

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, October 2, 2008**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

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

*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 - 1:07 PM****ROLL CALL**

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

**INVOCATION**

*The City Commission observed a moment of silence.*

**CONSENT AGENDA**

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

*MODIFICATION:  
File #080359 - Release of Mineral Rights Located at Tax Parcel 10848-020-043 -  
Remove from the Consent Agenda and place on the Regular Agenda for discussion.*

**CITY MANAGER, CONSENT AGENDA ITEMS****080358. Contract for Inmate Work Crew for the Solid Waste Division (B)**

**This item is an agreement between the City of Gainesville (City) and Florida Department of Corrections (FDOC) for Inmate Work Crew for Litter Clean-up for the term of December 16, 2008 through December 15, 2009.**

**RECOMMENDATION**      *Recommended Motion: The City Commission: 1) authorize the City Manager to execute the contract with Florida Department of Corrections for a contractual inmate work crew through December 15, 2009, subject to approval by the City Attorney as to form and legality.*

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

**080362. Adoption of the Transit Development Plan for FY 2009 (B)**

**This item is a request that the City Commission adopt the RTS Transit Development Plan as submitted to the Florida Department of Transportation (FDOT) on August 29, 2008.**

**RECOMMENDATION**      *Recommended Motion: The City Commission adopt the TDP for FY2009-2013.*

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

**080376. Florida Department of Corrections Inmate Contract Crew. (B)**

**This item is for the City Commission to authorize the City Manager or designee to enter into a contract with the Florida Department of Corrections for a contractual inmate crew for the term of November 22, 2008 through November 21, 2009.**

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager or designee to enter into a contract with the Florida Department of Corrections for a contractual inmate crew not to exceed \$56,467 and; 2) that the contract be renewed annually as long as funding and adequate performance has been demonstrated.*

*Alternative Recommendation A*

*The City Commission deny the request to enter into the contract.*

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

**080377. Settlement of Worker's Compensation Claim - James Lindsey (NB)**

**This item involves the full and final settlement of Mr. Lindsey's workers' compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$50,000 and represents a significant cost advantage to the City.**

**RECOMMENDATION**

*The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of James Lindsey in the amount of \$50,000.*

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

**080384. Award Contract for Demolition of Dangerous Structures (B)**

**This is a request to award the contract for demolition of dangerous structures to Florida Concrete Recycling, Inc.**

**RECOMMENDATION**

*The City Commission approve the contract with Florida Concrete Recycling, Inc. for demolition services required by the Code Enforcement Division for FY 09 in an amount not to exceed \$100,000.*

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

**080385. Award of Remaining Contract to Provide Collection and Clinical Lab Services to Doctor's Laboratory, Inc. (B)**

**This item involves a request for the City Commission to approve the transfer of the remaining contract term from Jager's Enterprise, Inc to Doctor's Laboratory Inc.**

**RECOMMENDATION**

*The City Commission authorize: 1) the award of the remainder of the contract effective October 4, 2008 for Collection and Clinical Laboratory Technical and Professional Services to Doctor's Laboratory, Inc for Fiscal Year 2009; 2) issuance of a Purchase Order in an amount sufficient to cover the applicable charges for collection and laboratory services; and 3) the City Manager or designee to negotiate and execute, subject to the approval of the City Attorney as to form and legality, a contract with Doctor's Laboratory, Inc as a specified source.*

*Alternative Recommendation:*

*The Federal Transit Administration requires that random drug testing be conducted during all normal hours of operation. The Regional Transit System currently provides services until the early morning hours. In addition, the City's Drug Free Workplace Program's post-accident testing may also require after-hour drug testing to fully comply with State Law and the City's collective bargaining agreements. The inability to comply with the above standards could put the City's FTA grants at risk and have an adverse effect on future Regional Transit Systems operating and capital grant funding. With this being the case, there is no alternative at this time. Staff spent considerable time attempting to find qualified local collection sites for this service.*

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

**080420. 2009 Rotary Clubs of Gainesville, Foundation, Inc. Wild Game Feast Grant (NB)**

**This item involves the City submitting two (2) grant applications for the Rotary Clubs of Gainesville Foundation, Inc. 2009 Wild Game Feast Grant.**

**RECOMMENDATION**

*The City Commission: 1) approve the two (2) grant applications to the Rotary Clubs of Gainesville Foundation, Inc.; 2) authorize the City Manager to execute the application; and 3) if awarded, authorize the City Manager to execute the grant agreement and other grant-related documents subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation A: The City Commission decline*

*submission of the Rotary Clubs of Gainesville Foundation,  
Inc. grant applications.*

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

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

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

**080366. EEOC CHARGE NO. 510-2008-04433, THOMAS J. BASTIEN vs. CITY OF GAINESVILLE (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to represent the City in the case styled Thomas J. Bastien vs. the City of Gainesville; EEOC Charge No.: 510-2008-04433.*

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

**080406. ANTHONY WILLIAMS VS. CITY OF GAINESVILLE, A MUNICIPAL CORPORATION; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 01-2008-CA-4249 (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to represent the City of Gainesville in the case Anthony Williams vs. City of Gainesville, a municipal corporation; Eighth Judicial Circuit, Court Case No. 01-2008 CA-4249*

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

**080407. NICOLE BOYLE VS. CITY OF GAINESVILLE, A MUNICIPAL CORPORATION; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 01-2008-CA-4713 (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to represent the City of Gainesville in the case Nicole Boyle vs. City of Gainesville, a municipal corporation; Eighth Judicial Circuit, Court Case No. 01-2008 CA-4713*

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

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

**080411. January 1, 2009 Meeting (NB)**

**RECOMMENDATION**      *The City Commission cancel the meeting scheduled for January 1, 2009.*

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

**080413.                      Resignation of Pension Review Committee Member Robert Dilts (B)**

**RECOMMENDATION**      *The City Commission accepts the resignation of Robert Dilts from the Pension Review Committee effective August 29, 2008 and extends its appreciation for his services.*

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

**080423.                      City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of September 8, 2008 (Workshop); and September 18, 2008 (Regular Meeting), as circulated.*

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

**Passed The Consent Agenda**

**A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Donovan, 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, Jack Donovan, Lauren Poe, Thomas Hawkins and Pegeen Hanrahan  
Absent: Scherwin Henry and Jeanna Mastrodicasa

**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**

*Commissioner Lowe moved and Commissioner Donovan seconded to adopt the Regular Agenda, as modified.  
(VOTE: 5-0, Commissioners Henry and Mastrodicasa - Absent, MOTION CARRIED)*

**MODIFICATION:**

*File #080393 - Alachua County's Long Term Concurrency Management System - (3 New Power Points added to the agenda).*

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

### 080412. Special Meeting/Workshops (B)

*Assistant City Manager Paul Folkers made comments.*

**RECOMMENDATION**      *The City Commission: 1) Keep or re-schedule the workshops scheduled for October, November and December; and 2) Discuss proposed joint meeting with School Board of Alachua County.*

**No Action Taken**

## CITY MANAGER

### 080386. Align City Commission Strategic Goals and Initiatives with City Commission Standing Committees and the Community Redevelopment Agency (B)

**This item is a request to align the City Commission strategic goals and initiatives with City Commission Standing Committees and the Community Redevelopment Agency (CRA) to promote efficient and effective communication streams between elected officials, City staff and Gainesville residents concerning the implementation of the City's Strategic Plan.**

*Strategic Planning Manager Karen Snyder gave a presentation.*

*NOTE: Commissioner Mastrodicasa entered the meeting room at 1:31 PM.*

*AMENDMENT: Approve the recommendation, adding to recommendation 2 that the goals and initiatives would be: 1) Referred to the appropriate standing committees for discussion and possible policy recommendations; and 2) that the committee's recommendations would be brought back to the full City Commission.*

**RECOMMENDATION**      *The City Commission: 1) adopt the alignment of City Commission strategic goals and initiatives with Standing Committees and the CRA; 2) authorize City staff who are responsible for the implementation of the strategic goals and initiatives to go directly to the appropriate Standing Committee or CRA for policy direction; and 3) authorize City staff who are responsible for the implementation of the strategic initiatives to provide the appropriate Standing Committee or CRA with two updates throughout the fiscal*

year.

*Alternative Recommendation A:*

*The City Commission: 1) recommend changes to the alignment of City Commission strategic goals and initiatives with Standing Committees and the CRA; 2) authorize City staff who are responsible for the implementation of the strategic goals and initiatives to go directly to the appropriate Standing Committee or the CRA for policy direction; and 3) authorize City staff who are responsible for the implementation of the strategic goals and initiatives to provide the appropriate Standing Committee or CRA with two updates throughout the fiscal year.*

*Alternative Recommendation B:*

*The City Commission does not adopt the alignment of City Commission strategic goals and initiatives with Standing Committees and the CRA and suggests an alternative system/strategy.*

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

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

**080393.**

**Alachua County's Long Term Concurrency Management System (B)**

**This is a request for City Commission to hear a report from staff on Alachua County's Long Term Concurrency Management System.**

*City Planning and Development Services Director Erik Bredfeldt, Assistant County Manager Rick Drummond, Alachua County Planner Jonathan Paul, City Concurrency Management Planner Onelia Lazzari, RTS Chief Transit Planner Doug Robinson, and Public Works Director Teresa Scott gave presentations.*

*NOTE: Commissioner Henry entered the meeting room at 1:59 PM.*

*MOTION: Commissioner Donovan moved and Commissioner Lowe seconded that the City of Gainesville request the following:*

- 1) That the Board of County Commissioners and County staff insure that the impacts of the Long Term Concurrency Management System are consistent with the Vision Statements in the Community Wide Vision, the Livable Community Reinvestment Vision, and the Plan East Gainesville Vision;*
- 2) the Board of County Commissioners and County staff arrange joint intergovernmental coordination meetings with DCA, FDOT, NCFRPC, and the City of Gainesville;*
- 3) the County provide detailed policy language regarding the Long Term*



*Concurrency Management System;*  
 4) *the County include urban form and design policy details;*  
 5) *that a "perpetual funding source" policy be specified in detail;*  
 6) *that the Long Term Concurrency Management System include how Rapid Transit System would be integrated with the Regional Transit System, especially regarding connection points and end destination points;*  
 7) *that examination be done of making transfer of development rights as a key component of the Long Term Concurrency Management System;*  
 8) *direct RTS to consider adding routes complimentary to the existing system and future rapid transit routes; and*  
 9) *direct the City Plan Board and City staff to study the design concepts and plans being developed by the County for it's community centers and see how these standards might apply to our development of neighborhood centers (include in "neighborhood center" referral to the City Plan Board).*

*Chair Hanrahan recognized David Coffey, Rob Brinkman, and Bob Cohen who spoke to the matter.*

**RECOMMENDATION**

*Recommended Motion: The City Commission hear a presentation from City staff and provide policy direction to the City Manager as appropriate, especially as concerns reviewing proposed Alachua County Comprehensive Plan language that will implement the Long Term Concurrency Management System.*

**A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Lowe, that this matter be Approved as shown above (See Motion). The motion carried by the following vote:**

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

**080359. Release of Mineral Rights located at Tax Parcel 10848-020-043 (B)**

**This item is a request for approval and authorization to release Mineral Rights retained on a Cedar Grove property.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) approve the release of mineral and petroleum rights pursuant to Section 270.11(3), Florida Statutes; and (2) authorize the Mayor to execute, and the Clerk to attest a Quit-Claim Deed onto Viola T. Penny or Ruben Rivera, releasing all City interests, including all phosphate, minerals, metals and petroleum rights, subject to approval by the City Attorney as to form and legality.*

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

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

**GENERAL MANAGER FOR UTILITIES****CITY ATTORNEY****080410. PETITION FOR CHARTER AMENDMENT (B)**

*City Attorney Marion Radson, Litigation Attorney Elizabeth Waratuke and Assistant City Attorney Stephanie Marchman gave presentations.*

*Chair Hanrahan recognized Michelle Ott, Lisa Finch, Pamela Mincey, Rob Brinkman, Carol Willis, Phil Courson, Cain Davis, Kali Blount, Mark Mink, Helen Wallace, and Pat Fitzpatrick who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) receive the certification of the Supervisor of Elections; 2) hear a presentation from the City Attorney's Office on the effect of the Charter Amendment and potential legal issues associated with the Charter Amendment and 3) authorize the City Attorney's Office to draft the resolution placing this charter amendment on the ballot for the regular City election on March 24, 2009.*

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

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

**CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)**

**RECESS - 5:32 PM**

**RECONVENE - 6:04 PM**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**080418. Fire Prevention Week - October 5 - 11, 2008 (B)**

**RECOMMENDATION**

*Fire Rescue Deputy Fire Chief Risk Reduction Bureau Tim Hayes and Risk Reduction Specialist Krista Gonzalez to accept the proclamation.*

**Heard**

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

**Richard Selwach**

*Transgender Ordinance.*

**John Hermsdorfer**

*Northeast Coalition Group.*

**080455. Northeast Coalition Group (NEC) (B)**

**RECOMMENDATION**

*The City Commission hear a presentation from John Hermsdorfer and place back-up submitted on file.*

**Placed on File**

**Sarah Poll**

- 1. Bike Taxi's - See following referral item #080456.*
- 2. Channel 12 programing issues.*

**080456. Bike Taxi Referral to the Public Safety Committee (B)**

**RECOMMENDATION**

*The City Commission refer the issue bike taxi safety on game days and business tax issues to the Public Safety Committee for their review.*

**A motion was made by Commissioner Hawkins, seconded by Commissioner Lowe, that this matter be Referred to the Public Safety Committee, due back on April 2, 2009. The motion carried by the following vote:**

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

### **Pat Fitzpatrick**

*Homeless Issues.*

### **Walter Willard**

*Various Issues.*

## **PUBLIC HEARINGS**

## **ADOPTION READING-ROLL CALL REQUIRED**

### **080026. LAND USE CHANGE - TAX PARCEL 17731-002-000 (B)**

#### **Ordinance No. 0-08-30, Petition 21LUC-08PB**

**An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of "Heavy Industrial" to the City of Gainesville land use category of "Public Facilities"; generally located adjacent to the southern boundary of the Gainesville Regional Airport, and more specifically described as that area comprised of City-owned Tax Parcel 17731-002-000, generally located north of the City limits and Tax Parcel 17732-000-000, east of Tax Parcel 08178-000-000 and 08180-000-000, south and west of Tax Parcel 17730-000-000; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Senior Planner Susan Niemann gave a presentation.*

*Chair Hanrahan recognized Richard Selwach who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) approve Petition 21LUC-08PB; and 2) adopt the proposed ordinance.*

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

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

**080022. REZONING - TAX PARCEL 17731-002-000 (B)****Ordinance No. 0-08-31, Petition No. 60ZON-08PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from the Alachua County zoning category of "Industrial services and manufacturing (MS) district" to the City of Gainesville zoning category of "CON: Conservation district"; generally located adjacent to the southern boundary of the Gainesville Regional Airport, and more specifically described as that area comprised of City-owned Tax Parcel 17731-002-000, generally located north of the City limits and Tax Parcel 17732-000-000, east of Tax Parcel 08178-000-000 and 08180-000-000, south and west of Tax Parcel 17730-000-000; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Senior Planner Susan Niemann gave a presentation.*

*Chair Hanrahan recognized Richard Selwach who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) approve Petition No. 60ZON-08PB; and 2) adopt the proposed ordinance.*

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

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

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****080165. STREET VACATION - ADJACENT TO YMCA (B)****Ordinance No. 0-08-57, Petition 107SVA-07PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close the right-of-ways, generally described as Northeast 13th Terrace and that portion of Northeast 22nd Avenue lying one foot west of a line between the Southeast corner of lot 14 and the Northeast corner of lot 29 and that portion of Northeast 21st Avenue lying one foot west of a line between the Southeast corner of lot 35 and the Northeast corner of lot 50, as per the plat of the third addition to Carol Estates, as more specifically described in this Ordinance; reserving a public and private utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*City Planner Jason Simmons gave a presentation.*

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

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

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

Absent: Scherwin Henry

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

### **080085. UPDATE OF APPENDIX I OF THE CITY CHARTER - LEGAL DESCRIPTION OF THE MUNICIPAL CORPORATE LIMITS (B)**

#### **Ordinance No. 0-08-39**

**An ordinance of the City of Gainesville, Florida, amending Appendix I of the City Charter, by redefining the Legal Description of Municipal Corporate Limits, as more specifically described in this Ordinance; providing directions to the codifier; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Chair Hanrahan recognized Richard Selwach and Walter Willard who spoke to the matter.*

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

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

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

Absent: Scherwin Henry

### **060630. STANDARDS FOR INSTALLATION AND MAINTENANCE OF FENCES (B)**

#### **Ordinance No. 0-08-41**

**An ordinance of the City of Gainesville, Florida, amending Chapter 13, Housing and Commercial Building Codes, by creating a new Article I, Division 1, relating to the general requirements for fences and walls; by creating a new section 13-1 to add definitions; by creating a new section 13-2 to provide standards for the construction and maintenance of fences and walls; by creating a new section 13-3 to prohibit certain fences and walls; by creating a new section 13-4 to provide for non-conforming fences and walls; by creating a new section 13-5 to provide for administration and enforcement; by amending sections 13-204 and 13-209 to delete redundant language; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date and enforcement in accordance with the schedule provided herein.**

*NOTE: Commissioner Henry entered the meeting room at 6:54 PM.*

*Chair Hanrahan recognized Richard Selwach who spoke to the matter.*

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

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

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

**080261.                    LOBBYIST REGISTRATION - CIVIL CITATIONS (B)**

**Ordinance No. 0-08-60**

**An ordinance of the City of Gainesville relating to violations of the City's lobbyist registration ordinance; amending Chapter 2, Article V, Division 6, Section 2-339 by adding the violation of sec. 29-3 of the lobbyist registration ordinance to the list of those violations that can be enforced by civil citation; 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 Lowe, seconded by Commissioner Mastrodicasa, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**RESOLUTIONS- ROLL CALL REQUIRED**

**080361.                    Resolution for a Joint Participation Agreement - State Block Grant Funds for RTS Operating Assistance for FY 08/09 (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 Florida Department of Transportation (FDOT) to accept the allocation for Gainesville of \$1,298,354 from the State Block Grant Funds for FY 08/09.**

*Chair Hanrahan recognized Richard Selwach who spoke to the matter.*

**RECOMMENDATION**      *Recommended Motion: The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to accept*

*the allocation for Gainesville of \$1,298,354 from the State Block Grant Funds for FY 08/09, subject to approval by the City Attorney as to form and legality.*

**A motion was made by Commissioner Lowe, 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, Jack Donovan, Lauren Poe, Scherwin Henry, Thomas Hawkins and Pegeen Hanrahan  
Absent: Jeanna Mastrodicasa

## PLAN BOARD PETITIONS

### 080351. Gainesville Police Department - Downtown Headquarters Expansion Land Use (B)

**Petition 94LUC-08PB. Dynan Group, Inc., agent for City of Gainesville. Change Future Land Use Map designation from Mixed-Use Low-Intensity (8-30 units per acre), Residential Low-Density (up to 12 units per acre) and Office to Public Facilities for the expansion of the Gainesville Police Department (GPD) Headquarters. Zoned: MU-1 (8-30 units/acre mixed use low intensity), RC (12 units/acre residential conservation district), and OF (General office district). Located at the 400 Block of Northwest 8th Avenue. This petition is related to 17PSZ-08PB.**

*Senior Planner Scott Wright, Planning Manager Ralph Hilliard, Lt. Art Adkins, Jerry Muldowney and David Crabtree gave presentations.*

*Chair Hanrahan recognized Walter Willard and Richard Selwach who spoke to the matter.*

*MOTION: Continue this item to December 4, 2008, both the land use and the zoning, and in the mean time, hold a neighborhood type meeting (workshop) at GPD for more free flow conversation.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 94LUC-08PB.*

*Staff to City Plan Board - Approve Petition 94LUC-08PB.*

*Alternate Recommendations -*

*The City Commission deny Petition 94LUC-08PB.*

**A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Donovan, that this matter be Continued (Petition) for December 4, 2008. The motion carried by the following vote:**

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



**080350. Gainesville Police Department - Downtown Headquarters Expansion (B)**

**Petition 17PSZ-08PB. Dynan Group, Inc., agent for City of Gainesville. Rezone to PS (Public services and operations district) to establish specific regulations for the expansion of the Gainesville Police Department (GPD) Headquarters. Zoned: MU-1 (8-30 units/acre mixed use low intensity), RC (12 units/acre residential conservation district), and OF (General office district). Located at the 400 Block of Northwest 8th Avenue. Related to petition 94LUC-08PB.**

*Senior Planner Scott Wright, Planning Manager Ralph Hilliard, Lt. Art Adkins, Jerry Muldowney and David Crabtree gave presentations.*

*Chair Hanrahan recognized Walter Willard and Richard Selwach who spoke to the matter.*

*MOTION: Continue this item to December 4, 2008, both the land use and the zoning, and in the mean time, hold a neighborhood type meeting (workshop) at GPD for more free flow conversation.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 17PSZ-08PB with the associated zoning standards, subject to staff conditions.*

*Staff to City Plan Board - Approve Petition 17PSZ-08PB.*

*Alternate Recommendations -*

*The City Commission deny Petition 17PSZ-08PB.*

**A motion was made by Commissioner Hawkins, seconded by Commissioner Henry, that this matter be Continued (Petition) for December 4, 2008. The motion carried by the following vote:**

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

**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT****CITIZEN COMMENT (If time available)**

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

**ADJOURNMENT - 8:22 PM**

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Kurt M. Lannon, Clerk of the Commission