

City of Gainesville

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



Meeting Minutes

Thursday, August 21, 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 - 1:02 PM

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ROLL CALL

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

INVOCATION

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The City Commission observed a moment of silence.

CONSENT AGENDA

[Play Video](#)

Mayor-Commissioner Pro Tem Donovan moved and Commissioner Mastrodicasa seconded to adopt the Consent Agenda, as presented.

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

CITY MANAGER, CONSENT AGENDA ITEMS

080231.

Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for FY 2009 (B)

This item involves an agreement between the City of Gainesville (City) and Alachua County (County) for traffic engineering services in the amount of \$194,470.80 in revenue to the City during FY09.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for the period of October 1, 2008 to September 30, 2009.

This Matter was Approved as Recommended on the Consent Agenda.

080231_Agreement_20080821.pdf

080254.

Selection of Marsh USA, Inc. as the City of Gainesville's Property and Casualty Broker/Agent (B)

This item involves a request for the City Commission to approve the rankings of the competitive bid process selecting Marsh USA, Inc. as the City's property and

casualty broker/agent.

RECOMMENDATION

The City Commission: 1) approve the ranking of the responders; and 2) authorize the City Manager or his designee to negotiate an agreement with the top ranked firm for a period of three years with two annual extensions, subject to approval of the City Attorney as to form and legality. If an agreement cannot be reached with the top ranked firm, authorize the City Manager or his designee to initiate negotiations with the next ranked firm, continuing through the rankings until an agreement is reached.

This Matter was Approved as Recommended on the Consent Agenda.

080254_RFQ Cover Ltr_20080821 .pdf
080254a_Bid Award Info_20080821.pdf

070132.

Request for Additional Funding for the General Fund Displaced Mobile Home Owner/Tenant Assistance Program (B)

This item proposes to request additional funds in the amount of \$10,000 from the City Commission Contingency Fund to continue providing financial assistance for eligible displaced mobile home owners/tenants, who are relocating outside of the corporate limits of the City of Gainesville but within Alachua County due to mobile home park closures.

RECOMMENDATION

The City Commission: 1) authorize the use of \$10,000 of City Commission Contingency Funds to provide additional funds for the program; and 2) authorize the return of these funds to the City Commission Contingency Fund account if the funds are not utilized by November 1, 2008.

Alternative Recommendation

The City Commission deny the request for additional General Funds to fund this program. This may result in some displaced families experiencing a financial hardship due to not receiving financial assistance to relocate from the Buck Bay Mobile Home Park.

This Matter was Approved as Recommended on the Consent Agenda.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

080264.**Advisory Board/Committee Appointment to the Gainesville/Alachua County Regional Airport Authority (NB)****RECOMMENDATION**

The City Commission re-appoint Mark Goldstein to the Gainesville/Alachua County Regional Airport Authority for a term to expire July 31, 2011.

Commissioner Donovan: Mark Goldstein

Commissioner Hawkins: Mark Goldstein

Commissioner Henry: Vivian Filer

Commissioner Lowe: Mark Goldstein

Commissioner Mastrodicasa: Mark Goldstein

Commissioner Poe: Vivian Filer

Mayor Hanrahan: Mark Goldstein

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****REGIONAL UTILITIES COMMITTEE, CONSENT****061213.****Outstanding RUC Referral #061213 Digital Cities (NB)****RECOMMENDATION**

The City Commission remove item #061213 from the Regional Utilities Committee referral list.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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Commissioner Lowe Moved and Commissioner Mastrodicasa seconded to adopt the Regular Agenda, as modified.

(VOTE: 6-0, MOTION CARRIED)

MODIFICATIONS:

- 1. File #080299 - Declaration of Emergency - (Add to the agenda).*
- 2. File #080300 - Date for Continued City Commission Meeting of August 21, 2008 - (Add to the agenda).*
- 3. File #080125 - GPD's Restorative Justice Program - (Continued to September 2, 2008 @ 5:00 PM).*
- 4. File #080269 - Commissioner Thomas Hawkins - Potential Referral to the City Plan Board - (Memo and Power Point submitted).*
- 5. File #080155 - Retiree Health Insurance Program and Trust Fund Ordinance - (Additional back-up submitted (Power Point and revised attachment)).
(CONTINUE)*
- 6. File #080227 - Amend the Five Points Special Area Plan - (Exhibits submitted by Attorney Jennifer Springfield for formal quasi-judicial hearing).
(CONTINUE)*
- 7. File #070275 - Alternative Sites for the One-Stop Homeless Assistance Center - (Revised agenda language and additional back-up submitted).
(CONTINUE)*
- 8. File #070399 - Site Selection Confirmation for the Fleet Management Garage and Materials Storage Facility - (Additional back-up submitted).
(CONTINUE)*

NOTE: All items on the evening portion of the agenda were continued to September 2, 2008 @ 6:00 PM.

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

080299.**Declaration of Emergency (B)****RECOMMENDATION**

The City Commission find that civil emergency conditions exist arising from Tropical Storm Fay so that the Mayor may suspend the provisions of the agreement between the City of Gainesville and Professional Fire Fighters of Gainesville Local No. 2157 of the International Association of Fire Fighters during the time of the declared emergency.

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, Jeanna Mastrodicasa, Thomas Hawkins and Pegeen Hanrahan
Absent: Scherwin Henry

080300.**Date for Continued City Commission Meeting of August 21, 2008 (B)**

MOTION: Continue the August 21, 2008 City Commission Meeting to September 2, 2008 @ 5:00 PM beginning with File #080125 GPD's Restorative Justice Program presentation, Citizen Comment and the Public Hearings beginning @ 6:00 PM, or soon thereafter.

Chair Hanrahan recognized Jimmy Harnsberger who spoke to the matter.

RECOMMENDATION

The City Commission select a date to continue the City Commission Meeting of August 21, 2008.

A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, 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, Jeanna Mastrodicasa, Thomas Hawkins and Pegeen Hanrahan
Absent: Scherwin Henry

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION**[Play Video](#)

NOTE: Commissioner Scherwin Henry entered the meeting room @ 1:22 PM.

080269.**Commissioner Thomas Hawkins - Potential Referral to the City Plan Board (B)**[Play Video](#)

City Commissioner Thomas Hawkins gave a presentation. Planning Manager Ralph Hilliard and Planning and Development Services Director Erik Bredfeldt made comments.

MOTION: Refer to the Plan Board to: 1) request that the Plan Board recommend amendments to the Land Development Code sufficient to implement Objective 1.3 of the Future Land Use Element and Policies 1.1.7 and 1.1.8 of the Urban Design Element; 2) request that the Plan Board specifically include in its recommendation standards for the use of connected streets and city blocks; and 3) request that the City Manager apply applicable Comprehensive Plan policies when reviewing all future development applications for neighborhood centers.

RECOMMENDATION *The City Commission: 1) hear a presentation regarding inconsistencies between the Comprehensive Plan and Land Development Regulations regarding neighborhood centers; and 2) refer matter to the City Plan Board.*

A motion was made by Commissioner Hawkins, seconded by Commissioner Lowe, that this matter be Approved as shown above and Referred to the City Plan Board, due back on February 21, 2009. The motion carried by the following vote:

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

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COMMISSION COMMENTS (if time available)[Play Video](#)

Commissioner Jack Donovan

1. *Conservation, Open Space and Groundwater Recharge Element of the Comprehensive Plan referral - See following referral #080314.*
2. *Community Development Committee Referral - RLUPA Issue.*

080314. Conservation, Open Space and Groundwater Recharge Element of the Comprehensive Plan Referral (NB)

Chair Hanrahan recognized Pat Fitzpatrick who spoke to the matter.

RECOMMENDATION *The City Commission direct staff report back on the status of implementation of our Comprehensive Plan (Goal 1) Conservation, Open Space and Groundwater Recharge Element regarding open space and also report back what our options and next steps are, especially in relationship to other jurisdictions.*

A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Lowe, that this matter be Referred to the City Manager, due back on February 21, 2009. The motion carried by the following vote:

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

Commissioner Craig Lowe

Budget Issues - (Equal raises for employees not getting raises in 2009).

See following item #080315.

080315. Equal Raises for All City Employees FY09 (NB)

RECOMMENDATION *The City Commission direct staff to place the issue of providing equal raises for all City employees in FY 2009 on the September 4, 2008 agenda during the budget discussion.*

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

Commissioner Scherwin Henry

1. *Budget Issues - Marketing position that was cut during the budget hearings.*
2. *Pleasant Street - Housing demolition.*

Commissioner Jeanna Mastrodicasa

Budget Issues

Commissioner Lauren Poe

Budget Issues

Mayor Pegeen Hanrahan

Budget and Salary Issues.

Commissioner Thomas Hawkins

Budget Issues

CITIZEN COMMENT

George Elmore

1. *City Budget Issues.*
2. *Camera's on red lights.*

Jimmy Harnsberger

Agenda Issues.

RECESS - 3:43 PM

[Play Video](#)

RECONVENE - 6:00 PM

[Play Video](#)

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

080281. Constitution Month - September 2008 (B)

RECOMMENDATION *Gainesville Chapter Daughter of the American Revolution
Roz Miller to accept the proclamation.*

Continued

080281_Proclamation_20080821.pdf

CITIZEN COMMENT (6:00pm) August 21, 2008

[Play Video](#)

Wilfreido Melendez

*Downtown Latino Festival - September 20, 2008 - Request for co-sponsorship waiver
of fees for security and the Downtown Plaza.*

*Mr. Melendez also request that the City provide a list of city-owned properties for the
new Hispanic Center.*

080324.

Co-Sponsorship Request for Downtown Latino Festival (NB)

RECOMMENDATION *The City Commission refer the issue of the City of Gainesville
co-sponsoring the Downtown Latino Festival on September
20, 2008, to the Charter Officers to see if there is any funding
available for waiving fees for security for the Downtown
Plaza, etc.*

**A motion was made by Commissioner Poe, seconded by Commissioner Lowe,
that this matter be Referred to the Charter Officers. The motion carried by the
following vote:**

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

Cain Davis

Gender Identity Ordinance.

City Attorney to bring back a report in late September or early October.

Pat Fitzpatrick

Homeless Feedings.

Kali Blount

"Inside Africa" Exhibit - UF Museum of Natural History.

Russ Blackburn

Update on Tropical Storm Fay.

Robert Hunzinger

Update on Tropical Storm Fay.

PUBLIC HEARINGS

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COMMISSION COMMENT**Commissioner Jeanna Mastrodicasa**

Commissioner Mastrodicasa informed the Commission that the topic of discussion for the November 10, 2008 City Commission Workshop would be a discussion of the book "Who's Your City".

MOTION TO CONTINUE

*MOTION: Commissioner Lowe moved and Commissioner Henry seconded to continue the meeting to Tuesday, September 2, 2008 @ 5:00 PM with the Public Hearings beginning at 6:00 PM or soon thereafter.
(VOTE: 7-0, MOTION CARRIED)*

RECESS - Thursday, August 21, 2008 @ 6:46 PM.

RECONVENE - September 2, 2008 - 5:04 PM

CITIZEN COMMENT - September 2, 2008

John Butler

Northwood Neighborhood Sidewalks - Referred to the City Manager by consensus.

Lori Schiele

Request for Co-sponsorship for 2008 Gatorhead Rowing Regatta.

Referred to staff by consensus.

Elaine Summers

Request for Co-sponsorship for 2008 Gatorhead Rowing Regatta.

080125.**GPD's Restorative Justice Program (B)**

NOTE: This item was continued to September 2, 2008 @ 5:00 PM.

Presentation - (September 2, 2008) Gainesville Police Chief Norm Botsford, Major Rick Hanna and gave a presentation.

RECOMMENDATION *The City Commission hear a presentation from staff.*

Heard

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ADOPTION READING-ROLL CALL REQUIRED**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****080193.****VOLUNTARY ANNEXATION - PRAIRIE VIEW TRUST II (B)****Ordinance No. 0-07-115**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of a portion of Tax Parcel 07240-000-000, as more specifically described in this Ordinance, generally located south of the vicinity of Archer Road and Interstate 75, west of Interstate 75 and the City limits, north of Williston Road and SW 62nd Avenue and east of SW 63rd Boulevard; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

MOTION: Commissioner Lowe moved and Commissioner Henry seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.

(VOTE: 7-0, MOTION CARRIED)

PRESENTATION: (September 2, 2008). Strategic Planning Manager Karen Billings gave a presentation.

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 First 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

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070889.

ANTI-DISCRIMINATION POLICIES (B)

Ordinance No. 0-08-53

An ordinance of the City of Gainesville, Florida, relating to Equal Opportunity; adding protections against discrimination on the basis of gender identity to certain anti-discrimination policies of the City; amending the Policy Statement; amending the Discrimination, Harassment and Conduct Policy; amending the Equal Employment Opportunity Policy; and amending the Equal Opportunity Complaint Policy; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.

(VOTE: 7-0, MOTION CARRIED)

CITIZEN COMMENT: (September 2, 2008). Chair Hanrahan recognized Ms. Lee

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Lowe, that this matter be Adopted on First 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

070889_Adding gender identity_20080821.pdf

070889A_Adding gender identity_20080821.pdf

070889C_Adding gender identity_20080821.pdf

070889F_Adding gender identity_20080821.pdf

070889G_Adding gender identity_20080821.pdf

070889_ordinance_20080904.pdf

080219.

REGISTERED DOMESTIC PARTNERSHIP (B)

ORDINANCE NO. 0-08-56

An ordinance of the City of Gainesville, Florida, amending Article VIII of Chapter 2 of the Code of Ordinances, relating to registered domestic partners, to provide that registered domestic partners may not be related by blood in any way which would prohibit legal marriage in the State of Florida, providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*MOTION: Commissioner Lowe moved and Commissioner Henry seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.
(VOTE: 7-0, MOTION CARRIED)*

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 First 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

080219_Domestic Partners_20080821.pdf

080219_ordinance_20080904.pdf

080155.

RETIREE HEALTH INSURANCE PROGRAM AND TRUST FUND (B)

Ordinance No. 0-08-52

An ordinance of the City of Gainesville, Florida, relating to the City's retiree health insurance program and trust fund, terminating the existing program and trust, creating a new retiree health insurance program and trust fund as Article XII of Chapter 2 of the City of Gainesville Code of Ordinances; describing contributions and benefits provided under the program and Trust, providing for administration of the program and Trust; and protection against creditors; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date with retrospective application.

*MOTION: Commissioner Lowe moved and Commissioner Henry seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.
(VOTE: 7-0, MOTION CARRIED)*

PRESENTATION: (September 2, 2008). Risk Management Director Steve Varvel gave a presentation.

Chair Hanrahan recognized FOP President Jeff McAdams who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Donovan, that this matter be Adopted on First 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

080155_Power Point_20080714.pdf

080155_Retiree Health Insurance_20080821.pdf

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080155_Retiree Health Insurance_20080821.pdf

080155_ordinance_20080904.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

080041.**STUDENT ADJUNCT MEMBERSHIP (B)****Ordinance No. 0-08-47**

An ordinance of the City of Gainesville, Florida, repealing Section 2-248, relating to student adjunct members; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

MOTION: Commissioner Lowe moved and Commissioner Henry seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.

(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Commissioner Henry, 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 and Pegeen Hanrahan
Absent: Thomas Hawkins

080041_studentadjunct_20080811.pdf

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RESOLUTIONS- ROLL CALL REQUIRED**080198.****Mobile Home (MH) District Setbacks (B)**

Petition 90TCH-08PB. City Plan Board. Land Development Code section 30-52 MH (12 units/acre mobile home residential district). Change general requirements regarding dimensional requirements for principal and accessory structures.

MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.

(VOTE: 7-0, MOTION CARRIED)

PRESENTATION: (September 2, 2008). Senior Planner Susan Bridges Niemann gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 90TCH-08PB. The Plan Board voted 6-0.*

Staff to City Commission - The City Commission approve Petition 90TCH-08PB.

Staff to City Plan Board - Approve Petition 90TCH-08PB.

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

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

080198_petition_20080821.pdf

080214.

Land Development Code Amendment - Proportionate Fair-Share (B)

Petition 88TCH-08 PB. City Plan Board, Chapter 30; Article III, Division 3 Proportionate Fair-Share. Amend the Proportionate Fair-Share section of the Land Development Code to comply with recent changes in State law; clarify applicable multi-modal projects eligible for fair-share contributions; and correct scrivener's errors.

MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.

(VOTE: 7-0, MOTION CARRIED)

PRESENTATION: (September 2, 2008) Concurrency Management Planner Onelia Lazzari gave a presentation.

Chair Hanrahan left the meeting room and Chair Pro Tem Donovan assumed the gavel.

Chair Hanrahan re-entered the meeting room and assumed the gavel.

RECOMMENDATION *City Plan Board to City Commission: The City Commission approves Petition 88TCH-08 PB. Plan Board vote 6-0.*

Staff to City Commission: Approve Petition 88TCH-08PB. Plan Board vote 6-0.

Staff to the Plan Board: Approve Petition 88TCH-08PB.

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

080214_petition_20080821.pdf

080214A_staff ppt_20080821.pdf

080223.

Hawley Planned Development Time Extension (B)

Petition 111PDV-05PB Ordinance No. 050254. Causseaux & Ellington, Inc., Agent for Phil and Janice Hawley. Request for a time extension in accordance

with the condition 24 of Ordinance No. 050254.

MOTION: Commissioner Lowe moved and Commissioner Henry seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.

(VOTE: 7-0, MOTION CARRIED)

PRESENTATION: (September 2, 2008). Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *Staff to City Commission - The City Commission approve the request to grant a one-time, one-year extension of the development schedule included in Ordinance No. 050254.*

Staff to Plan Board - Approve, with staff conditions.

A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Donovan, that this matter be Approved (Petition). 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

080223_Ordinance050254 Ext_20080821.pdf

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

070275.

Alternative Sites for the One-Stop Homeless Assistance Center (B)

This item is the follow-up to an April 21, 2008, City Commission referral concerning alternative sites for the one-stop homeless assistance center.

MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.

(VOTE: 7-0, MOTION CARRIED)

PRESENTATIONS: (September 2, 2008) Assistant City Manager Fred Murry, General Services Facilities Manager Larry Abbott and Public Works Environmental Coordinator Mark Garland gave presentations.

Mark Hurm, Attorney Ron Carpenter, and ADC site representative Amber Crawford Wright made comments.

CITIZEN COMMENT: Chair Hanrahan recognized the following citizens who spoke to the matter:

- 1. Jeff McAdams*
- 2. Arupa Freeman*
- 3. Jim Wright*

4. Elizabeth Howard
5. Rodney Long
6. Mark Hurm
7. John DeCarmine
8. Jimmy Harnsberger
9. Ken McGurn
10. Elizabeth Kobell
11. Donna Severs
12. John Zucovich
13. Jim Beeler
14. Joe Jackson
15. Ron Carpenter
16. Susan Fairforest
17. Jane Berman-Holtom
18. Bob Freeman
19. Karen Arrington
20. Linda McGurn
21. Arthur Stockwell
22. Pat Fitzpatrick
23. Rob Brinkman
24. Virginia Seacrest,
25. Jennifer Muir
26. Miriam Willey-Elliott

FIRST MOTION: Commissioner Poe moved and Commissioner Lowe seconded to: 1) Refer the 3 top selected sites for the Homeless One-Stop Center (63rd Blvd., ADC and Terrapointe) to the City Manager for more fiscal refinement; 2) authorize the City Manager to cancel the lease at 3335 North Main Terrace effective August 31, 2008; and 3) withdraw Petition 129PDV-07PB (PD rezoning for 3335 North Main Terrace).

(VOTE: 7-0, Motion Carried)

SECOND MOTION: Commissioner Henry moved and Commissioner Poe seconded to direct staff to meet representatives of the St. Francis House to discuss assisting the City with the Grace Marketplace during the selection and construction process of the One Stop Center.

(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION

1) The City Commission review the alternative sites that have been identified and select one as an alternative to the site located at 3335 North Main Terrace, 2) authorize the City Manager to cancel the lease at 3335 North Main Terrace, effective August 31, 2008, and 3) withdraw Petition 129PDV-07PB (PD rezoning for 3335 North Main Terrace).

Alternative Recommendation A: 1) The City Commission review the alternative sites that have been identified and reject all alternative sites, and 2) upon the PD rezoning becoming final, or no later than November 1, 2008, authorize the City Manager to commence occupancy under the lease for 3335 North Main Terrace.

Alternative Recommendation B: 1) The City Commission reject all alternative sites along with the site located at 3335 North Main Terrace, 2) withdraw Petition 129PDV-07PB (PD rezoning for 3335 North Main Terrace), 3) authorize the City Manager to cancel the lease at 3335 North Main Terrace, effective immediately, and 4) authorize the City Manager to initiate a new search for a suitable site for the one-stop homeless assistance center.

Approved, as shown above (Motions)

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070399.

Site Selection Confirmation for the Fleet Management Garage and Materials Storage Facility (B)

This is a request for the City Commission to confirm and approve the ranking of a site for the relocation of the Fleet Management Garage and Materials Storage Facility.

*MOTION: Commissioner Lowe moved and Commissioner Henry seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.
 (VOTE: 7-0, MOTION CARRIED)*

PRESENTATION (September 2, 2008) Assistant City Manager Fred Murry gave a presentation.

RECOMMENDATION

The City Commission: 1) confirm and approve the rankings of the sites; 2) authorize the City Manager, or his designee to initiate negotiations with the representative/s of the number one ranked site, JDF Logistics, and, if not successful, negotiate with the Terrapointe and, if necessary ADC in that order; and 3) authorize the City Manager, or his designee, upon successful negotiations, to execute the contract and related documents upon approval from the City Attorney's

office 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

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UNFINISHED BUSINESS

080227.

Amend the Five Points Special Area Plan to prohibit additional uses. (B)

(Quasi-Judicial) Petition 89TCH-08 PB. City of Gainesville. This item amends the Five Points Special Area Plan to amend the list of prohibited uses to include: social services (MG-83), residences for destitute people, food distribution centers for the needy, membership organizations (MG-86), dormitories, roominghouses and boardinghouses (GN-702), rehabilitation centers, social service homes or halfway houses and other similar uses as my be applicable.

MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to continue this item to Tuesday, September 2, 2008 @ 6:00 PM.

(VOTE: 7-0, MOTION CARRIED)

QUASI-JUDICIAL HEARING - September 2, 2008.

INTRODUCTIONS: City Attorney Marion Radson and City Manager Russ

Blackburn gave introductions and reviewed the quasi-judicial process.

AFFECTED PARTY DETERMINATION: Attorney Jennifer Springfield for Christian Prison Ministries.

DISCLOSURE OF EX-PARTE' COMMUNICATION:

Mayor Hanrahan disclosed ex-parte communication.

No other Commissioner disclosed ex-parte communication.

SWEARING IN OF THE AFFECTED PARTIES, WITNESSES AND CITY STAFF BY THE CLERK OF THE COMMISSION.

CITY STAFF PRESENTATION: Neighborhood Planner John Wachtel gave a presentation.

AFFECTED PARTY PRESENTATION: Attorney Jennifer Springfield gave a presentation.

EXAMINATION OF AFFECTED PARTY WITNESS: Attorney Jennifer Springfield examined Reverend Charles Brown of Christian Prison Ministries.

CROSS EXAMINATION OF AFFECTED PARTY WITNESS BY CITY STAFF: City Planning Manager Ralph Hilliard cross-examined Reverend Charles Brown.

EXAMINATION OF AFFECTED PARTY WITNESS: Attorney Jennifer Springfield examined Remax Listing Realtor for Christian Prison Ministries Perry Purcell.

CROSS EXAMINATION OF AFFECTED PARTY WITNESS BY CITY STAFF: City Planning Manager Ralph Hilliard cross-examined Remax Realtor for Christian Prison Ministries Perry Purcell.

Attorney Jennifer Springfield read an affidavit into the record from John Stetson (Potential buyer of the property).

PRESENTATION BY AFFECTED PARTY WITNESS:

Agent for Christian Prison Ministries Rachel Swazeland gave a presentation.

*WAIVER OF RULES - Commissioner Henry moved and Commissioner Lowe seconded to waive the rules to extend the meeting until 11:30 PM.
(VOTE: 7-0, MOTION CARRIED)*

CROSS EXAMINATION OF AFFECTED PARTY WITNESS BY CITY STAFF: City Planning Manager Ralph Hilliard cross-examined Agent for Christian Prison Ministries Rachel Swazeland.

WRAP UP BY ATTORNEY JENNIFER SPRINGFIELD

COMMISSION DELIBERATION

WAIVER OF RULES - Commissioner Henry moved and Commissioner Lowe waived the rules to extend the meeting until 11:45 PM.

(VOTE: 6-1, Commissioner Poe- No; MOTION CARRIED)

CITIZEN COMMENT: Chair Hanrahan recognized Doris Edwards, Vivian Filer and Rob Brinkman who spoke to the matter.

WAIVER OF RULES - Commissioner Lowe moved and Commissioner Henry seconded to waive the rules to extend the meeting to 11:50 PM.

(VOTE: 6-1, Commissioner Poe- No; MOTION CARRIED)

VOTE ON MAIN MOTION - (PETITION) Commissioner Lowe moved and Commissioner Henry seconded to approve Petition 89TCH-08PB.

(VOTE: 6-1, Commissioner Hawkins - No, MOTION CARRIED)

WAIVER OF RULES - Commissioner Lowe moved and Commissioner Henry seconded to waive the rules for the written order for Petition 89TCH-08 PB to be presented at the September 18, 2008 regular City Commission Meeting.

(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION

City Plan Board to City Commission-The City Commission approve petition 89TCH-08 PB. Re-evaluate whether membership organizations (MG-86) should be prohibited. The Plan Board voted 5-1.

Staff to City Commission-The City Commission approve petition 89TCH-08 PB.

Staff to City Plan Board-Recommend that the City Commission approve petition 89TCH-08 PB.

Alternative Recommendation-Deny petition 89TCH-08 PB.

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

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

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PLAN BOARD PETITIONS

COMMISSION COMMENT

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CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:47 PM - September 2, 2008

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Kurt M. Lannon, Clerk of the Commission