

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, March 19, 2009**

**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**[Play Video](#)**ROLL CALL**

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

**INVOCATION**[Play Video](#)

*The City Commission observed a moment of silence.*

**CONSENT AGENDA**[Play Video](#)

*Commissioner Mastrodicasa moved and Mayor-Commissioner Pro Tem Donovan seconded to adopt the Consent Agenda, as modified.  
(VOTE: 5-0, MOTION CARRIED)*

*MODIFICATION: File #080872 - Memorandum of Understanding between the City & County to construct the Alachua County/City of Gainesville Senior Recreation Center - (REMOVE FROM THE AGENDA).*

**CITY MANAGER, CONSENT AGENDA ITEMS****080855.****Bid Award for RTS Creative Services Management Contract (B)**

**This item is a request to approve the bid award for RTS creative services to Group 5 Advertising.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) approve the bid award to Group 5 Advertising; and 2) authorize the City Manager to execute a contract with Group 5 Advertising, and all related documents, subject to approval by the City Attorney as to form and legality.*

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

080855\_Bid Tabulation\_20090305.pdf

**080856.****Supplier of Traffic Signal Cabinet and Controller Equipment for Gainesville Area Advanced Traffic Management System (B)**

This item is a request for the City Commission to approve the selection of Naztec, Inc. as the provider of traffic signal cabinets, controllers, software, and workstations for use in the construction and implementation of the City Traffic Management System (TMS).

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) approve the selection of Naztec, Inc. as the City's supplier of the traffic signal control equipment and software; 2) authorize the City Manager to execute all necessary documents to complete the Traffic Management System project, subject to approval by the City Attorney as to form and legality.*

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

080856\_Quote\_20090319.pdf

**080872.**

**Memorandum of Understanding between the City of Gainesville and Alachua County to construct the Alachua County/City of Gainesville Senior Recreation Center (B)**

This item involves approval of the Memorandum of Understanding between the City of Gainesville and Alachua County to cooperate in the construction of the Alachua County/City of Gainesville Senior Recreation Center to provide increased programs and services to benefit the impact on the quality of life for seniors in the local community.

**RECOMMENDATION**

*The City Commission: 1) approve the MOU; and 2) authorize the Mayor to execute the MOU and all related documents on behalf of the City of Gainesville, pending approval of the City Attorney as to form and legality.*

**Withdrawn**

080872\_DRAFT Agreement\_20090319.pdf

080872\_Draft Agreement\_20090416.pdf

**080877.**

**Meeting Dates for City Commission District Meetings (NB)**

This item is to schedule special City Commission meetings in each of the four commission districts.

**RECOMMENDATION**

*The City Commission schedule the following dates for District Meetings: District 1 - May 4th, 2009 @ 6:00 PM (tentative location: Springhill Missionary Baptist Church); District 2 - May 18th, 2009 @ 6:00 PM (location: to be determined); District 3 - June 1st, 2009 @ 6:00 PM (tentative location: Doyle Connor Building); and District 4 - June 15th, 2009 @ 6:00 PM (location: to be determined).*

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

**080894.****Memorandum of Understanding with the St. Johns River Water Management District regarding Financial Assurance for Wetland Mitigation (B)**

**This item is a request for approval of the Memorandum of Understanding with the St. Johns River Water Management District regarding Financial Assurance for Wetland Mitigation.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) approve the Memorandum of Understanding with the St. Johns River Water Management District regarding financial assurance for wetland mitigation; and 2) authorize the City Manager to execute and implement same.*

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

080894\_MOU\_20090319.pdf

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS****080866.****Paul and Janet Bliton vs. City of Gainesville; Alachua County Circuit Court; Case No.: 01-09-CA-0807 (B)****RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled Paul and Janet Bliton vs. City of Gainesville; Alachua County Circuit Court; Case No.: 01-09-CA-0807.*

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

080866\_Paul Bliton\_20090312.pdf

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****080892.****Resignation of Ernesto Rancel Student Member of the Student/Community Relations Advisory Board (B)****RECOMMENDATION**

*The City Commission accept the resignation of Student Member Ernesto Rancel from the Student/Community Relations Advisory Board effective immediately and extends its appreciation for his services.*

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

080892\_Resignation\_20090319.pdf

**080885.**

**City Commission Minutes (B)**

**RECOMMENDATION**

*The City Commission approve the minutes of March 5, 2009 (Regular Meeting) and March 9, 2009 (Special Meeting); as circulated.*

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

080885\_reg\_mar 5, 2009\_20090319.pdf

080885\_sp\_mar 9, 2009\_20090319.pdf

**Passed The Consent Agenda**

**A motion was made by Commissioner Mastrodicasa, seconded by Mayor-Commissioner Pro Tem Donovan, 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, Lauren Poe, Jeanna Mastrodicasa, Thomas Hawkins and Pegeen Hanrahan  
Absent: Craig Lowe and Scherwin Henry

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

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

*(VOTE: 5-0, Commissioners Henry and Lowe - Absent, MOTION CARRIED)*

**MODIFICATIONS:**

- 1. File #080901 - State of Florida Legislative Update - New Item under "City Manager" (ADD TO REGULAR AGENDA).*
- 2. File #080899 - American Recovery and Reinvestment Act - New Item under "City Manager" - (ADD TO REGULAR AGENDA).*
- 3. File #080904 - New Item under "Members of the City Commission"-*

*Mayor-Commissioner Pro Tem Jack Donovan - (Request for Waiver of Fees) - (ADD TO REGULAR AGENDA).*

*4. File #080284 - Ordinance - Towing and Immobilization (Booting) of Motor Vehicles Ordinance - (Scrivener's error corrections (numerical references only) - No substantive change to ordinance) - (REVISED BACK-UP).*

*5. File #080857 - Resolution for Local Agency Program Project Agreements (LAPPA) for the construction of three projects; 6th Street Rail Trail, NE 8th Avenue Mill & Resurface and NW 34th Street Sidewalk - (BACK-UP SUBMITTED).*

*6. File #080922 - New Item under "City Attorney" Michael C. Addison and Richard T. Pettit for Themselves and all Other Similarly Situated Persons vs. the City of Tampa, Florida (ADD TO REGULAR AGENDA).*

## **CHARTER OFFICER UPDATES**

## **CLERK OF THE COMMISSION**

## **CITY MANAGER**

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### **080899.**

#### **American Recovery and Reinvestment Act (B)**

**The City Commission will receive an update regarding the 2009 American Recovery and Reinvestment Act.**

*Assistant City Manager Paul Folkers, GRU Senior Account Representative Bill Shepherd, Assistant City Manager Fred Murry, Public Works Director Teresa Scott, Planning, Development Services Director Erik Bredfeldt and Police Chief Norm Botsford gave presentations.*

**RECOMMENDATION**      *The City Commission receive a report from staff.*

#### **Discussed**

080899\_Power Point\_20090319.PDF

### **080901.**

#### **State of Florida Legislative Update (B)**

**The City Commission will be provided with an update of legislation filed during the Florida Legislature's 2009 Regular Session.**

*Legislative and Grants Coordinator Christopher Cooper gave a presentation.*

*FIRST MOTION: Commissioner Poe moved and Commissioner Mastrodicasa*

*seconded to support the Florida League of Cities recommendation to oppose: 1) SJR1906 limiting local government revenue based on changes in local growth; 2) HJR385 and SJR738 limiting total ad Valorem tax on real property to 1.35% of the highest taxable value; and 3) HJR97 limits increase in the assessment of commercial or rental property to the greater of 5% of the average annual percentage growth in property over last three years and allows first time homebuyers to exempt 50% of home's just value. Phased out at 20% per year.*

*(VOTE: 5-0, Commissioners Henry and Lowe - Absent, MOTION CARRIED)*

*Chair Hanrahan recognized Walter Willard who spoke to the matter.*

*SECOND MOTION: Commissioner Hawkins moved and Commissioner Mastrodicasa seconded to authorize staff to comment on the City Commission's concerns regarding: 1) SB360 regarding TCEA's for local governments qualifying as a dense urban land area, etc.; and 2) HB 7049 dismantling the Department of Community Affairs (DCA), etc.*

*(VOTE: 5-0, Commissioners Henry and Lowe - Absent, MOTION CARRIED)*

*Planning and Development Services Director Erik Bredfeldt and Concurrency Management Planner Onelia Lazzari made comments.*

*Chair Hanrahan recognized Ramone Trahao, Walter Willard and Pat Fitzpatrick who spoke to the matter.*

*THIRD MOTION: Mayor-Commissioner Pro Tem Donovan moved and Commissioner Mastrodicasa seconded to support SB2004 - Red Light Cameras allowing a fine of \$125 which is kept by the jurisdiction enforcing the ordinance.*

*(VOTE: 5-0, Commissioners Henry and Lowe - Absent, MOTION CARRIED)*

**RECOMMENDATION**

*The City Commission: 1) receive the legislative update; and 2) determine if issues presented necessitate the support or opposition of the City Commission.*

**Approved, as shown above (Motions)**

080901\_PowerPoint\_20090319.pdf

080901\_Report\_20090319.pdf

## **GENERAL MANAGER FOR UTILITIES**

## **CITY ATTORNEY**

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### **080922.**

**Michael C. Addison and Richard T. Pettitt for Themselves and all Other Similarly Situated Persons vs. City of Tampa, Florida, Individually and as Representative of all Other Municipalities Similarly Situated (B)**

*City Attorney Marion Radson gave a presentation.*

**RECOMMENDATION**

*The city Commission authorize the use of special counsel to permit the City of Gainesville to appear in the case, to defend the interests of the City and to expend up to \$5,000 in fees.*

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

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

Absent: Craig Lowe and Scherwin Henry

080922\_lawsuit\_tampa\_20090319.pdf

**CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION**

[Play Video](#)

**080904. Mayor-Commissioner Pro Tem Jack Donovan - "Procession for the Future" - Request for Waiver of Fees for Street Closing and Police Escort (B)**

**RECOMMENDATION**

*The City Commission hear a presentation from representatives for the "Procession for the Future" event/parade being held Saturday, March 21, 2009, and take appropriate action.*

**Withdrawn**

080904\_EMAIL\_CDONOVAN\_20090319.pdf

**COMMISSION COMMENTS (if time available)**

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**Commissioner Jeanna Mastrodicasa**



1. *Political Events - unpaid bills for security.*

## **Commissioner Thomas Hawkins**

1. *FDOT - Design Guidelines Workshop.*
2. *Quasi-Judicial Boards - (Plan Board and DRB) request to have legal representation from the City Attorney's Office present at the meetings - (See following referral item #080925).*
3. *New CRA office building on 5th Avenue - concern regarding the architectural style of the building - need for broader discussion, design standards - CRA Chair to send a memo to the CRA staff regarding this issue.*

### **080925.**

#### **City Plan Board and Development Review Board Meetings - Request for City Attorney Representation (NB)**

##### **RECOMMENDATION**

*The City Commission ask the City Attorney to send legal representation to the Plan Board and Development Review Board Meetings and bring back an update on the cost and benefits regarding this to the FY2010 Budget Hearings this summer.*

**A motion was made by Commissioner Hawkins, seconded by Commissioner Poe, that this matter be Referred to the City Attorney, due back on September 19, 2009. The motion carried by the following vote:**

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

## **Commissioner Lauren Poe**

*Natural Gas Fueling Station - See following referral item #080927.*

### **080927.**

#### **Natural Gas Fueling Station (NB)**

##### **RECOMMENDATION**

*The City Commission refer to the Regional Utilities Committee (RUC) to do a work up of what it would take for GRU to create a Natural Gas Fueling Station (possibly two).*

**A motion was made by Commissioner Poe, seconded by Commissioner Mastrodicasa, that this matter be Referred to the Regional Utilities Committee, due back on September 18, 2009. The motion carried by the following vote:**

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

## **Mayor Hanrahan**

*District Meetings - scheduling conflict with the May 18, 2009 District Meeting.*

## **RECESS - 4:18 PM**

[Play Video](#)

## **RECONVENE - 5:55 PM**

[Play Video](#)

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

[Play Video](#)

## **PROCLAMATIONS/SPECIAL RECOGNITIONS**

[Play Video](#)

*NOTE: Commissioners Henry and Lowe were present for the evening portion of the meeting.*

### **080881.**

#### **Prescribed Burn Awareness Week 2009 - March 8-14, 2009 (B)**

[Play Video](#)

#### **RECOMMENDATION**

*Kent Williges to accept the proclamation.*

**Heard**

### **080882.**

#### **Motorcycle Safety Awareness Month - May 2009 (B)**

[Play Video](#)

#### **RECOMMENDATION**

*ABATE of Florida Alachua County Chapter President John Short to accept the proclamation.*

**Heard**

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

[Play Video](#)

**John Davies**

*Amendment 1 and various issues.*

**Theodore McLeod**

*GPD Issues.*

**Jerry Williamson**

*GPD/EO Office Issues.*

**Walter Willard**

*GRU Rates and various issues.*

**080930.**

**Citizen Comment - Walter Willard (B)**

**RECOMMENDATION**      *The City Commission hear comments from Walter Willard and place back-up submitted on file.*

**Placed on File**

080930\_WaltWillard\_20090319.pdf

**John Gurski**

*Solar Feed-In Tariff.*

*See following file #080929.*

**080929.**

**Citizen Comment - John Gurski - Sullivan Solar Power (B)**

**RECOMMENDATION**      *The City Commission hear comments from John Gurski and place back-up submitted on file.*

**Placed on File**

080929\_solar\_citcom\_20090319.pdf

**Ronald Hodill**

*39th Avenue Compound Noise.*

**Martha Miller**

*39th Avenue Compound Noise.*

**Michael Parsons**

*39th Avenue Compound Noise.*

**Susan Fairforest**

*39th Avenue Compound Noise.*

**Maria Parsons**

*39th Avenue Compound Noise.*

**Jeff McAdams - FOP President**

*Fraternal Order of Police issues.*

**080928.**

**Citizen Comment - Fraternal Order of Police (FOP) Jeff McAdams (B)**

**RECOMMENDATION**

*The City Commission hear citizen comment from FOP President Jeff McAdams and place back-up submitted on file.*

**Placed on File**

080928\_McAdams\_citcom\_20090319.pdf

**Gabriel Hillel**

*Mosquito Control - GPD Issues.*

**Harry Kegelmann**

*Solar Issues.*

**Pat Fitzpatrick**

*Homeless Issues.*

**PUBLIC HEARINGS**

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**080883.**

**Public Utilities Regulatory Policy Act (PURPA) Requirements (B)**

**On December 18, 2008, staff presented the federally required schedule and public participation procedure for consideration of four standards of the Public Utility Regulatory Policies Act of 1978 as amended by The Energy Independence Security Act (EISA) of 2007. At that time, the City Commission adopted the schedule for PURPA proceedings as recommended. The presentation today will**

provide a brief overview to the City Commission before final determination is rendered at the end of the presentation.

[Play Video](#)

*GRU Managing Utility Analyst Diane Wilson gave a presentation.*

*Chair Hanrahan recognized Jim Konish and Dian Deevey who spoke to the matter.*

**RECOMMENDATION**      *The City Commission receive a presentation reviewing the amended Standards related to (1) Integrated Resource Planning; (2) Rate Design to Promote Energy Efficiency Investments; (3) Smart Grid Investments; and (4) Smart Grid Information and issue a determination finding that adopting any of the four standards is not necessary at this time.*

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

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

Absent: Jeanna Mastrodicasa

080883\_publichearing\_20090319.pdf

080883a\_presentation\_20090319.pdf

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

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### **080755.**

#### **LIVING WAGE (B)**

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

**An ordinance of the City of Gainesville, Florida, creating Article IX, of Chapter 2 of the City of Gainesville Code of Ordinances, establishing a living wage requirement for certain employees of contractors providing selected services to the city; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

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

Absent: Jeanna Mastrodicasa

080755\_Ordinance\_20090205.pdf  
080755\_draft ordinance\_20090319.pdf  
080755\_GG Living Wage Report\_20090319.pdf  
080755\_GRU Living Wage Report\_20090319.pdf

**080456.****REGULATION OF NON-MOTORIZED VEHICLES FOR HIRE (B)****Ordinance No. 0-09-06**

**An Ordinance of the City of Gainesville, Florida, relating to the regulation of non-motorized vehicles for hire; amending Chapter 28 of the Gainesville Code of Ordinances, by establishing "Articles" for the chapter titled Vehicles For Hire; titling existing provisions as "Article I. Motorized Vehicles"; amending § 28-2, Definitions, by modifying the definition of "driver", "vehicle for hire" and by adding a definition for Vehicle for Hire Administrator; creating a new Article II titled as "Non Motorized Vehicles"; providing definitions; providing for non-motorized vehicle regulations, standards, and permit requirements; providing for driver regulations, standards and permit requirements; providing for enforcement; providing penalties; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**[Play Video](#)**

*Senior Assistant City Attorney Ron Combs and Captain Edward Posey gave presentations.*

*Chair Hanrahan recognized Orlando Pedicab Operator Catherine Ojeda and Gainesville Rickshaw Owner Alex Ramos who spoke to the matter.*

*REFERRAL: Commissioner Hawkins moved and Commissioner Poe seconded to refer the issue of prohibited streets to the Public Safety Committee for discussion before final adoption of the ordinance.  
(VOTE: 7-0, MOTION CARRIED)*

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

**A motion was made by Commissioner Poe, seconded by Commissioner Mastrodicasa, that this matter be Adopted on First Reading, and Referred to the Public Safety Committee. The motion carried by the following vote:**

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

080456a\_OrlandoBikeHireOrd\_20081028.pdf  
080456b\_OrlandoBikeHireCode\_20081028.pdf  
080456\_VFH for non-motorized\_20090319.pdf

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED****[Play Video](#)**

**071066.****PLANNED DEVELOPMENT AMENDMENT - WALNUT CREEK PD PHASE II" (B)****Ordinance No. 0-08-14, Petition No. 83PDA-06PB**

**An Ordinance of the City of Gainesville, Florida; amending Ordinance Nos. 991267 and 020948, by adopting a new Development Plan for the undeveloped portion of the property, as more specifically described in this ordinance, commonly known as "Walnut Creek Planned Development Phase II"; generally located in the vicinity of the 2500 block of Northwest 39th Avenue; adopting new development plan maps and a planned development report; adopting additional conditions and restrictions; providing for penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)**RECOMMENDATION***The City Commission adopt the proposed ordinance.*

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

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

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071066\_ordinance\_20090319.pdf

**080284.****TOWING AND IMMOBILIZATION (BOOTING) OF MOTOR VEHICLES ORDINANCE (B)****Ordinance No. 0-08-72**

**An ordinance of the City of Gainesville amending Chapter 14.5, Article III of the Gainesville Code of Ordinances relating to towing and authorizing the immobilization of motor vehicles on private property; amending §14-25 by adding definitions; creating a new division 2 of Article III consisting of §14.5-39 through §14.5-45 related to immobilization of vehicles on private property; providing for immobilization; providing exemptions; providing definitions; setting prerequisites for immobilization; setting criteria for permits; requiring authorization of the real property owner; providing for record keeping; requiring visible identification; requiring operator permits and establishing specifications for the permit; setting criteria for immobilization and removal of the immobilization device; requiring signage and setting signage requirements; setting the maximum immobilization charge and setting permit fees; requiring**

acceptance of various forms of payment; requiring receipts and specifying required information on the receipt; providing for permit revocation; providing for appeal; providing for civil citations; providing a repealing clause and providing an immediate effective date.

[Play Video](#)

*Senior Assistant City Attorney Ron Combs gave a presentation.*

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

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

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

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080284\_PeerCitiesHist\_20080924.pdf  
080284\_CurrentInfoLtr\_20080924.pdf  
080284a\_TampaOrd\_20081016.pdf  
080284b\_NoMiamiOrd\_20081016.pdf  
080284c\_OrlandoOrd\_20081016.pdf  
080284\_BootingEmail\_20081028.pdf  
080284\_BootingOrdDraft\_20082808.pdf  
080284\_BootingDraftOrd2\_20081215.pdf  
080284\_BootingOrdSum\_20081215.pdf  
080284\_BootingDraftOrd3\_20090115.pdf  
080284\_Immobilization ordinance\_20080305.pdf  
080284\_Notice\_20090305.pdf  
080284\_ordinance\_20090319.pdf

#### **080435.**

#### **CREATION OF "BI: BUSINESS INDUSTRIAL ZONING DISTRICT" (B)**

##### **Ordinance No. 0-08-86; Petition No. 104TCH-08 PB**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code of the City of Gainesville, by creating the "BI: Business Industrial zoning district;" reciting the purpose and objectives; specifying permitted uses; specifying dimensional requirements and additional requirements; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.**

[Play Video](#)

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

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

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



080435\_petition\_20081106.pdf  
080435\_Business Ind Zoning Dist\_20090305.pdf  
080435\_ordinance\_20090319.pdf

## RESOLUTIONS- ROLL CALL REQUIRED

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### 080857.

#### **Resolution for Local Agency Program Project Agreements (LAPPA) for Construction of Three Stimulus Funding Projects (B)**

**This item is a Resolution authorizing the City Manager to execute LAPPAs between the City of Gainesville and the Florida Department of Transportation (FDOT) for the construction of three Stimulus Funding Projects: 1) 6th Street Rail Trail, 2) NE 8th Avenue Mill & Resurface, and 3) NW 34th Street Sidewalk.**

[Play Video](#)

#### **RECOMMENDATION**

*Recommended Motion: The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute the LAP Project Agreements for construction of 6th Street Rail Trail, NE 8th Avenue Mill & Resurface, and NW 34th Street Sidewalk.*

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

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

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### 080870.

#### **Resolution to adopt recommendations and amend the State Housing Initiatives Partnership Program (SHIP) Local Housing Assistance Plan (LHAP) (B)**

**This item requests the City Commission adopt a Resolution amending the State Housing Initiatives Partnership Program (SHIP) Local Housing Assistance Plan (LHAP) for State Fiscal Year (SFY) 2008-2009/2009-2010/2010-2011 to incorporate certain affordable housing recommendations made by the City SHIP Affordable Housing Advisory Committee (AHAC) in their Incentive Review and Recommendation Report that was accepted by the City Commission on December 18, 2008 and further discussed with the SHIP AHAC on February 19, 2009.**

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*Chair Hanrahan recognized Affordable Housing Advisory Committee (AHAC) Chair Randy Wells who spoke to the matter.*

#### **RECOMMENDATION**

*Housing Initiatives Partnership Program (SHIP) Affordable Housing Advisory Committee (AHAC) Incentive and Recommendation Report, approving certain affordable housing incentive recommendations of the SHIP AHAC and amending the State Housing Initiatives Partnership Program (SHIP) Local Housing Assistance Plan (LHAP) for State Fiscal Year (SFY) 2008-2009/2009-2010/2010-2011 to include the approved recommendations of the SHIP AHAC.*

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

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

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080870\_A Report\_20090319.pdf

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## **PLAN BOARD PETITIONS**

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

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### **Commissioner Scherwin Henry**

1. *Kennedy Homes - Possible solar community.*
2. *Pace Center NW 4th Street - parking problem.*

### **Commissioner Lauren Poe**

*Political and Civility Issues.*

### **Commissioner Jack Donovan**

1. *Living Wage Ordinance.*
2. *UF Basketball Parking.*

**Commissioner Craig Lowe**

*1. Teresa Harrison - Peaceful Paths Program - relocate to an eastside location possibly the McPherson Center.*

*Assistant City Manager Paul Folkers made comments.*

**CITIZEN COMMENT**

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

**ADJOURNMENT - 8:30 PM**

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Kurt M. Lannon, Clerk of the Commission