

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, October 15, 2009**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

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

*Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.*

## CALL TO ORDER - 1:06 PM

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## 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

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*Commissioner Lowe moved and Commissioner Mastrodicasa seconded to adopt the Consent Agenda, as modified.*

*(VOTE: 7-0, MOTION CARRIED)*

### *MODIFICATIONS:*

- 1. File #090438 - First Amendment to the Contract for Inmate Work Crew for the Solid Waste Division - (Corrected Fiscal Note).*
- 2. File #090458 - 2010 State Legislative Agenda - (Revised text file and additional back-up to include Alcoholic Beverage Regulation Initiative).*
- 3. File #090501 - EO Director Employment Contract - (Add to the Consent Agenda with back-up).*

## CITY MANAGER, CONSENT AGENDA ITEMS

### 090339.

#### **Bid Award for Evergreen Cemetery Grounds Maintenance (B)**

**This item is a request for the City Commission to authorize the bid award to Oasis Landscape Services, Inc. for the grounds maintenance of Evergreen Cemetery in the amount of \$54,186.**

#### RECOMMENDATION

*The City Commission: 1) award the contract for grounds maintenance at Evergreen Cemetery to Oasis Landscape Services, Inc. for a one-year period with the option to execute four (4) one-year extensions; 2) authorize the City Manager or his designee to execute the contract; and 3) approve the issuance of a purchase order in an amount not to exceed \$54,186 per fiscal year, subject to funding availability (for the initial term and any subsequent extensions).*

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

090339\_Bid Tabulation\_20091015.pdf

**090438.**

**First Amendment to the Contract for Inmate Work Crew for the Solid Waste Division (B)**

**This item is the First Amendment to the Contract 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, 2009 through December 15, 2010.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to execute the First Amendment to the contract with Florida Department of Corrections for a contractual inmate work crew through December 15, 2010, subject to approval by the City Attorney as to form and legality.*

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

090438\_Contract\_20091015.pdf

**090439.**

**Traffic Engineering Services Agreement Between the City of Gainesville and Alachua County for FY 2010 (B)**

**This item involves an agreement between the City of Gainesville (City) and Alachua County (County) for traffic engineering services in the amount of \$180,065.31 in revenue to the City during FY10.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to execute the renewal for Traffic Engineering Services between the City of Gainesville and Alachua County for the period of October 1, 2009 to September 30, 2010, subject to approval by the City Attorney as to form and legality.*

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

090439\_Agreement\_20091015.pdf

**090440.**

**Bid Award - Agreement for Annual Processing, Reuse, and Disposal of Vegetative Waste (B)**

**This item is a request for the City Commission to authorize bid awards to Wood Resource Recovery, LLC and County Line Landfill, Inc. for the Annual Processing, Reuse, and Disposal of Vegetative Waste generated by the City's Curbside Collection program and various City departments.**

**RECOMMENDATION**

*Recommended Motion: The City Commission award the bid to Wood Resource Recovery, LLC and County Line Landfill, Inc. for the Annual Processing, Reuse, and Disposal of Vegetative Waste generated by the City's Curbside Collection program and various City Departments; and authorize the City Manager to execute any and all related documents, subject to approval of the City Attorney as to form and legality.*

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

090440\_BidTab\_20091015.pdf

**090447.****Base Level Transit Services Agreement with Alachua County Board of County Commissioners (B)**

**This item is a request to authorize the City Manager to execute the Base Level Transit Services Agreement between the City of Gainesville Regional Transit System (City) and the Alachua County Board of County Commissioners (County).**

**RECOMMENDATION**

*Recommended Motion: The City Commission authorize the City Manager to execute the Base Level Transit Services Agreement with Alachua County Board of County Commissioners for the period of October 1, 2009, through September 30, 2010, subject to approval by the City Attorney as to form and legality.*

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

090447a\_Exhibit\_20091015.pdf

090447b\_Exhibit\_20091015.pdf

090447\_BASE Agreement\_20091015.pdf

**090448.****Transit Services Agreement (Route 75) with Alachua County Board of County Commissioners (B)**

**This item is a request to authorize the City Manager to execute the Transit Services Agreement (Route 75) between the City of Gainesville Regional Transit System (City) and the Alachua County Board of County Commissioners (County).**

**RECOMMENDATION**

*Recommended Motion: The City Commission authorize the City Manager to execute the Transit Services Agreement (Route 75) with Alachua County Board of County Commissioners for the period of October 1, 2009, through September 30, 2010, subject to approval by the City Attorney as to form and legality.*

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

090448\_Agreement\_20091015.pdf  
090448\_Map\_20091015.pdf

**090461.**            **Human Resources Policy Revisions (B)**

**RECOMMENDATION**        *The City Commission approve the revised policies.*

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

090461\_L-5 Lv of Abs W-WO Pay\_20091105.PDF  
090461A\_Policy 13 Lv of Abs W-WO Pay\_20091105.PDF  
090461B\_L-8 Military Lv\_20091105.PDF  
090461C\_Policy 12 - Military Trng\_20091105.PDF

**090463.**            **Application for FY 2009 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.*

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

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**090501.**            **EO Director Employment Contract (B)**

**RECOMMENDATION**        *The City Commission approve the Employment Contract for the EO Director.*

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

090501\_MOD\_EO Director Contract\_20091015.pdf  
090501\_MOD\_EO\_Dir. Salary Comp\_20091015.pdf

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

### **090477. City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of October 1, 2009, as circulated.*

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

090477\_oct. 1\_minutes\_20091001.pdf

## **EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

## **COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

## **AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**

### **090108. Purchasing Practice Regarding Price & Qualitative Factors (NB)**

**RECOMMENDATION**      *The Audit, Finance and Legislative Committee recommend the City Commission remove this item from the referral list.*

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

### **090432. Fiscal Year 2009 Operating Funds Quarterly Monitoring Report General Government - Quarter Ending June 30, 2009 (B)**

**RECOMMENDATION**      *The City Commission receive the quarterly budget monitoring report for the quarter ended June 30, 2009.*

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

090432\_gg\_quarterly\_20090928.pdf

### **090435. Review of GRU Investments (B)**

**RECOMMENDATION**      *The City Commission: 1) Accept the City Auditor's report and response from the General Manager for Utilities; 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.**

090435\_gru\_investments\_20090928.pdf

**090078.**

**City Election Issues (B)**

**RECOMMENDATION**

*The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise revisions to the Elections Ordinance regarding Canvassing Board composition and poll worker training, as recommended by the Audit, Finance and Legislative Committee.*

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

090078\_code\_sec\_20090928.pdf

**090458.**

**2010 State Legislative Agenda (B)**

**RECOMMENDATION**

*The City Commission approve the Audit, Finance and Legislative Committee's recommendation including the addition of the initiative regarding the regulation of alcoholic beverage specials.*

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

090458\_2010 State Agenda\_20090928.pdf

090458\_legislative agenda\_20091015.pdf

090458\_agenda mod\_20091015.PDF

**Passed The Consent Agenda**

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

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

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## CHARTER OFFICER UPDATES

### CLERK OF THE COMMISSION

### CITY MANAGER

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#### **090270.**                    **Gainesville-Alachua County Hunger Abatement Plan (B)**

**This item involves a request for the City Commission to hear a presentation on and adopt the Gainesville-Alachua County Hunger Abatement Plan (HAP).**

[Play Video](#)

*Assistant City Manager Fred Murry, Hunger Abatement Volunteer Jim Hencin and Alachua County Poverty Reduction Director John Skelley gave presentations.*

**RECOMMENDATION**        *The City Commission: 1) hear a presentation on the Gainesville-Alachua County Hunger Abatement Plan; 2) approve and adopt the Hunger Abatement Plan; and 3) direct the City Manager to assist and implement the recommendations of the Hunger Abatement Plan.*

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

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

090270\_HAP Summary\_20091015.pdf

090270\_Hunger Abatement Plan\_20091015.pdf

#### **090451.**                    **Census 2010 Complete Count Committee (NB)**

**The Census Bureau recommends the formation of a Complete Count Committee to ensure a complete and accurate population count.**

[Play Video](#)

*Planning and Development Services Director Erik Bredfeldt, Concurrency Management Planner Onelia Lazzari, and Census 2010 Representative Karen Kagalis gave presentations.*

*MODIFICATION: To designate Commissioner Poe as the primary lead for coordination with Alachua County and also to serve as the liaison to Santa Fe*



College.

**RECOMMENDATION**

*City Commission hear a presentation about formation of a Census 2010 Complete Count Committee and take the following actions: 1) Designate a City Commissioner as the primary lead for coordination with Alachua County on Census 2010; 2) Designate Commissioner Mastrodicasa as the liaison for Census activities with UF; 3) Approve joining with Alachua County and the municipalities in the formation of a Census 2010 Complete Count Committee; 4) Appoint staff from the Communications Department to direct Census 2010 communications activities (with possible assistance from Strategic Planning and Neighborhood Planning); 5) Participate in a joint resolution with Alachua County and the municipalities concerning support of Census 2010; 6) Invite representatives from the following to participate in the Complete Count Committee: the media, faith-based organizations, community resource officers, educational organizations (including the School Board), Gainesville Apartment Association, Gainesville Chamber of Commerce, and community neighborhood leaders; and, 7) Consider the following marketing tools: a. Run Census media spots on the government access channel (TV 12); b. Place notices/posters on all buses in late February through the end of April 2010; c. Include feature articles in the utility billing mailings; d. Request media support from Gainesville Sun and Cox Communications; e. Add Census 2010 information to the City web site; f. Establish a Census 2010 presence on the social networking sites including Facebook and Twitter; g. Make regular announcements about the Census at all City meetings starting in February 2010; and h. Post notices/posters at all recreation centers.*

*Alternative Recommendation:*

*The City Commission deny staff participation in the formation of a Census 2010 Complete Count Committee.*

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

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

**090462.**

**Florida Certified Organic Growers and Consumers, Inc. (FOG) and the Citizen's Cooperative of Gainesville (Co-op) Presentation (B)**

**This item involves a request to the City Commission to hear a presentation from the Florida Certified Organic Growers and Consumers, Inc. (FOG) and the**

**Citizen's Cooperative of Gainesville (Co-op) on how to reduce hunger, promote community gardens and encourage local residents to purchase foods grown in Alachua County.**

[Play Video](#)

*Assistant City Manager Fred Murry, Florida Certified Organic Growers (FOG) Director of Education and Outreach Christine Hale, Project Coordinator Melissa DeSa; Recreation Parks and Cultural Affairs Director Steve Phillips; and Citizens Cooperative of Gainesville (Co-op) co-founders Elizabeth Nesbit and Gretchen McIntyre gave presentations.*

**RECOMMENDATION**      *The City Commission hear a presentation from the Florida Certified Organic Growers and Consumers (FOG) and the Citizen's Cooperative of Gainesville (Co-op) on ways the City can reduce hunger, promote community gardens within the City, and encourage local residents to purchase foods grown in Alachua County.*

**Heard**

090462\_FOG PPT\_20091015.pdf  
090462\_Co-op PPT\_20091015.pdf

**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**

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**090497.      Mayor Pegeen Hanrahan - I-75 Billboard Pilot Project (B)**

*Assistant City Manager Paul Folkers and City Arborist Meg Niederhofer gave presentations.*

*MOTION: Direct staff to draft a letter to the FDOT promoting: 1) Local control of billboards; 2) removal of billboards in scenic areas; and 3) reduction in billboards overall to the greatest extent possible.*

**RECOMMENDATION**      *The City Commission discuss the I-75 Billboard Pilot Project and take appropriate action.*

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

090497\_MOD\_billboards-I-75\_20091015.pdf

## **COMMISSION COMMENTS (if time available)**

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### **Commissioner Scherwin Henry**

- 1. Lighting in Perkins Tot Lot in Porters Neighborhood.*
- 2. GPD Meeting with NOBLE.*
- 3. NE 8th Avenue Convenience Store near Recreation Center being a nuisance.*
- 4. Recreation Center/Gardenia Gardens - fencing.*
- 5. Negative media coverage.*
- 6. NE Gateway vegetation.*

### **Commissioner Jack Donovan**

- 1. Koppers - GRU purchasing poles - letter to FPL - Requested that staff provide feedback on letter.*
- 2. Alternative sites for feeding the Homeless.*

### **Mayor Pegeen Hanrahan**

- 1. New EO Director contract.*
- 2. Amendment to the upcoming Legislative Agenda regarding alcoholic beverages.*
- 3. Residential Solar Rebates.*

### **Commissioner Jeanna Mastrodicasa**

*Upcoming Alcohol Coalition Meeting.*

## **CITIZEN COMMENT - (Waiver of rules by consensus).**

### **Maxine Bethea and Pastor Joseph Lewis**

*Housing complaint - See following referral to the CDC - File #090509.*

**090509.**

**Maxine Bethea and Pastor Joseph Lewis Housing Complaint - Referral to the CDC (NB)**

*Assistant City Manager Fred Murry made comments.*

**RECOMMENDATION**      *The City Commission refer complaints regarding the Housing Division to the Community Development Committee.*

**A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Mastrodicasa, that this matter be Referred to the Community Development Committee, due back on April 15, 2010. The motion carried by the following vote:**

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

090509\_Project Timeline\_20091116.pdf

090509\_Attachments\_20091116.pdf

090509\_Photo PPT\_20091116.pdf

**Walter Willard**

*Various Issues.*

**RECESS - 3:51 PM**

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**RECONVENE - 5:42 PM**

[Play Video](#)

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

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**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[Play Video](#)

**090472.**

**National 4 H Week - October 4 - 10, 2009 (B)**

[Play Video](#)

**RECOMMENDATION**      *Alachua County 4-H Council President Kayleigh Hinson, Council Vice President Victoria Banner, Council Reporter Matthew Vonesh, and Council Secretary Amber Yarborough*

*to accept the proclamation.*

**Heard**

090472\_Natl4HProc\_20091015.pdf

**090473.**

**Diversity and Community Appreciation Month - October 2009 (B)**

[Play Video](#)

**RECOMMENDATION**

*Muslim Association of North Central Florida President Dr. Saeed Khan, P'Nai or Gainesville Founder Dr. Dennis Shuman, Emmanuel Mennonite Church Pastor Eve MacMastor and Silk Road Club President Ruchan Kaya to accept the proclamation.*

**Heard**

090473\_DiversityAppProc\_20091015.pdf

090473\_proc\_handout\_20091015.pdf

**090474.**

**United Nations Day - October 22, 2009 (B)**

[Play Video](#)

**RECOMMENDATION**

*Florida Division UNA-USA President Robert H. "Bob" Hornberger to accept the proclamation.*

**Heard**

090474\_UnitedNationsProc\_20091015.pdf

090474\_proc\_handout\_20091015.pdf

**090475.**

**Muscular Dystrophy Association Firefighter Appreciation Month - October 2009 (B)**

[Play Video](#)

**RECOMMENDATION**

*International Association of Firefighters Local 2157 to accept the proclamation.*

**Heard**

090475\_MDAFirefightersProc\_20091015.pdf

**090476.**

**DECA/Delta Epsilon Chi Week - October 11 - 17, 2009 (B)**

[Play Video](#)

**RECOMMENDATION**

*Buchholz DECA President Samantha Dumbleton, DECA 2 President Jack Kramer, DECA Vice President Chip Lowe, and Vice President Lizzie Stagliano to accept the proclamation.*

**Heard**

090476\_DECAProc\_20091015.pdf

**CITIZEN COMMENT**[Play Video](#)

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

**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED**[Play Video](#)**090452. Extension of Two Year Reverter Clause - Lot #22 Airport Industrial Park (B)**

**This item requests an extension via Resolution by the City Commission to the two year reverter clause applicable to Lot #22 in the Airport Industrial Park.**

[Play Video](#)

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

**RECOMMENDATION**      *The City Commission: 1) approve the extension of reverter for a period of 120 days to allow staff to make proposed amendments to the contract and Airport Industrial Park Covenants and Restrictions; and 2) authorize the Mayor to execute said Resolution regarding extension of reverter for Lot #22 in the Airport Industrial Park.*

*Alternative Recommendation*

*The City Commission: 1) deny the 120 proposed extension of reverter and said Resolution.*

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

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

090452a\_Request Letter\_20091015.pdf

090452b\_Resolution 090452\_20091015.pdf

090452\_20091015.pdf

**090433.**

**Third Amendment to the FY 2008-2009 General Government Financial and Operating Plan (B)**

[Play Video](#)

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

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

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

090433\_amendatory\_res\_20090928.pdf  
090433\_amend\_attach\_A\_2009-0928.pdf  
090433\_resolution\_20091015.pdf

**090437.**

**Proposed Fiscal Year 2010 Annual Audit Plan (B)**

[Play Video](#)

*City Auditor Brent Godshalk gave a presentation.*

**RECOMMENDATION**      *The City Commission adopt the resolution.*

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

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

090437\_audit\_plan\_20090928.pdf

**090393.**

**Resolution to Support Proposed FDEP Rulemaking (B)**

**This item is a Resolution authorizing staff to communicate the City Commission's support for proposed rulemaking by the Florida Department of Environmental Protection (FDEP) to establish a more refined surface water classification system which is an integral part of the Total Maximum Daily Load Program.**

[Play Video](#)

*Public Works Director Teresa Scott and Engineering Manager Stewart Pearson gave presentations.*

*NOTE: Commissioner Lowe left the meeting room during this item.*

**RECOMMENDATION**      *Recommended Motion: The City Commission: 1) adopt the Resolution; and 2) authorize the Mayor to execute and the Clerk to attest same, subject to the approval of the City Attorney as to form and legality.*

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

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

Absent: Craig Lowe

090393\_Resolution\_20091001.pdf

090393a\_Memo\_20091015.pdf

090393b\_Memo\_20091015.pdf

090393\_MODFDEP Rule\_20091015.pdf

090393\_resolution\_20091015.pdf

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

[Play Video](#)

### **090344.**

#### **LAND USE CHANGE - VICINITY OF 2510 NW 6TH STREET (B)**

##### **Ordinance No. 0-09-63, Petition PZ-09-46LUC**

**An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category on a portion of certain property, as more specifically described in this ordinance, from the City of Gainesville land use category of "Conservation" to "Office"; located in the vicinity of 2510 Northwest 6th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

##### **RECOMMENDATION**

*The City Commission: 1) approve Petition PZ-09-46LUC; and 2) adopt the proposed ordinance.*

**A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Poe, that this matter be Continued (Ordinance Adoption Reading) for November 5, 2009. The motion carried by the following vote:**

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

Absent: Craig Lowe

090344\_staff report\_20091015.pdf

090344A\_maps\_aerial,existing& proposed land use\_20091015.pdf

090344B\_cpa&zoning report\_20091015.pdf

090344C\_maps\_cpa&zoning\_20091015.pdf

090344D\_petitioner appl\_workshop\_20091015.pdf

090344E\_staff ppt\_20091015.PDF

090344\_draft ordinance\_20091015.pdf

090344\_Petitioner Letter\_20091105.pdf

## **ORDINANCES, 1ST READING- ROLL CALL REQUIRED**



[Play Video](#)

**090345.** REZONING - - VICINITY OF 2510 NW 6TH STREET (B)

**Ordinance No. 0-09-62, Petition No. PZ-09-47ZON**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning a portion of certain property within the City, as more specifically described in this Ordinance, from the City of Gainesville zoning category of "CON: Conservation district" to "OR: 20 units/acre office residential district"; located in the vicinity of 2510 Northwest 6th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

**RECOMMENDATION**      *The City Commission: 1) approve petition no. PZ-09-47ZON; and 2) adopt the proposed ordinance.*

**A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Poe, that this matter be Continued (1st Reading) for November 5, 2009. The motion carried by the following vote:**

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

090345\_staff report\_20091015.pdf  
090345A\_maps\_aerial,existing&proposed zoning\_20091015.pdf  
090345B\_cpa&zoning report\_20091015.pdf  
090345C\_maps\_cpa&zoning\_20091015.pdf  
090345D\_petitioner appl\_workshop\_20091015.pdf  
090345E\_staff ppt\_20091015.PDF  
090345\_petition\_20091015.pdf  
090345\_Petitioner Letter\_20091105.pdf  
090345\_AMY.RICHARD\_Letter\_20091105.pdf

**080762.** DEPARTMENT AND DIRECTOR NAME CHANGE (B)

**Ordinance No. 0-09-02**

**An ordinance of the City of Gainesville, Florida, amending Article IV of Chapter 2 of the Code of Ordinances relating to city administration by changing the titles of two department directors; eliminating one department director title; changing the name of one department; providing for the organization and structure of the newly named department; providing the duties and responsibilities of the department; severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

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

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

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

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

080762\_Draft Mark Up\_20090205.pdf

080762\_draft ordinance\_101509.pdf

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

[Play Video](#)

### **090297. RIGHT-OF-WAY OBSTRUCTIONS AND STREET CLOSURES (B)**

#### **Ordinance No. 0-09-13**

**An ordinance of the City of Gainesville, Florida, relating to right-of-way obstructions and street closures; stating legislative findings, amending Article III of Chapter 23 of the Code of Ordinances; providing for permits and requirements for obstructions and street closures; providing additional regulations for cranes, hoists and other mechanical apparatus; providing exemptions; renumbering § 23-36 relating to obstructing streets; renumbering § 23-38 relating to trees and waste; providing penalties; renumbering, transferring and amending § 19-95 relating to vendors' stands; renumbering and transferring § 23-42 to a new Article in Chapter 26 relating to parades and assemblies on streets; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

090297\_Obstructions of Rights-of-way\_20090820.pdf

090297\_draft ordinance\_20091001.pdf

090297\_ordinance\_20091015.pdf

### **090296. PROHIBITING SMOKING AT THE ROSA PARKS RTS DOWNTOWN STATION (B)**

#### **Ordinance No. 0-09-58**

**An ordinance of the City of Gainesville, Florida, relating to outdoor smoking at a**

City Facility; providing legislative findings, creating Article IV in Chapter 11.5 of the Code of Ordinances; creating new sections §11.5-40 through 11.5-43; prohibiting of smoking at the Rosa Parks RTS Downtown Station, except for designated smoking areas; and providing for penalties; amending § 2-339 of the Code of Ordinances to permit enforcement 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 Poe, seconded by Commissioner Mastrodicasa, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

090296\_Prohibition of Smoking\_20090820.pdf

090296\_draft ordinance\_20091001.pdf

090296\_ordinance\_20091015.pdf

#### **090294.**

#### **ENVIRONMENTAL REVIEW FEES (B)**

**Ordinance No. 0-09-65; Petition No. PZ-09-76 TCH**

**An ordinance of the City of Gainesville, Florida, relating to environmental review fees; amending section 30-250 of the Land Development Code of the City of Gainesville by creating an environmental review process and requirements; and amending Appendix A, Schedule of Fees, Rates and Charges, of the Code of Ordinances of the City of Gainesville to add fees for environmental review; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.**

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

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

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

090294\_staff report\_20091001.pdf

090294A\_cpb text amend appl\_20091001.pdf

090294B\_cpb minutes\_20091001.pdf

090294\_Draft Ordinance\_20091001.pdf

090294\_MOD-Comparison Table\_20091001.PDF

090294\_ordinance-20091015.pdf

## **PLAN BOARD PETITIONS**

**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT**

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**Commissioner Thomas Hawkins**

1. *Diversity and Community Appreciation Month proclamation.*
2. *GHS Football Game.*

**Commissioner Lauren Poe**

*Interim EO Director Gwen Saffo - Thank you.*

**Commissioner Jeanna Mastrodicasa**

*Interim EO Director Gwen Saffo - Thank you.*

**Commissioner Jack Donovan**

*EO Office Complainant Advocacy - See following referral item # 090510.*

**090510.****EO Office Complainant Advocacy (NB)****RECOMMENDATION**

*The City Commission refer the issue of EO staff advocacy for EO complainants and other mechanisms to the EO Director.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Poe, that this matter be Referred to the Equal Opportunity Director, due back on April 15, 2010. The motion carried by the following vote:**

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

**Mayor Pegeen Hanrahan**

*EO Office Issues.*

*Interim EO Director Gwen Saffo made comments.*

### **Commissioner Scherwin Henry**

*EO Office Workshop - See following referral item # 090511.*

#### **090511.**

#### **EO Office Visioning Workshop with the City Commission (NB)**

*Chair Hanrahan recognized Pat Fitzpatrick who spoke to the matter.*

**RECOMMENDATION**      *The City Commission refer the issue of scheduling a visioning workshop with the EO Office to the EO Director.*

**A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Poe, that this matter be Referred to the Equal Opportunity Director, due back on April 15, 2010. The motion carried by the following vote:**

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

### **CITIZEN COMMENT (If time available)**

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

### **ADJOURNMENT - 7:01 PM**

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Kurt M. Lannon, Clerk of the Commission