

City of Gainesville

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



Meeting Minutes

Monday, June 23, 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 - 1:05 PM**ROLL CALL**

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

INVOCATION**CONSENT AGENDA**

Commissioner Donovan moved and Commissioner Henry seconded to adopt the Consent Agenda, as modified.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATION:

1. File #080031 - Ranking and Site Selection for the Relocation of the General Services Fleet Management Facility and Public Works Material Storage Yard - (Remove from the Consent Agenda and Place on the Regular Agenda for discussion).

CITY MANAGER, CONSENT AGENDA ITEMS**080005. NE 4th Avenue One-way Street Conversion - Duckpond Neighborhood (B)**

This item involves a request to convert NE 4th Avenue from a one-way street to a two-way street between NE 1st Street and NE Boulevard and consider the removal of the traffic signal at N. Main Street and 4th Avenue.

RECOMMENDATION

Recommended Motion: The City Commission: 1) direct the City Manager or designee to convert NE 4th Avenue between NE 1st Street and NE Boulevard to a two-way street; 2) stagger the parking bays along NE 4th Avenue to provide for traffic calming; 3) remove the traffic signal at N. Main Street and 4th Avenue in accordance with the traffic signal removal procedures established by the Florida Department of Transportation; and 4) study the remaining one-way streets in the Duckpond Neighborhood.

This Matter was Approved as Recommended on the Consent Agenda.

080037. Request to name a Tot Lot (B)

This item involves a request to name the NW Fifth Avenue Tot Lot at 1007 NW 5th Avenue, "Seminary Tot Lot".

RECOMMENDATION

Recommended Motion: The City Commission approve the request to name the Tot Lot at 1007 NW 5 Avenue, Seminary Tot Lot.

Alternative Recommendation: The City Commission deny the request to name the Tot Lot at 1007 NW 5 Avenue, Seminary Tot Lot.

This Matter was Approved as Recommended on the Consent Agenda.

080038. Settlement of Worker's Compensation Claim - Victor Jackson (NB)

This item involves the full and final settlement of Victor Jackson's worker's compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$245,000 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 Mr. Jackson, in the amount of \$245,000.

This Matter was Approved as Recommended on the Consent Agenda.

080045. Gainesville's Business Tax (NB)

This item involves revisions to Gainesville's current Business Tax Ordinance for e-Gov streamlining.

RECOMMENDATION

The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise the referenced changes to the Business Tax Ordinance.

This Matter was Approved as Recommended on the Consent Agenda.

080047. Application for FY 2008 HUD Continuum of Care Homeless Assistance Program Funding (NB)

The City of Gainesville will participate in the development of an application for HUD Continuum of Care Homeless Assistance Program funding by serving as the grantee for two local projects.

RECOMMENDATION

The City Commission: 1) authorize the City Manager or designee to apply for grant funding in collaboration with the Alachua County Coalition for the Homeless and Hungry under the U.S. Department of Housing & Urban Development (HUD) Continuum of Care Homeless Assistance Program and

to act on behalf of the City of Gainesville in all matters pertaining to said grants; and 2) authorize the City Manager to execute subrecipient agreements with Meridian Behavioral Healthcare, Inc. and VETSPACE, Inc. if selected by HUD to receive funding through the Continuum of Care Homeless Assistance Program, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A: The City Commission defer action until a later meeting.

This Matter was Approved as Recommended on the Consent Agenda.

080054. Staffing for Adequate Fire and Emergency Response (SAFER) Firefighter Grant Program (NB)

This item requests that the City Commission authorize an application for the 2008 Federal SAFER Grant Program for firefighter staffing funds.

RECOMMENDATION

The City Commission authorize the City Manager to: 1) apply to the US Department of Homeland Security for the SAFER Grant Program; and, if awarded: 2) accept the award; 3) approve the required payment process for expending the grant funds; and 4) allocate the required cash match.

Alternative Recommendation A: The City not apply for the SAFER Grant Program. The fiscal impact would be that the City meet the full financial burden of any firefighter positions required for Station 8.

This Matter was Approved as Recommended on the Consent Agenda.

080055. Prequalification for Professional Engineering Services for the 2008 CIP Roadway Projects (B)

This item involves a request for the City Commission to approve the prequalification selections of Engineering Firms/Teams and authorization for contracts for providing engineering services for approved roadway projects identified in the adopted Capital Improvement Plan for the next five years.

RECOMMENDATION

Recommended Motion: The City Commission: 1) accept the engineering consultant pre-qualified firms as recommended; 2) authorize the City Manager or designee to initiate contract negotiations and execute contracts for professional services in accordance with Consultants Competitive Negotiation Act (CCNA); and 3) authorize the City Manager or designee to execute all contract documents and other necessary

documents, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation: The City Commission not accept the recommended pre-qualified firms and direct staff to initiate separate consultant ranking processes on a project by project basis. Note: The CCNA process requires between four and six months to complete.

This Matter was Approved as Recommended on the Consent Agenda.

080057. Approval of Housing Program Short Sale Grant/Loan Forgiveness Policy (B)

RECOMMENDATION

The City Commission: 1) approve the Housing Division Short Sale Grant/Loan Forgiveness Policy; 2) authorize the City Manager, or his designee, to develop the necessary forms and guidelines to administer this policy, subject to approval by the City Attorney as to form and legality; and 3) authorize the City Manager or his designee to execute all required program documents necessary to administer this policy, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A:

The City of Gainesville could choose not to approve the Short Sale Grant/Loan Forgiveness Policy.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

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

RECOMMENDATION

The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance updating Appendix I of the City Charter.

This Matter was Approved as Recommended on the Consent Agenda.

080112. PETE MCMANUS VS. GAINESVILLE HOUSING AUTHORITY, SHIRLEY JONES, MTG, 400 BUILDING; JOHN CHERRY, DIRECTOR; PEGEEN HANRAHAN, MAYOR, CITY OF GAINESVILLE, ET AL; BEING SUED INDIVIDUALLY AND COLLECTIVELY, U.S. District Court for the Northern

District, Gainesville Division, Case No.: 1-08-CV-00110 MP-AK (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City of Gainesville and the Mayor in the case Pete McManus vs. Gainesville Housing Authority, Shirley Jones, MTG, 400 Building; John Cherry, Director; Pegeen Hanrahan, Mayor, City of Gainesville, et al; being sued individually and collectively, U.S. District Court for the Northern District, Gainesville Division, Case No.: 1-08-CV-00110 MP-AK.*

This Matter was Approved as Recommended on the Consent Agenda.

080113. ALACHUA LAND INVESTORS, LLC, A FLORIDA LIMITED LIABILITY CO., F/K/A BLUES CREEK DEVELOPMENT, LTD. VS. CITY OF GAINESVILLE, A POLITICAL SUBDIVISION; CASE NO. 01-08-CA-3088 (B)

RECOMMENDATION *The City Commission authorize the City Attorney, or special counsel if insurance coverage is available, to represent the City in the case styled Alachua Land Investors, LLC, a Florida Limited Liability Co., F/K/A Blues Creek Development, Ltd. Vs. City of Gainesville, a political subdivision; Case No. 01-08-CA-3088.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

080116. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of June 2, 2008 (Workshop); June 9, 2008 (Regular Meeting); and June 16, 2008 (Special Meeting); as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

080104. Florida League of Cities Voting Delegate (B)

RECOMMENDATION *The City Commission select Mayor Pegeen Hanrahan as voting delegate.*

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**070688 Lobbyist Registration Referral (B)**

RECOMMENDATION *The City Commission: 1) Authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance establishing lobbyist registration requirements: and 2) remove this item from the Audit, Finance and Legislative Committee referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

080067. Review of Housing Performance Measures (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee recommend that the City Commission:*

1) Accept the City Auditor's report and response from the City Manager, and

2) Instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.

This Matter was Approved as Recommended on the Consent Agenda.

080068. Report on the Status of Outstanding Audit Recommendations for June 2008 (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee recommend that the City Commission accept the City Auditor's report.*

This Matter was Approved as Recommended on the Consent Agenda.

080066. Quarterly Financial Report - Gainesville Regional Utilities (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee review and recommend that the City Commission receive the GRU Quarterly Financial Report as of March 31, 2008.*

This Matter was Approved as Recommended on the Consent Agenda.

080070. Fiscal year 2008 Operating Funds Quarterly Monitoring Report - Quarter Ending March 31, 2008 (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee review and recommend that the City Commission receive the quarterly budget monitoring report for the quarter ended March 31, 2008.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

071220. Kennedy Homes (NB)

RECOMMENDATION *CRA to the City Commission: 1) Direct Staff to negotiate an option for the former Kennedy Homes property; 2) Authorize the Mayor to execute any and all required documents, subject to approval by the City Attorney as to form and legality; and 3) Approve \$25,000 from Account# 335-790-C331-964 to market and promote the RFP.*

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

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Commissioner Henry moved and Commissioner Mastrodicasa seconded to adopt the Consent Agenda with the following modifications.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATION:

- 1. File #080109 - Status of Fire Fee Negotiations with the University of Florida - (Power Point submitted).*
- 2. File #070049 - Petition #50TCH-07PB - Amend the Five Points Special Area Plan - (Hear item at a Time Certain of 7:30 PM and a new recommendation).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION**CITY MANAGER****080079. 2008 State of Florida Legislative Session Review (B)**

City of Gainesville's Lobbyist Doug Bruce gave a presentation.

REFERRAL: Commissioner Lowe moved and Commissioner Henry seconded to refer the issue of a designated funding source for alcohol and drug abuse in the hospitality districts, DUI enforcement and drug and alcohol education initiatives to the Public Safety Committee.

(VOTE: 7-0, MOTION CARRIED)

NOTE: See following referral item #080131.

RECOMMENDATION *The City Commission receive a presentation by the City of Gainesville's lobbyist Doug Bruce.*

Heard

080131. Dedicated Funding Source Related to Alcohol Consumption in the Hospitality Districts (NB)

RECOMMENDATION *The City Commission refer the issue of a dedicated funding source related to alcohol consumption in the hospitality districts, DUI enforcement and drug and alcohol education initiatives to the Public Safety Committee.*

A motion was made by Commissioner Lowe, seconded by Commissioner Henry, that this matter be Referred to the Public Safety Committee, due back on December 23, 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

071166. Gainesville Clean Water Partnership Program Update (B)

This item involves an update on the Gainesville Clean Water Partnership Program administered by the City of Gainesville's Department of Public Works.

Public Works Director Teresa Scott and Public Works Program Coordinator Sally Adkins gave presentations.

REFERRAL: Commissioner Poe moved and Commissioner Mastrodicasa seconded to refer the issue of the cooking grease collection and recycling citizen initiative to

*the Regional Utilities Committee.
(VOTE: 7-0, MOTION CARRIED)*

NOTE: See following referral item #080132.

RECOMMENDATION *The City Commission hear a presentation on this program.*

Heard

080132. Cooking Grease Collection and Recycling (NB)

RECOMMENDATION *The City Commission refer the issue of the cooking grease collection and recycling citizen initiative to the Regional Utilities Committee.*

A motion was made by Commissioner Poe, seconded by Commissioner Mastrodicasa, that this matter be Referred to the Regional Utilities Committee, due back on December 23, 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

071214. Request for City Commission Contingency Funds to support a Community Hunger Summit (B)

This is a request from Alachua County to match the County's contribution for a Community Hunger Summit to be held on September 18, 2008.

Block Grant Manager Jim Hencin gave a presentation.

Chair Hanrahan recognized Kali Blount and Jennifer Muir who spoke to the matter.

RECOMMENDATION *The City Commission approve up to \$2,000 from the City Commission Contingency Fund to be used for the hunger summit.*

Alternative Recommendation A: The City Commission deny the request for funds to support the hunger summit.

A motion was made by Mayor-Commissioner Pro Tem Donovan, 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

080048. Code Enforcement Division, Bicycle Patrol Pilot Program (B)

This item is a presentation to the City Commission on the Code Enforcement

Bicycle Patrol Pilot Program.

Code Enforcement Manager James Garrett and Code Enforcement Officer Ed DeMuccio gave presentations.

RECOMMENDATION *No action is required at this time. The Code Enforcement Division will bring back to the City Commission at a later date the results of the Bicycle Patrol Pilot Program. If the Pilot Program is successful staff will recommend to the City Commission that the Pilot Program be adopted.*

Heard**080109. Status of Fire Fee Negotiations with the University of Florida (B)****The City Commission hear a report on fire fee negotiations with the University of Florida and provide direction to the City Manager.**

Assistant City Manager Paul Folkers and Fire Chief Bill Northcutt gave presentations.

AMENDMENT: 1) Approve the staff recommendation; 2) enclose a copy of this agenda item as an attachment to the letter; and 3) request that staff come back with a status report in October or November (2008).

RECOMMENDATION *The City Commission approve that a letter be sent under the Mayor's signature to UF President Machen with the City's proposal as identified in the attachment.*

Alternate Recommendation #1:

The City broaden negotiations with UF to include a variety of services that UF could provide to support the City that would help offset other City expenditures.

Alternate Recommendation #2:

Due to fire station locations surrounding UF's main campus, there is a higher level of fire service available to UF's main campus than most areas of the City. If budget reductions are necessary for Gainesville Fire Rescue, focus service level reductions on the UF main campus area.

Alternate Recommendation #3

Provide written notice to UF that the City will discontinue providing fire services to the UF main campus as of September 30, 2012 or some other specific date. Communicate the City's preference to continue providing fire services if the City and UF can enter into an agreement that provides for annual UF fire services fees covering UF's main campus.

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

080031. Ranking and Site Selection for the Relocation of the General Services Fleet Management Facility and Public Works Material Storage Yard (B)

This item involves a request to approve the ranking of four sites for the relocation of the General Services Fleet Management Facility and Public Works Material Storage Yard.

Assistant City Manager Fred Murry and Facilities Management Manager Larry Abbott gave presentations.

Chair Hanrahan recognized Jimmy Harnsberger, Jennifer Muir and Barbara Ruth who spoke to the matter.

MOTION: Request that staff: 1) Provide a map of the selected sites to the City Commission; 2) identify the residential areas on the map; 3) look at the property on Waldo Rd., just north of the Airport Industrial Park (approximately 40 acres); and 4) clarification on the cost of purchase to acquire an adequate amount of land.

RECOMMENDATION *The City Commission: 1) approve the ranking of the four sites; 2) authorize the City Manager or his designee to initiate negotiations with the top ranked property owner(s) for land acquisition; and 3) authorize the City Manager, upon successful contract negotiations, to execute the contract and any related documents upon approval by the City Attorney as to form and legality.*

Alternative Recommendation A: The City Commission deny this recommendation and provide alternative direction to staff for relocation of the General Services Fleet Maintenance Facility and the Public Works Materials Storage Yard. This would result in delays in completing the relocation of these facilities.

A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Henry, 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

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR**EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****080097. Florida Department of Transportation (B)**

Public Works Director Teresa Scott gave a presentation.

RECOMMENDATION *The City Commission hear a presentation from Mr. James Bennett to discuss changes to the Tentative five year work program.*

Heard

MEMBERS OF THE CITY COMMISSION**080098. Mayor-Commissioner Pro Tem Jack Donovan - City Commission Workshops (NB)**

AMENDMENT: Approve the recommendation but request that the meetings be scheduled during the day prior to 5:00 PM.

RECOMMENDATION *The City Commission discuss and take action regarding directing the City Clerk to establish a schedule for monthly City Commission workshops where issues could be discussed in a roundtable open format for the Commissioners' staff and public's information without voting.*

A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Poe, that this matter be Referred to the Clerk of the Commission, due back on December 23, 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

080099. Mayor-Commissioner Pro Tem Jack Donovan - City Commission Vision for Gainesville (NB)

RECOMMENDATION *The City Commission discuss and take action regarding directing the City Clerk to schedule a workshop specifically on the topic of developing (perhaps an annually up-dated) City Commission Vision for Gainesville wherein our hopes for our community and its environs are described as guidance for our policies and practices.*

A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Poe, 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

080118. Mayor Pegeen Hanrahan - Proposed State Prison (NB)

RECOMMENDATION *The City Commission hear a report on the proposed state prison.*

Heard

080119. Mayor Pegeen Hanrahan - Energy Competition (NB)

Sr. Account Representative Bill Shepherd gave a presentation.

RECOMMENDATION *The City Commission hear a report on the energy competition with the City of Tallahassee.*

Heard

COMMISSION COMMENTS (if time available)

Commissioner Scherwin Henry

Super Wal-Mart Waldo Road location - Retention pond holding water.

This matter was referred to the City Manager.

Commissioner Lauren Poe

Noise Ordinance Issues - See following referral item #080134.

080134. Noise Ordinance Compliance and Enforcement (NB)

RECOMMENDATION *The City Commission refer the broad issue of noise ordinance compliance and enforcement to the Public Safety Committee.*

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Donovan, that this matter be Referred to the Public Safety Committee, due back on December 23, 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 Jack Donovan

Porter's Neighborhood - Illegal Drug Sales & Prostitution - See following referral item #080135.

080135. Causes and Responses to Prostitution Referral (NB)

RECOMMENDATION *The City Commission refer the issue of the causes and responses of prostitution in the community to staff to schedule a future workshop for discussion.*

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 December 23, 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 Thomas Hawkins

Noise Ordinance Issues - Concerns from neighborhoods.

Commissioner Craig Lowe

Priority List for Property Acquisition Referral - See following referral item #080136.

080136. Priority List for Land Conservation and Nature Parks (NB)

RECOMMENDATION *The City Commission refer to the Recreation, Cultural Affairs and Public Works Committee to establish a priority list for land conservation and nature parks.*

A motion was made by Commissioner Lowe, seconded by Commissioner Hawkins, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on December 23, 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

RECESS - 5:04 PM

RECONVENE - 5:56 PM**PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****080122. Bettye Gibbs Jennings Day - June 28, 2008 (B)**

RECOMMENDATION *Educator and Community Activist Bettye Gibbs Jennings to accept the proclamation.*

Heard

CITIZEN COMMENT (6:00pm)**EDWARD JENNINGS, JR.**

Heat Wave Committee - Juvenile Justice Issues.

Mayor Hanrahan passed the gavel to Mayor-Commissioner Pro Tem Donovan and left the meeting room for the evening.

Tom Cunilio

Clean Energy Myth - Time Magazine Article.

Gina Hawkins

March of Dimes Award.

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****071162. STREET VACATION - VEITCH STREET (B)**

Ordinance No. 0-08-29, Petition No. 40SVA-08PB
An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Veitch Street bounded by the north right-of-way line of Southeast 10th Avenue to a point 230.89 feet west of Southeast 4th Street, as more specifically described in this Ordinance; retaining a certain perpetual easement;

providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

070209. VENDING BOOTHS AND ITINERANT FOOD VENDORS (B)

Ordinance No. 0-07-75; Petition 80TCH-07PB

An ordinance of the City of Gainesville, Florida, amending Chapter 19 and Chapter 30 of the City of Gainesville Code of Ordinances, relating to itinerant food vendors; amending Section 30-61(c) to add itinerant food vendors as a permitted use in the General Business (BUS) zoning district subject to limitations and in accordance with Chapter 19, Article IV; amending Article IV of Chapter 19 by revising the definitions of vending booths and itinerant food vending conveyances; imposing size limitations and standards and clarifying the permit procedures, requirements and regulations for both vending booths and itinerant food vending conveyances; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chief of Comprehensive Planning Dean Mimms gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

RESOLUTIONS- ROLL CALL REQUIRED

080049. Resolution - Appointment of Members to the City of Gainesville Affordable Housing Advisory Committee (B)

Assistant City Manager Fred Murry gave a presentation.

RECOMMENDATION *The City Commission: adopt the Resolution, as required by State law, appointing the members of the City of Gainesville Affordable Housing Advisory Committee and establishing their respective terms of appointment.*

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

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

080058. City of Gainesville Application for Preserve America Community Designation (B)

A Preserve America Community is recognized for its commitment to celebrate local history and culture through heritage tourism, education, and economic development utilizing historic assets of the community. This designation is one of the four initiatives of Preserve America.

Historic Preservation Planner Dee Henrichs, Jenny Wolf and Diane Kelly gave presentations.

RECOMMENDATION *The City Commission: 1) hear a brief presentation from staff regarding this request; 2) staff recommends that the City Commission approve the Preserve America Community application; and 3) adopt the Resolution supporting Preserve America initiatives, authorize the release of application materials submitted, and provide the Mayor's signature on the application.*

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

071173. CABOT-KOPPERS SUPERFUND SITE (B)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, REGARDING THE INDUSTRIAL SITE KNOWN AS THE "CABOT-KOPPERS SUPERFUND SITE", AND REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) TO REQUIRE THE REMEDIATION OF THE SITE TO RESIDENTIAL STANDARDS; DIRECTING THE CLERK TO FORWARD A COPY OF THE

RESOLUTION TO EPA, AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

080069. First Amendment to FY 2008 General Financial and Operating Plan Budget Resolution (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee review and recommend that the City Commission adopt the first amendatory budget resolution to the FY 2008 General Government Financial and Operating Plan budget.*

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

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

WAIVER OF RULES

The rules were waived to hear the petitions in the following order without objection.

- 1. File #080015 - Regional Transit System Administrative Offices.*
- 2. File #070049 - Petition 50TCH-07PB - Amend the Five Points Special Area Plan.*
- 3. File #'s 080014, 080016, & 080012 School Concurrency Petitions.*

PLAN BOARD PETITIONS

080015. Regional Transit System Administrative Office (B)

Petition 20PSZ-08PB. Legislative Matter No. 000000. Causseaux, Hewett & Walpole, Inc., agent for the City of Gainesville Regional Transit System (RTS). Amend the PS (Public services and operations district) to establish new development regulations and allow the expansion of the RTS administrative office with a modular building. Zoned: I-2 and PS (General industrial district and Public services and operations district). Located at 100 Southeast 10th Avenue (north and south sides). Related to Petition 13SPA-08PB.

Planner Bedez Massey and Agent for the City of Gainesville Regional Transit System John Sabatello of Causseaux, Hewitt & Walpole, Inc.

Chair Pro Tem Donovan recognized Barbara Ruth who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 20PSZ-08PB with the associated Public Services Zoning Report and preliminary development plan, subject to staff conditions.*

Staff to City Plan Board - Approve Petition 20PSZ-08PB with the associated Public Services Zoning Report and preliminary development plan, subject to staff conditions.

Alternate A Recommendation - The City Commission approve Petition 20PSZ-08PB with the associated Public Services Zoning Report and preliminary development plan as submitted.

Alternate B Recommendation - The City Commission deny Petition 20PSZ-08PB with the associated Public Services Zoning Report and preliminary development plan.

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

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

070049. Petition 50TCH-07 PB. Amend the Five Points Special Area Plan (B)

This item amends the Five Points Special Area Plan to prohibit additional uses, including Rehabilitation Centers and Social Service Homes or Halfway Houses.

Neighborhood Planner John Wachtel and Planning Manager Ralph Hilliard gave presentations.

Chair Pro Tem Donovan recognized Rob Brinkman, Doris Edwards, Attorney Jennifer Springfield, Environmental Consultant Rachel Swayland, Kali Blount and Barbara Ruth who spoke to the matter.

RECOMMENDATION *Plan Board to City Commission: Amend the Five Points SAP to prohibit Rehabilitation Centers and Social Service Homes or Halfway Houses.*

Staff to City Commission: Direct staff to initiate a new petition to the City Plan Board that would amend the Five Points SAP to prohibit 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, and Social Service Homes or Halfway Houses.

Alternative Recommendation A: Deny the petition.

A motion was made by Commissioner Henry, seconded by Commissioner Lowe, that this matter be Approved as Recommended (Staff to City Commission). The motion carried by the following vote:

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

080014. Add Public School Facilities Element - School Concurrency (B)

Petition 46CPA-08 PB. City Plan Board. Amend the City of Gainesville 2000-2010 Comprehensive Plan by adding a required Public School Facilities Element.

Planning and Development Services Director Erik Bredfeldt, Chief of Comprehensive Planning Dean Mimms, University of Florida - Building Better Communities Representative Gene Boles gave presentations.

AMENDMENT: Approve Petition 46CPA-08 PB with the corrected changes of Policy 2.4.8 and Policy 2.6.1, as submitted by staff.

Chair Pro Tem Donovan recognized Kali Blount and Rob Brinkman who spoke to the matter.

RECOMMENDATION

City Plan Board to City Commission - Approve Petition 46CPA-08 PB with corrections and changes agreed to in the record of the meeting, with scrivener's errors to be addressed. Plan Board vote 7:0.

Staff to City Commission - Approve the City Plan Board recommendation.

Alternative Recommendation -Deny Petition 46CPA-08 PB.

Staff to Plan Board - Approve Petition 46CPA-08 PB.

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

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

080016. Intergovernmental Coordination Element - School Concurrency (B)

Petition 47CPA-08 PB. City Plan Board. Amend the Intergovernmental Coordination Element of the City of Gainesville 2000-2010 Comprehensive Plan for consistency with the required Public School Facilities Element.

RECOMMENDATION *City Plan Board to City Commission - Approve Petition 47CPA-08 PB. Plan Board vote 7:0.*

Staff to City Commission - Approve Petition 47CPA-08 PB.

Alternative Recommendation -Deny Petition 47CPA-08 PB.

Staff to Plan Board - Approve Petition 47CPA-08 PB.

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

080012. Capital Improvements Element - School Concurrency (B)

Petition 48CPA-08 PB. City Plan Board. Amend the Capital Improvements Element of the City of Gainesville 2000-2010 Comprehensive Plan for consistency with the required Public School Facilities Element, and update the 5-Year Schedule of Capital Improvements to include the School Board of Alachua County's Five-Year District Facilities Plan.

RECOMMENDATION *City Plan Board to City Commission: Approve Petition 48CPA-08 PB. Plan Board vote 7:0.*

Staff to City Commission: Approve Petition 48CPA-08 PB.

Alternative Recommendation -Deny Petition 48CPA-08 PB.

Staff to Plan Board - Approve Petition 48CPA-08 PB.

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

DEVELOPMENT REVIEW BOARD PETITIONS**SCHEDULED EVENING AGENDA ITEMS**

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Scherwin Henry

North Lincoln Heights Neighborhood Grant - Requested that the remaining dollars not be frozen.

CITIZEN COMMENT

Rob Brinkman

Off Shore Drilling in Florida.

ADJOURNMENT - 9:02 PM

Kurt M. Lannon, Clerk of the Commission