

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, April 14, 2008**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Pegeen Hanrahan (At Large)  
Mayor-Commissioner Pro Tem Rick Bryant (At Large)  
Commissioner Jeanna Mastrodicasa (At Large)  
Commissioner Scherwin Henry (District 1)  
Commissioner Ed Braddy (District 2)  
Commissioner Jack Donovan (District 3)  
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: Edward Braddy, Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

## INVOCATION

*The City Commission observed a moment of silence.*

## CONSENT AGENDA

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

*(VOTE: 4-0, Commissioners Braddy, Bryant and Donovan - Absent, MOTION CARRIED)*

### *MODIFICATION:*

*1. File #071098 - Error in Title - Change from Appointment to the "Art in Public Places Trust" to the "Bicycle/Pedestrian Advisory Board".*

## CITY MANAGER, CONSENT AGENDA ITEMS

### **070953. Request to Declare as Surplus and Dispose of City Owned Property (B)**

**Request to declare as surplus and dispose of City owned property - a portion of Tax Parcel 15697-000-000 located at 1403 Southwest 22nd Place.**

#### **RECOMMENDATION**

*The City Commission: 1) declare the remnant of Tax Parcel 15697-000-000, located at 1403 Southwest 22nd Place as surplus; 2) authorize the City Manager to execute a Purchase and Sale Agreement for the remnant of Tax Parcel 15697-000-000, located at 1403 Southwest 22nd Place with the successful bidder; 3) authorize the Mayor to execute, and the Clerk to attest, a Special Warranty Deed, subject to approval by the City Attorney as to form and legality, to convey the property at Tax Parcel 15697-000-000, located at 1403 Southwest 22nd Place to the successful bidder, retaining a utility easement over the easterly 15 feet of the newly created parcel; 4) authorize the Mayor to execute, and the Clerk to attest, a 20 foot by 40 foot ingress/egress easement onto the successful bidder; and 5 ) authorize the Mayor to execute, and the Clerk to attest, a 15 foot by 170 foot ingress/egress easement onto Charles M, and Nancy L.*

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

*Alternative Recommendation: The City Commission denies this request and the City retains maintenance and other associated liabilities.*

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

**070964. Reallocation of Capital Improvement Revenue Bonds (CIRB), Series 2005 Proceeds and Interest Earnings (B)**

**This item recommends projects for reallocation of Capital Improvement Revenue Bonds, Series 2005 proceeds and interest earnings.**

**RECOMMENDATION**     *The City Commission: approve staff's recommendation to reallocate unused funds and interest earnings as outlined above.*

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

**071024. Request to Refer Public Art Project (B)**

**The Department of Parks Recreation and Cultural Affairs requests that the City Commission consider the Art in Public Places Trust's recommendation to pursue a suggested site for the "Indigenous" gator public art project and refer this item to the Recreation, Cultural Affairs and Public Works Committee for further discussion and implementation.**

**RECOMMENDATION**     *Recommended Motion: The City Commission consider the Art in Public Places Trust Advisory Board's request to pursue an appropriate location for Peter Davidson's "Indigenous" sculpture and refer the item to the Recreation, Cultural Affairs and Public Works Committee for further discussion and implementation.*

*Alternative Recommendation: The City Commission deny the Art in Public Places Trust Advisory Board's request to pursue an appropriate location for the "indigenous" sculpture.*

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

**071058. Florida Department of Environmental Protection Invasive Upland Plant Removal Program Grant Application (B)**

**This item involves a request for the City Commission to authorize the Department of Parks, Recreation and Cultural Affairs to submit an application**

to the Florida Department of Environmental Protection for a grant to aid in invasive plant removal.

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager or his designee to submit a grant application to the Florida Department of Environmental Protection Upland Plant Management Program; and 2) authorize the City Manager to execute the contract and other grant-related documents, pending approval by the City Attorney as to form and legality, if awarded.*

*Alternative Recommendation*

*The City Commission deny the request to submit the grant application for the Upland Plant Management Program.*

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

**071059.**

**Ranking for Professional Engineering Services for the NE Safetea-LU Roadways Project (B)**

**This item involves a request for the City Commission to approve the ranking of Engineering Firms/Teams and authorizing a contract for engineering services for the NE Safetea-LU Roadways Project that include NE 19th Street/19th Terrace from 3rd to 8th Avenues, NE 19th Drive/20th Street from University to 8th Avenues, and NE 25th Street from University to 8th Avenues.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) accept the selection of the three most qualified firms in the order of ranking; 2) authorize the City Manager or designee to initiate contract negotiations and execute a contract 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.*

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

**071062.**

**Contract for Design Services for the Sixth Street Corridor Rail Trail Project (B)**

**This item involves a request for the City Commission to authorize the City Manager to execute the design services contract with Volkert & Associates and issue the associated purchase order for the Sixth Street Corridor Rail Trail Project.**

**RECOMMENDATION**

*Recommended Motion: The City Commission authorizes the City Manager or designee to execute a contract for professional services in an amount not to exceed \$227,993.66, including all contract documents and other necessary*

*documents subject to approval by the City Attorney as to form and legality, contingent upon the City of Gainesville obtaining the required land rights from the State of Florida to construct, operate, and maintain a rail trail facility on the rail right-of-way.*

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

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

### **071081. Kanapaha Water Reclamation Facility (WRF) and Main Street WRF Disinfection Facilities (B)**

**Staff recommends awarding a contract to Beach Construction Company, Inc. for construction services for the Kanapaha WRF and Main Street WRF Disinfection Facilities.**

**RECOMMENDATION**

*The City Commission 1) authorize the General Manager, or his designee, to execute a contract with Beach Construction Company, Inc. to perform construction services for the Kanapaha WRF and Main Street WRF Disinfection Facilities Project, subject to approval of the City Attorney as to form and legality, and 2) approve the issuance of a purchase order to Beach Construction Company, Inc. in an amount not to exceed \$2,482,700, and 3) authorize staff to procure services, equipment and materials, as required, to complete the project as budgeted.*

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

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

### **071082. Progressive Express Insurance Co., a/s/o Rasila Kapadia vs. City of Gainesville, a political subdivision of the State of Florida; Alachua County Court; Case No.: 01-08-SC-1079 (B)**

**RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled Progressive Express Insurance Co., a/s/o Rasila Kapadia vs. City of Gainesville, a political subdivision of the State of Florida; Alachua County Court; Case No.: 01-08-SC-1079.*

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

### **071083. Charles Dunbar vs. Gainesville Regional Utilities, c/o Jennifer L. Hunt, Chief Financial Officer and Customer Services – GRU, c/o Mr. White and Octavia;**

**Case No.: 01-08-SC-001077. (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to represent the City in the case styled Charles Dunbar vs. Gainesville Regional Utilities, c/o Jennifer L. Hunt, Chief Financial Officer and Customer Services – GRU, c/o Mr. White and Octavia; Case No.: 01-08-SC-001077*

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

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

**071070.                      City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of March 18, 2008; March 20, 2008; and March 24, 2008; as circulated.*

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

**071097.                      Advisory Board/Committee Appointment to the Art in Public Places Trust (NB)**

**RECOMMENDATION**      *The City Commission appoint Peggy A. Richardson to the Art in Public Places Trust for a term to expire September 30, 2010.*

*Commissioner Braddy: Carrol  
Commissioner Bryant: Richardson  
Commissioner Donovan: Richardson  
Commissioner Henry: Richardson  
Commissioner Lowe: Richardson  
Commissioner Mastrodicasa: Carrol  
Mayor Hanrahan: Richardson*

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

**071098.                      Advisory Board/Committee Appointment to the Bicycle/Pedestrian Advisory Board (NB)**

**RECOMMENDATION**      *The City Commission re-appoint Justin D. De Leo to the Bicycle/Pedestrian Advisory Board for a term to expire December 31, 2010.*

*Commissioner Braddy: De Leo  
Commissioner Bryant: De Leo  
Commissioner Donovan: De Leo  
Commissioner Henry: De Leo  
Commissioner Lowe: De Leo*

*Commissioner Mastrodicasa: De Leo*

*Mayor Hanrahan: De Leo*

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

**071099. Advisory Board/Committee Appointment to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan (NB)**

**RECOMMENDATION** *The City Commission re-appoint Glenda Currie to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan for a term to expire April 14, 2010.*

*Commissioner Braddy: Daunic*

*Commissioner Bryant: Daunic*

*Commissioner Donovan: Currie*

*Commissioner Henry: Currie*

*Commissioner Lowe: Currie*

*Commissioner Mastrodicasa: Currie*

*Mayor Hanrahan: Currie*

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

**071101. Advisory Board/Committee Appointment to the Citizens' Advisory Committee for Community Development (NB)**

**RECOMMENDATION** *The City Commission appoint K. Richard Blount to the Citizens' Advisory Committee for Community Development for a term to expire November 1, 2010.*

*Commissioner Braddy: Grundy and Readvertise*

*Commissioner Bryant: Grundy and Blount*

*Commissioner Donovan: Blount*

*Commissioner Henry: Grundy and Blount*

*Commissioner Lowe: Blount and Readvertise*

*Commissioner Mastrodicasa: Blount and Readvertise*

*Mayor Hanrahan: Blount and Readvertise*

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

**071102. Advisory Board/Committee Appointments to the City Beautification Board (NB)**

**RECOMMENDATION** *The City Commission appoint Shawn B. Gaston for a term to expire November 1, 2011, appoint Paul L. Grant for a term to expire November 1, 2010, appoint Rebecca S. Howard for a term to expire November 1, 2009, appoint Edi E. Walker for a term to expire November 1, 2009, and re-appoint Dr. Anita*

*Spring for a term to expire November 1, 2010 on the City Beautification Board.*

*Commissioner Braddy: Gaston, Grant, Howard, Walker and Spring*

*Commissioner Bryant: Gaston, Grant, Howard, Walker and Spring*

*Commissioner Donovan: Gaston, Grant, Howard, Walker and Spring*

*Commissioner Henry: Gaston, Grant, Howard, Walker and Spring*

*Commissioner Lowe: Gaston, Grant, Howard, Walker and Spring*

*Commissioner Mastrodicasa: Gaston, Grant, Howard, Walker and Spring*

*Mayor Hanrahan: Gaston, Grant, Howard, Walker and Spring*

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

**071103. Advisory Board/Committee Appointment to the City Plan Board (NB)**

**RECOMMENDATION** *The City Commission re-appoint Laura D. High to the City Plan Board for a term to expire November 1, 2010.*

*Commissioner Braddy: Gilbert*

*Commissioner Bryant: High*

*Commissioner Donovan: High*

*Commissioner Henry: Carroll*

*Commissioner Lowe: High*

*Commissioner Mastrodicasa: High*

*Mayor Hanrahan: High*

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

**071104. Advisory Board/Committee Appointments to the Development Review Board (NB)**

**RECOMMENDATION** *The City Commission appoint Angelina C. Gant and James C. Miller to the Development Review Board for terms to expire November 1, 2010.*

*Commissioner Braddy: Gant and Miller*

*Commissioner Bryant: Gant and Miller*

*Commissioner Donovan: Miller and Readvertise*

*Commissioner Henry: Readvertise*

*Commissioner Lowe: Gant and Miller*

*Commissioner Mastrodicasa: Gant and Readvertise*



*Mayor Hanrahan: Buhler and Miller*

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

**071105. Advisory Board/Committee Appointments to the Fire Safety Board of Adjustment (NB)**

**RECOMMENDATION** *The City Commission re-appoint Carl L. Osberg and Fred Vyverberg to the Fire Safety Board of Adjustment for terms to expire November 1, 2010.*

*Commissioner Braddy: Osberg and Vyverberg  
Commissioner Bryant: Osberg and Vyverberg  
Commissioner Donovan: Osberg and Vyverberg  
Commissioner Henry: Osberg and Vyverberg  
Commissioner Lowe: Osberg and Vyverberg  
Commissioner Mastrodicasa: Osberg and Vyverberg  
Mayor Hanrahan: Osberg and Vyverberg*

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

**071106. Advisory Board/Committee Appointment to the Gainesville Code Enforcement Board (NB)**

**RECOMMENDATION** *The City Commission appoint Hugh Rhea to the Gainesville Code Enforcement Board for a vacancy to expire August 1, 2009.*

*Commissioner Braddy: Rhea  
Commissioner Bryant: Rhea  
Commissioner Donovan: Rhea  
Commissioner Henry: Rhea  
Commissioner Lowe: Rhea  
Commissioner Mastrodicasa: Rhea  
Mayor Hanrahan: Rhea*

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

**071107. Advisory Board/Committee Appointment to the Gainesville Energy Advisory Committee (NB)**

**RECOMMENDATION** *The City Commission re-appoint Robert W. Brinkman and Kim Van Vliet, PhD for terms to expire September 30, 2010, and appoint Eldo Varghese to a term to expire September 30, 2011 on the Gainesville Energy Advisory Committee.*

*Commissioner Braddy: Brinkman, Van Vliet and Varghese*

*Commissioner Bryant: Brinkman, Van Vliet and Varghese*  
*Commissioner Donovan: Brinkman, Van Vliet and Varghese*  
*Commissioner Henry: Brinkman, Van Vliet and Varghese*  
*Commissioner Lowe: Brinkman, Van Vliet and Readvertise*  
*Commissioner Mastrodicasa: Brinkman, Van Vliet and Varghese*  
*Mayor Hanrahan: Brinkman, Van Vliet and Varghese*

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

**071108. Advisory Board/Committee Appointments to the Gainesville Enterprise Zone Development Agency (NB)**

**RECOMMENDATION** *The City Commission re-appoint Juanita Miles Hamilton (#5-Employer operating within area) and Tony R. Jones (#8-Member Law Enforcement Agency) to the Gainesville Enterprise Zone Development Agency for terms to expire March 31, 2011.*

*Commissioner Braddy: Hamilton and Jones*  
*Commissioner Bryant: Hamilton and Jones*  
*Commissioner Donovan: Hamilton and Jones*  
*Commissioner Henry: Hamilton and Jones*  
*Commissioner Lowe: Hamilton and Jones*  
*Commissioner Mastrodicasa: Hamilton and Jones*  
*Mayor Hanrahan: Hamilton and Jones*

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

**071109. Advisory Board/Committee Appointment to the Gainesville Human Rights Board (NB)**

**RECOMMENDATION** *The City Commission appoint Uwe M. Dietz to the Gainesville Human Rights Board for a term to expire February 22, 2010.*

*Commissioner Braddy: Readvertise*  
*Commissioner Bryant: Dietz*  
*Commissioner Donovan: Dietz*  
*Commissioner Henry: Dietz*  
*Commissioner Lowe: Dietz*  
*Commissioner Mastrodicasa: Dietz*  
*Mayor Hanrahan: Dietz*

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

**071110. Advisory Board/Committee Appointment to the Nature Centers Commission (NB)**

**RECOMMENDATION**

*The City Commission reappoint Amy Carpus to the Nature Centers Commission for a term to expire November 1, 2010.*

*Commissioner Braddy: Carpus*

*Commissioner Bryant: Carpus*

*Commissioner Donovan: Carpus*

*Commissioner Henry: Carpus*

*Commissioner Lowe: Carpus*

*Commissioner Mastrodicasa: Carpus*

*Mayor Hanrahan: Carpus*

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

**071191.****Advisory Board/Committee Appointments to the Public Recreation and Parks Board (NB)****RECOMMENDATION**

*The City Commission re-appoint Lew Welge to a term to expire June 1, 2010 and appoint William M. Alday to a vacancy to expire June 1, 2009 on the Public Recreation and Parks Board.*

*Commissioner Braddy: Welge and Alday*

*Commissioner Bryant: Welge and Alday*

*Commissioner Donovan: Welge and Alday*

*Commissioner Henry: Welge and Alday*

*Commissioner Lowe: Welge and Alday*

*Commissioner Mastrodicasa: Welge and Alday*

*Mayor Hanrahan: Welge and Alday*

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

**071112.****Advisory Board/Committee Appointments to the Regional Transit System Advisory Board (NB)****RECOMMENDATION**

*The City Commission appoint Zachary Andrews (disabled) for a term to expire June 1, 2010, and appoint Kyle S. Blair (disabled & regular user) for vacancy to expire June 1, 2009 on the Regional Transit System Advisory Board.*

*Commissioner Braddy: Andrews, KS Blair and Grundy*

*Commissioner Bryant: Andrews, KS Blair and Grundy*

*Commissioner Donovan: Andrews, KG Blair and KS Blair*

*Commissioner Henry: Andrews, KG Blair and KS Blair*

*Commissioner Lowe: Andrews and Readvertise*

*Commissioner Mastrodicasa: Andrews, KG Blair and Grundy*

*Mayor Hanrahan: Andrews*

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

**071113. Advisory Board/Committee Appointments to the Tree Advisory Board (NB)****RECOMMENDATION**

*The City Commission re-appoint John A. Dickinson for a term to expire January 1, 2010, re-appoint Joseph Durando for a term to expire January 1, 2011, and re-appoint Francis E. Putz for a term to expire January 1, 2011 on the Tree Advisory Board.*

*Commissioner Braddy: Dickinson, Durando and Gold  
Commissioner Bryant: Dickinson, Durando and Putz  
Commissioner Donovan: Dickinson, Durando and Putz  
Commissioner Henry: Dickinson, Gold and Putz  
Commissioner Lowe: Dickinson, Durando and Putz  
Commissioner Mastrodicasa: Dickinson, Durando and Putz  
Mayor Hanrahan: Dickinson, Durando and Putz*

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

**071114. Advisory Board/Committee Appointment to the Tree Board of Appeals (NB)****RECOMMENDATION**

*The City Commission re-appoint Joseph Durnado for a term to expire January 1, 2010, and appoint Frances E. Putz to a term to expire January 1, 2011 on the Tree Board of Appeals.*

*Comissioner Braddy: Durando and Putz  
Commissioner Bryant: Durando and Putz  
Commissioner Donovan: Durando and Putz  
Commissioner Henry: Durando and Putz  
Commissioner Lowe: Durando and Putz  
Commissioner Mastrodicasa: Durando and Putz  
Mayor Hanrahan: Durando and Putz*

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

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****071052. Health Services Coordinator (B)**

**This item involves the request for approval to add a position to the Risk**

**Management Department that would coordinate scheduling of health services to City employees.**

**RECOMMENDATION**      *The Personnel and Organizational Structure Committee met on March 27, 2008 and recommend the City Commission approve adding a Health Services Coordinator position and delete the vacant Staff Assistant position; and adding the Health Services Coordinator position to the Occupational Index.*

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

**071053.                    Addition of the Chief Plans Examiner to the Occupational Index (B)**

**This item involves the request for approval to add the Chief Plans Examiner classification to the Occupational Index and to add this position to the Building Inspection Department. The addition of this position will allow the department to reduce its current twelve-week turnaround on submitted plans.**

**RECOMMENDATION**      *The Personnel and Organization Structure Committee met on March 27, 2008 and recommend the City Commission approve adding a Chief Plans Examiner (Pay Grade M8) to the Occupational Index.*

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

**071054.                    Addition of the Concurrency Management Planner to the Occupational Index (B)**

**This item involves the request for approval to add a new classification, Concurrency Management Planner, to the Occupational Index and approval for reclassifying one of the Planning and Development Services Department's Senior Planner positions to a new classification.**

**RECOMMENDATION**      *The Personnel and Organizational Structure Committee met on March 27, 2008 and recommend the City Commission approve adding the Concurrency Management Planner classification to the Occupational Index and reclassifying one Senior Planner (Pay Grade M6) position to the Concurrency Management Planner (Grade M7).*

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

**071057.                    Human Resources Policy and Procedure Promulgation (B)**

**RECOMMENDATION**      *The Personnel and Organizational Structure Committee met on March 27, 2008 and recommend the City Commission*

*approve the two new policies - the Human Resources Policy and Procedure Promulgation Policy and the Classification Plan Policy.*

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

## **PUBLIC SAFETY COMMITTEE, CONSENT**

### **071007. Gainesville Police Explorer Funding for State Competitions from State LECFTF (NB)**

**RECOMMENDATION** *The City Commission approve the appropriation and expenditure of an amount not to exceed \$3,000.00 from the State Law Enforcement Contraband Forfeiture Trust Fund for travel and other expenses for the Police Explorers, Post 917 to be used for them to attend their State competition in 2008.*

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

### **071009. State LECFTF Funding for Corner Drug Store Interface Youth Program and Spotlight on Youth Campaign (B)**

**This item requests that the City Commission appropriate and expend funds from the State Law Enforcement Contraband Forfeiture Fund for the Corner Drug Store Interface Youth Program and Spotlight on Youth campaign**

**RECOMMENDATION** *The City Commission authorize the appropriation of an amount not to exceed \$5,000 from the State Law Enforcement Contraband Forfeiture Trust Fund, for the Corner Drug Store Interface Youth Program and Spotlight on Youth campaign.*

*Alternative Recommendation A: The City Commission decline the appropriation and advise staff to not fund the request from the Corner Drug Store. There is no fiscal impact.*

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

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

## **EQUAL OPPORTUNITY COMMITTEE, CONSENT**

### **070788. National Summit on Your City's Families (B)**

**RECOMMENDATION** *The City Commission: 1) authorize the City Attorney to draft a resolution to adopt "A City Platform" for strengthening*

*families and improving outcomes for children and youth; and  
2) remove this item from the referral list.*

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

## **REGIONAL UTILITIES COMMITTEE, CONSENT**

### **061214. Net Metering Referral Item #061214 - Photovoltaic Policies (NB)**

**RECOMMENDATION** *The Regional Utilities Committee (RUC) recommends that the City Commission: 1) initiate the process for adopting net metering for privately installed renewable energy generation systems; 2) schedule a public hearing on May 12, 2008 to receive considerations, determinations and public input as part of the requirements of the Public Utility Regulatory Policies Act; and 3) retain this item on the referral list.*

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

### **070744. Delinquent Processing Policies Review by the Regional Utilities Committee - Outstanding Referral Item #070744 (NB)**

**RECOMMENDATION** *The Regional Utilities Committee recommends the City Commission: 1) accept the recommendation to lower the delinquent processing fees for disconnection and reconnection by \$20; 2) authorize the City Attorney to prepare and the Clerk of the Commission to advertise amendments to the Code of Ordinances relating to changes to the delinquent processing fees; and 3) remove the item from the referral list.*

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

## **Passed The Consent Agenda**

**A motion was made by Commissioner Mastrodicasa, seconded by Commissioner Donovan, 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, Scherwin Henry, Craig Lowe and Pegeen Hanrahan  
Absent: Jack Donovan, Edward Braddy and Rick Bryant

## **COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

## **END OF CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

*Commissioner Henry moved and Commissioner Mastrodicasa seconded to adopt the Regular Agenda, as modified.*

*(VOTE: 5-0, Commissioners Braddy and Bryant - Absent, MOTION CARRIED)*

*NOTE: Commissioner Donovan entered the meeting room during adoption of the regular agenda.*

### *MODIFICATIONS:*

*1. File #071071 - City Commission Referrals - Additional referral status reports submitted from the Community Development Committee, Public Works Department, City Plan Board and the EDUCC.*

*2. File #071079 - Equal Opportunity Director Performance Evaluation - (Back-up submitted).*

*3. File #071077 - Proposed Modifications to the Alachua County Boundary Adjustment Act - (Additional Back-up Submitted).*

*4. File #071067 - Walnut Creek - (Additional Back-up submitted).*

*5. File #071066 - Walnut Creek - (Additional Back-up submitted).*

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

### **071071. City Commission Referrals (B)**

*NOTE: Commissioner Bryant entered the meeting room at 1:23 PM.*

*Planning and Development Services Director Erik Bredfeldt made comments.*

*MOTION: Remove the referrals as indicated by staff, leaving on File #060805 Report from Sundance Summit on the Charter Officer's Referral List.*

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

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

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe and Pegeen Hanrahan  
Absent: Edward Braddy and Rick Bryant

## CITY MANAGER



**071061. Master Planning of the RTS Maintenance Facility Renovations/Expansion Update (B)**

**This item involves a presentation on the status of the Master Planning of the Regional Transit System (RTS) Maintenance Facility Renovations/Expansion.**

*RTS Director Jesus Gomez, David C. Duchscherer, P.E of Wendal Duchscherer Architects & Engineers and Public Works Director Teresa Scott gave presentations.*

*AMENDMENT: 1) Direct staff to continue with the planning/design of Option D as outlined in the presentation; and 2) direct staff to mitigate impacts on Depot Park.*

**RECOMMENDATION**      *Recommended Motion: The City Commission: 1) hear a presentation; and 2) direct staff to continue with the planning/design of Option D as outlined in the presentation.*

*Alternative Recommendation A: The City Commission: 1) hear a presentation; and 2) direct staff to continue with the planning/design of Option A or C as outlined in the presentation.*

*Alternative Recommendation B: The City Commission: 1) hear a presentation; and 2) deny either Option presented by the consultant and provide specific direction as to how to proceed.*

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

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Rick Bryant and Pegeen Hanrahan  
Absent: Edward Braddy

**071073. Certificate of Achievement for Excellence in Financial Reporting (B)**

**The City was awarded GFOA's Certificate of Achievement for Excellence in Financial Reporting for its 2006 Comprehensive Annual Financial Report (CAFR). The 2007 CAFR is hereby presented to the Commission and will be also submitted to GFOA for the award.**

*Administrative Services Director Becky Rountree gave a presentation and presented Controller April Shuping with the certificate.*

**RECOMMENDATION**      *The City Commission: 1) accept the Certificate of Achievement for Excellence in Financial Reporting for fiscal year 2006; 2) receive the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2007; and 3) endorse submittal of the FY2007 report to the GFOA.*

*NOTE: Document is available for viewing in the Clerk's Office and on the City's internet.*

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

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Rick Bryant and Pegeen Hanrahan  
Absent: Edward Braddy

**071077. Proposed Modifications to the Alachua County Boundary Adjustment Act (B)**

**The Countywide Visioning and Planning Committee (CVPC) has created a task force for modifying the Alachua County Boundary Adjustment Act (BAA). City staff has reviewed the BAA, and is proposing limited modifications.**

*Strategic Planning Manager Karen Billings gave a presentation.*

**RECOMMENDATION**      *The City Commission: 1) hear a report from staff on possible changes to the BAA, and 2) discuss any other possible changes to the BAA, and 3) approve the Commission's position on possible recommended changes to the BAA that can be conveyed to the CVPC Task Force.*

**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: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Rick Bryant and Pegeen Hanrahan  
Absent: Edward Braddy

**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****071079. Annual Performance, Salary, and Benefits Review for the Equal Opportunity Director (B)**

*NOTE: This item was continued to the next regular City Commission Meeting (April 28, 2008).*

**RECOMMENDATION**      *The City Commission review the salary and benefits of the Equal Opportunity Director and make any changes deemed appropriate.*

**Continued**

**COMMISSION COMMENTS (if time available)****Commissioner Jeanna Mastrodicasa**

*Hospitality Districts Meeting at UF's Reitz Union.*

**Commissioner Scherwin Henry**

*Longevity and Compensation for City Employees.*

**Commissioner Rick Bryant**

*Pay Study and City Employee Compensation.*

**RECESS - 3:34 PM****RECONVENE - 5:37 PM****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****071085. Administrative Professionals Week, April 20-26, 2008, and Administrative Professionals Day - April 23, 2008 (B)**

**RECOMMENDATION**      *Gainesville Chapter of International Association of Administrative Professionals President-Elect Melonie Bradley, Vice President Rachel DiSesa McGriff, and Chair*

*Kathryn McGregor to accept the proclamation.*

**Heard**

**071086. Child Abuse Prevention Month - April 2008 (B)**

**RECOMMENDATION** *Alachua County Child Abuse Prevention Task Force Chair Annie McPherson, Joyce LeBlanc (Healthy Families), and Sherry Kitchens (Child Advocacy Center) to accept the proclamation.*

**Heard**

**071087. National Public Safety Telecommunications Week - April 13-19, 2008 (B)**

**RECOMMENDATION** *Combined Communications Center Technical Services Division Manager Linda Jones to accept the proclamation.*

**Heard**

**071088. Creeks Week - April 19-26, 2008 (B)**

**RECOMMENDATION** *Clean Water Partnership Coordinator Sally Adkins to accept the proclamation.*

**Heard**

**071089. 29th Annual Fifth Avenue Arts Festival - April 18-20, 2008 (B)**

**RECOMMENDATION** *Cultural Arts Coalition Director NKwanda Jah to accept the proclamation.*

**Heard**

**071090. National Fair Housing Month - April 2008 (B)**

**RECOMMENDATION** *City of Gainesville Equal Opportunity Director Jimmie Williams and Specialist Rodney Bickel to accept the proclamation.*

**Heard**

**071115. Library Appreciation Month - April 2008 (B)**

**RECOMMENDATION**      *Alachua County Library District Director Sol Hirsh to accept proclamation.*

Heard

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

**Kali Blount**

*Oak Park Senior Facility - Pedestrian Crossing Concerns*

**Mark van Soesthsbergen**

*Photo-Voltaic Panels at the Airport - \$500.00 Donation.*

**Walter Willard**

*Various Issues.*

**Jerry Williamson**

*Homeless Issues*

**Dr. Dalma Kalogjera - Sackellares**

- 1. Unregulated Private Aircraft.*
- 2. Leaf Blowers - Noise and Air Pollution.*

**071147.      Air Pollution and Noise Pollution Caused by Leaf Blowers and other Power Tools (B)**

**RECOMMENDATION**      *The City Commission refer the issue of air pollution and noise pollution caused by leaf blowers and other industrial type power tools.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Lowe, that this matter be Referred to the Public Safety Committee, due back on October 16, 2008. The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

**Gabriel Kaimowitz**

*Possible designation of Gainesville as "Butterfly City".*

**071149. Possible Designation of Gainesville as "Butterfly City" (B)****RECOMMENDATION**

*The City Commission ask the City Manager to research this issue and place back-up submitted on file.*

**Placed on File**

**PUBLIC HEARINGS**

*NOTE: Commissioner Ed Braddy entered the meeting room at 5:56 PM.*

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****070722. VOLUNTARY ANNEXATION - BUTLER PLAZA AND VICINITY AREA (B)****Ordinance No. 0-07-117**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area, commonly known as the Butler Plaza and Vicinity Area, and Butler Plaza Southwest Area, pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area, as more specifically described in this ordinance, generally located south of the vicinity of SW 20th Avenue, west of SW 34th Street and the City limits, north of SW Archer Road and the City limits, and east of the vicinity of Interstate 75; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing for the application of a fire services special assessment to the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing effective dates.**

*Strategic Planning Manager Karen Billings gave a presentation.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

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

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

**070820. STREET VACATION - POLICE DEPARTMENT AREA (B)****Ordinance No. 0-08-06, Petition 122SVA-07PB**

**An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a**

certain portion of the right-of-way of N.W. 7th Place between N.W. 4th Street and N.W. 5th Street, and a portion of N.W. 5th Street located south of the CSX Railroad right-of-way to a point 10 feet south of the northeast corner of Lot 26 of Brush's Addition to Gainesville, as more specifically described in this Ordinance; reserving a public utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*City Planner Jason Simmons gave a presentation.*

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

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

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

**070906.                      PLANNED DEVELOPMENT AMENDMENT - OAKBROOK WALK (B)**

**Ordinance No. 0-08-10, Petition No. 132PDA-07PB**

**An ordinance of the City of Gainesville, Florida; amending Ordinance Nos. 3248, 3378 and 000618 that rezoned certain property to planned development district, commonly known as "Oakbrook Walk PD"; generally located in the vicinity of the 1000-1200 block of SW 14th Avenue, north side and 1331 S.W. 13th Street; by allowing the contraction of the development plan and adopting a revised development plan, as more specifically described in this ordinance; adopting revised development plan maps and a revised development plan report; preserving certain conditions and restrictions; providing for penalties; 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 Bryant, seconded by Commissioner Donovan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

**070907.                      REZONING - OAKBROOK WALK (B)**

**Ordinance No. 0-08-11, Petition No. 88ZON-07PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from "Planned Development" to "UMU-1: Urban mixed use district 1"; located in the vicinity of 1331 SW 13th Street; retaining the Special Area Plan for Southwest 13th Street Overlay District classification; 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 Bryant, seconded by Commissioner Henry, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

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

### **070706.                    PLANNED DEVELOPMENT AMENDMENT – GAINESVILLE AUTO TOWN CENTER (B)**

**Ordinance No. 0-07-120, Petition No. 69PDV-07PB**

**An Ordinance of the City of Gainesville, Florida; rezoning certain lands in the City, as more specifically described in this Ordinance, from “BUS: general business district” to “Planned Development”, commonly known as “Gainesville Auto Town Center”, located in the vicinity of the 3900 block of N. Main Street, west side; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement and penalties; 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 Bryant, seconded by Commissioner Mastrodicasa, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

### **070872.                    SHIP AFFORDABLE HOUSING ADVISORY COMMITTEE (B)**

**Ordinance No. 0-08-09**

**An ordinance of the City of Gainesville, Florida, amending Chapter 14 relating to the State Housing Initiatives Partnership (SHIP) Program; by adding definitions in section 14-1; by deleting existing section 14-6 in its entirety and replacing with new section 14-6 creating and establishing an Affordable Housing Advisory Committee; by deleting existing section 14-7 and replacing with a new section 14-7 providing for the adoption of local housing initiative strategies; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

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



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

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

**070890. ELECTRONIC AND ANIMATED SIGNS (B)**

**Ordinance No. 0-07-80; Petition No. 139TCH-06 PB**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to signs; amending section 30-23 by revising the definition of animated sign, deleting the definition of changing message device and adding a definition of electronic sign; amending section 30-316 to prohibit electronic signs; providing directions to the codifier; providing for a mandatory review; 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 Donovan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Craig Lowe and Pegeen Hanrahan  
Nay: Scherwin Henry, Edward Braddy and Rick Bryant

**070916. TRAFFIC STUDY REVIEW FEES (B)**

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

**An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges, for Land Development Code Petitions, Applications and Development Fees, by adding traffic study review 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 Henry, seconded by Commissioner Lowe, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Rick Bryant and Pegeen Hanrahan  
Nay: Edward Braddy

**RESOLUTIONS- ROLL CALL REQUIRED**

**071060. Resolution for the Regional Transit System FY 2008 Program of Projects (POP) and FY 2005-2006 Performance Measures (B)**

**This item involves a Resolution authorizing the filing of an application with the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT).**

**RECOMMENDATION**      *The City Commission: 1) adopt the Resolution; and 2) approve the Program of Projects for FY 2008.*

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

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

**071063. Local Housing Assistance Plan - State Fiscal Years 2009-2011 (B)**

**The Local Housing Assistance Plan meets the City Commission's Economic Development and Redevelopment Initiative to increase the amount of affordable housing and low cost housing throughout the City. This item discusses the proposed changes to the Local Housing Assistance Plan for State Fiscal Years 2009-2011.**

*City Housing Manager Jacquelin Richardson gave a presentation.*

*AMENDMENT: Page 3, Line 1, of the Local Housing Assistance Plan for State Fiscal Years 2009-2011, include the language "sexual orientation and gender identity".*

**RECOMMENDATION**      *The City Commission: 1) adopt the attached resolution, as required by State law, approving the Local Housing Assistance Plan for State Fiscal Years 2009-2011 and authorizing the Mayor to execute all necessary documents and certifications pertinent to the Local Housing Assistance Plan, subject to review by the City Attorney as to form and legality ; and 2) authorize the submission of the Local Housing Assistance Program for review and approval by the Florida Housing Finance Corporation.*

*Alternative Recommendation A:  
The City Commission could choose not to approve the Resolution. This will result in a fiscal impact on the affordable housing programs funded through the SHIP Program, which is estimated at \$1,093,123 for each state fiscal year 2009-2011.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Lowe, that this matter be Adopted (Resolution) and Approved the Recommendation, as amended. The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe and Pegeen Hanrahan  
 Absent: Edward Braddy and Rick Bryant

## PLAN BOARD PETITIONS

### 071066. Re-establish Planned Development with Design Plat Review for Walnut Creek Phase II (Quasi-Judicial) (B)

**Petition 83PDA-06 PB. Causseaux, Hewitt & Walpole, Inc. agent for Legacy Property Development, Inc. Re-establishment of the expired Walnut Creek Residential Planned Development to allow subdivision of the second phase of the Walnut Creek Residential Development. Zoned: PD (Planned Development) Located in the 2500 block of Northwest 39th Avenue.**

*STAFF PRESENTATION: Chief of Current Planning Lawrence Calderon and Engineering Manager Stewart Pearson gave presentations.*

*PETITIONER PRESENTATION: Agent for the Petitioner Robert Walpole of Causseaux, Hewitt and Walpole gave presentations.*

*CITIZEN COMMENT: Chair Hanrahan recognized Hidden Pine Resident Jeff Malpass, Walter Willard and Hidden Pine Resident David Brunette who spoke to the matter.*

*AMENDMENT: Add Mr. Walpole's language regarding private maintenance for alleyways.*

**RECOMMENDATION** City Plan Board to City Commission - The City Commission approve Petition 83PDA-06PB. Plan Board vote 5-1. Staff to Plan Board - Approve with staff conditions.

*Alternative Recommendation A  
 Approve Petition 83PDA-06PB to re-establish the Walnut Creek Planned Development with associated design plat and staff conditions as attached.*

*Alternative Recommendation B  
 Deny the petition as recommended by the City Plan Board*

**A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Approved (Petition) with Staff Conditions, as Amended. The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

### 071067. Design Plat Review and Conditional Final Plat Review for Walnut Creek (Quasi-Judicial) (B)

**Petition 156SUB-06PB. George E. Fletcher, agent for Legacy Property Development Inc. Design Plat Review of Phases II and III of Walnut Creek Subdivision, on 15.8 acres, M.O.L. Zoned: PD (Planned Development) Located in the 2500 block of Northwest 39th Avenue (Related to Petition 83PDA-06PB).**

*STAFF PRESENTATION: Chief of Current Planning Lawrence Calderon and Engineering Manager Stewart Pearson gave presentations.*

*PETITIONER PRESENTATION: Agent for the Petitioner Robert Walpole of Causseaux, Hewitt and Walpole gave presentations.*

*CITIZEN COMMENT: Chair Hanrahan recognized Hidden Pine Resident Jeff, Walter Willard and Hidden Pine Resident David Brunette who spoke to the matter.*

*AMENDMENT: Add Mr. Walpole's language with respect to private maintenance of the alleyways.*

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve Petition 156SUB-06PB. Plan Board vote 4-2. Staff to Plan Board - Approve with staff conditions.*

*Alternative Recommendation  
Deny the petition*

**A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Approved (Petition) with Staff Conditions. The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

## **DEVELOPMENT REVIEW BOARD PETITIONS**

### **071068. Blues Creek Subdivision, Unit 5, Phases 2 and 3 (B)**

**Petition 76SUB-07DB. Legislative Matter No. 000000. Eng, Denman & Associates, Inc., agent for Blues Creek Development. Design plat approval of Unit 5, Phases 2 and 3 of Blues Creek Subdivision, for 44 lots on 36.7 acres MOL, having a density of 1.19 dwelling units per acre. Located at the 7900 Block of NW 78th Road.**

*STAFF PRESENTATION: City Planner Bedez Massey gave a presentation.*

*PETITIONER PRESENTATION: Agent for the Petitioner Patrice Boyes gave a presentation.*

*NOTE: Commissioner Mastrodicasa stated that she did not have a conflict of interest and would be voting on this item.*

*Planning Manager Ralph Hilliard made comments.*

**RECOMMENDATION**      *Development Review Board to City Commission - The City Commission deny Petition 76SUB-07DB. Vote 3-2 (Abstain: Clay Sweger).*

*Staff to Development Review Board - This petition shall comply with all applicable regulations, as well as all adopted conditions and recommendations.*

*Alternate Recommendations  
The City Commission approve Petition 76SUB-07DB as submitted.*

*The City Commission approve Petition 76SUB-07DB with staff conditions and recommendations.*

**A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Continued (Petition) for May 12, 2008. The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

## **SCHEDULED EVENING AGENDA ITEMS**

### **UNFINISHED BUSINESS**

### **COMMISSION COMMENT**

#### **Commissioner Jack Donovan**

*Walter Willard's Article Re: Energy Issues.*

#### **071148.      Corn and Other Biofuels for Vehicle Fuel (NB)**

**RECOMMENDATION**      *The City Commission refer the issue of using corn and other biofuels for vehicle fuel.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Lowe, that this matter be Referred to the Regional Utilities Committee, due back on October 14, 2008. The motion carried by the following vote:**

**Votes:** Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

### **CITIZEN COMMENT**

**Isaac Hayes**

*Religious Land Use and Institutionalized Persons Act (RLUPA).*

**ADJOURNMENT - 8:41 PM**

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Kurt M. Lannon, Clerk of the Commission