

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, July 28, 2008**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

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

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

## CALL TO ORDER - 1:03 PM

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## ROLL CALL

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

## INVOCATION

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## APPOINTMENT OF A TEMPORARY MAYOR - COMMISSIONER PRO TEM

*Commissioner Poe moved and Commissioner Mastrodicasa seconded to appoint Commissioner Scherwin Henry as temporary Mayor-Commissioner Pro Tem for the July 28, 2008 City Commission meeting.  
(VOTE: 5-0, Commissioner Donovan and Mayor Hanrahan - Absent, MOTION CARRIED)*

## CONSENT AGENDA

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*Commissioner Henry moved and Commissioner Hawkins seconded to adopt the Consent Agenda, as presented.  
(VOTE: 5-0, Commissioner Jack Donovan and Mayor Hanrahan - Absent, MOTION CARRIED)*

### *CITIZEN COMMENT TO THE ADOPTION OF THE CONSENT AGENDA:*

*Chair Pro Tem Lowe recognized Jimmy Harnsberger who inquired about File #080106 - Request to Declare as Surplus and Dispose of City Owned Property - City Land Rights Coordinator Sam Bridges made comments.*

*Jennifer Anchors inquired about File #080211 Senior Center Fixed Capital Outlay Grant - City Manager Russ Blackburn made comments.*

## CITY MANAGER, CONSENT AGENDA ITEMS

### **080106.**

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

**This item is a request to declare as surplus and dispose of City Owned Property, Tax Parcel 9229-000-000, located at 2036 Northwest 8th Avenue.**

#### **RECOMMENDATION**

*Recommended Motion: The City Commission: 1) declare*

2036 Northwest 8th Avenue, Tax Parcel 9229-000-000 as surplus; 2) authorize the City Manager to execute a Purchase and Sale Agreement for 2036 Northwest 8th Avenue, Tax Parcel 9229-000-000 to the adjacent property owner; 3) authorize the City Manager to prepare a Special Warranty Deed, retaining a utility easement over the westerly 10 feet and a public right-of-way easement over the southerly 20 feet and eastern 5 feet of the surplus property, subject to approval by the City Attorney as to form and legality; and 4) authorize the Mayor to execute, and the Clerk to attest, the Special Warranty Deed to convey, 2036 Northwest 8th Avenue, Tax Parcel 9229-000-000 to the adjacent property owner .

*Alternative Recommendation: The City Commission deny the request for surplus and sale of the property to the adjacent property owner and keep the property off the tax rolls.*

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

080106\_200807281300.pdf

**080140.**

**Second Extension to Contracts for Professional Civil Engineering Services for FY 2009 (B)**

**This item involves an extension to the Contracts for Professional Civil Engineering Services with Volkert & Associates, Inc., and Causseaux, Hewett, and Walpole, Inc.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Second Extensions to the contracts with Volkert & Associates, Inc. and Causseaux, Hewett, and Walpole, Inc., extending the term of the contract from October 1, 2008 to September 30, 2009, subject to final appropriation of funds for FY2009.*

*Alternative Recommendation: The City Commission deny the recommendation for the Second Extensions and direct the City Manager to secure the services of individual firms on a project-by-project basis. This would result in project delays and additional administrative costs for both projects and routine tasks that require these services.*

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

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**080141.**

**Second Extension to a Contract for Professional Civil Engineering Services for FY 2009 (B)**

**This item involves an extension to the Contract for Professional Civil Engineering Services with Dyer, Riddle, Mills & Precourt, Inc.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Second Extension to the contract with Dyer, Riddle, Mills & Precourt, Inc., for Professional Civil Engineering Services, extending the term of the contract from October 1, 2008 to September 30, 2009, subject to final appropriation of funds for FY2009.*

*Alternative Recommendation: The City Commission deny the recommendation for the Second Extension and direct the City Manager to secure the services of individual firms on a project-by-project basis. This would result in project delays and additional administrative costs for both projects and routine tasks that require these services.*

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

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**080142.**

**Third Extension to the Contract for Professional Surveying and Mapping Services for FY 2009 (B)**

**This item involves an extension to the Contract for Professional Surveying and Mapping Services with Terrence Brannan Land Surveyor, Inc.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Third Extension to the contract with Terrence Brannan Land Surveyor, Inc. for Professional Surveying and Mapping Services, extending the term of the contract from October 1, 2008 to September 30, 2009, subject to final appropriation of funds for FY2009.*

*Alternative Recommendation A: The City Commission deny the recommendation for the Third Extension and direct the City Manager to secure the services of individual firms on a project-by-project basis. This would result in project delays and additional administrative costs for both projects and routine tasks that require these services.*

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

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**080191.**

**Ratification of Amendment to the Agreement with the International Association of Firefighters - District Chiefs (IAFF - DC), Local No. 2157 Collective Bargaining Agreement for October 1, 2005 - September 30, 2008 (B)**

**This item proposes the ratification of an amendment to the Agreement between the International Association of Firefighters - District Chiefs (IAFF - DC), Local No. 2157 Bargaining Unit and the City of Gainesville.**

**RECOMMENDATION**      *The City Commission ratify the Amendment to the Agreement between the International Association of Firefighters - District Chiefs (IAFF - DC), Local No. 2157 Bargaining Unit and the City of Gainesville, extending through September 30, 2008.*

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

080191\_Article\_20080728.pdf

**080211.**

**Senior Center Fixed Capital Outlay Grant (NB)**

**This item authorizes the submission of an application for a Senior Center Fixed Capital Outlay Grant from the Florida Department of Elder Affairs and authorizes the City Manager to execute all related documents on behalf of the City of Gainesville.**

**RECOMMENDATION**      *The City Commission authorize the City Manager to submit an application for a Senior Center Fixed Capital Outlay Grant from the Florida Department of Elder Affairs and execute all related documents on behalf of the City of Gainesville, pending approval of the City Attorney as to form and legality.*

*Alternative Recommendation A: The City Commission deny the request to submit an application to the Florida Department of Elder Affairs.*

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

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**080172.**

**JOHN SENFT VS. CITY OF GAINESVILLE; ALACHUA COUNTY CIRCUIT COURT; CASE NO.: 01-08-CA-3040 (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City in the case styled John Senft vs. City of Gainesville; Alachua County Circuit Court; Case No.: 01-08-CA-3040.*

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

080172\_Senft Complaint\_20080728.pdf

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

### **080212.**

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

**RECOMMENDATION**      *The City Commission approve the minutes of July 14, 2008 (Regular Meeting); and July 10, 2008 and July 15, 2008 (Special Meetings); as circulated.*

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

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080212b\_min\_20080728.pdf

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

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

## **EQUAL OPPORTUNITY COMMITTEE, CONSENT**

### **080219.**

#### **Exclusion of Family certain relationships under Registered Domestic Partner Ordinance (NB)**

**RECOMMENDATION**      *The City Commission approve changing the definition of registered domestic partner to exclude family relationships from qualifying.*

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

080219\_Domestic Partners\_20080821.pdf

## **REGIONAL UTILITIES COMMITTEE, CONSENT**

### **061214.**

#### **Regional Utilities Committee Referral Items #061214 - Photovoltaic Policies (NB)**

**RECOMMENDATION**      *The City Commission request the Tree Advisory Board, GEAC and City Planning and Development staff to develop for RUC's consideration guidelines to govern the interaction between solar energy and trees.*

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

Backup to RUC item #061214 Mar 19 2008.pdf  
Backup for RUC item #061214 PV policies Mar 19 2008.pdf

## Passed The Consent Agenda

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

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

## COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

### END OF CONSENT AGENDA

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### ADOPTION OF THE REGULAR AGENDA

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

*(VOTE: 4-0, Commissioner Jack Donovan, Mayor Hanrahan and Commissioner Henry - Absent, MOTION CARRIED)*

#### *MODIFICATIONS:*

- 1. File #080225 - Draft Gainesville Regional airport Part 150 Noise Study - Phase 1 Noise Exposure Maps - Status (New Item under "City Manager" category).*
- 2. File #080221 - Request for Commission Contingency Funds for Real Big Deal Music, Inc. / Glory Days Booking - (New Item under "Members of the City Commission category").*
- 3. File #070819 - Planned Development Rezoning - Fat Tuscan - (Additional materials from citizens for 2nd reading of the ordinance).*

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

## CITY MANAGER

**080175.**

**The City of Gainesville Strategic Plan (B)**

**This item is an update on the City's Strategic Goals and Initiatives based on feedback provided by the City Commission at the Strategic Planning Retreat at Ironwood Golf Course on June 2, 2008. Staff will also seek approval of the City of Gainesville Strategic Plan for Fiscal Years 2009 and 2010.**

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*Strategic Planner Lila Stewart gave a presentation.*

*AMENDMENT: Commissioner Poe moved and Commissioner Henry seconded to approve the recommendation to adopt the City of Gainesville Strategic Plan for Fiscal Years 2009 and 2010 with the amendment to add a new goal 3.4 regarding consolidation of Child Victim Services as a separate initiative.*

*(VOTE: 5-0, Commissioner Donovan and Mayor Hanrahan - Absent, MOTION CARRIED).*

**RECOMMENDATION**

*The City Commission: 1) receive a presentation on the updates to the City Commission strategic goals and initiatives; and 2) adopt the City of Gainesville Strategic Plan for Fiscal Years 2009 and 2010.*

*Alternative Recommendation A:*

*The City Commission receive a presentation on the updates to the City Commission strategic goals and initiatives; recommend changes to the submitted City of Gainesville Strategic Plan for Fiscal Years 2009 and 2010; and adopt the City of Gainesville Strategic Plan for Fiscal Years 2009 and 2010.*

*Alternative Recommendation B:*

*The City Commission receive a presentation on the updates to the City Commission strategic goals and initiatives; and does not adopt the City of Gainesville Strategic Plan for Fiscal Years 2009 and 2010 and suggests an alternative system/strategy.*

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

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

Absent: Jack Donovan and Pegeen Hanrahan

080175\_Presentation\_2008-0728.pdf

080175a\_Plan\_20080728.pdf

080175b\_Summit Report\_20080728.pdf

**080225.**

**Draft Gainesville Regional Airport Part 150 Noise Study - Phase I Noise Exposure Maps - Status (B)**

**This study is intended to update the previous Part 150 Study conducted in**



**March 1986.**

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

*MOTION: Commissioner Henry moved and Commissioner Mastrodicasa seconded to 1) Authorize the City Manager to send a letter to the Airport Authority transmitting the City's comments with a request for the schedule, for the table of mitigation measures, and also that the City get an opportunity to review the full report prior to their transmittal to the FAA; 2) to include language to encourage the Airport Authority to expedite the process; and 3) request that the airport consultant complete the checklist.*

*(VOTE: 5-0, Commissioner Donovan and Mayor Hanrahan - Absent, MOTION CARRIED).*

**RECOMMENDATION**      *The City Commission: (1) hear a brief presentation and status report from staff on Phase I of the Gainesville Regional Airport's FAA Part 150 Study.*

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

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

080225\_Memo\_20080728.pdf

**GENERAL MANAGER FOR UTILITIES****CITY ATTORNEY**

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**080128.****INTERLOCAL AGREEMENT BETWEEN ALACHUA COUNTY AND THE CITY OF GAINESVILLE FOR DISTRIBUTION OF LOCAL GOVERNMENT ENVIRONMENTAL LANDS, PARKS AND RECREATION ONE-HALF PERCENT INFRASTRUCTURE SALES TAX (B)**

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*Assistant City Manager Fred Murry and Assistant City Manager Paul Folkers gave presentations.*

*Chair Pro Tem Lowe recognized Robert Hutchinson and Jack Hughes who spoke to the matter.*

**RECOMMENDATION**      *The City Commission approve the Interlocal Agreement and authorize the Mayor and Clerk of the Commission to execute the agreement, subject to the approval of the City Attorney as to form and legality.*

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

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080128\_Interlocal Agmt - land park\_20080728.pdf

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## **CITY AUDITOR**

## **EQUAL OPPORTUNITY DIRECTOR**

## **COMMITTEE REPORTS (PULLED FROM CONSENT)**

## **COMMUNITY DEVELOPMENT COMMITTEE**

## **RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**

## **PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

## **PUBLIC SAFETY COMMITTEE**

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## **RECESS - 2:21 PM**

## **RECONVENE - 2:22 PM**

### **070941. Commissioner Mastrodicasa - Hospitality Districts (B)**

[Play Video](#)

*Commissioner Jeanna Mastrodicasa, Police Captain Lonnie Scott and Police Chief Norm Botsford gave presentations.*

*Chair Pro Tem Lowe recongized Frank Bracco, Vivian Filer and Jason Rockhill who spoke to the matter.*

*FIRST MOTION: Commissioner Hawkins moved and Commissioner Henry seconded*

to approve the creation of entertainment permits for bars admitting patrons less than 21 years of age, using the tiered method as presented and direct the City Attorney to draft the ordinance.

(VOTE: 5-0, Commissioner Donovan and Mayor Hanrahan - Absent, MOTION CARRIED).

*SECOND MOTION: Commissioner Henry moved and Commissioner Hawkins seconded to: 1) Authorize the City Attorney to draft the suggested changes to the dance hall ordinance to allow patrons less than 18 years of age entrance into bars that have entertainment permits for special events; and 2) include a notification timeframe.*

(VOTE: 5-0, Commissioner Donovan and Mayor Hanrahan - Absent, MOTION CARRIED).

**RECOMMENDATION**      *The City Commission 1) Hear presentation regarding hospitality districts; 2) Approve the creation of entertainment permits for bars admitting patrons less than 21 years of age and direct the city attorney to draft the ordinance; and 3) Authorize the City Attorney to draft suggested changes to the dance hall ordinance to allow patrons less than 18 years of age entrance into bars for special events.*

**Approved, as shown above**

070941\_HospDists\_20080729.pdf

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

## **REGIONAL UTILITIES COMMITTEE**

## **ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

## **OUTSIDE AGENCIES**

## **MEMBERS OF THE CITY COMMISSION**

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### **080195.      Commissioner Lauren Poe - Traffic Signal (NB)**

[Play Video](#)

*REFERRAL: Direct staff request that the FDOT to do a traffic signalization study at the entrance of the YMCA on NW 34th Street.*

**RECOMMENDATION**      *The City Commission discuss requesting FDOT to study a location for a traffic signal.*

**A motion was made by Commissioner Poe, seconded by Commissioner Henry, that this matter be Referred to the City Manager, due back on January 28, 2009. The motion carried by the following vote:**

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

**080197.**

**Commissioner Scherwin Henry - Rosa Parks Quiet Courage Committee (NB)**

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*Reverend Milford Griner, Vivian Filer and Karen Cole-Smith gave presentations.*

*NOTE: The City Commission requested without objection that Mr. Blackburn work with the Rosa Parks Quiet Courage Committee.*

**RECOMMENDATION**      *The City Commission hear an update on Rosa Parks Quiet Courage Committee from Reverend Milford Griner.*

**Heard**

**080221.**

**Request for City Commission Contingency Funds for Real Big Deal Music, Inc. / Glory Days Booking (B)**

**This is a request for City Commission Contingency funds for Glory Days Booking in support of the Real Big Deal Music and Arts Festival to provide police, private security, EMS, insurance, clean-up and other mandatory expenses.**

*Glory Days Booking Representatives Patrick Lavery and Danielle Robinson gave presentations.*

*MOTION: 1) Approve up to \$10,000 from the City Commission Contingency Fund for co-sponsorship of the Real Big Deal Music and Arts Festival September 13-14, 2008 at the Alachua County Fairgrounds; and 2) that the City enter into a loan agreement with Glory Days Booking stating that the first \$10,000 of profit, comes back to the City.*

**RECOMMENDATION**      *The City Commission consider the request and take action as appropriate.*

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

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

080221\_RequestForm\_20080728.pdf

**COMMISSION COMMENTS (if time available)**[Play Video](#)**Commissioner Thomas Hawkins**

*GRU AGM for Strategic Planning Ed Regan trip to Germany - Request for Presentation to the City Commission.*

**Commissioner Jeanna Mastrodicasa**

*Referral of Guidelines for City Commission Contingency Funds to the Audit Finance and Legislative Committee.*

*See following referral item #080228.*

**080228.****City Commission Contingency Funds Disbursement Guidelines (NB)****RECOMMENDATION**

*The City Commission refer the issue of disbursement guidelines for City Commission Contingency Funds for non-profit and private organizations to the Audit, Finance and Legislative Committee.*

**A motion was made by Commissioner Mastrodicasa, seconded by Commissioner Hawkins, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on January 28, 2009. The motion carried by the following vote:**

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

**Commissioner Scherwin Henry**

*Springhill Baptist Church 100 Year Celebration - Reverend Taylor wishes to become more environmentally responsible - The Commission requested without objection that the GRU General Manager for Utilities assist in recommending programs for churches to become more environmentally responsible.*

**RECESS - 4:11 PM**[Play Video](#)**RECONVENE - 6:03 PM**[Play Video](#)

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

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**PROCLAMATIONS/SPECIAL RECOGNITIONS**

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**080215. National Night Out - August 5, 2008 (B)**

[Play Video](#)

**RECOMMENDATION**      *Gainesville Police Department Lieutenant Art Adkins to accept the proclamation.*

**Heard**

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

[Play Video](#)

**Kali Blount**

*Alachua County Housing Authority and Gainesville Housing Authority.*

**Richard Selwach**

*Airport Annexation Issues.*

**Theodore McLeod**

*GPD Complaint.*

**Jerry Williamson**

*GPD Complaint.*

**Tom Bussing**

*City Commission emails online.*

**Pat Fitzpatrick**

*Homeless Issues.*

**Elizabeth Howard**

*Prostitution Issues in Gainesville.*

**PUBLIC HEARINGS**

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

[Play Video](#)

**071187. LAND USE CHANGE - 5901 NORTHEAST WALDO ROAD (B)****Ordinance No. 0-08-18; Petition No. 33LUC-08PB**

**An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of "Heavy Industrial" to the City of Gainesville land use category of "Industrial" consisting of approximately 51.5 acres, located in the vicinity of 5901 Northeast Waldo Road; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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*Senior Planner Susan Bridges Niemann gave a presentation.*

*Chair Pro Tem Lowe recognized Richard Selwach who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) approve Petition 33LUC-08PB; and 2) adopt the proposed ordinance.*

**A motion was made by Commissioner Henry, seconded by Commissioner Hawkins, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

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071187\_Land Use Change\_2008728.pdf

**071188. LAND USE CHANGE - 4600 SOUTHWEST 41ST BOULEVARD (B)****Ordinance No. 0-08-23, Petition 23LUC-08PB**

**An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan;**

by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of "Heavy Industrial" to the City of Gainesville land use category of "Industrial" consisting of approximately 25.85 acres, located in the vicinity of 4600 Southwest 41st Boulevard, commonly known as "Bear Archery"; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

[Play Video](#)

*Senior Planner Susan Bridges Niemann gave a presentation.*

**RECOMMENDATION**      *The City Commission: 1) approve Petition 23LUC-08PB; and 2) adopt the proposed ordinance.*

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

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

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## **071189.**

### **LAND USE CHANGE - 5724 SW 46TH PLACE (B)**

#### **Ordinance No. 0-08-27, Petition 24LUC-08PB**

**An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of "Medium Density Residential" to the City of Gainesville land use category of "Conservation" consisting of approximately 11.00 acres, located in the vicinity of 5724 SW 46th Place, commonly known as "Broken Arrow Bluff Park"; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

*Senior Planner Susan Bridges Niemann gave a presentation.*

*Chair Pro Tem Lowe recognized Richard Selwach who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) approve Petition 24LUC-08PB; and 2) adopt the proposed ordinance.*

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

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



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## ORDINANCES, 2ND READING- ROLL CALL REQUIRED

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### 070688

#### LOBBYIST REGISTRATION (B)

##### Ordinance No. 0-08-12

An ordinance of the City of Gainesville, Florida, relating to registration of lobbyists; creating and adding a new Chapter 29, City of Gainesville Lobbyist Registration Act, creating and adding a new section 29-1, Intent and purpose; creating and adding a new section 29-2, Definitions; creating and adding a new section 29-3, Registration of lobbyists required; registration statements; creating and adding a new section 29-4, Exceptions; creating and adding a new section 29-5, Penalties; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

[Play Video](#)

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

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

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

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### 070819.

#### PLANNED DEVELOPMENT REZONING - FAT TUSCAN (B)

##### Ordinance No. 0-08-05; Petition 112PDV-07 PB

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City, as more specifically described in this ordinance, and amending the Zoning Map Atlas from "OR: 20 units/acre office residential district" to "PD: Planned Development District"; located in the vicinity of 725 Northeast 1st Street; commonly known as "Fat Tuscan Planned Development"; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement; providing a severability clause; and providing an effective date.

[Play Video](#)

*Parking Operations Supervisor Trish W. Everett and Planning Manager Ralph Hilliard gave presentations.*

*Chair Pro Tem Lowe recognized Richard Selwach, Tom Bussing, Elizabeth Howard, Paula Stahmer, Jo Beatty, Monica Cooper, Pat Fitzpatrick, Austin Gregg, Tom Levy and Joe Schmid who spoke to the matter.*

*AMENDMENT: Page 4, line 19 within paragraph 7, add the language "Solid Waste collection/pickup shall not take place prior to 9:00 AM, Monday through Saturday, with no pickup on Sunday".*

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

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

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

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070819\_ordinance\_20080728.pdf

**071210.**

**REZONING - 5200 SOUTHWEST 41ST BOULEVARD (B)**

**Ordinance No. 0-08-22, Petition No. 43ZON-08PB**

**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 the Alachua County zoning category of "Highway oriented business services (BH) district" to the City of Gainesville zoning category of "BT: Tourist-oriented business district"; located in the vicinity of 5200 Southwest 41st Boulevard; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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*Chair Pro Tem Lowe recognized Richard Selwach who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) approve Petition 43ZON-08PB; and 2) adopt the proposed ordinance.*

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

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

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071210A\_staff ppt\_20080728.PDF  
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### 080137

#### **ANNEXATION OF AREA AROUND S.W. 20th AVENUE, EAST OF AND INCLUDING I-75 (B)**

##### **Ordinance 0-08-45**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, as amended, Special Act, 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 generally located south of the City limits and north of Butler Plaza and Windmeadows Apartments, west of S.W. 34th Street and the City limits up to and including I-75, and north of the vicinity of S.W. Archer Road and the City limits, as more specifically described in this Ordinance; providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the City Manager and Clerk of the Commission; providing ballot language; providing for land use plan and zoning regulations; providing for enforcement of Alachua County land use plan, zoning and subdivision regulations; providing for persons engaged in any occupation, business, trade or profession; providing a severability clause; and providing effective dates.**

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

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

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

080137\_Annex SW 20 Ave\_20080721.pdf  
080173a\_budgetpresentation\_20080721.pdf

## **RESOLUTIONS- ROLL CALL REQUIRED**

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### **071130. Fifth Avenue/Pleasant Street Redevelopment Plan (B)**

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*CRA Project Coordinator and Neighborhood Planner Kelly Huard gave a*

*presentation.*

*The Chair opened the public hearing.*

*Chair Pro Tem Lowe recognized Richard Selwach who spoke to the matter.*

*The Chair closed the public hearing.*

**RECOMMENDATION**      *CRA to the City Commission: 1) The City Commission adopt the proposed resolution amending the Fifth Avenue/Pleasant Street Redevelopment Plan in its entirety.*

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

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

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071130\_Resolution\_20080728.pdf  
071130\_20080728FAPSPLAN.pdf  
071130\_PPT\_20080728.PDF  
071130\_resolution\_20080728.pdf

## PLAN BOARD PETITIONS

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### 080165.      **Vacate Unimproved Right-Of-Way Adjacent To The YMCA (B)**

**Petition 107SVA-07PB, Public Works, agent for the City of Gainesville, vacate, abandon and close all of Northeast 13th Terrace and that portion of Northeast 22nd Avenue as described in detail below.**

[Play Video](#)

*Planner Jason Simmons gave a presentation.*

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve petition 107SVA-07 PB. Plan Board vote 4-0.*

*Staff to City Commission - the City Commission approves Plan Board's recommendation.*

*Staff to the Plan Board - Approve Petition 107SVA-07 PB.*

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

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

080165\_petition\_20080728.pdf  
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**080167.**                    **Gainesville Regional Utilities - Eastside Operations Center (B)**

**Petition 55PSZ-08PB. Eng, Denman and Associates, Inc., agent for Gainesville Regional Utilities (GRU), rezone to PS (Public services and operations district) to establish specific regulations for the development of the GRU Eastside Operations Center. Zoned: I-1 (Limited industrial district).**

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*Planner Scott Wright gave a presentation.*

**RECOMMENDATION**            *City Plan Board to City Commission - The City Commission approve Petition 55PSZ-08PB with the associated rezoning report and conceptual master plan, subject to staff conditions.*

*Staff to City Plan Board - Approve Petition 55PSZ-08PB with the associated rezoning report and conceptual master plan, subject to staff conditions.*

*Alternate Recommendations - The City Commission deny Petition 55PSZ-08PB.*

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

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

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080167-1\_concept master plan\_20080728.pdf  
080167A\_Staff PPT\_20080728.pdf

**080174.**                    **Petition 76PSZ-08 PB. Cotton Club Museum and Cultural Center Inc. Modify the permitted uses and setback requirements of the PS (Public Services and Operations District) zoning for property located at 837 Southeast 7th Avenue. (B)**

**This item is a request to amend portions of Ordinance #060015 which rezoned the site from RSF-4, Single-Family Residential District, to PS, Public Services and Operations District, and established a list of permitted uses on the site. The request is to modify the list of permitted uses, add building setbacks, modify setbacks for an uncovered deck, and prohibit the moving of the existing historic buildings on the site.**

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*Chair Pro Tem Lowe recognized Executive Director of the Cotton Club Museum and Cultural Center Donna Isaacs and Vivian Filer who spoke to the matter.*

**RECOMMENDATION**

*Plan Board to City Commission: Approve the proposed additions to the list of permitted uses; Approve 10 foot minimum building setbacks from the front and side property lines, and 20 foot minimum building setbacks from the rear property line for uses other than Office and administrative activities, and All intensive recreation uses; Approve a zero setback from Southeast 8th Street for an uncovered deck and ramp for ADA ingress and egress to the Perryman building and associated development; and Deny the prohibition on moving the existing historic buildings.*

*Staff to Plan Board: Approve the proposed additions to the list of permitted uses; Approve 10 foot minimum building setbacks from the front and side property lines, and 20 foot minimum building setbacks from the rear property line; and deny the prohibition on moving the existing historic buildings.*

*Alternative Recommendation: Deny the petition.*

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

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

080174\_plan board staff report\_20080728.pdf

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## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

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## **Commissioner Scherwin Henry**

1. *Watson Towing Issue.*
2. *Citizens disrespect to the Commission.*

**Commissioner Thomas Hawkins**

*1. Theodore McLeod and Jerry Williamson issue.*

**CITIZEN COMMENT**

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

**ADJOURNMENT - 9:19 PM**

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Kurt M. Lannon, Clerk of the Commission