

City of Gainesville

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



Meeting Minutes

Thursday, May 5, 2011

1:00 PM

City Hall Auditorium

City Commission

*Mayor Craig Lowe (At Large)
Mayor-Commissioner Pro Tem Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Lauren Poe (District 2)
Commissioner Warren Nielsen (District 3)
Commissioner Randy Wells (District 4)
Commissioner Thomas Hawkins (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 - 1:05 PM

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ROLL CALL

Present: Warren Nielsen, Craig Lowe, Jeanna Mastrodicasa, Scherwin Henry, Lauren Poe, Thomas Hawkins and Randy Wells

INVOCATION

Prophet George Young

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CONSENT AGENDA

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Commissioner Henry moved and Commissioner Hawkins seconded to approve the Consent Agenda, as modified.

(VOTE: 6-1, Commissioner Wells - Absent, MOTION CARRIED)

MODIFICATION: File #100903 - Voluntary Annexations - (Revised Text File and revised back-up submitted).

CITY MANAGER, CONSENT AGENDA ITEMS

100883.

Eighteenth Amendment to the Contract for Professional Consulting Services for the East Gainesville Sprout Project (B)

This is a request for the City Commission to approve the proposal and execute the amendment for final and post design services of the Depot Park Phase II stormwater pond and pump station. The work is proposed in the amount of \$146,863.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the Eighteenth Amendment to the contract for Professional Consulting Services for the East Gainesville Sprout Project, subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager to issue a modified purchase order in the amount not to exceed \$3,471,284, which represents the total for professional services included to date.

This Matter was Approved as Recommended on the Consent Agenda.

100883A_Contract_20110505.pdf

100903.

Annexation of Parcel Numbers 10890-000-000, 10889-000-000, 10889-002-000, 10889-003-000, 16127-003-000, 16127-003-001, 16125-005-000, 16125-000-000, 16126-000-000, 16125-007-000 (B)

This is the submission of petitions for voluntary annexation for the above referenced parcel numbers, which are located in the vicinity of Hawthorne Road, E. University Avenue and SE 43rd Street.

RECOMMENDATION

The City Commission: 1) receive the petitions for annexation and make findings that they contain the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of these petitions.

This Matter was Approved as Recommended on the Consent Agenda.

100903_Petitions_20110505.pdf
100903_MOD_Petitions_20110505.pdf
100903_Eastside Urban Services Report Ordinance_20110707.pdf
100903_ordinance_20110721.pdf
100903_urbansvcreport_20110721.pdf

100912.

Request for Revisions to City Code Chapter 18 (B)

This item involves a request for the City Commission to direct the City Attorney to prepare and the Clerk of the Commission to advertise amendments to City Code Chapter 18.

RECOMMENDATION

The City Commission direct the City Attorney to prepare and the Clerk of the Commission to advertise amendments to City Code Chapter 18.

This Matter was Approved as Recommended on the Consent Agenda.

100912_Ch 18 Revisions_20110505.pdf
100912_draft ordinance_20110616.pdf
100912_draft ordinance_20110707.pdf
100912_ordinance_20110707.pdf

100943.

Human Resources Policy E-1, Employment (B)

RECOMMENDATION

The City Commission: 1) approve Policy E-1; 2) direct Risk Management to make changes to benefits plans, as necessary.

This Matter was Approved as Recommended on the Consent Agenda.

100943_HRPolicy_20110505.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

100928. City Election 2012 (NB)

RECOMMENDATION *The City Commission set the 2012 Election for January 31, 2012, and authorize the City Attorney to draft and Clerk of the Commission to advertise the ordinance.*

This Matter was Approved as Recommended on the Consent Agenda.

100928_draft elections ordinance_20110602.pdf

100928_ordinance_20110616.pdf

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

100755. Personal Storage Devices (B)

This item is a referral from the Community Development Committee (CDC) regarding proposed regulations associated with Personal Storage Devices.

RECOMMENDATION *The City Commission: 1) direct staff to initiate a Petition to the Plan Board regarding the regulation of Personal Storage Devices; and, 2) remove this item from the CDC referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

100755A_City Comm Referral 3-3-11_20110322.pdf

100755B_Review of POD Unitis_20110322.pdf

100755A_Staff Review_20110505.pdf

100755B_CPB Staff Rpt_20110505.pdf

Passed The Consent Agenda

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

Votes: Aye: Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen
Absent: Randy Wells

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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Commissioner Hawkins moved and Commissioner Henry seconded to adopt the Regular Agenda, as modified.

(VOTE: 7-0, MOTION CARRIED)

NOTE: Commissioner Wells entered the meeting room at 1:08 PM.

MODIFICATIONS:

- 1. File #100862 - Proposed Award - Selection of Contractors for the City of Gainesville Tennis Complex located at Albert Ray Massey Park - (Additional back-up submitted).*
- 2. File #100507 - Funding RTS Routes and Associated ADA Service outside the City Limits - (ppt. submitted).*
- 3. File #100327 - (Ordinance) - Rezoning - Planned Development for Legacy Fountains, LLC - (ppt. submitted).*
- 4. File #100896 - Small-Scale Land Use Amendment to PUD on NW 13th Street (ppt. submitted).*
- 5. File #100897 - NW 13th Street Mixed Use PD - (Zoning) (ppt. submitted).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

100862.**Proposal Award - Selection of Contractors for the City of Gainesville Tennis Complex located at Albert Ray Massey Park (B)**

This item requests the City Commission to approve the award of the Tennis Professional Services Contract to Mike Oransky Tennis, and authorize the City Manager or designee to execute a contract with Mike Oransky Tennis for Professional Tennis Services at City Facilities, including Joyce Oransky Tennis Center and Pro Shop.

[Play Video](#)

Parks, Recreation and Cultural Affairs Director Steve Phillips; Attorney for the Appellant Jefferson Braswell; Appellant Abdoulaye Toure'; Attorney Robert Rush (for Mike Oransky); Finance Director Mark Benton; and Professional Tennis Services Contractor Mike Oransky gave presentations.

Mayor Lowe recognized Mr. Garcia, Laura Bresko, Dr. Melvin Dace, Robert Taylor, Dwight Bailey, Syed Ganini, and Kay Abbott who spoke to the matter.

RECOMMENDATION

The City Commission: 1) deny TLCG Tennis LLC 's appeal; 2) approve award of the Tennis Professional Services contract to Mike Oransky Tennis; and 3) authorize the City Manager or designee to execute all contract documents with Mike Oransky for Tennis Professional Services, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation

The City Commission turn down the bid award and request the City Staff go back out to bid for Professional Tennis Services at City Facilities, including Joyce Oransky Tennis Center and Pro Shop.

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100862A_Memo_20110421.PDF
100862B_Letter_20110421.pdf
100862C_Procedures_20110421.pdf
100862D_Letter_20110421.pdf
100862E_RFP_20110421.pdf
100862F_RFP Add#1_20110421.pdf
100862G_RFP Add#2_20110421.pdf
100862H_RFP Add#3_20110421.pdf
100862I_Letter_20110421.pdf
100862Jrevised_presentation_20110505.pdf
100862k_letter_20110505.pdf
100862_MOD_Robert Rush Letter_20110505.pdf

GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**[Play Video](#)**100507. Funding RTS Routes and Associated ADA Service Outside the City Limits (B)**

This item is a request to approve the service rate policy for transit service outside Gainesville City limits.

[Play Video](#)

RTS Director Jesus Gomez and Assistant County Manager Rick Drummond gave presentations.

MOTION: Commissioner Poe moved and Commissioner Nielsen seconded to: 1) Approve the revised service rate policy which will generate a rate of \$64.88 which includes basic operating plus depreciation; and 2) direct the Clerk of the Commission to schedule a workshop with the Alachua County Commission and staff, representatives from UF, Santa Fe and the private sector to discuss a reasonable and equitable capital surcharge for future capital improvements.

RECOMMENDATION *The City Commission approve the revised service rate policy, which generates a service rate of \$71.37 per hour for fiscal year 2012 for unincorporated portions of Alachua County not covered by other contracts.*

A motion was made by Commissioner Poe, seconded by Commissioner Nielsen, that this matter be Approved as shown above (See Motion). The motion carried by the following vote:

Votes: Aye: Randy Wells, Lauren Poe, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen
Nay: Jeanna Mastrodicasa

100507_RTS Proposed Policy_20101130.PDF
100507_Revised Formula_20110127.pdf
100507_spreadsheets_20110217.pdf
100507_Service Rate Policy_20110217.PDF
100507_FinalRecommendedServiceRates_20110404.pdf
100507_MOD_Presentation_20110505.pdf

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

[Play Video](#)

100768. Charter Officers' Annual Performance Evaluations for the Past Fiscal Year Ending September 30, 2010 (NB)

[Play Video](#)

Human Resources Manager Lynn McClary gave a presentation.

RECOMMENDATION *The City Commission reviews the performance of each Charter Officer and establishes appropriate performance score for FY 2010.*

Heard

COMMISSION COMMENTS (if time available)

RECESS - 5:07 PM

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RECONVENE - 5:50 PM

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PLEDGE OF ALLEGIANCE (5:30pm)

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PROCLAMATIONS/SPECIAL RECOGNITIONS

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100899. **Emergency Medical Services Week (B)**[Play Video](#)

RECOMMENDATION *GFR Special Operations Chief, Don Sessions, to receive the proclamation.*

Heard

100899_EmergencyMedicalServicesWeek_20110505.pdf

100900. **Gainesville Police Department Volunteer Appreciation Day (B)**[Play Video](#)

RECOMMENDATION *Corporal Audrey Mazzuca to receive the proclamation.*

Heard

100900_GPDVolunteerAppreciationDay_20110505.pdf

100901. **National Public Works Week (B)**

RECOMMENDATION *Teresa Scott, Public Works Director, to receive the proclamation.*

Heard

100901_NatlPublicWorksWeek_20110505.pdf

100921. **Internal Audit Awareness Month (B)**[Play Video](#)

RECOMMENDATION *Institute of Internal Auditors-North Central Florida Chapter President, Edwin Griswold and member, Brent Godshalk to receive the proclamation.*

Heard

100921_InternalAuditAwarenessMonth_20110505.pdf

CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet[Play Video](#)**Ann Orlando**

Feed-In Tariff Program.

Wayne Irwin

Feed-In Tariff Program.

Alex Khokhlov

Feed-In Tariff Program.

Jason Gonos

Feed-In Tariff Program.

Dave Herren

Feed-In Tariff Program.

Rob Zeller

Biomass Plant.

Kathleen Maynard

GRU Complaint - Concrete bags placed around sewer pipe on private property.

Debbie Mason

United Way.

Harold Saive

Public Works Compound.

Pat Fitzpatrick

Homeless Veterans.

Jo Beaty

Biomass Plant.

110001.

Citizen Comment - Jo Lee Beaty - Biomass Plant (B)

RECOMMENDATION

The City Commission hear comments from Jo Lee Beaty and place back-up submitted on file.

Placed on File

110001_CITIZEN BACKUP_BEATY_20110505.pdf

Nathan Skop

1. GRU Feed-In Tariff.
2. Biomass Plant.

Chris Dahl

Thanks to Commissioner Poe.

RESPONSE TO CITIZEN COMMENT

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

100965.**Feed-In Tariff Application Process (NB)**

RECOMMENDATION *The City Commission refer the issue of the Feed-In-Tariff process to the City Auditor.*

A motion was made by Commissioner Hawkins, seconded by Commissioner Henry, that this matter be Referred to the City Auditor, due back on November 5, 2011. The motion carried by the following vote:

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100965_CITIZEN BACK-UP_20110505.pdf

100965_CITIZEN BACKUP_SKOP_20110505.pdf

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED**

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100857.**Resolution to Enter into a Maintenance Agreement with the State of Florida Department of Transportation (B)**

This item is a Resolution for approval and authorization to enter into a Maintenance Agreement with the State of Florida Department of Transportation (FDOT), allowing the City of Gainesville to provide maintenance for the proposed sidewalk along a portion of NE 19th Place. This sidewalk construction is funded by the FDOT under the "Safe Routes to School" program of FDOT.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the Resolution.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100857A_Resolution_20110505.pdf

100857B_MOA_20110505.pdf

100857_resolution_20110505.pdf

100884.

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

This item is a request to adopt a Resolution authorizing the City Manager to execute a Supplemental 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.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the Resolution.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100884_Resolution_20110505.pdf

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100885.

Resolution for a Joint Participation Agreement (JPA) to Conduct a Comprehensive Operational Analysis (COA) (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 funds to conduct a Comprehensive Operational Analysis (COA) to evaluate RTS operations.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the Resolution.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen
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100886. **Resolution for a Supplemental Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 25 - 2nd Year (B)**

This item is a request to adopt a Resolution authorizing the City Manager to execute a Supplemental Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive Service Development Funds for the continued operation of Route 25.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the Resolution.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen
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100887. **Resolution for a Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 28 (B)**

This item is a request for 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 Service Development Funds for the operation of new Route 28.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the Resolution.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen
100887_Resolution_20110505.pdf
100887_resolution_20110505.pdf

100888. **Resolution for a Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 46 (B)**

This item is a request for 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 Service Development Funds for the operation of new Route 46 and Trolley Conversion.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the Resolution.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100888_Resolution_20110505.pdf

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ADOPTION READING

[Play Video](#)

100859

LAND USE CHANGE – VICINITY OF SW 34 STREET AND SW ARCHER ROAD (B)

Ordinance No. 100859, Petition No. PB-10-135LUC-B

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties annexed into the City, as more specifically described in this ordinance, from the Alachua County land use categories of “Commercial”, and “High Density Residential (14-24 DU/acre)”, to the City of Gainesville land use categories of “Commercial”, “Education”, and “Residential Low-Density (up to 12 units per acre)”; generally located West of SW 34th Street, North of SW Archer Rd., East of SW 42nd Street, and South of SW 14th Place, as more specifically shown and described in this ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

[Play Video](#)

Planning and Development Services Director Erik Bredfeldt gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100859_draft ordinance_20110505.pdf

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TRANSMITTAL HEARING

[Play Video](#)

100679. LAND USE CHANGE – VICINITY OF SW 34TH STREET AND SW ARCHER ROAD (B)

Ordinance No.100679; Petition No.PB-10-135 LUC-A

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Map; by changing the land use categories of certain properties annexed into the City, as more specifically described as follows: Area 1: from the Alachua County land use categories of “Low Density Residential (1-4 DU/acre)”, “Medium Density Residential (4-8 DU/acre)”, “High Density Residential (14-24 DU/acre)”, and “Institutional” to the City of Gainesville land use categories of “Conservation” and “Public Facilities”; Area 2: from the Alachua County land use category of “Low Density Residential (1-4 DU/acre)” to the City of Gainesville land use category of “Conservation” ; Area 3: from the Alachua County land use categories of “Low Density Residential (1-4 DU/acre)”, “Medium High Density Residential (8-14 DU/acre)”, and “Industrial/Manufacturing”, to the City of Gainesville land use categories of “Residential Low-Density (up to 12 units per acre)”, “Residential Medium-Density (8-30 units per acre)”, “Public Facilities” and “Business Industrial”; Area 4: from the Alachua County land use categories of “Industrial/Manufacturing”, “Office/Residential”, “Commercial” and “Tourist/Entertainment” to the City of Gainesville land use categories of “Business Industrial” and “Commercial”; located generally South of SW 7th Avenue, East of I-75, West of SW 34th Street and North of SW Archer Road, as more specifically shown and described in this ordinance; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100679_staff report_20110303.pdf

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100679B_staff ppt_20110303.pdf

100679_draft ordinance_20110505.pdf

100679-A_draft ordinance_20110721.pdf

100679-B_DCA letter 6-6-11_20110721.pdf

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100696.**FUTURE LAND USE ELEMENT MAP CHANGE – ADOPTING THE URBAN VILLAGE AREA MAP (B)****Ordinance/Legistar No. 100696; Petition No. PB-10-141 LUC**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element Map Series to add a map designating the Urban Village; imposing the Urban Village designation and its policies on the properties depicted in the Map; providing directions to the City Manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100696_staff report_20110303.pdf
100696A_addendum_map_20110303.pdf
100696B_110227_cpb min_20110303.pdf
100696C_100697_100698_staff ppt_20110303.pdf
100696_draft ordinance_20110505.pdf
100696A_draft ordinance_20111103.pdf
100696B_letters from state agencies_20111103.pdf
100696_ordinance_urbanvillagemap_20111103.pdf

100697.**AMENDING THE FUTURE LAND USE ELEMENT BY ADDING A POLICY FOR THE URBAN VILLAGE AREA (B)****Ordinance/Legistar No. 100697; Petition No. PB-10-142 CPA**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element by adding a new Policy 4.3.7 to regulate the Urban Village as mapped in the Future Land Use Element Map Series; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

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 100697A_staff report_20110303.pdf
 100697B_110127_cpb min_20110303.pdf
 100697_draft ordinance_20110505.pdf
 100697A_draft ordinance_20111103.pdf
 100697B_letters from state agencies_20111103.pdf
 100697C_MOD_memo_blackburn_20111103.pdf
 100697D_MOD_memo_hawkins_20111103.pdf
 100697E_MOD_Alt_Ord_20111103.pdf
 100697_ordinance_urbanvillage_20111103.pdf

100698.**LAND USE CHANGE – VICINITY OF SW 34TH STREET AND SW 20TH AVENUE (B)****Ordinance/Legistar No. 100698; Petition No. PB-10-137 LUC**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain property, as more specifically described in this ordinance, from the Alachua County land use categories of “Low Density Residential (1-4 DU/acre)”, “Medium Density Residential (4-8 DU/acre)”, “Medium High Density Residential (8-14 DU/acre)”, “High Density Residential (14-24 DU/acre)”, “Recreation”, “Commercial” and “Institutional” to the City of Gainesville land use categories of “Urban Mixed-Use 2 (UMU-2: up to 100 units per acre)”, “Conservation (CON)” and “Public Facilities (PF)”; consisting of approximately 396 acres located generally east of Interstate 75, west of Southwest 34th Street and north and south of Southwest 20th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100698_staff ppt_20110303.pdf
 100698A_110127_cpb minutes_20110303.pdf
 100698_staff ppt_20110303.pdf
 100698_staff report_20110303.pdf
 100698_draft ordinance_20110505.pdf
 100698A_draft ordinance_20111103.pdf
 100698B_letters from state agencies_20111103.pdf
 100698_ordinance_landusechange_20111103.pdf

100850.**LAND USE CHANGE – UF EASTSIDE CAMPUS (B)**

Ordinance No.100850; Petition No.PB-11-18 LUC

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Map; by changing the land use category of certain properties, as more specifically described in this ordinance, from the land use categories of "Public Facilities" and "Residential Low-Density (up to 12 units per acre)" to "Education"; consisting of approximately 14.3 acres, and located in the vicinity of 2004 Northeast Waldo Road; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.

[Play Video](#)

Lead Planner Dean Mimms gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition No. PB-11-18LUC and; 2) adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100850_staff report_20110505.pdf
100850A_exhibit A_20110505.pdf
100850B_exhibit B_Aerial UF Eastside_20110505.pdf
100850C_exhibit C_20110505.pdf
100850D_cpb minutes_20110505.pdf
100850E_staff ppt_20110505.pdf
100850_draft ordinance_20110505.pdf
100850-A_draft ordinance_20110721.pdf
100850-B_DCA letter 06-06-11_20110721.pdf
100850_ordinance_20110721.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

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100327.**REZONING - PLANNED DEVELOPMENT FOR LEGACY FOUNTAINS, LLC (B)****Ordinance No. 100327, Petition No. PB-09-116PDV**

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City, as more specifically described in this ordinance, and amending the Zoning Map Atlas from "PS: Public services and operations district" to "Planned Development District"; located in the vicinity of 1420, 1424, 1428, 1432 Southwest 52nd Street; commonly known as "Legacy Fountains, LLC" Planned Development; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement; providing a severability clause; and providing an immediate effective date.

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presentations.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Lauren Poe, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen
Nay: Randy Wells
Absent: Jeanna Mastrodicasa

100327_pb recommended conditions_20101007.pdf
100327A_staff report_20101007.pdf
100327B_appendix A_20101007.pdf
100327C_appendix B_20101007.pdf
100327D_appendix C_20101007.pdf
100327E_appendix D_20101007.pdf
100327F_appendix E_20101007.pdf
100327G_100826 cpb minutes draft_20101007.pdf
100327H_staff ppt_20101007.PDF
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100327_draft ordinance_20110519.pdf
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100327_MOD_2ND_memo_20110602.pdf
100327_draft ordinance_20110721.pdf

100832.

ADMINISTRATIVE FEE FOR CERTAIN PARKING VIOLATIONS (B)

Ordinance No. 100832

An Ordinance of the City of Gainesville, Florida, amending section 26-46 relating to illegal parking; adding a new subsection providing for administrative reduction of the parking violations fee for failure to properly display the permit or decal when parking a motor vehicle in parking spaces designated for permitted city or county employees or officers; providing directions to the codifier; providing for severability; providing a repealing clause; and providing an immediate effective date.

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RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

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100840.**OPEN AND OUTDOOR BURNING AMENDMENTS (B)****Ordinance No. 100840**

An Ordinance of the City of Gainesville, Florida amending Chapter 10, Article VI, of the Gainesville Code Ordinances, relating to open and outdoor burning; amending section 10-62 by repealing the definition of campfire; amending section 10-63 and section 10-68 by adding to the description of materials where open burning is prohibited; amending section 10-70 by repealing the reference to outdoor campfires; amending section 10-74 by clarifying enforcement and penalties; amending section 2-339 and Appendix A, Schedule of Fees, Rates and Charges by eliminating references to burn barrels; providing directions to the codifier; providing for severability; providing a repealing clause; and providing an immediate effective date.

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RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry and Warren Nielsen
Absent: Thomas Hawkins

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

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100778.**REZONING - UNIVERSITY OF FLORIDA EASTSIDE CAMPUS (B)****Ordinance No. 100778, Petition No. PB-11-11 ZON**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the zoning category of "MH: 12 units/acre mobile home residential district" to "ED: Educational services district"; located in the vicinity of 2200 Northeast Waldo Road; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry and Warren Nielsen
Absent: Thomas Hawkins

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100778_CPB Staff Report_20110421.pdf
100778A_Appndx A Comp Plan_20100421.pdf
100778B_Appndx B Land Dev Cd_20110421.pdf
100778C_Appndx C Supplmntl Docs_20110421.pdf
100778D_Appndx D Application & Wkshp Info_20110421.pdf
100777E_Staff PPT_20110421.pdf
100778G_Applicant PPT_20110421.pdf
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100790.

REZONING - AIRPORT INDUSTRIAL PARK PROPERTY(B)

Ordinance 100790, Petition PB-11-14 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the zoning category of "I-2: General industrial district" to "BI: Business industrial district" and "CON: Conservation district"; located in the vicinity of southeast corner of Waldo Road and Northeast 49th Avenue intersection; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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Mayor-Commissioner Pro Tem Mastrodicasa disclosed that she was related to an Agent for the Petitioner, but had no conflict and would be voting on the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

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100790A_Append A_20110421.pdf
100790B_Append B_20110421.pdf
100790C_Append C_20110421.pdf
100790D_cpb minutes_20110421.pdf
100790E_staff ppt_20110421.pdf
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PLAN BOARD PETITIONS

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100851.

Rezone UF Eastside Campus from Public services and operations district and Mobile Home to Educational services district (B)

Petition PB-11-19 ZON. City Plan Board. Rezone property from PS (Public services and operations district) and MH (12 units/acre mobile home residential district) to ED (Educational services district). Located at 2004 Northeast Waldo Road. Related to Petition PB-11-18 LUC.

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Lead Planner Dean Mimms gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - Approve Petition PB-11-19 ZON and find it consistent with the City's Comprehensive Plan and the land development regulations. The Plan Board voted 6-0.*

Staff to City Commission - Approve Petition PB-11-19 ZON.

Staff to City Plan Board - Approve Petition PB-11-19 ZON.

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

100851_staff report_20110505.pdf
 100851A_Append A_20110505.pdf
 100851B_append B_20110505.pdf
 100851C_exhibit C_Aerial UF Eastside_20110505.pdf
 100851D_append D_20110505.pdf
 100851E_cpb minutes_20110505.pdf
 100851F_staff ppt_20110505.pdf
 100851_draft ordinance_20110721.pdf
 100851B_staff ppt_20110721.pdf
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100896.

Small-scale land use amendment to PUD on N.W. 13th Street (B)

Petition PB-11-20 PUD. Causseaux, Hewett, & Walpole, agent for RD Management, LLC. Amend the City of Gainesville Future Land Use Map from Commercial, Mixed-Use Low-Intensity (8-30 units per acre) and Residential Low-Density (up to 12 units per acre) to PUD (Planned Use District). Located at 303 Northwest 13th Street, 1249 and 1227 Northwest 4th Avenue. Related to PB-11-8 PDV.

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Planner Jason Simmons, Senior Planner Scott Wright, Agent for the Petitioner Gerry

Dedenbach and Agent for the Petitioner Jay Reeves gave presentations.

AMENDMENT: To include in the motion that the house can be moved to another lot within the district or to a comparable historic district.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PB-11-20 PUD as amended by the Plan Board. Plan Board vote 6-0.*

Staff to City Commission - The City Commission approve Petition PB-11-20 PUD with changes recommended by the Plan Board.

Staff to the Plan Board - Approve Petition PB-11-20 PUD.

A motion was made by Commissioner Nielsen, seconded by Commissioner Hawkins, that this matter be Approved (Petition) as amended by the Plan Board and staff. The motion carried by the following vote:

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Thomas Hawkins and Warren Nielsen
Absent: Scherwin Henry

100896_cpb conditions_20110505.pdf
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100896B_exhibit A-1_20110505.pdf
100896C_exhibits B-1 - B-6_20110505.pdf
100896D_exhibit C1-C2_20110505.pdf
100896E_citizen letter_20110505.pdf
100896F_cpb minutes_20110505.pdf
100896G_staff ppt_20110505.pdf
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100896A_draft ordinance_20120105.pdf

100897.

N.W. 13th Street Mixed Use PD (B)

Petition PB-11-8 PDV. Causseaux, Hewett, and Walpole, Inc., agent for RD Management, LLC. Rezone property from BUS, BA, MU-1, and RMF-5 to PD (Planned development) to allow construction of a retail, office, and residential development. Located at 303 Northwest 13th Street, 1249 and 1227 Northwest 4th Avenue. Related to PB-11-20 PUD.

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Senior Planner Scott Wright gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PB-11-8 PDV, with changes to PD conditions.*

Staff to City Commission - Approve Petition PB-11-8 PDV, with recommended changes from the City Plan Board

A motion was made by Commissioner Nielsen, seconded by Commissioner Hawkins, that this matter be Approved (Petition) with changes to PD conditions. The motion carried by the following vote:

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Craig Lowe, Thomas Hawkins and Warren Nielsen
Absent: Lauren Poe and Scherwin Henry

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100897C_append B_20110505.pdf
100897D_append C_20110505.pdf
100897E_citizen letter_20110505.pdf
100897F_cpb minutes_20110505.pdf
100897G_staff ppt_20110505.pdf
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DEVELOPMENT REVIEW BOARD PETITIONS

COMMISSION COMMENT

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Commissioner Warren Nielsen

Powerpoint to James Bennett of the DOT regarding strategies to clean up the NW 8th Avenue and 13th Street bridge.

Commissioner Randy Wells

University Park Neighbors requested meeting with the City Manager regarding Code Enforcement Issues.

SCHEDULED EVENING AGENDA ITEMS

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100930.

City Commissioner Ceremony - Warren Nielsen (NB)

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Mayor Lowe recognized Gerry Dedenbach who made comments.

RECOMMENDATION

The City Commission hear comments from City Commissioners, the public and Commissioner Warren Nielsen.

Heard

100929. **City Commissioner Ceremony - Lauren Poe (NB)**

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Mayor Lowe recognized Gerry Dedenbach who made comments.

RECOMMENDATION *The City Commission hear comments from City Commissioners, the public and Commissioner Lauren Poe.*

Heard

UNFINISHED BUSINESS

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CITIZEN COMMENT (If time available)

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ADJOURNMENT - 9:12 PM

Kurt M. Lannon, Clerk of the Commission