

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, March 15, 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 - 1:10 PM

## ROLL CALL

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

## INVOCATION

*The City Commission observed a moment of silence.*

## CONSENT AGENDA

*MOTION: A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Hawkins to adopt the Consent Agenda, as modified. (VOTE: 5-0, Commissioners Chase and Henry - Absent, MOTION CARRIED)*

### *MODIFICATIONS:*

- 1. File #110750 - Historic Depot Building Rehabilitation - West Construction, Inc. Contract Change Order - (New Item added after Agenda Review with new language and back-up) - (Additional back-up being provided at the meeting).*
- 2. File #110775 - Refinancing of Certain Utility Revenue Bonds - (Remove from the Consent Agenda and place on the Regular Agenda for discussion, revised language and ppt. submitted and memo from Commissioner Chase).*
- 3. File #110683 - Alcohol Sales and Consumption Outdoors Downtown - (Withdraw from the agenda).*

## CITY MANAGER, CONSENT AGENDA ITEMS

### **110750. Historic Depot Building Rehabilitation – West Construction, Inc. Contract Change Order (B)**

**This item involves a request for the City Commission to approve West Construction, Inc. as a Specified Source to construct the “Context Area” in order to utilize HUD EDI funds prior to expiration on July 31, 2012 and to approve a contract change order address unforeseen conditions in the Depot Building Rehabilitation project.**

#### **RECOMMENDATION**

*The City Commission: 1) Approve the Second Amendment to the Agreement for Historic Gainesville Depot Rehabilitation for Change Order No. 1 for an increase of \$109,418.05 with a final completion date of September 30, 2012, 2) approve the*

*Third Amendment to the Agreement for Historic Gainesville Depot Rehabilitation to include West Construction as the specified source contractor for Phase II context area construction for \$749,980.34, and 3) authorize the City Manager to execute the contract amendments, change order, specified source and all related documents subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**110751. Fleet Garage/Materials Management Facility (MMF) and other related Projects (B)**

**This is a request for the City Commission to approve staff's recommended ranking of the Construction Manager at Risk firms to provide Construction Management Services at the Fleet Garage/Materials Management Facility (MMF) and other related Construction Projects (B)**

**RECOMMENDATION**      *The City Commission: 1) approve staff's recommended ranking of the Construction Management Firms; and 2) authorize the City Manager or his designee, to negotiate and execute a contract for Construction Management Services, subject to approval by the City Attorney's office as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**110754. Settlement of Worker's Compensation Claim - Eddie L. Lockhart (NB)**

**This item involves the full and final settlement of Eddie L. Lockhart worker's compensation claim. The total settlement amount is \$35,000 and represents a significant cost advantage to the City.**

**RECOMMENDATION**      *The City Commission authorizes Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the indemnity portion of Eddie L. Lockhart Worker's Compensation Claim in the amount of \$35,000.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**110763. Settlement of Worker's Compensation Claim - Charles Baker (NB)**

**This item involves the full and final settlement of Charles Baker's worker's compensation claim. The total settlement amount is \$275,000 and represents a significant cost advantage to the City.**

**RECOMMENDATION**      *The City Commission authorizes Special Counsel to prepare*

*and execute the appropriate documents for a lump-sum settlement of the indemnity portion of Mr. Baker Worker's Compensation Claim in the amount of \$275,000.*

**This Matter was Approved as Recommended on the Consent Agenda.**

## **GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

### **CITY ATTORNEY, CONSENT AGENDA ITEMS**

#### **110741. VERNELLE JONES VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2011-CA-6371 (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Vernelle Jones vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2011-CA-6371.*

**This Matter was Approved as Recommended on the Consent Agenda.**

### **CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

#### **110756. Appointments to City Commission Advisory Boards and Committees (NB)**

**RECOMMENDATION**      *The City Commission appoint:*

*Ernest Brockington to the Citizen's Advisory Committee for Community Development for a term to expire 11/1/13.*

*Keytwanna Mitchell to the City Beautification Board for a term to expire 11/1/15.*

*Gerald Wathen and Keytwanna Mitchell to the Gainesville Enterprise Zone Development Agency for terms to expire 3/31/16.*

*Jeffrey Saunders to the Gainesville Human Rights Board for a term to expire 2/22/15.*

*David Miller and Jennifer Hubbs to the Public Recreation and Parks Board for terms to expire 6/1/15.*

*Jennifer Hubbs to the Regional Transit System Advisory Board for a term to expire 6/1/15.*

*James Ingle to the SHIP Affordable Housing Advisory Committee for a term to expire 7/1/14.*

*Jake Vermillion to the Student Community Relations Advisory Board for a term to expire 2/26/14.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**110764. City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of February 13, 2012, February 16, 2012, and March 1, 2012, as circulated.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**PUBLIC SAFETY COMMITTEE, CONSENT**

**110683. Alcohol Sales and Consumption Outdoors Downtown (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to draft and Clerk of the Commission to advertise amendments to the Alcoholic Beverage Ordinance to allow the sale and consumption of alcohol on City Lot Ten for special events.*

**This Matter was Withdrawn on the Consent Agenda.**

**110283. Itinerant Food Vendor Hours of Operation (NB)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to draft and the Clerk of the Commission advertise an amendment to the current Itinerant Food Vendors Ordinance to extend the hours of operation from 10:00 P.M. to 3:00 A.M.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**Passed The Consent Agenda**

**A motion was made by Commissioner Wells, 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, Susan Bottcher and Thomas Hawkins

Absent: Scherwin Henry and Todd Chase

## **COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

### **END OF CONSENT AGENDA**

### **ADOPTION OF THE REGULAR AGENDA**

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

*NOTE: Commissioner Henry entered the meeting room at 1:14 PM.*

#### *MODIFICATIONS:*

- 1. File #110768 - Job Description for the Position of City Attorney - (Revised back-up submitted).*
- 2. File #110820 (New Item) - Mayor Craig Lowe - Request to Join Amicus Brief in the US Supreme Court Case of Arizona v. United States (Added to the agenda 3/14/2012).*
- 3. File #110778 - Proclamation - National Farm Worker Awareness Week - (New Item added after Agenda Review).*
- 4. File #110782- Koppers Off-Site Surface Soils Remediation Enhancement in the Stephen Foster Neighborhood - (Waive the rules to hear this item at 7:00 PM - Time Certain and accept revised ppt. from Robert Pearce).*
- 5. File #110811 - Qualified Target Industry (QTI) Refund Resolution - MindTree, Ltd - (New Item added after Agenda Review).*
- 6. File #110766 - Nominations Library District Board of Trustees - (Withdraw from the agenda).*

## **CHARTER OFFICER UPDATES**

## **CLERK OF THE COMMISSION**

## **CITY MANAGER**

**110767. Proposed Update to Land Development Code Regarding Lighting for Vehicular Parking (NB)**

**This item proposes modifications to Section 30-330 and Section 30-345 of the Land Development Code regarding design requirements for vehicle parking and general performance standards.**

*Planning and Development Services Director Erik Bredfeldt and Lead Planner Lawrence Calderon gave presentations.*

*Mayor Lowe recognized Bruce Rider of Bosshardt Realty who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) hear a presentation from staff; 2) if deemed appropriate, direct staff to initiate a Petition to the Plan Board to modify applicable components of Sec. 30-330 and Sec. 30-345 of the Land Development Code.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, that this matter be Approved as Recommended. 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

## **GENERAL MANAGER FOR UTILITIES**

**110775. Refunding of Certain Outstanding Bonds, and Restructuring of Certain Interest Rate Swaps (B)**

*Gainesville Regional Utilities Chief Financial Officer Jennifer Hunt gave a presentation.*

**RECOMMENDATION**      *The City Commission: 1) Authorize the refunding of all or a portion of the outstanding Utilities System Revenue Bonds, 2005 Series B (Federally Taxable), 2005 Series C, 2006 Series A, 2008 Series A (Federally Taxable), and 2010 Series C through the issuance of variable-rate, tax-exempt bonds; 2) Authorize the refunding of all or a portion of the outstanding Utilities System Revenue Bonds, 2003 Series A and 2005 Series A through the issuance of fixed-rate, tax-exempt bonds; 3) Approve the selection of one or more Senior Managers for the refunding bonds referenced in 1 and 2 above and authorize the appointment of additional Co-Managers if, upon the advice of Public Financial Management (PFM), our Financial Advisor, doing so would enhance the distribution of the refunding bonds; 4) Authorize the restructuring of all or a portion of certain outstanding fixed payer CMS interest rate*

*swaps with JPMorgan Chase Bank, N.A. and Goldman Sachs Mitsui Marine Derivative Products, L.P., either through the amendment of the existing swaps or through the entry into one or more additional swaps, in order to convert the payments to be received by the Utility under such swaps back to the original percentage of 1-month LIBOR formulation; 5) Authorize staff to negotiate and enter into an ISDA Master Agreement with Deutsche Bank in order to provide an additional potential swap counterparty to ensure GRU's ability to receive competitive market-based economics; 6) Authorize the utility to work with its Financial Advisor to select one or more counterparties to provide any additional swaps as described in 4 above; 7) Approve the designation of any such additional swaps as a "Qualified Hedging Contract" within the meaning of the City's Amended and Restated Utilities Bond Resolution; and 8) Authorize the Clerk of the Commission, the General Manager and other Authorized Officers of the City (as defined in the Utilities Bond Resolution) to execute such documents as may be necessary to proceed with the transactions authorized in 1-7 above (including such documents as are necessary or appropriate to evidence the amendment of the existing CMS swaps or the entry into additional swaps), subject to approval of the Office of the City Attorney as to form and legality, and to take such other actions as may be necessary or advisable to proceed with these transactions in accordance with this City Commission authorization.*

**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, Susan Bottcher and Thomas Hawkins  
Absent: Todd Chase

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE**



**110498. Re-establishment of an Economic Development Officer Position (B)**

**A Committee Report-Out from the Economic Development University/Community Committee regarding reestablishing a City Economic Development Officer Position.**

*MOTION (AMENDMENT): Approve the recommendation and direct the City Manager to update the job description of the Economic Development Officer to include two things: 1) Reflect the current economic development status of the City and the current needs; and 2) incorporate responsibilities of an ombudsman as recommended by the Community Redevelopment Committee.*

**RECOMMENDATION** *EDUCC to the City Commission: 1) Direct the City Manager to add the reestablishment of an Economic Development Officer as an increment to the FY 13/14 budget; and 2) remove this item from the Economic Development/ University Community Committee's pending referral list.*

**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, Susan Bottcher and Thomas Hawkins  
Absent: Todd Chase

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****110766. Nominations - Library District Board of Trustees (B)**

**RECOMMENDATION** *The City Commission nominate the two applicants for consideration of appointment by the Library District Governing Board.*

**Withdrawn**

**OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****110665 Commissioner Thomas Hawkins (NB)**

**RECOMMENDATION** *The City Commission refer to the Regional Utilities Committee a review of the GRU cost allocation study.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, that this matter be Referred to the Regional Utilities Committee, due back on September 15, 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

**110768. Job Description for the Position of City Attorney (B)**

*Human Resources Director Sandy Barnard and EO Director Cecil Howard gave presentations.*

*MODIFICATION: Modified time line.*

**RECOMMENDATION**      *The City Commission approve the job description for City Attorney as submitted.*

**A motion was made by Commissioner Henry, seconded by Commissioner Mastrodicasa, that this matter be Approved as Recommended with Modification(s). 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

**110820. Mayor Craig Lowe - Request to Join Amicus Brief in the US Supreme Court Case of Arizona v. United States (B)**

*MOTION (AMENDMENT): The City of Gainesville join as amicus curiae in the filing of an amicus brief in the U.S. Supreme Court case styled Arizona v. United States, and authorize the Office of the County counsel, County of Santa Clara, California to represent the City of Gainesville for the very limited purpose of filing the brief at no cost to the City.*

*NOTE: Commissioner Wells made an additional motion regarding Immigration issues. See following File #110824.*

**RECOMMENDATION**      *The City Commission: 1) Hear information; and 2) join the amicus brief on behalf of the United States.*

**A motion was made by Commissioner Wells, 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, Susan Bottcher and Thomas Hawkins  
Absent: Todd Chase

**110824. Immigration Issues (NB)**

**RECOMMENDATION**     *The City Commission add to the State Legislative Agenda support for legislation by Senator Garcia regarding immigration issues (SB 1080).*

**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, Susan Bottcher and Thomas Hawkins  
Absent: Todd Chase

**COMMISSION COMMENTS (if time available)****RECESS - 2:59 PM****RECONVENE - 5:50 PM****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****110774. Earth Hour - March 31, 2012 (B)**

**RECOMMENDATION**     *University Office of Sustainability Anna Prizzia to accept the proclamation.*

**Heard**

**110778. National Farm Worker Awareness Week - March 25-31, 2012 (B)**

**RECOMMENDATION**     *National Farm Worker Ministry Professor Samuel B. Trickey, Gainesville Interfaith Alliance for Immigrant Justice Organizer Kimberly L. Hunter and University of Florida Student Victor Yengle and CHISPAS Hispanic Student Association Juliette to accept the proclamation.*

**Heard**

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

*Courtesy issues.*

**Sydem Haider**

*Owner of Islamic Center - See following file #110877.*

**110877. Citizen Comment - Sydem Haider Re: Owner of Islamic Center (B)**

**RECOMMENDATION**

*The City Commission hear comments from Sydem Haider and place back-up submitted on file.*

**Placed on File**

**Doris Edwards**

*Mayors Aide.*

**Rob Brinkman**

*Gas prices.*

**Dejeon Cain**

*Mayor's Aide.*

**John Davies**

*Various Issues.*

**Darlene Pifalo**

*Citizen Comment issues.*

**Gabriel Hillel**

*Professional Temporary Employees.*

**Pat Fitzpatrick**

*Hungry Children - Socialism for the rich and capitalism for the poor - See following file #110878.*

**110878. Citizen Comment - Pat Fitzpatrick - Social Issues (B)**

**RECOMMENDATION**

*The City Commission hear comments from Pat Fitzpatrick and place back-up submitted on file.*

**Placed on File**

**Juanita Miles Hamilton**

*Mayors Aide.*

**Nathan Skop**

- 1. Bond refinancing.*
- 2. Mayor's Aide*

**Dian Deevey**

*EPAC Report - Biomass Plant.*

**Jo Beaty**

*Bond Refinancing.*

**Debbie Martinez**

*Mayor's Aide.*

**Roy Geiersbach**

*Global Warming.*

**PUBLIC HEARINGS****WAIVER OF RULES - TIME CERTAIN - 7:00 PM****110782. Koppers Off-Site Surface Soils Remediation Enhancement in the Stephen Foster Neighborhood (NB)**

*Citizen Robert Pearce gave a presentation.*

*MOTION: A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Hawkins to: 1) Direct the City Manager to direct the Intergovernmental Team to find the appropriate staff liaison/coordinator to organize and coordinate all of the relevant governmental and institutional agencies and departments, businesses, and private individuals that could contribute toward bringing about a superior off-site surface soils remediation process in the in the*

*Stephen Foster Neighborhood and to also identify facilities that would be available; 2) direct the staff liaison to get a description or an action plan in writing; and 3) authorize the Mayor to write a letter to President Obama asking for additional support for this endeavor.*

*(VOTE: 6-0, Commissioner Chase - Absent, MOTION CARRIED)*

*Mayor Lowe recognized the following citizens:*

- 1. Kim Popejoy*
- 2. Pat Kline*
- 3. Kai Gress*
- 4. Glenn Aiken*
- 5. Bob Holman*
- 6. Roy Geiersbach*
- 7. Sandra Watts Kennedy*
- 8. Alicia Alonso*
- 10. Dedra Bryan*
- 11. Bob McPeake*
- 12. Rob Brinkman*
- 13. Ronald Hodill*
- 14. Susan Fairforest*
- 15. Barbara Ruth*
- 16. Clara Horton*
- 17. Jo Beaty*
- 18. Maria Parsons*

**RECOMMENDATION**

*1) Hear a presentation from the Stephen Foster Neighborhood Association. 2) Take action as deemed appropriate.*

**A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Hawkins, that this matter be Approved as shown above (See Motion). 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

## **RESOLUTIONS- ROLL CALL REQUIRED**

### **110762. REPORT OF THE BOARD OF CANVASSERS (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, run-off election held February 28, 2012; and providing an immediate effective date.**

**RECOMMENDATION**

*The City Commission adopt the proposed resolution.*

**A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Hawkins, that this matter be Adopted (Resolution). 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

**110811. Qualified Target Industry (QTI) Refund Resolution - MindTree, Ltd (B)**

**This item seeks City Commission approval for a QTI contribution for the prospective location of computer software and systems design jobs associated with MindTree, Ltd., an information technology and software development firm, within the City of Gainesville.**

*Planning and Development Services Director Erik Bredfeldt gave a presentation.*

**RECOMMENDATION**      *The City Commission: 1) authorize the Mayor to execute the QTI Resolution regarding MindTree, Ltd.; and 2) direct the City Manager to forward the executed QTI Resolution to Enterprise Florida.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Mastrodicasa, that this matter be Adopted (Resolution) and Approved the Recommendation. 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

## **TRANSMITTAL HEARING**

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

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

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

*Planner Jason Simmons gave a presentation.*

**RECOMMENDATION**      *The City Commission (1) approve Petition PB-11-138 CPA and (2) adopt the proposed ordinance.*

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

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

**110608. COMPREHENSIVE PLAN AMENDMENT - RECREATION ELEMENT (B)**

**Ordinance No. 110608; Petition No. PB-11-135 CPA**

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

*Planner Jason Simmons gave a presentation.*

**RECOMMENDATION**      *The City Commission (1) approve Petition PB-11-135 CPA and (2) adopt the proposed ordinance.*

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

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

**ADOPTION READING-ROLL CALL REQUIRED**

**110555. REZONING – 2200 BLOCK OF SW 38TH TERRACE (B)**

**Ordinance No. 110555, Petition No. PB-11-124ZON**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property located in the vicinity of the 2200 block of SW 38th Terrace, west side, from the Alachua County zoning category of “Multiple family high density (R-3) district” to the City of Gainesville zoning category of “PS: Public services and operations district”; to permit stormwater management facilities, passive recreation, transit stops, and uses customarily incidental to any permitted principal use; excepting the requirement of a preliminary development plan; providing directions to the City Manager; adopting certain conditions; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Lead Planner Dean Mimms gave a presentation.*

**RECOMMENDATION**      *The City Commission: 1) approve Petition No.*



*PB-11-124ZON; and 2) adopt the proposed ordinance.*

**A motion was made by Commissioner Wells, seconded by Commissioner Bottcher, that this matter be Approved (Petition) and Adopted on Adoption 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

**110556. REZONING – 4201 SW 21ST PLACE (B)**

**Ordinance No. 110556, Petition No. PB-11-125ZON**

**An ordinance of the City of Gainesville, Florida, in the vicinity of 4201 SW 21st Place; amending the Zoning Map Atlas and rezoning certain property located at 4201 SW 21st Place, from the Alachua County zoning category of “Multiple family high density (R-3) district” to the City of Gainesville zoning category of “PS: Public services and operations district”, as more specifically described in this ordinance; to allow for social service homes and halfway houses, rehabilitation centers, housing for elderly persons, day care centers, libraries, museums and art galleries, executive offices, legislative bodies, general government, police protection, legal counsel and prosecution, public order and safety, administration of public health programs, social, human resource and income maintenance programs, veterans’ affairs, environmental quality and housing programs, general economic programs, and the regulation of agricultural marketing and commodities, the regulation, licensing, and inspection of miscellaneous commercial sectors and any use customarily incidental to any permitted principal use with certain conditions as set forth in this ordinance; excepting the requirement of a preliminary development plan; providing directions to the City Manager; adopting a certain finding; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Lead Planner Dean Mimms gave a presentation.*

**RECOMMENDATION**      *The City Commission: 1) approve Petition No. PB-11-125ZON; and 2) adopt the proposed ordinance.*

**A motion was made by Commissioner Wells, seconded by Commissioner Bottcher, that this matter be Approved (Petition) and Adopted on Adoption Reading. 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

**110557. REZONING - 4035 SW 20TH AVENUE (B)**

**Ordinance No. 110557, Petition No. PB-11-126ZON**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property located in the vicinity of 4035 SW 20th Avenue, from the Alachua County zoning category of "Planned development (PD) district" to the**

City of Gainesville zoning category of "PS: Public services and operations district"; to permit telecommunications facilities, utility buildings or facilities, stormwater management facilities, and uses customarily incidental to any permitted principal use; excepting the requirement of a preliminary development plan; providing directions to the City Manager; adopting certain conditions; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Lead Planner Dean Mimms gave a presentation.*

**RECOMMENDATION**      *The City Commission: 1) approve Petition No. PB-11-126ZON; and 2) adopt the proposed ordinance.*

**A motion was made by Commissioner Wells, seconded by Commissioner Henry, that this matter be Approved (Petition) and Adopted on Adoption Reading. 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, 1ST READING- ROLL CALL REQUIRED**

## **ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

### **110598.                    AMEND THE URBAN MIXED-USE DISTRICT 1 (UMU-1) ZONING DISTRICT (B)**

**Ordinance No. 110598; Petition No. PB-11-139 TCH**

**An ordinance of the City of Gainesville, Florida, amending Section 30-65.1 Urban mixed-use district 1 (UMU-1) of the Land Development Code; by amending the density requirements and the building height requirements; 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 Wells, seconded by Commissioner Bottcher, 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

## **PLAN BOARD PETITIONS**

### **110740.                    Amendment to the Gainesville Auto Town Center Planned Development (B)**

**Petition PB-11-158 PDA. Causseaux, Hewett, and Walpole, Inc., agent for Duval Motorcars of Gainesville, Inc. Amend the PD (Planned Development district) zoning ordinance # 100520 to remove Condition #24 pertaining to a time limit for filing an application for development plan review. Located in the 3900 block of North Main St., west side.**

*Lead Planner Lawrence Calderon gave a presentation.*

*Mayor Lowe recognized Craig Frazier with CHW who spoke to the matter.*

**RECOMMENDATION**      *City Plan Board to City Commission -Approve Petition PB-11-158PDA.  
Staff to City Commission- Approve Plan Board's recommendation.  
Staff to City Plan Board- Approve Petition PB-11-158PDA.*

**A motion was made by Commissioner Wells, seconded by Commissioner Henry, that this matter be Approved (Petition). 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

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

### **Commissioner Scherwin Henry**

*Women and Minorities in Capital Projects - Minority Contractors for the new RTS Facility - EO Director Cecil Howard made comments.*

### **Commissioner Thomas Hawkins**

- 1. Black on Black Crime Task Force - Club Promoters posting flyers on public trees and rights of ways - See following referral item #110871.*
- 2. Public property issues monitoring of public lands not being used for public purpose to the Recreation, Cultural Affairs, and Public Works Committee - See following referral item #110876.*

### **110871. Club Promoters Posting Flyers on Public Trees and Rights of Way (NB)**

*NOTE: This item was referred to the City Manager and the City Attorney.*

**RECOMMENDATION**      *The City Commission: 1) Refer the issue of club promoters posting flyers on public trees and rights of way to the City Manager specifically for a report on SE 15th Street; and 2) refer to the City Attorney for tools to address the issue.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, that this matter be Referred to the City Manager, due back on September 15, 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

**110876.                    Policy Review of Public Property Not Being Used for Public Purposes (NB)**

**RECOMMENDATION**      *The City Commission refer the issue of reviewing policies in general relating to public property not being used for public purposes to the Recreation, Cultural Affairs and Public Works Committee.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on September 15, 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

**Commissioner Randy Wells**

*Management changing 39 MAPS employees to CWA.*

**CITIZEN COMMENT**

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

**ADJOURNMENT - 9:53 PM**

---

Kurt M. Lannon, Clerk of the Commission