

City of Gainesville

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



Meeting Minutes

Thursday, April 1, 2010

1:00 PM

City Hall Auditorium

City Commission

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

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

CALL TO ORDER - 1:13 PM

ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

*Mayor-Commissioner Pro Tem Henry moved and Commissioner Donovan seconded to adopt the Consent Agenda, as presented.
(VOTE: 5-0, Commissioners Lowe and Mastrodicasa - Absent, MOTION CARRIED)*

CITY MANAGER, CONSENT AGENDA ITEMS

090830.

Bid Award - Construction of a Roundabout at the Intersection of Southwest 6th Street and Southwest 2nd Avenue (B)

This is a request for the City Commission to authorize the bid award in the amount of \$315,559.14 to O'Steen Brothers, Inc. for the Construction of a Roundabout at the intersection of Southwest 6th Street and Southwest 2nd Avenue.

RECOMMENDATION

Recommended Motion: The City Commission: 1) award the bid to O'Steen Brothers, Inc. for the construction of a roundabout at the intersection of Southwest 6th Street and Southwest 2nd Avenue in accordance with approved plans and specifications; 2) authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality; and 3) issue a purchase order in an amount not to exceed \$315,559.14.

This Matter was Approved as Recommended on the Consent Agenda.

090830_Bid Tab_20100401.pdf

090832.

Bid Award - NE Safetea-LU Roadway Improvements Project (B)

This item is a request for the City Commission to authorize the bid award to W. G. Johnson & Son, Inc. for the NE Safetea-LU Roadway Improvements Project for the residential roadway reconstruction of NE 19th Street/Terrace and NE 19th Drive/20th Street between 3rd and 8th Avenues, including the replacement

of the guardrail on NE 25th Street in the 300 block, in the amount of \$617,787.82.

RECOMMENDATION *The City Commission: 1) award the bid award to W. G. Johnson & Son for the NE Safetea-LU Roadway Improvements Project construction; and 2) authorize the City Manager to execute the contract and any necessary documents, subject to approval by the City Attorney as to form and legality; and 3) issue a purchase order in an amount not to exceed \$617,787.82.*

This Matter was Approved as Recommended on the Consent Agenda.

090832_BidTab_20100401.pdf

090842.

Authorize Connect Free Program funding for the One Stop Homeless Center (NB)

This item proposes to request City Commission approval to provide Connect Free Program funding in the amount of \$423,500 to provide water/wastewater extension and services for the One Stop Homeless Assistance Center.

RECOMMENDATION *The City Commission approve the allocation of Connect Free Program funds in the amount of \$423,500 to provide water and wastewater connection and services for One Stop Homeless Assistance Center.*

This Matter was Approved as Recommended on the Consent Agenda.

090874.

Reauthorize Use of Cedar Grove II Foreclosure Funds for City Housing Programs (NB)

This item proposes to request the City Commission to approve the use of the Cedar Grove II Foreclosure Funds to fund program costs related to the implementation of the City's housing programs and services.

RECOMMENDATION *The City Commission authorize the use of the Cedar Grove II Foreclosure Funds to fund program costs related to the implementation of the City's various housing programs and services.*

This Matter was Approved as Recommended on the Consent Agenda.

090877.

Office of Juvenile Justice and Delinquency Prevention 2010 Strategic

Enhancement to Mentoring Programs (NB)

RECOMMENDATION *The City Commission authorize the City Manager to apply for, accept, and execute the grant award and any other necessary documents, subject to approval by the City Attorney as to form and legality; and approve the expenditures as outlined in the approved grant award.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**CITY ATTORNEY, CONSENT AGENDA ITEMS****CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****090881.****City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of March 4, 2010, March 8, 2010, and March 18, 2010, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

090881_march 4_minutes_20100304.pdf
090881_march 8_minutes_20100308.pdf
090881_march 18_minutes_20100318.pdf

090904.**Resignation of Advisory Board-Committee Members (B)**

RECOMMENDATION *The City Commission accept the resignations of Dorothy Field from the City Beautification Board, David S. DiGiacomo from the Gainesville Human Rights Board, Paul Grant from the City Beautification Board, and Kali Blount from the Citizens' Advisory Committee for Community Development and Fifth Avenue/Pleasant Street Redevelopment Advisory Board; the Commission extends its appreciation for their services.*

This Matter was Approved as Recommended on the Consent Agenda.

090904_Resignations.pdf

090895.**Development Process Workshop (NB)**

RECOMMENDATION *The City Commission reschedule the workshop scheduled for April 12 at 1:00 PM to April 26 at 3:00 PM.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

Mayor-Commissioner Pro Tem Henry moved and Commissioner Poe seconded to adopt the Regular Agenda, as modified.

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

MODIFICATIONS:

- 1. File #090791 - The Village Mentoring Initiative of the City of Gainesville - (Back-up submitted - ppt).*
- 2. File #090824 - City of Gainesville - Strategic Action Plan for Economic Development five Year Update and Council for Economic Outreach (CEO) -Innovation Gainesville - (Continue to the April 15, 2010, City Commission Meeting).*
- 3. File #090915 - (New Proclamation) - Jazz Appreciation Month.*
- 4. File #090916 - (New Proclamation) - Fair Housing Month.*
- 5. File #090919 - (New Proclamation) - Water Conservation Month.*
- 6. File #090873 - (Resolution) - Election Results Resolution - (Revised resolution submitted).*
- 7. File #090844 - (Petition) - Hidden Lake Design Plat, Phase II - (Additional*

back-up submitted).

8. *Solar Feed-In Tariff Update.*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

090894. Late Powerpoint Submittals (NB)

RECOMMENDATION *The City Commission discuss late powerpoint submittals and confirm that late submittals not recorded on the modification list are acceptable or provide an alternative policy direction.*

No Action Taken

090893. Supervisor of Elections Contract (NB)

RECOMMENDATION *The City Commission refer the issue of a new contract with the Supervisor of Elections to the Audit, Finance and Legislative Committee with an April 1, 2011 referral deadline date.*

A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Henry, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on April 1, 2011. The motion carried by the following vote:

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

CITY MANAGER

090834. SantaFe Village Development of Regional Impact (DRI) (B)

This is a request for the City Commission to authorize the City Manager to submit a letter to Alachua County outlining the City's comments about the project.

Transportation Planning Manager Debbie Leistner and Public Works Director Teresa Scott gave presentations.

NOTE: Commissioner Lowe entered the meeting room at 2:16 PM.

AMENDMENT: 1) Revise the letter with additional comments of concern; 2) request a presentation or workshop for informational purposes; and 3) provide feedback to Alachua County staff.

Mayor Hanrahan recognized Ozzy Angulo who spoke to the matter.

RECOMMENDATION *Recommended Motion: The City Commission authorize the City Manager to send a letter to the Alachua County Manager outlining the City's comments on the SantaFe Village DRI.*

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

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

Absent: Jeanna Mastrodicasa

090834_Letter_20100318.pdf

090834_Revised Letter_20100506.pdf

GENERAL MANAGER FOR UTILITIES

UPDATE ON GRU'S FEED-IN TARIFF PROGRAM

GRU Assistant General Manager for Strategic Planning Ed Regan gave a presentation.

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

090791.

The Village Mentoring Initiative of the City of Gainesville (B)

Equal Opportunity Director Cecil Howard and Alachua County School foundation Taal Hasak-Lowy gave presentations.

AMENDMENT: 1) Adopt the Village Mentoring Initiative of the City of Gainesville; 2) grant MAP employees one hour per week for mentoring activities with department head approval; 3) direct the City Manager to prepare a request for funding for the FY 2011-2012 budget; and 4) direct staff to consider the "naming" or "branding" of this initiative.

RECOMMENDATION *The City Commission: 1) hear a presentation from EO Director Cecil Howard, 2) hear a presentation from Taal Hasak-Lowy, Executive Director, Alachua County School Foundation, 3) adopt the Village Mentoring Initiative of the*

City of Gainesville; and 4) grant MAP employees one hour per week with department head approval. Represented employees will be evaluated on a case-by-case basis and may be allowed to participate for one hour per week during their normal working hours, with department head approval as long as there is no fiscal impact on the City.

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

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

Absent: Jeanna Mastrodicasa

090791_PPT_20100401.pdf

COMMITTEE REPORTS (PULLED FROM CONSENT)

COMMUNITY DEVELOPMENT COMMITTEE

090776.

Cabot-Koppers Superfund Site - Future Land Use (B)

This is a referral by the Community Development Committee (CDC) to the City Commission to direct staff to initiate a petition to the Plan Board to change the land use designation of the Cabot-Koppers Superfund site.

Planning and Development Services Director Erik Bredfeldt gave a presentation.

RECOMMENDATION

The City Commission: 1) hear a brief presentation from staff; and, 2) authorize staff to initiate a Petition to the Plan Board to identify and recommend the appropriate future land use(s) on the site emphasizing residential with elements of mixed use or some combination thereof, on a schedule that allows the use of information produced by E2, Inc., the EPA's consultant.

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

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

Absent: Jeanna Mastrodicasa

090776_EPA handout_20100308.pdf

090776_EPA Fact Sheet_20100308.pdf

090776_E2 PPT_20100308.pdf

090776a_EPA Handout at CDC_20100401.pdf

090776b_PPT_20100401.pdf

090776c_Plan Staff Recommendation_20100401.pdf

ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE

090824.

City of Gainesville - Strategic Action Plan for Economic Development Five Year Update and Council for Economic Outreach (CEO) - Innovation Gainesville (B)

This item is a recommendation from the Economic Development University Community Committee (EDUCC) requesting the City Commission endorse a five year update to the City's Strategic Action Plan for Economic Development and CEO Innovation Gainesville effort.

NOTE: Continued to the April 15, 2010, City Commission Meeting, by adoption of the Regular Agenda.

RECOMMENDATION

EDUCC to the City Commission: 1) hear a brief presentation from City and CEO staff on the respective economic development plans and efforts; 2) approve the five year update to the City's Strategic Action Plan for Economic Development and CEO's Innovation Gainesville effort; 3) direct staff to work to implement these efforts with community partners in subsequent years; and, 4) approve removal of the referral from the Committee's referral list.

Continued

090824a_Plan & EDUCC Minutes_20100318.pdf

090824b_Innovation G'ville_20100318.pdf

090824c_CEO PPT_20100318.pdf

090824_Final ED Strategic-Action Plan_20100506.pdf

090824a_EDUCC Minutes_20100506.pdf

090824b_Innovation G'ville_20100506.pdf

090824c_CEO PPT_20100506.pdf

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Commissioner Lauren Poe

Amendment 4 Issues.

GENERAL MANAGER FOR UTILITIES BOB HUNZINGER

Public Service Commission Meeting scheduled for April 15, 2010.

RECESS - 4:31PM

RECONVENE - 5:39 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

090885. Child Abuse Prevention Month - April 2010 (B)

RECOMMENDATION *Alachua County Child Abuse Prevention Task Force Chair Annie McPherson, Task Force Member Amanda Rodriguez, and Rod Runyons to accept the proclamation.*

Heard

090885_ChildAbuseProc_20100401.pdf

090886. Children's Week - April 11-17, 2010 (B)

RECOMMENDATION *Early Learning Coalition of Alachua County Executive Director Gordon Tremaine and Community Outreach Coordinator Sheryl Eddie to accept the proclamation.*

Heard

090886_Children'sWeekProc_20100401.pdf

090887. Administrative Professionals Week April 19-23, 2010 and Administrative Professionals Day April 21, 2010 (B)

RECOMMENDATION *International Association of Administrative Professionals President Susan Jarzen CPS to accept the proclamation.*

Heard

090887_AdminProfProc_20100401.pdf

090888. The 40th Anniversary of Earth Day - April 22, 2010 (B)

RECOMMENDATION *Friends of Nature Parks Member Christine Hounsel, Tree Advisory Board Land Manager Alachua Conservation Trust Ivor Kincaide, and Tree Advisory Board Sierra Club Audubon Bob Simons to accept the proclamation.*

Heard

090888_EarthDayProc-20100401.pdf

090915.

Jazz Appreciation Month - April 2010 (B)

RECOMMENDATION *Gainesville Friends of Jazz President Scott Koons to accept the proclamation.*

Heard

090915_JazzProc_20100401.pdf

090916.

Fair Housing Month - April 2010 (B)

RECOMMENDATION *City of Gainesville Equal Opportunity Specialist Senior Gwendolyn Saffo to accept the proclamation.*

Heard

090916_FairHousingProc_20100401.pdf

090919.

Water Conservation Month - April 2010 (B)

RECOMMENDATION *Gainesville Regional Utilities General Manager Robert Hunzinger to accept the proclamation.*

Heard

090919_WaterConservProc_20100401.pdf

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

Christie Cop - Robot - GPD

GPD Robot Demonstration.

Pamela Mincy

Global Warming.

Tom Lane

Solar Business Issues.

John Davies

Various Issues.

Bill Warinner

Historic Preservation of a downtown building.

Planning and Development Services Director Erik Bredfeldt made comments.

Walter Willard

Various Issues.

Paula Stahmer

GRU Biomass Plant.

Dian Deevey

GRU Biomass Plant.

090935.

Dian Deevey - Citizen Comment (B)

RECOMMENDATION

The City Commission hear comments from Dian Deevey and place back-up submitted on file.

Placed on File

Deevey-Biomass.pdf

Richard Selwach

GRU Biomass Plant and other issues.

Tom Bussing

GRU Biomass Plant.

Pat Fitzpatrick

Homeless Issues.

Rob Brinkman

GRU Biomass Plant.

Monica Cooper

Mayoral Race and GRU Biomass Plant.

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

090831.

Resolution for the Regional Transit System (RTS) FY2010 Program of Projects (POP) and FY2007-2008 Performance Measures (B)

This item is a request to adopt a Resolution authorizing the filing of an application with the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT).

Regional Transit System (RTS) Chief Transit Planner Doug Robinson gave a presentation.

RECOMMENDATION *The City Commission: 1) adopt the Resolution; and 2) approve the POP for FY2010.*

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

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

Absent: Jeanna Mastrodicasa

090831_Application_20100401.pdf

090831_Resolution_20100401.pdf

090831_ordinance_20100401.pdf

090843.

Resolution and Temporary Construction Easement from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (B)

This item is a request from the Board of Trustees of the Internal Improvement Fund of the State of Florida (BTIITF) for a Resolution approving the granting of a Temporary Construction Easement, located adjacent to SW 8th Avenue between SW 13th Street and SW 12th Street.

RECOMMENDATION *The City Commission: 1) adopt the Resolution; and 2) authorize the Mayor to execute, and the Clerk to attest, the Temporary Construction Easement with the Board of Trustees of the Internal Improvement Trust Fund of the State, located adjacent to SW 8th Avenue between SW 13th Street and SW 12th Street on a portion of Tax Parcel 13140-000-000, subject to approval by the City Attorney as to form and legality.*

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

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

Absent: Jeanna Mastrodicasa

090843_RESOLUTION_20100401.pdf

090843_Easement_20100401.pdf

090843_ordinance_20100401.pdf

090907.

Resolution for a Joint Participation Agreement - Bus Rapid Transit (BRT) Alternatives Analysis (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive \$125,000 in funds for a Bus Rapid Transit (BRT) Alternatives Analysis.

Regional Transit System (RTS) Chief Transit Planner Doug Robinson gave a presentation.

RECOMMENDATION

The City Commission: 1) submit a letter to FDOT to incorporate BRT design and operations into any Archer Road and Waldo Road corridor improvements; 2) adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive \$125,000 in funds for a BRT Alternatives Analysis; 3) authorize RTS to initiate an Alternative Analysis for the preferred BRT configuration as identified in the BRT study; 4) authorize RTS to seek local, state and federal funds to complete the Alternatives Analysis and following phases to comply with the FTA New and Small Starts processes; 5) direct RTS staff to work with the MTPO to define an overall system plan for BRT, express bus with park and ride lots, fixed-route, demand-response and commuter services and relate the plan to the LRTP and TDP; and 6) authorize RTS to develop an overall financial plan for future mobility relating to growth management, economic development and sustainability.

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

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

Absent: Jeanna Mastrodicasa

090907_Resolution_20100401.pdf

090907_resolution_20100401.pdf

090873.**2010 CITY COMMISSION ELECTION RESULTS (B)**

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 16, 2010; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

Absent: Jeanna Mastrodicasa

090873_Election 2010 Results_20100401.pdf

090873_resolution_20100401.pdf

090896.**Adoption of Alachua County Irrigation Ordinance (B)**

It is proposed that the City Commission adopt a resolution opting into Alachua County's Landscape Irrigation Ordinance (Ordinance 09-08). The resolution would allow Alachua County to enforce irrigation rules promulgated by the St. Johns River Water Management District (SJRWMD) within the City of Gainesville. This resolution will satisfy requirements put forth by the SJRWMD for the renewal of Consumptive Use Permit for the GRU water system.

GRU Assistant General Manager for Water/Wastewater Administration David Richardson gave a presentation.

RECOMMENDATION *The City Commission adopt a resolution to opt into Alachua County's Landscape Irrigation Ordinance (Ordinance 09-08).*

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

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

Absent: Jeanna Mastrodicasa

090896_resolution_20100401.pdf

090896a_resolution_20100401.pdf

090896_resolution_20100401.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED090643.**AMENDMENTS TO LAND DEVELOPMENT CODE RELATING TO SEXUALLY ORIENTED BUSINESSES (B)**

Ordinance No. 0-10-02, Petition PB-09-124-TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to sexually oriented businesses; by revising the definitions for sexually oriented businesses; by allowing certain types of sexually oriented businesses as uses by right in the Tourist-Oriented Business District (BT), General Business District (BUS) and General Industrial District (I-2); by stating the intent, purpose and findings for the regulation of sexually oriented businesses; by imposing spacing requirements and design restrictions; by allowing for limited retail sales as an accessory use to retail trade establishments; by providing for permitted nonconforming uses; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090643_cpb recommendation_20100121.pdf
090643A_cpb minutes_20100121.pdf
090643B_staff report_20100121.pdf
090643C_zoning recommend_20100121.pdf
090643D_findings & recommend revision_20100121.pdf
090643E_BUS & BT 1000 ft-eligible parcels_20100121.pdf
090643F_I2-1000 ft-eligible parcel_20100121.pdf
090643G_case law 5-1_20100121.pdf
090643H_case law 5-2_20100121.pdf
090643I_case law 5-3_20100121.pdf
090643J_case law 5-4_20100121.pdf
090643K_staff ppt_20100121.PDF
090643_draftordinance_20100401.pdf
090643_ordinance_20100415.pdf

090809.**VOLUNTARY ANNEXATION OF TOWER CENTER (B)****Ordinance No. 0-10-06**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of Tax Parcels 06654-003-000 and 06654-003-001, as more specifically described in this ordinance, generally located south of the vicinity of Newberry Road, west of Interstate 75 and the City limits, north of West University Avenue, and east of

Tower Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

Strategic Planning Manager Karen Billings gave a presentation.

Mayor Hanrahan recognized Armando Grundy who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Jeanna Mastrodicasa

090809_Tower Center Ordinance_20100401.pdf

090809_ordinance-20100415.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

090007.

ESTABLISH AND DESCRIBE A HERITAGE OVERLAY DISTRICT (B)

Ordinance No. 0-09-32; Petition No. PZ-09-17TCH

An ordinance of the City of Gainesville, Florida, relating to heritage overlay districts; amending the City Land Development Code by establishing the heritage overlay district designation; by setting forth the purpose, objectives and effect of such designation; by creating heritage overlay district procedures, regulations, and exemptions; by creating a heritage overlay district board; amending Appendix A, Schedule of Fees, Rates and Charges of the Code of Ordinances by creating fees for petitions related to heritage overlay districts; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance as amended.*

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

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

Absent: Jeanna Mastrodicasa

090007_staff report_20090604.pdf
 090007A_staff ppt_20090604.PDF
 090007_Scott Gill_20090604.pdf
 090007_staff ppt_20100318.PDF
 090007_draftordinance_2010318.pdf
 090007_draftordinance_201041.pdf
 090007_ordinance_20100401.pdf

080365.**GAINESVILLE ENERGY ADVISORY COMMITTEE (GEAC) MEMBERS
ABILITY TO RUN FOR PUBLIC OFFICE (B)****Ordinance No. 0-10-05**

An ordinance of the City of Gainesville, Florida, repealing obsolete Section 2-357(e) prohibiting members of the Gainesville Energy Advisory Committee, while serving, from becoming candidates for election to any public office; providing directions to the codifier; providing for severability; 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 Henry, seconded by Commissioner Poe, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: Jeanna Mastrodicasa

080365_draft ordinance_20100318.pdf
 080365_report_20100218.pdf
 080365_ordinance_20100401.pdf

PLAN BOARD PETITIONS**DEVELOPMENT REVIEW BOARD PETITIONS****090844.****Hidden Lake Design Plat, Phase II (B)**

Petition DB-09-88 SUB. Causseaux, Hewett and Walpole, Inc., agent for Land Estates, LLC. Design plat review for Phase II of Hidden Lake Subdivision. Zoned PD (Planned Development). Located at NW 75th Place and NW 21st Way, Parcel No. 07814-002-001

STAFF PRESENTATION: Chief of Current Planning Lawrence Calderon, Environmental Coordinator Mark Garland, and Planning Manager Ralph Hilliard gave presentations.

PETITIONER PRESENTATION: Agents for the Petitioner Robert Walpole of Causseaux, Hewett and Walpole, Inc., and Carl Salifrio of Environmental Consulting and Design gave presentations.

CITIZEN COMMENT: Mayor Hanrahan recognized Hidden Lake Owner's Association President George Kasnic, George O'Brien, Wayne South, and (inaudible), who spoke to the matter.

FIRST MOTION (REFERRAL): Commissioner Poe moved and Commissioner Hawkins seconded to refer the issue of neighborhood meetings and time limitations to the Community Development Committee. See following Referral Item #090934. (VOTE: 6-0, MOTION CARRIED)

SECOND MOTION: Commissioner Poe moved and Mayor-Commissioner Pro Tem Henry seconded to continue this item and before this comes back direct staff to: 1) Obtain testimony from GFR concerning the cul-de-sac; and 2) hold a neighborhood meeting regarding any concerns the neighbors have, but most significantly regarding the wetlands, traffic, sidewalks and the connection to Eryn's Garden. (VOTE: 6-0, MOTION CARRIED)

RECOMMENDATION *Development Review Board to City Commission - The City Commission approve Petition DB-09-144PDV with staff conditions with a request to remove the sidewalks if possible and to authorize staff to explore the options for a pedestrian connection to the adjacent development to the north. Development Review Board vote 6-0. Staff to City Commission - the City Commission approves DRB's recommendation included in the report. Staff to City Development Review Board - Approve petition with conditions.*

A motion was made by Commissioner Poe, seconded by Commissioner Donovan, that this matter be Continued (Petition). The motion carried by the following vote:

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

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RECOMMENDATION *The City Commission refer the issue of neighborhood meetings and time limitations to the Community Development Committee.*

A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this matter be Referred to the Community Development Committee, due back on October 1, 2010. The motion carried by the following vote:

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

090906.

Appeal of Development Review Board Decision - Highway 441 Super Wal-Mart (B)

This item is an appeal filed challenging the Development Review Board's decision to grant Preliminary Development Plan approval of Petition DB-10-6 SPL for construction of a Wal-Mart retail supercenter with outparcels on property located in the 5800 block on the west side of NW 34th Street.

INTRODUCTION: City Attorney Marion Radson made introductory comments.

DISCLOSURE OF EXPARTE' COMMUNICATIONS: The City Commission and the Mayor disclosed any Ex Parte' communications.

APPLICANT PRESENTATION: Attorney for the applicant (Wal-Mart) Karl Sanders gave a presentation.

APPELLANT PRESENTATION: Attorney for the appellant (John Hudson) Mac McCuller gave a presentation.

CITY ATTORNEY QUESTIONS AND STAFF COMMENTS: Planning Manager Ralph Hilliard and Senior Planner Daniel Wright answered questions raised by City Attorney Marion Radson.

MOTION: Commissioner Poe moved and Mayor-Commissioner Pro Tem Henry seconded to continue this item to May 3, 2010 @ 6:00 PM.

RECOMMENDATION *Staff to City Commission: 1) hear presentations from staff, Wal-Mart (the applicant) and John Hudson (the affected party appellant); and 2) affirm or amend the decision of the Development Review Board.*

A motion was made by Commissioner Poe, seconded by Commissioner Lowe, that this matter be Continued for May 3, 2010. The motion carried by the following vote:

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

Absent: Jeanna Mastrodicasa

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090906a_Staff PPt_20100401.pdf
090906b_DRB Petition 10-6 Rpt_20100401.pdf
090906c_CityAttorneyMemo_20100401.pdf
090906d_Wal-Mart Master Plan_20100401.pdf
090906_Recusal_Ltr._20100401.pdf
090906_Gville Walmart CCOM Hearing.pdf
090906_Final Order_20100520.pdf
090906_finalorder_20100520.pdf

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Mayor Pegeen Hanrahan

Butterfly City Sign Proposal - Place on an upcoming agenda.

Commissioner Lauren Poe

Census Day.

Mayor-Commissioner Pro Tem Henry

Thanks to Rob Brinkman for support of the Biomass Plant.

CITIZEN COMMENT (If time available)

Amando Grundy

- 1. Charter Review Commission - Single Member Districts.*
- 2. RTS Issue - Transit for East Gainesville Residents.*
- 3. Budget Issues.*

Rob Brinkman

GRU's Biomass Plant/Capacity.

ADJOURNMENT - 10:31 PM

Kurt M. Lannon, Clerk of the Commission