

City of Gainesville

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



Meeting Minutes

Thursday, June 18, 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 - 1:05 PM

ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

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

(VOTE: 4-0, Commissioners Donovan, Hawkins and Lowe - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File #070790 - Land Conservation and Acquisition Program - Johnson Property - (aka Morningside Additions) Acquisition Approval - (Remove from the agenda).*
- 2. File #090092 Land Conservation and Acquisition Program - Jurecko Property Addition to Priority Land Acquisition List and Acquisition Approval - (Remove from the agenda).*
- 3. File #090151 - (New Item) - Appointment of Mickey T. Thomason as Regular member to the Wild Spaces & Public Places Citizen Oversight Committee - (Add to the Consent Agenda under Clerk of the Commission).*

CITY MANAGER, CONSENT AGENDA ITEMS

070790. Land Conservation and Acquisition Program - Johnson property (aka Morningside Additions) acquisition approval (B)

This item involves a proposal to partner with Alachua County and the Airport Authority to purchase the Johnson parcels (aka Morningside Additions), parcel numbers 10889-000-000, 10889-002-000, 10889-003-000, and 10890-000-000, which are approximately 134 acres of land located on the south side of East University Avenue across from the south boundary of Morningside Nature Center.

This item relates to legislative #090092.

RECOMMENDATION

The City Commission: 1) approve the draft Intergovernmental Agreement, subject to review and approval by the City Attorney as to form and legality; and 2) authorize the City Manager to execute an Intergovernmental Agreement between the City, Alachua County, and the Airport Authority to work cooperatively in the purchase of the Morningside Additions.

Withdrawn

090092.

Land Conservation and Acquisition Program - Jurecko Property Addition to Priority Land Acquisition List and Acquisition Approval (B)

This item involves a proposal to add the Jurecko property, parcel numbers 07901-000-000 and 07902-001-000, to the priority land acquisition list as well as to partner with Alachua County to acquire these parcels, which are approximately 12 acres of land located at 1902 NW 45th Avenue adjacent to the southwest boundary of the Hogtown Creek Headwaters Nature Park.

This item relates to legislative #070790.

RECOMMENDATION

The City Commission 1) approve the addition of the two Jurecko property parcels to the priority land acquisition list; 2) approve the purchase of the Jurecko property parcels using Wild Spaces Public Places funds for an estimated cost between \$175,000 and \$250,000, which is 50% of the estimated total cost; 3) approve the draft Intergovernmental Agreement, subject to review and approval by the City Attorney as to form and legality; and 4) authorize the City Manager to execute an Intergovernmental Agreement between the City and Alachua County to work cooperatively in the purchase of the two Jurecko property parcels.

Withdrawn

090075.

Approval of Consultant Rankings - RFP # 90042-FB Comprehensive Plan and Land Development Code Update (B)

This item is a request for the City Commission to approve consultant rankings for RFP # 90042-FB regarding the Comprehensive Plan and Land Development Code Plan Update.

RECOMMENDATION

The City Commission: 1) accept the selection of the three (3) most qualified firms in the order of ranking; 2) authorize the City Manager or designee to initiate contract negotiations with the number one ranked firm, Planning Works for consultant services associated with the Comprehensive Plan and Land Development Code update; (3) authorize the City Manager or designee to initiate contract negotiations with the

number two ranked firm should negotiations with the top firm be unsuccessful; and, 4) 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.

This Matter was Approved as Recommended on the Consent Agenda.

090084. First Amendment to the Annual Contract for Paper Recycling Services FY 2008-2009 (B)

This item is a request for approval of a First Amendment to the Annual Contract for Paper Recycling Services to increase the number of recycling pick-up stations serviced.

RECOMMENDATION

Recommended Motion: The City Commission 1) approve the First Amendment to the Annual Contract for Paper Recycling Services; 2) authorize the City Manager to execute any necessary documents, subject to approval by the City Attorney's office as to form and legality; and 3) authorize the modification of the purchase order for a not to exceed amount of \$25,000 for paper recycling services through September 30, 2009.

This Matter was Approved as Recommended on the Consent Agenda.

090093. Grant Application for Hoggetowne Medieval Faire (NB)

This item involves an application for a grant from the Alachua County Tourist Product Development Program for funds to provide marketing and promotion for the Hoggetowne Medieval Faire.

RECOMMENDATION

The City Commission: 1) approve the submission of a grant application to Alachua County Tourist Product Development Program; 2) authorize the City Manager to execute the application; and 3) if awarded, authorize the City Manager to execute the grant agreement and other grant-related documents subject to approval by the City Attorney as to form and legality.

Alternative Recommendation

The City Commission deny the request to submit a grant application to the Alachua County Tourist Product Program.

This Matter was Approved as Recommended on the Consent Agenda.

090095. Grants Application for Youth Gardening (NB)

This item requests the City Commission to authorize an application by the Parks, Recreation and Cultural Affairs Department for six Youth Gardening Grants, which are available from the National Gardening Association, in partnership with Home Depot, as a program to engage children in gardening.

This Matter was Approved as Recommended on the Consent Agenda.

090097. Settlement of Worker's Compensation Claim - Willie K. Cunningham (NB)

This item involves the full and final settlement of Mr. Cunningham's worker's compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$23,000 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 Willie K. Cunningham in the amount of \$23,000.*

This Matter was Approved as Recommended on the Consent Agenda.

090109. Energy Efficiency and Conservation Block Grant (NB)

Request for City Commission support for future Energy Efficiency and Conservation Block Grant funding.

RECOMMENDATION *The City Commission: 1) Add an initiative to the City of Gainesville's federal agenda to advocate for future funding of the EECBG program; and 2) direct staff to notify the Alachua County Congressional delegation of the City's support.*

This Matter was Approved as Recommended on the Consent Agenda.

090114. Voluntary Early Separation Incentive Program (NB)

This item requests authorization to draft an amendment to the General Employees' Pension Plan Ordinance to include a voluntary early separation incentive program.

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk to advertise the ordinance necessary to effectuate the proposed amendment(s).*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

090116. Annual Contract for the Repair, Analysis and Disposal of Used Oil Filled Power Distribution Equipment (B)

Staff recommends approval to enter into contracts with Solomon Corporation and RTS Transformer, Inc. for the repair, analysis and disposal of used oil filled power distribution equipment.

RECOMMENDATION *The City Commission: 1) declare electric power distribution equipment removed from service be classified as surplus; and 2) authorize the General Manager, or his designee, to negotiate and execute three-year contracts with Solomon Corporation and RTS Transformer, Inc. for these services, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

090117. Chiller and Building Automation System Replacement (B)

Staff recommends awarding a contract to S.I. Goldman Company, Inc. for the replacement of the existing building chiller and building administration system at the GRU Administration Building.

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to issue a purchase order to S.I. Goldman Company, Inc. to furnish and install a new chiller and Building Automation System at the GRU Administration Building in the amount of \$523,940.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

090088. Matthew Phillip Johnson vs. City of Gainesville; Alachua County Circuit Court; Case No.: 01-09-CA-2616. (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Matthew Phillip Johnson vs. City of Gainesville; Alachua County Circuit Court; Case No.: 01-09-CA-2616.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

090105. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of May 11, 2009 (Workshop); May 11, 2009 (District Meeting); May 21, 2009 (Regular Meeting); June 1, 2009 (District Meeting); and June 4, 2009 (Regular Meeting); as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

090118. Special City Commission Meeting (B)

RECOMMENDATION *The City Commission schedule a special meeting regarding St. Petersburg Schools for October 29 at 1:00 pm.*

This Matter was Approved as Recommended on the Consent Agenda.

090151. Appointment of Mickey T. Thomason as Regular Member to the Wild Spaces & Public Places Citizen Oversight Committee (NB)

RECOMMENDATION *The City Commission appoint Mickey T. Thomason as a Regular Member to the Wild Spaces & Public Places Citizen Oversight Committee effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PUBLIC SAFETY COMMITTEE, CONSENT****080861. Delivery/Work Vehicles - Ticketing in Neighborhoods (NB)**

RECOMMENDATION *The City Commission 1) approve the staff recommendations on methods to improve the decal process; and 2) remove this referral from the Public Safety Committee's referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

080879. Multiple Ticketing of an Abandoned/Missing Vehicle in the College Park/University Heights Neighborhood (B)

RECOMMENDATION

The City Commission 1) approve the recommended improvements made by City staff on the issue of multiple ticketing of an assumed abandoned/missing vehicle; and 2) remove this referral from the Public Safety Committee's 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 Henry, seconded by Commissioner Poe, 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, Lauren Poe, Scherwin Henry and Pegeen Hanrahan
Absent: Thomas Hawkins, Craig Lowe and Jack Donovan

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

*Mayor-Commissioner Pro Tem Henry moved and Commissioner Poe seconded to adopt the Regular Agenda, as modified.
(VOTE: 4-0, Commissioners Donovan, Hawkins and Lowe - Absent, MOTION CARRIED)*

MODIFICATIONS:

- 1. File #090152 - (New Item) - Appointment of an Alternate Member to the Wild Spaces & Public Places Citizen Oversight Committee - (Add to the Regular Agenda under Clerk of the Commission).*
- 2. File #090148 - (New Item) - Butterfly Education Project - (Add to the Regular Agenda under Outside Agencies).*
- 3. File #090153 - (New Proclamation) - The University of Florida Institute on United States Foreign Policy Day - (Add to the agenda).*
- 4. File #081004 - Amending Permitted Uses On Northside Park Property - (Additional back-up (ppt.) submitted).*
- 5. File #080549 - City of Gainesville Proposed Update to Airport Hazard Zoning Regulations (Time Certain 1:30 PM for a conference call and additional back-up).*
- 6. New Item - Tent City Evacuation - (Time Certain to be heard immediately following Citizen Comment).*

7. Continue Plan Board Petitions 090086, 090087, 090089, & 090090 to the July 2, 2009 City Commission Meeting.

Planning and Development Services Director Erik Bredfeldt made comments.

Chair Hanrahan recognized Pat Fitzpatrick who spoke to the matter.

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

090106. City Commission Outstanding Referral Status Reports (B)

MOTION: Remove the outstanding referrals as recommended by staff in the back-up.

RECOMMENDATION *The City Commission review the attached referral status reports and take appropriate action.*

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

CITY MANAGER

090077. Establishment of a Fuels Hedging Program (B)

This item discusses a proposal for the establishment of a fuels hedging program.

Finance Director Mark Benton gave a presentation.

NOTE: Commissioner Donovan entered the meeting room @ 1:23 PM.

RECOMMENDATION *The City Commission hear a presentation on the proposed fuel hedging program and authorize the City Manager to establish such a program.*

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

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

TIME CERTAIN - 1:30 PM - File # 080549 - City of Gainesville Proposed Update to Airport Hazard Zoning Regulations

080549. City of Gainesville Proposed Update to Airport Hazard Zoning Regulations (B)

This item is to provide an update to the City Commission on the status of the proposed schedule to modify the Airport Hazard Zoning Regulations within the City's Land Development Code.

Planning and Development Services Director Erik Bredfeldt and Chief of Current Planning Lawrence Calderon gave a presentations.

Dan Reimer participated in the discussion of this item via conference call.

NOTE: Commissioner Lowe entered the meeting room @ 1:40 PM.

Chair Hanrahan recognized East Gainesville Development Partners Representative Rodney Long and Airport Authority Member Peter Johnson who spoke to the matter.

RECOMMENDATION *The City Commission: (1) direct staff to initiate a petition to the Plan Board modifying Appendix F, Airport Hazard Zoning regulations located within the City of Gainesville Land Development Code.*

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

090115. Annexation by Referendum - Eastside Annexation Area (B)

This is the request for authorization to commence the process for an annexation by referendum of an area commonly referred to as "Eastside Annexation Area".

Strategic Planning Manager Karen Billings and Administrative Services Director Becky Rountree gave presentations.

AMENDMENT: Approve the recommendation including the portion that is green and pink, southward, if possible to include as much of the remaining Kincaid loop that can be done that meets the standards of the appropriate law governing annexations.

Chair Hanrahan recognized Gabriel Hillel and Alachua County Commissioner Rodney Long who spoke to the matter.

RECOMMENDATION *The City Commission: 1) direct the City Manager to analyze the area; 2) direct the City Manager to notify the Supervisor of Election of the desire to conduct the referendum on November 10, 2009, and 3) authorize the City Attorney to*

prepare and the Clerk of the Commission to advertise ordinances relating to the annexation referendum of the area, if appropriate.

Alternative Recommendation: The City Commission deny authorization to initiate the process for the annexation referendum.

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

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

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

090148. Butterfly Education Project (NB)

Communications Manager Bob Woods, Peter Johnson and Gabriel Hillel gave presentations .

Heard

090152. Appointment of an Alternate Member to the Wild Spaces & Public Places Citizen Oversight Committee (B)

MOTION: Appoint Pamela Hightower as the alternate member of the Wild Spaces & Public Places Citizen Oversight Committee.

RECOMMENDATION

The City Commission appoint an Alternate Member to the Wild Spaces & Public Places Citizen Oversight Committee for

a term to commence immediately.

A motion was made by Commissioner Mastrodicasa, seconded by Commissioner Poe, that this matter be Approved as shown above (See Motion). The motion carried by the following vote:

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

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Mayor Pegeen Hanrahan

Referral to Regional Utilities Committee regarding Fluoride in the public water supply - See following referral item #090168.

090168. Efficacy and Safety of Fluoridating Our Public Water Supply (NB)

RECOMMENDATION *The City Commission refer the issue of the efficacy and the safety of water fluoridation to the Regional Utilities Committee for review and analysis and report back to the City Commission.*

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Mastrodicasa, that this matter be Referred to the Regional Utilities Committee, due back on December 18, 2009. The motion carried by the following vote:

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

City Attorney Marion J. Radson

Senate Bill 360 - Changing the Transportation Concurrency requirements around Florida.

Commissioner Scherwin Henry

Funding for up to \$300.00 for producing survey's regarding improvements to T.B. McPherson and Mickel Pool.

Commissioner Lauren Poe

Boundless Playground Referral - See following referral item #090169.

090169. Concept of a Boundless Playground at Depot Park (NB)

NOTE: This item was also referred to the Sprout Task Force.

RECOMMENDATION *The City Commission refer the issue of a Boundless Playground at Depot Park, to the Recreation, Parks and Public Works Committee and the Sprout Task Force.*

A motion was made by Commissioner Poe, seconded by Commissioner Lowe, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on December 18, 2009. The motion carried by the following vote:

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

Commissioner Jeanna Mastrodicasa

Tourist Development Council Update.

Commissioner Craig Lowe

Tourist Development Tax.

RECESS - 4:12 PM

RECONVENE - 5:49 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

090153. The University of Florida Institute on United States Foreign Policy Day - June 15, 2009 (B)

RECOMMENDATION *UF Political Science Department Professors Aida Hozic, Ido Oren and 18 Foreign Scholars to accept the proclamation.*

Heard

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

Pat Fitzpatrick

Feeding at St. Francis House.

Marcus Dodd

Homeless Issues.

Bill Gilbert

Veterans for Peace

Monica Kraft

Parking Enforcement.

Gabriel Hillel

Butterfly City Project - Letter from Cliff Stearns - Filed in 090148 - (On this agenda).

Walter Willard

Various Issues.

Armando Grundy

1. *Bus Service for Santa Fe Students and expanding bus service to the eastern corridor.*
2. *Southwest 23th Terrace lighting - student hit by bus.*
3. *Interim Chief of Police.*

Assistant City Manager Paul Folkers made comments.

Michael Wohl

Public Records Request - See following file #090174.

090174. Citizen Comment - Michael Wohl - Public Records Request (B)

RECOMMENDATION

The City Commission hear comments from Michael Wohl and place back-up submitted on file.

Placed on File

Harry Kegelmann

GRU Rates.

TIME CERTAIN - IMMEDIATELY AFTER CITIZEN COMMENT - TENT CITY EVACUATION

090160. Status Report and Request for Emergency Shelter (B)

This item involves provides a status report on plans that are currently underway in efforts to provide assistance to homeless families who are being dislocated from Tent City.

Assistant City Manager Fred Murry, Alachua County Housing Director Authority Gail Monahan and Captain Lonnie Scott gave presentations.

AMENDMENT: Include in the motion to direct staff to bring back the pros and cons of a temporary camp site that would be operated in some way by the City of Gainesville or jointly between the City and the County, or through the Office of Homelessness.

Chair Hanrahan recognized Len Ringle, Arlene Bargad, Linda Basham, Walter Willard, Anna Lake, Charles Willett, Steve Blay, Frank Regan, Rob Brinkman, Anne Bochette, Ellen Allen, Pastor Coney, Anastasi Lenowitz, Reverend Donna Lee, George Elmore, Pat Fitzpatrick, Karen Arrington, Annie Welch, Pat Abbott and Joe Courter who spoke to the matter.

RECOMMENDATION *The City Commission 1) authorize the City Manager or his designee to find that an emergency exists in order to increase the shelter capacity from 35 beds to 60 beds for the period of 14 days; and 2) report back to the City Commission on this matter at the July 2, 2009 meeting.*

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

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

PUBLIC HEARINGS

ADOPTION READING-ROLL CALL REQUIRED

080757. REZONING - 11 SE 2ND AVENUE - "BALDWIN HOUSE" (B)

Ordinance No. 0-09-04, Petition No. 123ZON-08PB

An ordinance of the City of Gainesville, Florida; rezoning and imposing the overlay "Historic preservation/conservation district" category on certain property with the underlying zoning classification of "Central city district

(CCD)", as more specifically described in this ordinance; located in the vicinity of the 11 Southeast 2nd Avenue, commonly known as "Baldwin House"; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Historic Preservation Planner Dee Henrichs 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 (Ordinance) on Adoption Reading. The motion carried by the following vote:

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

081004. AMENDING PERMITTED USES ON NORTHSIDE PARK PROPERTY (B)

Ordinance No.0-09-17, Petition No. PZ-09-00022

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by specifying the permitted uses on certain City property known as "Northside Park" with the zoning category of "PS, Public Services and Operations District", as more specifically described in this Ordinance, located in the vicinity of 5701 N.W. 34th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planner Jason Simmons and Recreation and Parks Director Steve Phillips gave presentations.

Chair Hanrahan recognized Rob Brinkman who spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve Petition No. PZ-09-00022; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Henry, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance), as amended. The motion carried by the following vote:

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

080931. SERVING OF ALCOHOL AT THE THOMAS CENTER AND THELMA BOLTIN CENTER FOR FUNDRAISING EVENTS BY NON-PROFIT AGENCIES (B)

Ordinance No. 0-09-26

An ordinance of the City of Gainesville, Florida, amending the City of

Gainesville Code of Ordinances, relating to the serving of alcohol at non-profit events at the Thomas Center and Thelma Boltin Center by amending section 4-4, Consumption, sale and consumption, possession generally, to permit serving alcoholic beverages during fundraising events by non-profit agencies at the Thomas Center and Thelma Boltin Center; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090036. PARKING CITATION APPEAL TIME (B)

Ordinance No. 0-09-22

An ordinance of the City of Gainesville, Florida, amending Appendix A of the City of Gainesville Code of Ordinances, relating to delinquent fees for "Traffic and Motor Vehicles;" excluding holidays and weekends for the payment of delinquent fees; 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 Donovan, seconded by Commissioner Mastrodicasa, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

090111. GAINESVILLE REGIONAL UTILITIES - LEASE IN-LEASE OUT TRANSACTIONS (B)

Ordinance No. 0-09-27

An ordinance of the City of Gainesville, Florida repealing obsolete sections of Ordinance No. 980766, relating to the lease in-lease out transaction involving portions of Gainesville Regional Utilities' Deerhaven Units 1 and 2 and certain common facilities; providing a repealing clause; and providing an immediate effective date.

Legal Extern Phillip Moring gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090112. RUNOFF ELECTIONS (B)

Ordinance No. 0-09-28

An ordinance of the City of Gainesville, Florida, Chapter 9, Elections; amending Section 9-2 (a) of the Code of Ordinances providing that runoff elections shall be held on the fourth Tuesday following the first election; providing directions to the Codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date. (B)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

081018. ELECTION DATE 2010 (B)

Ordinance No. 0-09-25

An ordinance of the City of Gainesville, Florida, setting March 16, 2010, as the date for the 2010 regular city election; setting the dates for qualifying for the 2010 regular election; 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 Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Donovan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

090025. REVISION TO CHAPTER 8 OF THE GAINESVILLE CODE OF

ORDINANCES RELATING TO DISCRIMINATION (B)**ORDINANCE NO. 0-09-19**

An ordinance of the City of Gainesville, Florida, amending Chapter 8 of the Gainesville Code of Ordinances, relating to discrimination; amending section 8-6 by repealing the term "readily achievable"; amending sections 8-48 and 8-49 (Employment), sections 8-68 and 8-69 (Public accommodations), sections 8-88 and 8-94 (Fair housing), relating to the use of shared shower and dressing facilities; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Hanrahan recognized Charles Pino representing Mark Minck who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

RESOLUTIONS- ROLL CALL REQUIRED**PLAN BOARD PETITIONS****090086. Hunter/Lane Annexation Small-scale Land Use Amendment (B)**

Petition PZ-09-20LUC. City of Gainesville. Amend the City of Gainesville Future Land Use Map for the annexed area from Alachua County Medium High Density Residential (8-14 DU/ acre) to City of Gainesville Conservation (northern portion) and Residential Medium-Density (8-30 units per acre) (southern portion), located in the general vicinity of the intersection of Southwest 20th Avenue and 43rd Street, and consisting of tax parcel number 06687-004-000.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PZ-09-20LUC. The Plan Board voted 6-0.*

Staff to City Commission - The City Commission approve Petition PZ-09-20LUC.

Staff to City Plan Board - Approve Petition PZ-09-20LUC.

A motion was made by Commissioner Lowe, seconded by Commissioner Poe, that this matter be Continued (Petition) for July 2, 2009. The motion carried by the following vote:

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

090087. Hunter/Lane Annexation Rezoning (B)

Petition PZ-09-21 ZON. City of Gainesville. Rezone the annexed area from Alachua County Multiple-family, medium-high density (R-2a) district to City of Gainesville CON (Conservation) (northern portion) and RMF-7 (8-21 units/acre multiple-family residential district) (southern portion), located in the general vicinity of the intersection of Southwest 20th Avenue and 43rd Street, and consisting of tax parcel number 06687-004-000.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PZ-09-21ZON. The Plan Board voted 6-0.

Staff to City Commission - The City Commission approve Petition PZ-09-21ZON.

Staff to City Plan Board - Approve Petition PZ-09-21Z

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Poe, that this matter be Continued (Petition) for July 2, 2009. The motion carried by the following vote:

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

090089. Townhomes at Westwood Annexation Large-Scale Land Use Amendment (B)

Petition PZ-08-129LUC. Eng, Denman & Associates, agent for Townhomes of Westwood LLC. Amend the City of Gainesville 2000-2010 Future Land Use Map for the annexed area from Alachua County Medium High Density Residential (8-14 DU/acre) to City of Gainesville Residential Medium Density (8-30 units per acre) (southern portion) and Conservation (northern portion), located in the general vicinity of the intersection of Southwest 20th Avenue and 43rd Street and consisting of tax parcel numbers 06687-000-000, 06687-003-000, 06687-005-000, 06687-006-000, 06687-007-000, and 06686-000-000.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PZ-08-129LUC as modified. The Plan Board voted 6-0.

Staff to City Commission - The City Commission approve Petition PZ-08-129LUC as modified.

Staff to City Plan Board - Approve Petition PZ-08-129LUC as modified.

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Poe, that this matter be Continued (Petition) for July 2, 2009. The motion carried by the following vote:

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

090090. Townhomes at Westwood Annexation Rezoning (B)

Petition PZ-08-130 ZON Eng, Denman & Associates, agent for Townhomes of Westwood LLC. Rezone the annexed area from Alachua County Multiple-family, medium-high density (R-2a) district to City of Gainesville RMF-7 (8-21 units/acre multiple-family residential district) (southern portion) and Conservation (northern portion), located in the general vicinity of the intersection of Southwest 20th Avenue and 43rd Street, and consisting of tax parcel numbers 06687-000-000, 06687-003-000, 06687-005-000, 06687-006-000, 06687-007-000, and 06686-000-000.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition PZ-08-130ZON as modified. The Plan Board voted 6-0.*

Staff to City Commission - The City Commission approve Petition PZ-08-130ZON as modified.

Staff to City Plan Board - Approve Petition PZ-08-130ZON as modified.

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Poe, that this matter be Continued (Petition) for July 2, 2009. The motion carried by the following vote:

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT

ADJOURNMENT - 8:56 PM

Kurt M. Lannon, Clerk of the Commission