

City of Gainesville

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



Meeting Minutes

Monday, January 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 - 1:10 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

Mayor-Commissioner Pro Tem Bryant moved and Commissioner Henry seconded to adopt the Consent Agenda with the following modifications.

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

Chair Hanrahan recognized Paula Stahmer who requested that File # 070743 - Lewis Oil - be pulled from the Consent Agenda.

MODIFICATIONS:

- 1. File #070791 Purchase and Sales Agreement for Hogtown Creek Headwaters Property - (Remove item from the agenda).*
- 2. File #070777 - Removal of Lien affecting 1245 Southeast 4th Avenue - (Revised back-up submitted).*
- 3. File #070757 - Lynch Park - (Remove from the Consent Agenda and place on the Regular Agenda for discussion with additional back-up submitted (Power Point)).*
- 4. File #070743 - Fuel Management Services Contract Award to Lewis Oil Company of Gainesville - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

CITY MANAGER, CONSENT AGENDA ITEMS

060367. Settlement of Worker's Compensation Claim - Stanley P. Strama (NB)

This item involves the full and final settlement of Stanley P. Strama workers' compensation claims, which will include all future medical and indemnity payments. The total settlement amount is \$75,000 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 Stanley P. Strama, in the amount of \$75,000.

This Matter was Approved as Recommended on the Consent Agenda.

070673. Maintenance of Enhanced Crosswalks and Landscaping on State Highways (B)

This item involves a request by the Florida Department of Transportation (FDOT) for the City of Gainesville to enter into Maintenance Agreements to provide perpetual maintenance for enhanced pedestrian crosswalks and/or landscaped medians for four (4) FDOT resurfacing projects.

RECOMMENDATION

Recommended Motion: The City Commission direct the City Manager to notify the FDOT that the City is willing to accept maintenance responsibility of enhanced crosswalk features constructed of brick, but not of other materials such as imprinted or textured asphalt and decline to approve the four (4) Maintenance Agreements as submitted by FDOT.

Alternative Recommendation A: The City Commission decline to approve all four (4) Maintenance Agreements.

Alternative Recommendation B: The City Commission 1) approve all four (4) Maintenance Agreements; 2) adopt the Resolutions for the four (4) Maintenance Agreements; and 3) direct the City Manager to include the required funding in subsequent budget recommendations.

This Matter was Approved as Recommended on the Consent Agenda.

070767. Annexation of Parcel Number 06803-002-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of Windmeadows Boulevard, SW 35th Boulevard, SW Archer Road and SW 37th Boulevard.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

070778. Ranking for Professional Engineering Services for Archer Road (SR 24)/SW 16th Avenue (SR 226) Intersection and Roadway Modification Project. (B)

This item involves a request for the City Commission to approve the ranking of Engineering Firms/Teams and authorization for a contract for providing engineering services for traffic study and final design plans to improve Archer Road and SW 16th Avenue between the SW 13th Street and the divergence of these two roadways.

RECOMMENDATION

Recommended Motion: The City Commission: 1) accept the selection of the four 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.

Alternative Recommendation: The City Commission not accept the ranking and direct staff to begin a new selection process. Note: A new process will delay the project start by about six (6) months.

This Matter was Approved as Recommended on the Consent Agenda.

070781. Purchase of Laser Imaging Detection and Ranging (LiDAR) data for the Gainesville Urban Area from Program Data Solutions (a legal entity created as a Joint Venture between Dewberry, URS and PBS&J) (B)

This item involves a purchase of LiDAR data from a Florida Division of Emergency Management contract by the City of Gainesville to facilitate a number of water management program activities in Gainesville and its Urban Area.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the purchase of LiDAR data collection, processing and quality assurance from PDS and 2) authorize the City Manager to issue a purchase order not to exceed \$150,837.98 subject to review and approval by the City Attorney as to form and legality.

Alternative Recommendation: The City Commission deny the purchase of LiDAR data collection, processing and quality assurance from PDS and pass on this opportunity to capture an updated data toolset.

This Matter was Approved as Recommended on the Consent Agenda.

070782. Design/Build Proposal Award - North Main Street at 53rd Avenue Intersection Traffic Signal Design and Construction (B)

This item involves a request for the City Commission to authorize the design/build proposal award to James D. Hinson Electrical Contracting Co., Inc. for the North Main Street at 53rd Avenue intersection traffic signal design and construction in the amount of \$ 274,081.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the design/build proposal award to James D. Hinson Electrical Contracting Co., Inc. for the North Main Street at 53rd Avenue intersection traffic signal design and construction; and 2) authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality, and issue a purchase order in an amount not to exceed \$ 274,081.

This Matter was Approved as Recommended on the Consent Agenda.

070783. Gainesville Urban Area Storm Sewer Mapping Conversion Project (B)

This item involves the purchase of data conversion services between the City of Gainesville and Jones Edmunds and Associates, Inc., a business currently under the Public Works Department's existing contract for Water Resource Engineering Services. The project cost is \$128,000. This project fulfills requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager or his designee to issue a purchase order not to exceed \$128,000 to Jones Edmunds and Associates, Inc. based on the scope of work dated January 2, 2008 as allowed under the existing contract for Water Resource Engineering Services.

Alternative Recommendation: The City Commission deny this request for purchase to the Department.

This Matter was Approved as Recommended on the Consent Agenda.

070789. Annexation of Parcel Number 06803-004-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of Windmeadows Boulevard, SW 37th Boulevard, SW Archer Road and SW 40th Boulevard.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

070790.**Land Conservation and Acquisition Program (B)**

This item addresses the Gainesville City Commission Goals for FY 07; Goal - Infrastructure, Tier One Objective: Complete capital projects at parks - improve programs; develop land conservation and acquisition program (biodiversity, passive recreation).

RECOMMENDATION

The City Commission refer this item to the Recreation, Cultural Affairs & Public Works Committee for review and recommendations to the Commission as a whole.

Alternative Recommendation A: The City Commission approve the prioritization as recommended by staff and direct staff to work with Alachua County Forever and Alachua Conservation Trust to obtain funds from the Florida Communities Trust and to negotiate with landowners.

This Matter was Approved as Recommended on the Consent Agenda.

070791.**Purchase and Sales Agreement for Hogtown Creek Headwaters Property (NB)**

This Item involves the City entering into an Option Agreement for Purchase and Sale with Home Depot for acquisition of the Hogtown Creek Headwaters project.

RECOMMENDATION

The City Commission: 1) approve the Option Agreement for Purchase and Sale of the Hogtown Creek Headwaters Property with Home Depot; 2) accept the charitable contribution valued at approximately \$1,200,000, in the form of a credit to the City at closing, from Home Depot; 3) authorize the City Manager to execute the Option Agreement, and any and all documents necessary to close on the purchase, including without limitation, easement and use agreements necessary for the City and Internal Revenue Service and State of Florida tax credit forms for the

charitable contribution; all subject to approval by the City Attorney as to form and legality; and 4) authorize the recording of the appropriate closing documents in the public records.

Alternative Recommendation A: The City Commission not move forward with the acquisition of the Hogtown Creek Headwaters Property.

This Matter was Withdrawn on the Consent Agenda.

070797. Request to Extend the Procurement of Medium and Heavy Duty GMC/Chevrolet Cab and Chassis (B)

This item involves a request to exercise an option to extend the contract for one year, the second of three one-year extensions as allowed in the agreement.

RECOMMENDATION

The City Commission: 1)approve the second one-year contract extension of the current contract with Classic Chevrolet Company of Apopka, Florida; and 2) authorize the City Manager of his/her designee to execute the contract extension.

Alternative Recommendation: The City Commission requires Fleet Management to re-bid the contract and risk losing the advantages of a standardized fleet; and purchasing vehicles from the Florida State and Sheriff's contract. This agreement allows for the latter whenever it is in the best interest of the City.

This Matter was Approved as Recommended on the Consent Agenda.

070777. Partial Release of Lien Affecting 1245 Southeast 4th Avenue, Tax Parcel #11669-000-000 and 1239 Southeast 3rd Avenue, Tax Parcel #11670-000-000 (B)

This item requests that the City Commission release the above-referenced properties from the lien arising from Code Enforcement Board Case #CEB 2004-012, and establish a policy regarding the release of a property from a lien involving multiple properties, under certain limited circumstances.

RECOMMENDATION

The City Commission: 1) release 1245 Southeast 4th Avenue, Tax Parcel 11669-000-000 and 1239 Southeast 3rd Avenue, Tax Parcel 11670-000-000, from a Code Enforcement Board lien related to CEB Case #2004-012; and 2) refer the previously proposed generalized policy regarding the Code Enforcement Board liens back to the Community Development Committee for their review.

Alternate Recommendation A: Take no action and allow lien to remain in place.

This Matter was Approved as Recommended on the Consent Agenda.

070760. Re-appointment of Members to the East Gainesville SPROUT Project Task Force (NB)

This item involves re-appointing certain members of the East Gainesville SPROUT Project Task Force whose terms expired January 13, 2008.

RECOMMENDATION *The City Commission re-appoint members Stephen Boyes, Phillis Filer, Robert Hutchinson, Kinnon Thomas and Janie Williams to the East Gainesville SPROUT Project Task Force each for an additional three year term ending January 14, 2011.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

070804. Annual Underground Distribution Installation Services Contract (B)

Staff recommends establishing an annual contract with Pike Electric Inc. to install underground electric distribution facilities.

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or her designee, to execute a three year contract [WJSI]with Pike Electric Inc. to install underground electric distribution facilities for the Energy Delivery Department on an as needed basis, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order for each year of the contract for these services to Pike Electric Inc. in amounts not to exceed budgeted amounts for each year of the contract, subject to the final appropriation of funds for each year of the contract.*

This Matter was Approved as Recommended on the Consent Agenda.

070805. Telecommunications Consulting Services (NB)

Staff recommends awarding a contract for telecommunications consulting services for GRUCom to HIKE & Co.,Inc.

RECOMMENDATION *The City Commission authorize the General Manager or her designee to: 1) execute a three year contract with HIKE & Company, Inc., as a specified source, for telecommunications*

consulting services on an as needed basis, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order for these services in amounts not exceeding \$75,000 for each year of the contract, subject to final approval of funds.

This Matter was Approved as Recommended on the Consent Agenda.

070806. Rail Spur Property Liquidation (B)

The City Commission refer the City's fee ownership of a portion of the Deerhaven Rail Spur located between Hasan and CR 18 to the Recreation, Cultural Affairs and Public Works Committee for review and recommendation.

RECOMMENDATION *The City Commission: 1) Refer the disposal of the City's fee owned interest in the Deerhaven Rail Spur corridor located between Hasan (Alachua County) and just north of CR 18 (Union County), to the Recreation, Cultural Affairs and Public Works Committee for review and recommendation.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

070817. GENERAL MANAGER EMPLOYMENT CONTRACT (B)

RECOMMENDATION *The City Commission (1) approve the employment of Robert Hunzinger as General Manager pursuant to the terms and conditions set forth in the attached Employment Agreement, (2) authorize the Mayor to execute the attached Employment Agreement on behalf of the City of Gainesville and the Clerk to attest thereto, and (3) authorize the City Attorney's Office to prepare amendments to the employment agreements for other Charter Officers who select additional life insurance coverage benefits, as provided in Mr. Hunzinger's Employment Agreement.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

070765. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes for the special meetings of December 3, 2007, December 12, 2007, and 2 sets of minutes for December 17, 2007; and for the regular*

meeting of December 10, 2007, as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

070793. Advisory Board/Committee Appointment to the Board of Trustees of the Consolidated Police Officers & Firefighters Retirement Plan (NB)

RECOMMENDATION *The City Commission appoint Becky Rountree to the Board of Trustees of the Consolidated Police Officers & Firefighters Retirement Plan for term to expire January 14, 2010.*

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

This Matter was Approved as Recommended on the Consent Agenda.

070794. Advisory Board/Committee Appointment to the Citizens' Advisory Committee for Community Development (NB)

RECOMMENDATION *The City Commission appoint Ernest L. Brockington and reappoint Diana L. Kish for terms to expire November 1, 2010 on the Citizens' Advisory Committee for Community Development.*

*Commissioner Braddy:
Commissioner Bryant: Brockington and Kish
Commissioner Donovan: Brockington and Kish
Commissioner Henry: Brockington and Kish
Commissioner Lowe: Brockington and Kish
Commissioner Mastrodicasa: Brockington and Kish
Mayor Hanrahan: Brockington and Kish*

This Matter was Approved as Recommended on the Consent Agenda.

070795. Advisory Board/Committee Appointment to the City Plan Board (NB)

RECOMMENDATION *The City Commission appoint Robert Ackerman to the City Plan Board for term to expire November 1, 2010.*

*Commissioner Braddy:
Commissioner Bryant: Ackerman
Commissioner Donovan: Ackerman*

*Commissioner Henry: Ackerman
Commissioner Lowe: Ackerman
Commissioner Mastrodicasa: Ackerman
Mayor Hanrahan: Ackerman*

This Matter was Approved as Recommended on the Consent Agenda.

070796. Advisory Board/Committee Appointment to the Gainesville Code Enforcement Board (NB)

RECOMMENDATION *The City Commission re-appoint William A. Gager, Jr. to the Gainesville Code Enforcement Board for term to expire August 1, 2010.*

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

This Matter was Approved as Recommended on the Consent Agenda.

070798. Advisory Board/Committee Appointment to the Gainesville Energy Advisory Committee (NB)

RECOMMENDATION *The City Commission appoint Richard Williams to the Gainesville Energy Advisory Committee for a vacancy to expire September 30, 2009.*

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

This Matter was Approved as Recommended on the Consent Agenda.

070799. Advisory Board/Committee Appointment to the Gainesville Human Rights Board (NB)

RECOMMENDATION *The City Commission appoint Horacio Sierra to the Gainesville Human Rights Board for term to expire February 22, 2011.*

Commissioner Braddy:
Commissioner Bryant: Sierra
Commissioner Donovan: Sierra
Commissioner Henry: Sierra
Commissioner Lowe: Sierra
Commissioner Mastrodicasa: Sierra
Mayor Hanrahan: Sierra

This Matter was Approved as Recommended on the Consent Agenda.

070800. Advisory Board/Committee Appointment to the Gainesville/Alachua County Cultural Affairs Board (NB)

RECOMMENDATION *The City Commission appoint Eric J. Perrott to the Gainesville/Alachua County Cultural Affairs Board for term to expire September 30, 2010.*

Commissioner Braddy:
Commissioner Bryant: Perrott
Commissioner Donovan: Perrott
Commissioner Henry: Perrott
Commissioner Lowe: Perrott
Commissioner Mastrodicasa: Perrott
Mayor Hanrahan: Perrott

This Matter was Approved as Recommended on the Consent Agenda.

070801. Advisory Board/Committee Appointment to the Nature Centers Commission (NB)

RECOMMENDATION *The City Commission reappoint Pearce Hayes and Leslie Straub to the Nature Centers Commission for terms to expire November 1, 2009.*

Commissioner Braddy:
Commissioner Bryant: Hayes and Straub
Commissioner Donovan: Hayes and Straub
Commissioner Henry: Hayes and Straub
Commissioner Lowe: Hayes and Straub
Commissioner Mastrodicasa: Hayes and Straub
Mayor Hanrahan: Hayes and Straub

This Matter was Approved as Recommended on the Consent Agenda.

070802. Advisory Board/Committee Appointment to the Student Relations Advisory Board (NB)

RECOMMENDATION

The City Commission appoint Ernesto Rancel to the Student Relations Advisory Board for a term to expire February 26, 2009.

- Commissioner Braddy:*
- Commissioner Bryant: Rancel*
- Commissioner Donovan: Rancel*
- Commissioner Henry: Rancel*
- Commissioner Lowe: Rancel*
- Commissioner Mastrodicasa: Rancel*
- Mayor Hanrahan: Rancel*

This Matter was Approved as Recommended on the Consent Agenda.

070803. Advisory Board/Committee Appointment to the Water Management Committee (NB)

RECOMMENDATION

The City Commission appoint Richard Williams to the Water Management Committee for a term to expire August 2010.

- Commissioner Braddy:*
- Commissioner Bryant: Williams*
- Commissioner Donovan: Williams*
- Commissioner Henry: Williams*
- Commissioner Lowe: Williams*
- Commissioner Mastrodicasa: Williams*
- Mayor Hanrahan: Re-advertise*

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

070554. SEGRI Implementation/Kennedy Homes Appraisal (NB)

RECOMMENDATION

CRA to the City Commission: 1) Direct the City Manager to obtain an appraisal for SEGRI Focus Site #3, the former Kennedy Homes property; and 2) authorize the City Manager to execute any and all required documents.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

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

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Commissioner Bryant moved and Commissioner Lowe seconded adopt the Regular Agenda with the following modifications.

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

MODIFICATIONS:

1. File #070774 - Proposed Cade Museum - (Waive the rules to hear item at 5:30 PM).

2. File #070049 - Prohibit Rehabilitation Centers and Social Service Homes or Halfway Houses from the Five Points Special Area Plan Area - (Change the recommendation to read: The City Commission withdraw the petition for further review and consideration by staff, and withdraw the ordinance).

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

070743. Fuel Management Services Contract Award to Lewis Oil Company of Gainesville (B)

This item involves a request for the bid award of fuel oil contract to Lewis Oil Company of Gainesville.

Chair Hanrahan recognized Paula Stahmer who spoke to the matter.

Finance Director Mark Benton gave a presentation.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the contract based on the bid received from Lewis Oil Company of Gainesville; and 2) authorize the City Manager or his designee to execute the contract with Lewis Oil Company.

Alternative Recommendation: The City Commission disapprove the recommendation and seek other services.

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

070807. **Financing for Construction (B)**

GRU Chief Financial Officer Jennifer Hunt gave a presentation.

Chair Hanrahan recognized Paula Stahmer who spoke to the matter.

RECOMMENDATION

The City Commission:

1. Authorize the issuance of variable-rate bonds that are converted synthetically to a fixed rate through the use of two existing "floating-to-fixed" interest rate swaps for \$90 million of the new money for payment of Costs of Acquisition and Construction (capital projects) previously authorized by the City Commission on November 15, 2007; and

2. Authorize the Clerk of the Commission, the General Manager and other Authorized Officers to execute such documents as may be necessary to proceed with the transaction authorized in 1 above, subject to approval of the Office of the City Attorney as to form and legality, and to take such other actions as may be necessary or advisable to proceed with these transactions in accordance with this City Commission authorization.

A motion was made by Commissioner Henry, seconded by Commissioner Lowe, 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

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

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

City Equal Opportunity Director Jimmie Williams gave a presentation.

RECOMMENDATION *The City Commission: 1) refer the issue of whether the City of Gainesville should adopt the NLC's platform for strengthening families and improving outcomes for children and youth to the Equal Opportunity Committee.*

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Lowe, that this matter be Approved as Recommended and Referred to the Equal Opportunity Committee, due back on July 14, 2008. 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

COMMITTEE REPORTS (PULLED FROM CONSENT)**EQUAL OPPORTUNITY COMMITTEE****060013. Definition of Employer Based on the Number of Employees in Equal Opportunity Ordinance (B)**

City Equal Opportunity Director Jimmie Williams gave a presentation.

Chair Hanrahan recognized Paula Stahmer who spoke to the matter.

RECOMMENDATION *1) The Equal Opportunity Committee request approval from the City Commission to authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance changing the threshold for the definition of "employer" based on the number of employees from seven (7) to five (5) employees; and 2) remove this item from the referral list.*

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Lowe, 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

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**OUTSIDE AGENCIES**

MEMBERS OF THE CITY COMMISSION**070812. Commissioner Rick Bryant - Five Points of Life Race (B)**

GPD Sergeant Art Adkins gave a presentation.

MOTION: The City Co-Sponsor this event, as it's been done in the past.

RECOMMENDATION *The City Commission discuss the 5 Points of Life Race and take appropriate action.*

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, 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, Rick Bryant and Pegeen Hanrahan
Absent: Edward Braddy

COMMISSION COMMENTS (if time available)**Commissioner Scherwin Henry**

Announcement of new grandson.

Commissioner Jack Donovan

- 1. Sergeant Art Adkins book.*
- 2. Using TIF for providing rental assistance in CRA districts. See following referral item #070826.*
- 3. Location of Senior Center - See following item #070827.*

070826. Rental Assistance Using TIF in the CRA Districts (NB)

RECOMMENDATION *The City Commission refer the issue of using TIF Funds for rental assistance in the CRA Districts (similar to Section 8) to the Community Development Committee.*

A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Referred to the Community Development Committee, due back on July 14, 2008. 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

070827. Senior Recreation Center Endorsement (NB)

RECOMMENDATION *The City Commission write a letter to the Community Coalition for Older Adults endorsing the issue of possibly citing a Senior Recreation Center at Northside Park, Cone Park, or the MLK Recreation Area.*

A motion was made by Commissioner Donovan, seconded by Commissioner Lowe, 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 Peegen Hanrahan
Absent: Edward Braddy

Commissioner Jeanna Mastrodicasa

- 1. Alachua County Tourist Development Committee Meeting.*
- 2. Council for Economic Outreach (CEO) Space Study - See following referral item #070825.*

070825. Council for Economic Outreach (CEO) Space Study (NB)

RECOMMENDATION *The City Commission refer the issue of the Council for Economic Outreach (CEO) Space Study to the Economic Development University Community Committee (EDUCC) for discussion.*

A motion was made by Commissioner Mastrodicasa, seconded by Commissioner Lowe, that this matter be Referred to the Economic Development/University Community Com, due back on July 14, 2008. The motion carried by the following vote:

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

Commissioner Scherwin Henry

- 1. GRU Land in District One - Requests Participation in meetings regarding land use.*
- 2. Youth ages 17-23 - Funding for programs for this age group.*
- 3. Southeast Gainesville Renaissance Initiative (SEGRI) - Minority contractor participation.*

Commissioner Jack Donovan

- 1. Duval Motor Car Petition - Citizen comment.*
- 2. GRU purchase of farm for sludge distribution - Citizen concerns.*

Clerk of the Commission Kurt Lannon - District Meeting Schedule

See following file # 070828.

070828. District Commission Meeting Dates (NB)

NOTE: These tentative dates were approved by consensus.

RECOMMENDATION *The City Commission tentatively schedule the following dates for District Meetings: February 5, 2008 @ 6:00 PM; March 6, 2008 @ 7:00 PM; April 2, 2008 @ 6:00 PM; and May 6, 2008 @ 6:00 PM.*

Approved as Recommended

RECESS - 2:47 PM

RECONVENE - Approximately 5:38 PM

NOTE: Commissioner Braddy was present for the evening session.

PLEDGE OF ALLEGIANCE

WAIVER OF RULES

The rules were waived by adoption of the Regular Agenda to hear this item at 5:30 PM.

070774. Proposed Cade Museum (B)

CRA Manager Anthony Lyons and Cade Family Representative Phoebe Cade gave presentations.

RECOMMENDATION *The City Commission: 1) Authorize the Mayor and City Manager to sign a letter of interest to the Cade family and museum organizers extending an invitation to work with staff and community representatives to explore the possibilities of joining the Cade museum with the Depot Park project; and 2) Request the CRA to work with the Cade Museum organizers.*

NOTE: It is anticipated that the City Commission will waive the Rules and hear this item at 5:30 PM.

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

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

PROCLAMATIONS/SPECIAL RECOGNITIONS

070809. Separation of Church and State (B)

RECOMMENDATION *Humanist Society of Gainesville President Louis Clark and Webmaster Mark Mayfield to accept the proclamation.*

Heard

070863. Arbor Day Proclamation (B)

RECOMMENDATION *City Arborist Meg Niederhofer to accept the Proclamation.*

Heard

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

Pat Fitzpatrick

1. *Homeless Issues*
2. *Community Service*

Theodore McLeod

GPD Issues

Jerry Williamson

GPD Issues

Elizabeth Howard

Homeless Issues - Farmer's Market seating on the Plaza.

Harold Saive

September 11, 2001 Issues.

Austin Schuman

GRU Tiered Rates

070864. Citizen Comment - Mr. Austin Schuman (B)

RECOMMENDATION *The City Commission hear Comments from Mr. Austin Schuman and place back-up submitted on file.*

Placed on File

Dwight Adams

Recyclable Energy

070865. Citizen Comment - Dwight Adams (B)

RECOMMENDATION *The City Commission hear comments from Dr. Dwight Adams and place back-up submitted on file.*

Placed on File

Joe Jackson

Homeless Rehabilitation

Harry Kegelmann

Energy Conservation

Cain Davis

Recreation Staffing Issues

See following referral item #070859.

Rob Brinkman

- 1. Quasi-Judicial Hearing*
- 2. GRU RFP*

Walter Willard

Various Issues

070859. Recreation Re-Structuring Update (NB)

RECOMMENDATION *The City Commission ask the City Manager to request the*

Recreation and Parks Director provide the City Commission with a report regarding a breakdown of the restructuring and movement in the Recreation Department and what the long term goals are.

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

PUBLIC HEARINGS

ADOPTION READING-ROLL CALL REQUIRED

070543. LAND USE CHANGE – FIRE STATION 8 (B)

Ordinance No. 0-07-89, Petition No. 84LUC-06PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property, as more specifically described in this ordinance, from “Planned Use District” to “Public Facilities”; located in the vicinity of 3223 Northwest 42nd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

Senior Planner Bedez Massey and Fire Chief Bill Northcutt gave presentations.

Chair Hanrahan recognized Paul Walser who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

070544. REZONING - FIRE STATION 8 (B)

Ordinance No. 0-07-90, Petition No. 85ZON-07PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City from "Planned Development District" to "PS: Public services and operations district"; by permitting a fire rescue station, with approval of a preliminary development plan; located in the vicinity of 3223 Northwest 42nd Avenue; 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 Lowe, seconded by Commissioner Donovan, that this matter be Adopted (Ordinance) on Adoption Reading. 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, 1ST READING- ROLL CALL REQUIRED

070542. PLANNED DEVELOPMENT AMENDMENT - A CHILD'S PLACE (B)

Ordinance No. 0-07-91, Petition No. 95PDA-07PB

An Ordinance of the City of Gainesville, Florida; amending Ordinance No. 2604, that adopted the Planned Development commonly known as "A Child's Place" located in the vicinity of 4127 Northwest 34th Street; providing for the reduction of the lot size of the existing planned development; adopting revised development plan maps and a revised planned development report; amending and adopting additional conditions and restrictions; providing for penalties; 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 Lowe, seconded by Commissioner Braddy, 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

070049 PROHIBIT REHABILITATION CENTERS AND SOCIAL SERVICE HOMES OR HALFWAY HOUSES FROM THE FIVE POINTS SPECIAL AREA PLAN AREA (B)

Ordinance No. 0-07-43; Petition 50TCH-07PB

An ordinance of the City of Gainesville, Florida, amending Chapter 30, Appendix A, Section 8, Exhibit A(f)(9) of the Land Development Code, relating to the Special Area Plan Five Points Area; adding Rehabilitation Centers and Social Services Homes or Halfway Houses to the list of prohibited uses; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Hanrahan recognized Rob Brinkman, Ted Nichols, Doris Edwards, Mark Goldstein and Attorney Jennifer Springfield who spoke to the matter.

Planning and Development Services Director Erik Bredfeldt and Planning Manager Ralph Hilliard made comments.

RECOMMENDATION *The City Commission withdraw the petition for further review and consideration by staff and withdraw the ordinance.*

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Withdrawn. The motion carried by the following vote:

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

070619.

LAND DEVELOPMENT CODE AMENDMENT - RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT (B)

Ordinance No. 0-07-118, Petition No. 103TCH-07PB

An ordinance of the City of Gainesville, Florida, amending Chapter 30, the Land Development Code, in accordance with the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, and making other revisions for clarity and consistency; amending Section 30-51 to allow public schools as a use by special use permit in single-family residential districts rather than a use by right and removing public libraries as a use by special use permit in single-family residential districts; amending Section 30-52 to remove conditions on places of religious assembly and allow private schools as a use by right in RMF-5 and RC districts, and allow places of religious assembly and private schools as use by right in MH districts; amending Section 30-53 to remove conditions on places of religious assembly and allow private schools as a use by right in multiple family medium residential districts; amending Sections 30-54, 30-62, 30-63, 30-72, 30-75, 30-76, and 30-78 to allow places of religious assembly as a use by right in residential mixed use, automotive-oriented business, tourist-oriented business, agricultural, public services and operations, airport facility, and corporate park districts; amending Section 30-55 to remove conditions on places of religious assembly and allow private schools as a use by right in residential high density districts; amending Section 30-59 to allow public schools, other than institutions of higher learning, as use by special use permit in general office districts; amending Sections 30-61, 30-64, and 30-65 to remove references to places of religious assembly as a condition related to membership organizations; amending Section 30-68 to allow places of religious assembly as a use by right, and remove reference to places of religious assembly as a condition related to membership organizations in warehousing and wholesaling district; amending Sections 30-69 and 30-70 to remove membership sports and recreation clubs as a use by right in limited and general industrial districts; amending Section 30-77 to allow private schools and places of religious assembly as a use by right, and to modify the dimensional requirements in educational services district; amending Section 30-91 to modify dimensional requirements specific to places of religious assembly and requirements for places of religious assembly accessory uses, including day care centers, schools, food distribution centers for the needy, and residences for destitute people; amending Section 30-103 to modify dimensional requirements for private schools; inserting clarifying language in Section 30-110; amending Sections 30-251, 30-306, and 30-307 to remove references to places of religious assembly; amending Section 30-253 to

remove landscape buffer requirements specific to places of religious assembly, and apply buffer requirements to all assembly uses; amending Section 30-332 to modify parking spaces required for places of religious assembly; providing directions to the codifier; providing a severability clause; providing a repealing clause; providing a retroactive schedule; and providing an immediate effective date.

Assistant City Attorney Stephanie Marchman and Planning Manager Ralph Hilliard gave presentations.

AMENDMENT: Commissioner Donovan moved and Commissioner Lowe seconded to amend the proposed ordinance on Page 53 C & 55 D striking out the language requiring a Special Use Permit and retaining the City Manager Permit Process and refer this item to the Community Development Committee for further discussion.

Chair Hanrahan recognized Reverend Glen Dixon, Mark Goldstein, Terry Fleming, Richard McMaster, Tom Webster, Janelle McMillan, Arupa Freeman, Shauna Davis, Arnold Lieberman, Rob Brinkman, Gerald Miles, Bob Freeman, Susan Fairforest, Jim Wright, Reverend Ellenberg, Elizabeth Howard, Joe Jackson and Mary Barker who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Donovan, seconded by Commissioner Lowe, that this matter be Adopted on First Reading, as amended (Ordinance) and referred to the Community Development Committee, due back on July 14, 2008. 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

WAIVER OF RULES

Commissioner Henry moved and Commissioner Lowe seconded to waive the rules to take the following items out of order in order to get through the agenda more expeditiously.

(VOTE: 7-0, MOTION CARRIED)

PLAN BOARD PETITIONS

070763. Petition 128PDV-07PB. Brown & Cullen, Inc., agent for Denney Family Limited Partnership (B)

Re-establishment of the Magnolia Parke PD with a new development schedule for a maximum of five years. Zoned: PD (Planned Development). Located in the 4700 block of Northwest 39th Avenue.

MOTION: Approve Petition 128PDV-07PB with staff conditions and a five year extension.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 128PDV-07PB with staff conditions and a five year extension approvable by the City Commission.

Staff to City Plan Board - Approve the petition subject to granting a new development schedule for a maximum of five years and the adoption of the conditions attached to the staff report.

Alternate Recommendations

The City Commission approve Petition 128PDV-07DB with staff conditions and a twenty year extension.

The City Commission deny Petition 128PDV-07DB.

A motion was made by Commissioner Lowe, seconded by Commissioner Henry, 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

070776. Sign Code Content Neutral Amendment (B)

Petition 104TCH-07PB, amend the Land Development Code section 30-315 through 30-327 of the Sign Code to make it consistent with recent court rulings and to revise the code to make it content neutral.

NOTE: Continued to January 28, 2008.

RECOMMENDATION

Plan Board to the City Commission - approve the petition with the flag size limit to be determined by Staff.

Staff to the Plan Board- approve the petition.

Continued (Petition)

ORDINANCES FIRST READING - (CONTINUED)**070769. URBAN MIXED USE ZONING DISTRICTS (B)**

Ordinance No. 0-06-120; Petition 141TCH-06 PB

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, relating to the establishment of zoning districts and categories and to the correspondence of zoning districts with future land use categories; amending section 30-41, to add the Urban Mixed-Use 1 and Urban Mixed-Use 2 districts; amending section 30-46 to provide corresponding zoning districts and future land use categories that conform to the City of

Gainesville 2000-2010 Comprehensive Plan; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Hanrahan recognized Rob Brinkman who spoke to the matter.

RECOMMENDATION *The City Commission (1) approve Petition 14ITCH-06PB; and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Bryant, 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 Peegen Hanrahan

**070626. PARKING ENFORCEMENT PROGRAM BY PUBLIC WORKS
DEPARTMENT EMPLOYEES (B)**

Ordinance No. 0-07-107

An ordinance of the City of Gainesville, Florida, amending Section 26-2 of the Gainesville Code of Ordinances to provide a definition for parking enforcement specialist; amending Section 26-46 to delete the term traffic enforcement technician and to provide parking enforcement authority to parking enforcement specialists; amending Section 26-53 by deleting the term traffic enforcement technician, providing parking enforcement authority to parking enforcement specialists; providing for notice by department initiating impoundment and prohibiting tampering or removing immobilization devices without authority of department initiating immobilization; 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 Braddy, seconded by Mayor-Commissioner Pro Tem Bryant, 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 Peegen Hanrahan

070510. TRESPASS TOWING (B)

Ordinance No. 0-07-108

An ordinance of the City of Gainesville, Florida, amending Chapter 14.5, Article III, Section 14.5-29(4)(d), Gainesville Code of Ordinances, relating to photographs of vehicle violations and viewing photographs; creating a new Section 14.5-29.1 establishing and requiring the posting of a Customer Bill of Rights; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Police Lieutenant Pete Backhaus gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Commissioner Henry, that this matter be Adopted on 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

070514. VOLUNTARY ANNEXATION - CITY-OWNED & STATE OF FLORIDA TREEO (B)

Ordinance No. 0-07-93

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of Tax Parcels 06837-001-000, a portion of 06845-000-000, and a portion of 06837-000-000, as more specifically described in this Ordinance, generally located south of the vicinity of SW 20th Avenue, west of the City limits and SW 63rd Boulevard, north of the City limits and SW 41st Place, and east of the City limits and the vicinity of SW 75th Street; 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 directions to the City Manager and Clerk of the Commission; providing a severability 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, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

RESOLUTIONS- ROLL CALL REQUIRED

070761. Resolution Amending the Retiree Health Savings Plan Removing of Voluntary Contributions to the Retiree Health Savings Plan (B)

This item involves passing a Resolution amending the Retiree Health Savings

Plan and authorizing the City Manager to execute the necessary document to amend the Retiree Health Savings Plan removing the irrevocable voluntary contributions to The Plan effective January 1, 2008.

RECOMMENDATION

The City Commission: 1) approved the attached Resolution; 2) authorize the City Manager to execute the Amended Plan Document subject to approval by the City Attorney as to form and legality.

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

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

ORDINANCES FIRST READING - (CONTINUED)

051225. ANTI-DISCRIMINATION - GENDER IDENTITY (B)

Ordinance No. 0-07-88

An ordinance of the City of Gainesville, Florida, amending Chapter 8 of the Gainesville Code of Ordinances, relating to discrimination; defining gender identity and readily achievable; adding gender identity as a class protected against discrimination in Article I, In General, Article II, Human Rights Board, Article III, Equal Employment Opportunity, Article IV, Equal Access to Places of Public Accommodation; Article V, Fair Housing, and Article VI, Equal Credit Opportunity; amending sections 8-49 (Employment), 8-69 (Public accommodations), 8-94 (Fair housing) to provide exceptions regarding discrimination on the basis of gender identity, relating to access to, and use of, certain facilities such as shower rooms and dressing rooms, in covered facilities; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Sr. Assistant City Attorney Charles Hauck and Equal Opportunity Director Jimmie Williams gave presentations.

WAIVER OF RULES: Commissioner Henry moved and Commissioner Lowe seconded to waive the rules to extend the meeting to 11:30 PM.

(VOTE: 7-0, MOTION CARRIED)

WAIVER OF RULES: Commissioner Lowe moved and Commissioner Henry seconded to waive the rules to extend the meeting to 11:45 PM.

(VOTE: 7-0, MOTION CARRIED)

Chair Hanrahan recognized Joan McBride, Zot Surgot, Paula Stahmer, Rob Brinkman, Cain Davis, Susan Fairforest, Carol Daly, Brent Christensen and Helen Warren who spoke to the matter.

WAIVER OF RULES: Commissioner Lowe moved and Commissioner Henry

*seconded to waive the rules to extend the meeting to 12:00 Midnight.
(VOTE: 7-0, MOTION CARRIED)*

*WAIVER OF RULES: Commissioner Lowe moved and Commissioner Donovan
seconded to waive the rules to extend the meeting to 12:15 AM.
(VOTE: 7-0, MOTION CARRIED)*

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

*CLERK'S NOTE: It is anticipated that the City Commission
will waive its Rules to hear this item at 8:30 PM.*

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

070757. Lynch Park (B)

NOTE: Continued to January 28, 2008.

RECOMMENDATION *CRA to the City Commission: 1) Approve conceptual plan for Lynch Park; 2) Request the Parks, Recreation & Cultural Affairs Advisory Board and the Parks, Cultural Affairs & Public Works Committee provide input and comment to CRA staff; and 3) Request the Parks, Recreation & Cultural Affairs Advisory Board and the Parks, Cultural Affairs & Public Works Committee examine the potential for additional locations in Porters which could accommodate a fruit/vegetable garden*

Continued

COMMISSION COMMENT

Commissioner Edward Braddy

Research on Substance Abuse Rehabilitation Programs - Referred to the 10-Year Plan to End Homeless Implementation Committee.

CITIZEN COMMENT (If time available)

ADJOURNMENT - 12:13 AM

Kurt M. Lannon, Clerk of the Commission