

City of Gainesville

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



Meeting Agenda

June 18, 2007

6:00 PM

City Commission Special Meeting

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

CALL TO ORDER

ADOPTION OF THE AGENDA

AGENDA STATEMENT

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited.

ROLL CALL

PLAN BOARD PETITION

070089.

Amend Section 30-346(d) of City of Gainesville Land Development Code (B)

Petition 51TCH-07 PB, City of Gainesville. Amend section 30-346(d) to clarify that the Standard Industrial Classification Manual (SIC) categories are not used in residential districts for classification purposes, and that non-conforming membership organizations in residential districts may be changed to a place of religious assembly, without a Special Use Permit.

Explanation: The text changes to the nonconforming section of the code are proposed to make sure that the City is in accordance with the Religious Land Use and Institutionalized Persons Act, as codified in 42 U.S.C.A. §2000cc. The Act requires that no government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person or institution is in furtherance of a compelling governmental interest and is the least restrictive means of furthering the compelling government interest. Additionally, the Act specifies that "no government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution."

The proposed change would allow nonconforming membership organizations such as civic and social clubs and meeting halls to be changed to a place of religious assembly without a Special Use Permit in residential districts. This amendment further clarifies that the Standard Industrial Classification Manual (SIC) categories are not used in residential districts for classification purposes.

The City Plan Board heard the petition and recommended that it be denied. The Plan Board requested that in future petitions that involve legal issues, that the City Attorney send a representative. It is City staff's position that the petition be approved.

Note from City Attorney: Neither staff nor any member of the Plan Board requested information on this item, or that a member of the City Attorney's Office be present at this meeting. This Office sends an attorney to a board meeting on an as-needed basis.

Public notice was published in the Gainesville Sun on May 1, 2007. The Plan Board held a public hearing May 17, 2007.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission deny Petition 51TCH-07 PB. Plan Board vote 6-0.

Staff to Plan Board - Approve

Staff to City Commission - Approve

Legislative History

6/11/07 City Commission Continued (Petition)
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CLERK OF THE COMMISSION

070134.

Election Issues (B)

RECOMMENDATION

The City Commission:

1) Select January 29, 2008 and February 19, 2008 as the election dates and authorize the City Attorney to draft and Clerk to advertise the ordinance.

2) Authorize changing Code section 9-6.5d to allow the Supervisor of Elections more flexibility in accommodating early voting.

3) Discuss scheduling elections for 2009 and beyond and discuss a potential municipal election day in Alachua County each Spring.

4) Discuss the period between elections and Swearing-In

5) Election auditing

6. Any other election issues

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GENERAL MANAGER FOR UTILITIES

070135.

Energy Supply Plan (B)

Explanation: On May 10, 2007 the Commission confirmed staff's intention to proceed with three initiatives related to energy supply. One initiative was to pursue the purchased power offer obtained as a result of the request for letters of interest. The second was to begin preparation of a request for proposals (RFP) for the development of biomass-fueled base load energy supply, and the third was to facilitate the development of an integrated eco-industry and multi-fueled power supply.

RECOMMENDATION

The City Commission

- 1. Receive a presentation summarizing the status of the purchased power offer, integrated eco-industry system proposals, and biomass resource assessments;*
- 2. Receive a presentation summarizing the pros and cons of joint participation with other utilities, locating facilities at Deerhaven, the use of various forms of fuel, and performance versus prescriptive forms of Requests for Proposal;*
- 3. Provide policy guidance on the forms of fuel that will be eligible for consideration; and*
- 4. Authorize staff to prepare and issue a Power Supply RFP soliciting binding proposals for economical base load electric generation capacity under the following frame work:
 - a. Proposals will be evaluated on delivered cost per MWH, reliability of fuel supply, and emission quality;*
 - b. Proposals including co-manufacturing and location of facilities on the Deerhaven site are acceptable;*
 - c. Proposals may be in the form of engineer, purchase and construct (EPC) contracts or purchased power agreements (PPA).**

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ADJOURNMENT