City Attorney, assisted by Special Counsel, to represent the City of Gainesville in the case styled Gainesville Citizens Care, Inc. vs. City of Gainesville d/b/a Gainesville Regional Utilities; Eighth*

Judicial Circuit, Case No. 2012-CA-1346.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Mastrodicasa, seconded by Mayor-Commissioner Pro Tem Hawkins, 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

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

MOTION: A motion was made by Commissioner Henry, seconded by Commissioner Hawkins to adopt the Regular Agenda, as modified.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

- 1. File #100187 - Prohibiting Smoking in the Downtown "Bo Diddley" Plaza - (ppt. submitted).*
- 2. File #110926 - Eastside & Central City Development Committee - (New back-up and map submitted)*
- 3. File #110940 (NEW ITEM) - Future Direction of the Gainesville Enterprise Technology Center - (Add to the agenda).*
- 4. File #110922 - Proclamation - Law Week - (Revised language in the recommendation).*
- 5. File # 110798; Pet. No. PB-12-10 LUC - LAND USE CHANGE - VICINITY OF 515 NW 13TH TERRACE - (Change recommendation to read as follows: The City*

Commission continue the petition hearing and adoption reading of the ordinance to a date certain of May 17, 2012).

6. *File #110799; Pet. No. PB-12-11 ZON - REZONING - VICINITY OF 515 NW 13TH TERRACE - (Change recommendation to read as follows: The City Commission continue the petition hearing and first reading of the ordinance to a date certain of May 17, 2012).*

7. *File # 110800; Pet. No. PB-12-12 ZON - REZONING - AMENDMENT TO SPECIAL AREA PLAN; VICINITY OF 515 NW 13TH TERRACE - (Change recommendation to read as follows: The City Commission continue the petition hearing and first reading of the ordinance to a date certain of May 17, 2012).*

8. *File #100419 - Local and Minority Business Opportunities in City Projects - (Revised ppt. submitted).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

110874. 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. On September 20, 2011 the Alachua County Board of County Commissioners authorized County staff to proceed with development of a 2012 ballot initiative for a 1-cent Charter County Transportation System Surtax for a period of at least ten years and to begin discussions with City of Gainesville and other small cities and to begin the community involvement process.

Public Works Director Teresa Scott gave a presentation.

AMENDMENT: Request that in addition to the interlocal agreements provided by the County, that City staff prepare an alternative version of the interlocal agreement for the Commission's parallel consideration that could pass with a simple majority.

RECOMMENDATION *The City Commission: 1) hear an update on the status of the ballot initiatives; 2) authorize the City Manager and City Attorney to confer with Alachua County on the ballot title/theme and ballot language for the ¼ cent initiative for transit; and 3) provide other direction as appropriate.*

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

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

110881. Federal LECFTF Funding for the Gainesville Police Department Helicopter Repairs (B)

Gainesville Police Chief Tony Jones, Lieutenant Brian Helmerson, Captain Lonnie Scott, Head Helicopter Mechanic Rick Thornton and Pilot Richard Graham gave presentations.

Mayor Lowe recognized Gabe Kaimowitz and Mary Anderson who spoke to the matter.

RECOMMENDATION

The City Commission 1) approve the appropriation of up to \$100,000.00 from the Federal Law Enforcement Contraband Forfeiture Trust Fund to assist with costs of repairing the GPD helicopter; and 2) authorize the City Manager to enter into the agreement(s) and/or contract(s) necessary to complete the repairs and return the helicopter to flight status.

Alternative Recommendation A: The City Commission deny funding.

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, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

EQUAL OPPORTUNITY COMMITTEE

100419. Local and Minority Business Opportunities in City Projects (B)

EO Director Cecil Howard, GRU Purchasing Manager Joann Dorval and Business

Development Coordinator Shaad Rehman gave presentations.

AMENDMENT: 1) Direct the Office of Equal Opportunity to work with procurement offices to develop a system in which the hiring of subcontractors can be monitored as it pertains to MBEs and SBEs; and 2) prior to awarding contracts on federally funded projects, the City's EO Director shall meet with GG and GRU contract managers and assist in establishing required Disadvantaged Business Enterprise (DBE) goals for those projects, while utilizing the methodology and formula described in federal regulations.

Mayor Lowe recognized Gabe Kamowitz and Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a presentation from the Office of Equal Opportunity staff regarding spending performance with Small and minority firms for FY 11; 2) hear presentations from GRU and General Government staffs regarding outreach activities designed to increase spending performance with small and minority business firms; and 3) take appropriate action.*

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

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

WAIVER OF RULES

MOTION: A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Hawkins to waive the rules to hear File #110940 Future Direction of the Gainesville Enterprise Technology Center next on the agenda. (VOTE: 7-0, MOTION CARRIED)

110940. **Future Direction of the Gainesville Enterprise Technology Center (NB)**

During the past several months Commissioner Scherwin Henry has facilitated a discussion with various community members and stakeholders to explore future programming and operations of GTEC. Commissioner Henry will review the issues discussed and will provide recommendations for the City Commission's consideration.

Commissioner Scherwin Henry and Santa Fe College Cied Program Director Dug Jones gave presentations.

MODIFICATION: 1) In addition to the long term lease, include a possible management agreement. and 2) that the City Commission aspires to have the agreement in place before the first meeting in July or sooner.

Mayor Lowe recognized Chair of the East Gainesville Development Corporation

Chris Coleman, Small Business Development Center Director Philip Geist, CEO of Evolugate, LLC and Biotork, LLC Eudes De Crecy, and CSO of Evolugate and Biotork Tom Lyons who spoke to the matter.

RECOMMENDATION

The Commission: 1)hear a presentation from Commissioner Scherwin Henry summarizing the ideas and impressions generated through the discussion group meetings and hear an overview of the Santa Fe College CIED program from Director Dug Jones; 2) direct the City Manager to negotiate with the EDA and Santa Fe College the conditions of a long term lease for operation of GTEC by Santa Fe College including expected outcomes, terms, compensation and community engagement; and 3) direct the City Manager to return to the City Commission for review and approval of a lease, subject to approval of the City Attorney as to form and legality.

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

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

COMMISSION COMMENTS (if time available)

WAIVER OF RULES

*MOTION: A motion was made by Commissioner Henry, seconded by Commissioner Wells to move the remainder of the items to the evening portion of the agenda.
(VOTE: 7-0, MOTION CARRIED)*

RECESS - 4:43 PM

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

RECONVENE - 5:50 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS**110927. Gainesville Police Department's Citizen's Academy Graduates (NB)**

The City Commission recognize the Gainesville Police Department's Citizen's Academy Graduates.

RECOMMENDATION *The City Commission: 1) recognize accomplishments of the 2012 Gainesville Police Department's Citizen's Academy graduates, and 2) hear brief comments from the class speaker on what they learned.*

Heard

110921. National Water Safety Month - May 2012 (B)

RECOMMENDATION *Community at large Citizen Andrew R. Mickle and Lana Black to accept the proclamation.*

Heard

110922. Law Week - May 1-8, 2012 (B)

RECOMMENDATION *Mr. James H. (Mac) McCarty, Jr., President of the 8th Judicial Circuit Bar Association, Inc. and Mr. Marion J. Radson, President Elect of the Florida Municipal Attorneys Association, ex officio member of the Executive Council of the City, County and Local Government Law Section of the Florida Bar and State Chair of the International Municipal Attorneys Association to accept the proclamation.*

Heard

110923. Internal Audit Awareness Month - May 2012 (B)

RECOMMENDATION *Institute of Internal Auditors-North Central Florida Chapter Member Brent Godshalk to accept the proclamation.*

Heard

110924. National Nurses Week - May 6-12, 2012 (B)

RECOMMENDATION *Greater Gainesville Black Nurses Association, Inc. President*

and Co-Founder Voncea Brusha, Past President and Co-Founder Vivian Filer, Vice President Veronica Logan and Treasurer Mae Griner to accept the proclamation.

Heard

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

Gabriel Hillel

Butterfly City.

120000. Gabriel Hillel - Citizen Comment (B)

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

Placed on File

Vivian Filer

Thanks to Commissioner Henry.

Mac McEachern

Mayor's Aide.

Pat Fitzpatrick

Social Issues.

Debbie Martinez

- 1. Thanks to Commissioners Henry and Mastrodicasa.*
- 2. Mayor's Aide.*

Bea Horton

Koppers Superfund site.

Walter Willard

Various Issues.

Mario Perez

1. Thanks to Commissioners Henry and Mastrodicasa.
2. Biomass Plant.
3. Mayor's Aide.

John Davies

Various Issues.

Juanita Miles Hamilton

1. Thanks to Commissioners Henry and Mastrodicasa.
2. Mayor's Aide.

Edward Earl Young

Various issues.

RESPONSE TO CITIZEN COMMENT**PUBLIC SAFETY COMMITTEE****110683. Alcohol Sales and Consumption Outdoors Downtown (NB)**

Assistant City Manager Paul Folkers and Captain Ed Posey gave presentations.

AMENDMENT: Approve the recommendation and initiate a petition to the City Plan Board.

RECOMMENDATION *The City Commission 1) hear a presentation from staff; and 2) authorize the City Attorney to draft and the Clerk of the Commission to advertise a revision of the City's Underage Drinking Ordinance to restrict establishments that sell alcohol and are found to be violation of the ordinance from extending their external boundaries for special events, such as home football games.*

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

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

100187. Prohibiting Smoking in the Downtown "Bo Diddley" Plaza (B)

This item involves an update to the Public Safety Committee regarding a referral from the Gainesville City Commission on July 1, 2010 to consider the matter of prohibiting smoking in the Downtown "Bo Diddley" Plaza.

Assistant City Manager Paul Folkers, Health Department Tobacco Prevention Specialist Andrew Romero, and Parks, Recreation and Cultural Affairs Director Steve Phillips gave presentations.

AMENDMENT: 1) Continue the voluntary signage in the parks and expand to all parks for the duration; 2) request that the Health Department come back to the City Commission with the results of the study; and 3) retain this item in the Public Safety Committee.

RECOMMENDATION *The City Commission 1) hear a presentation from the Alachua County Health Department on the assessment of smoke free signage in Gainesville public parks; 2) consider the option for a smoke free parks ordinance; and 3) remove this item from the Committee's referral list.*

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

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

110592. Regulation of Candy Flavored Tobacco Products (B)

Assistant City Manager Paul Folkers and Health Department Tobacco Prevention Specialist Andrew Romero gave presentations.

RECOMMENDATION *The City Commission: 1) authorize the City Attorney's Office to finalize the draft resolution provided by the City Attorney with the following modifications to the statement Whereas the City Commission is concerned with the marketing strategy and designs to appeal to youth'and the statement Whereas the possession of one of these products by a minor is a Civil Infraction and the sale to a minor is Contributing To The Delinquency Of A Minor;'and 2) remove this item from the Committee's referral list.*

A motion was made by Commissioner Mastrodicasa, seconded by Commissioner Henry, 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

110926. Eastside & Central City Development Committee (B)

This item involves a request to the City Commission to hear a presentation on the results of the Eastside and Central City Development Committee for exploring opportunities to advance development projects in East Gainesville and the Central City.

Assistant City Manager Paul Folkers gave a presentation.

Mayor Lowe recognized Juanita Miles Hamilton who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation and provide direction as appropriate.*

No Action Taken

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

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.

RECOMMENDATION *The City Commission: Continue the petition hearing and adoption reading of the ordinance to a date certain of May 17, 2012.*

A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, that this matter be Continued (Ordinance Adoption Reading) for May 17, 2012. The motion carried by the following vote:

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

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.

RECOMMENDATION *The City Commission: Continue the petition hearing and first reading of the ordinance to a date certain of May 17, 2012.*

A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Bottcher, that this matter be Continued (1st Reading). The motion carried by the following vote:

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

110800. REZONING - AMENDMENT TO SPECIAL AREA PLAN; VICINTY 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.

RECOMMENDATION *The City Commission: Continue the petition hearing and first reading of the ordinance to a date certain of May 17, 2012.*

A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Henry, that this matter be Continued (1st Reading) for May 17, 2012. The motion carried by the following vote:

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED**110700. PLUM CREEK TIME EXTENSION (B)****Ordinance No. 110700**

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 070447 (as was subsequently amended by Ordinance No. 100189) related to Plum Creek Planned Use District (PUD); by providing an extension of time to adopt a Planned

Development (PD) zoning ordinance; by deleting redundant Section 4 of both Ordinance No. 070447 and Ordinance No. 100189; 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 Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Henry, 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, Susan Bottcher and Thomas Hawkins
Absent: Todd Chase

110786. TEXT AMENDMENT - LAND DEVELOPMENT CODE (B)

Ordinance No. 110786; Petition No. PB-11-150 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-66 Central city district (CCD) of the Land Development Code; by adding research and development in the physical, engineering and life sciences to the list of permitted uses by right; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed Ordinance.*

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Hawkins, 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

110788. TEXT AMENDMENT - SPECIAL AREA PLAN IN THE LAND DEVELOPMENT CODE (B)

Ordinance No. 110788; Petition No. PB-11-156 TCH

An ordinance of the City of Gainesville, Florida, amending Appendix A. Special Area Plans Section 8. Special Area Plan Southeast Gainesville Renaissance Initiative Area of the Land Development Code; by deleting drive-throughs as a prohibited use; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed Ordinance.*

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Hawkins, 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**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.

RECOMMENDATION *The City Commission approve this agenda item be continued to the May 17, 2012 City Commission meeting.*

A motion was made by Commissioner Henry, seconded by Commissioner Wells, that this matter be Continued (Petition) for May 17, 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

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

RECOMMENDATION *The City Commission approve this agenda item be continued to the May 17, 2012 City Commission meeting.*

A motion was made by Commissioner Bottcher, seconded by Commissioner Wells, that this matter be Continued (Petition) for May 17, 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

DEVELOPMENT REVIEW BOARD PETITIONS**SCHEDULED EVENING AGENDA ITEMS****110928. City Commissioner Ceremony - Jeanna Mastrodicasa (NB)**

The Mayor, Commissioners, Charter Officers and citizens made comments.

RECOMMENDATION *The City Commission hear comments from City Commissioners, the public and Commissioner Jeanna Mastrodicasa.*

Heard

110929. City Commissioner Ceremony - Scherwin Henry (NB)

The Mayor, Commissioners, Charter Officers and citizens made comments.

RECOMMENDATION

The City Commission hear comments from City Commissioners, the public and Commissioner Scherwin Henry.

Heard

UNFINISHED BUSINESS

COMMISSION COMMENT

Mayor Craig Lowe

U. S. Airways Magazine article re: Gainesville.

CITIZEN COMMENT

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

ADJOURNMENT - 10:43 PM

Kurt M. Lannon, Clerk of the Commission