

City of Gainesville

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



Meeting Minutes

Monday, June 11, 2007

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)*

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

CALL TO ORDER -1:05 PM**ROLL CALL**

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

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

CITY MANAGER, CONSENT AGENDA ITEMS**070004. Funding of Master Plan Consultant for the Area Surrounding Depot Park (NB)**

RECOMMENDATION *City Manager to the City Commission: 1) Recommend that the general government portion of the consultant fee, \$25,000, be paid from the Community Development Department through savings from personnel vacancies; and 2) Recommend that the GRU portion of the master plan, \$25,000, be authorized.*

This Matter was Approved as Recommended on the Consent Agenda.

070005. Tenth Amendment to the Commerce Project Development Agreement (B)

RECOMMENDATION *CRA to the City Commission: 1) Approve the amendment to the Development Agreement and authorize the Clerk to attest and the Mayor to execute the amendment.*

This Matter was Approved as Recommended on the Consent Agenda.

070005_200706111300.pdf

070019. Schedule for Development of A Plan for Orderly Annexations (B)

This item presents a schedule for developing a plan for orderly annexations as required by the "Transition of Services Agreement between the City of Gainesville and Alachua County"

RECOMMENDATION *The City Commission accept the proposed schedule.*

This Matter was Approved as Recommended on the Consent Agenda.

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070058.

Annexation of City-owned Parcels Adjacent to Lake Kanapaha (B)

This is the submission of a petition for voluntary annexation of City-owned property in the area south of Lake Kanapaha.

RECOMMENDATION *The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

This Matter was Approved as Recommended on the Consent Agenda.

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070060.

Bid Award - SW 5th Avenue, 1200 Block, Triangle Streetscape Project Construction (B)

This item involves a request for the City Commission to authorize the bid award to Anglin Construction Company for the SW 5th Avenue, 1200 block, Triangle Streetscape Project construction in the amount of \$169,500.

RECOMMENDATION *Recommended Motion: The City Commission: 1) authorize the bid award to Anglin Construction Company for the SW 5th Avenue, 1200 block, Triangle Streetscape Project construction; and 2) authorize the City Manager to execute the contract and issue a purchase order in an amount not to exceed \$169,500.00*

Alternative Recommendation A: The City Commission deny the request for the bid award to Anglin Construction Company and direct the City Manager to withdraw the SW 5th Avenue, 1200 block, Triangle Streetscape Project.

Alternative Recommendation B: The City Commission deny the request for the bid award to Anglin Construction Company and direct the City Manager to rebid the SW 5th Avenue, 1200 block, Triangle Streetscape Project construction. This would result in project delays and additional administrative costs.

This Matter was Approved as Recommended on the Consent Agenda.

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070065.

Conveyance of Tax Parcel 14479-000-000 to Gainesville Community Redevelopment Agency (B)

This item involves authorization for the Mayor to execute a Special Warranty Deed conveying Tax Parcel 14479-000-000, 414 Northwest 5th Avenue, onto City of Gainesville Community Redevelopment Agency

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Mayor to execute the Special Warranty Deed conveying Tax Parcel 14479-000-000, 414 Northwest 5th Avenue, onto City of Gainesville Community Redevelopment Agency, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A: Deny the request from the City of Gainesville Community Redevelopment Agency for Tax Parcel 14479-000-000, 414 Northwest 5th Avenue, retaining ownership and maintenance.

This Matter was Approved as Recommended on the Consent Agenda.

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070076.

Edward Byrne Memorial Justice Assistance Grant Program FY 2007 Local Solicitation. (NB)

The City Commission will hold a public hearing on the proposed use of \$94,022 Edward Byrne Memorial Justice Assistance Grant funds and will approve the grant application for these funds.

RECOMMENDATION

The City Commission: 1) Approve the acceptance of \$94,022 in grant funds provided by the U.S. Department of Justice through the Edward Byrne Memorial Justice Assistance Grant; 2) authorize the City Manager to apply for, accept, and execute the grant award and any other necessary documents, subject to approval by the City Attorney as to form and legality; and 3) approve the expenditures as outlined in the approved grant award.

Alternative Recommendation

The City Commission decline the available Edward Byrne Memorial Justice Assistance Grant Funds in the amount of \$94,022 and advise staff not to apply for and accept these funds.

This Matter was Approved as Recommended on the Consent Agenda.

070086.

Award of Medical Services Contract to First Care of Gainesville (B)

This item involves awarding a contract to provide medical services to the City of Gainesville for pre-employment, bi-annual and five year physicals.

RECOMMENDATION

The City Commission: 1) approve the selection of First Care of Gainesville as the City's provider of medical services for physical examination; 2) authorize the City Manager, or his designee to negotiate with and enter into an three-year agreement July 1, 2007 with the possibility for one two year extension, subject to approval of the City Attorney as to form and legality; and 3) authorize the issuance of a purchase order in an amount sufficient to cover the estimated costs associated with this service.

This Matter was Approved as Recommended on the Consent Agenda.

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070087.

FY 2007 and FY 2008 City Commission Strategic Goals and Objectives - Status Update (B)

This item provides a progress update on the City Commission's adopted goals and objectives for FY 2007 and FY 2008.

RECOMMENDATION

The City Commission receive a report from the City Manager on the current progress towards the City Commission Strategic Goals for FY 2007 and FY 2008.

This Matter was Approved as Recommended on the Consent Agenda.

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070091.

Contract for Departmental Medical Director Services for the Gainesville Fire Rescue Department. (B)

This item requests approval to renew the "Agreement Between the City of Gainesville and the University of Florida for Assistant Medical Director" for a three-year period to meet statutory requirements for the provision of advanced life support services by Gainesville Fire Rescue.

RECOMMENDATION

The City Commission: 1) authorize the contract with the University of Florida for the benefit of the Department of Anesthesiology, College of Medicine to provide a Departmental Medical Director for the period of September 1, 2007, through August 31, 2010; and 2) approve the issuance

of a purchase order to the University of Florida, Contracts and Grants for Departmental Medical Director services not to exceed \$58,500 for the period of September 1, 2007, through August 31, 2010.

This Matter was Approved as Recommended on the Consent Agenda.

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070115.

Annexation of Parcel Numbers 06684-000-000, 06828-000-000, 06820-000-000, 06830-000-000 (B)

This is the submission of a petition for voluntary annexation for the above referenced parcel numbers, which are located in the vicinity of SW 20th Avenue, Interstate 75, SW Archer Road and Kanapaha Lake.

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.

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070116.

Annexation of Parcel Number 06832-000-000 (B)

This is the submission of a petition for voluntary annexation for the above referenced parcel number which is located in the vicinity of SW 20th Avenue, Interstate 75, SW Archer Road and Kanapaha Lake.

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.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

070119.

Kelly Generating Station Remodeling Project (B)

Staff recommends awarding a contract to BBI Construction Management, Inc. for construction of the Kelly Generating Station Remodeling Project.

RECOMMENDATION *The City Commission 1) authorize the General Manager, or her designee, to execute a contract with BBI Construction Management, Inc. for construction of the Kelly Generation Station Remodeling Project, and 2) approve the issuance of a purchase order to BBI Construction Management, Inc. in an amount not to exceed \$655,743.00.*

This Matter was Approved as Recommended on the Consent Agenda.

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070120.

Load Research Equipment (NB)

Staff recommends establishing a contract with Enetics, Inc. for load research equipment.

RECOMMENDATION *The City Commission: 1) authorize the General Manager or her designee to negotiate and execute a contract for load research meters and associated equipment from Enetics, Inc., a specified source, to develop a load research program; and 2) approve the issuance of a purchase order for load research meters and equipment from Enetics, Inc. in an amount not to exceed \$320,000.*

This Matter was Approved as Recommended on the Consent Agenda.

070121.

Springhill Operations Center Improvements (B)

Staff recommends awarding a contract to Robert L. Kelly Construction, Inc. for construction of the Springhill Operations Center Improvements.

RECOMMENDATION *The City Commission 1) authorize the General Manager, or her designee, to execute a contract with Robert L. Kelly Construction, Inc. for construction of the Springhill Operations Center Improvements, and 2) approve the issuance of a purchase order to Robert L. Kelly Construction, Inc. in an amount not to exceed \$546,300.00.*

This Matter was Approved as Recommended on the Consent Agenda.

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070122.

Environmental Consulting Services Agreement (NB)

Staff recommends amending a contract for additional consulting services for the Poole Roofing/CSXT Manufactured Gas Plant (MGP) Remediation project.

RECOMMENDATION *The City Commission authorize the General Manager or her designee to negotiate and execute amendments to the agreement with Focus Environmental, Inc., as a specified source, for consulting services on an as-needed basis associated specifically with issues related to the Poole Roofing/CSXT Manufactured Gas Plant (MGP) Site Remediation in an amount not to exceed \$125,000.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

070117.

Gator Lodge #67, Fraternal Order of Police and John Torres vs. City of Gainesville; Eighth Judicial Circuit, Court Case No. 2007-CA-002095 (B)

RECOMMENDATION *The City Commission authorizes the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City of Gainesville in the case Gator Lodge #67, Fraternal Order of Police and John Torres vs. City of Gainesville; Eighth Judicial Circuit, Court Case No. 2007-CA-002095*

This Matter was Approved as Recommended on the Consent Agenda.

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070118.

Victor H. Delgado vs. City of Gainesville, a municipal corporation, and Norman Botsford, in his official capacity as Chief of the Gainesville Police Department; Eighth Judicial Circuit, Court Case No. 01-2007-CA 906(B)

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City of Gainesville and City employees acting in the course and scope of their employment and with the consent and waiver of potential conflict by the City employees, in the case Victor H. Delgado vs. City of Gainesville, a municipal corporation, and Norman Botsford,*

in his official capacity as Chief of the Gainesville Police Department; Eighth Judicial Circuit, Court Case No. 01-2007-CA-906

This Matter was Approved as Recommended on the Consent Agenda.

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CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

070090.

City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of May 7, 2007, May 10, 2007, & May 21, 2007 (Special Meetings); and May 14, 2007 (Regular Meeting); as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

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070093.

Resignation of Gainesville/Alachua County Cultural Affairs Board Member Erica Briggs (B)

RECOMMENDATION *The City Commission accept the resignation of Erica Briggs from the Gainesville/Alachua County Cultural Affairs Board effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

070093_20070611.pdf

070094.

Resignation of Citizens' Advisory Committee for Community Development Member Jeff Jones (B)

RECOMMENDATION *The City Commission accept the resignation of Jeff Jones from the Citizens' Advisory Committee for Community Development effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

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070111.

Resignation of Gainesville Energy Advisory Committee Member Joel Islam (B)

RECOMMENDATION *The City Commission accept the resignation of Joel Islam from the Gainesville Energy Advisory Committee effective*

immediately.

This Matter was Approved as Recommended on the Consent Agenda.

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070112.

Resignation of Gainesville Energy Advisory Committee Member Anthony B. Brennan, PhD (B)

RECOMMENDATION *The City Commission accept the resignation of Anthony B. Brennan, PhD from the Gainesville Energy Advisory Committee effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

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070129.

Resignation of Regional Transit System Advisory Board Member Philip W. Michel (B)

RECOMMENDATION *The City Commission accept the resignation of Philip W. Michel from the Regional Transit System Advisory Board effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

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EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC SAFETY COMMITTEE, CONSENT

060725.

Citizen Proposal - Monitoring Yard Parking Violations (B)

RECOMMENDATION *The City Commission 1) approve this procedure as clarified by staff and 2) remove this item from the Public Safety Committee referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

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AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

070098.**Review of Youth Sports League Concession Operations (B)****RECOMMENDATION**

The City Commission: 1) Accept the City Auditor's report and the response from the City Manager; and 2) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.

This Matter was Approved as Recommended on the Consent Agenda.

070098_20070604.pdf

070104.**Fiscal Year 2007 Operating Funds Quarterly Monitoring Report - Quarter Ending March 31, 2007 (B)****RECOMMENDATION**

The Audit, Finance, and Legislative Committee review and recommend that the City Commission receive the quarterly budget monitoring report for the quarter ended March 31, 2007.

This Matter was Approved as Recommended on the Consent Agenda.

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070096.**GRU's Quarterly Financial Report - Gainesville Regional Utilities (B)****RECOMMENDATION**

The City Commission receive the GRU Quarterly Financial Report as of March 31, 2007.

This Matter was Approved as Recommended on the Consent Agenda.

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070099.**Report on the Status of Outstanding Audit Recommendations for June 2007 (B)****RECOMMENDATION**

The City Commission: 1) Accept the City Auditor's report; and 2) refer the issue of lobbyist registration to the Charter Officers for further development and a recommendation back to the Audit, Finance and Legislative Committee.

This Matter was Approved as Recommended on the Consent Agenda.

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070100.**Sale of Brownfield Voluntary Cleanup Tax Credits (B)****RECOMMENDATION**

The City Commission remove this item (Referral #060165) from the referral list.

This Matter was Approved as Recommended on the Consent Agenda.

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Passed The Consent Agenda

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

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

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

*Mayor-Commissioner Pro Tem Bryant moved and Commissioner Mastrodicasa seconded to adopt the Regular Agenda, with one modification.
(VOTE: 5-0, Commissioners Donovan and Braddy - Absent, MOTION CARRIED)*

*MODIFICATION:
FILE # 070012 - Consolidated Police Officers and Firefighters Retirement Plan -
(Continued 2nd Reading of the Ordinance to July 9, 2007 and re-advertised).*

NOTE: Commissioner Jack Donovan entered the meeting room at 1:09 PM.

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

WAIVER OF RULES

The rules were waived by consensus in order to take File #070123 Public Utility Regulatory Policy Act (PURPA) Requirements; and #File # 050749 Roam Towing Regulations; before the City Manager Items.

GENERAL MANAGER FOR UTILITIES

070123.**Public Utilities Regulatory Policy Act (PURPA) Requirements (B)**

Staff will make a presentation on the schedule and public participation procedure for consideration and determination of Standards 14 and 15 of the Public Utility Regulatory Policies Act of 1978 (as amended by the Energy Policy Act of 2005), 16 U.S.C. §2621(d)(14) and (15). PURPA jurisdictional members have until August 8, 2007, to begin consideration of time based metering and communications, and interconnection standards for distributed resources.

GRU Assistant General Manager for Strategic Planning Ed Regan gave a presentation.

RECOMMENDATION

The City Commission receive a presentation on the schedule for consideration and determination of Standards 14 and 15 of the Public Utility Regulatory Policies Act of 1978 (as amended by the Energy Policy Act of 2005), 16 U.S.C. §2621(d)(14) and (15) and the public participation procedure for PURPA standards.

Heard

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PUBLIC SAFETY COMMITTEE**050749.****Roam Towing Regulations (B)**

City Police Chief Norm Botsford, Police Lieutenant Sherry Scott and Assistant City Attorney Ron Combs gave presentations.

NOTE: Commissioner Braddy entered the meeting room at 1:37 PM.

RECOMMENDATION

The City Commission 1) hear a presentation from staff regarding the changes and clarifications made to the Roam Towing Regulations Ordinance; 2) set fee for owner registration and operator permits; 3) authorize the City Attorney to draft a Resolution, consistent with the draft included in the back-up which establishes maximum towing fees for various classes of vehicles as defined by the Towing Recovery Association of America; and 4) authorize the Clerk to advertise the ordinance as amended.

A motion was made by Commissioner Mastrodicasa, 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

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CITY MANAGER

061148.

Flood Zone Status Update (B)

This item involves the presentation on the status of implementation of the revised FEMA Flood Insurance Rate Maps.

City Public Works Supervising Engineer Alice Rankellor gave a presentation.

Chair Hanrahan recognized Ironwood Village Homeowner's Association Vice President Nancy Testa who spoke to the matter.

AMENDMENT: 1) Authorize the City Manger to send a letter to the districts, requesting financial assistance for Flood Insurance Map updates through the FEMA Map Modernization Program; and 2) request the (Public Works staff) to make a presentation to the Homeowner's Association in the Ironwood Area and also assist them with understanding what information is available within the City records regarding surveys in particular.

RECOMMENDATION

Recommended Motion: The City Commission: 1) hear a presentation; and 2) authorize the City Manager to send a letter to the St Johns River Water Management District and the Suwannee River Water Management District requesting financial assistance for Flood Insurance Rate Map updates through the FEMA Map Modernization Program.

Alternative Recommendation A: The City Commission refer the FEMA Flood Zone update to the Culture, Recreation and Public Works Committee for review and direction.

Alternative Recommendation B: The City Commission refer the FEMA Flood Zone update back to the Public Works Department for review.

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

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

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070059.**Eighth Annual Stop the Violence Rally - Reverend Karl Anderson (B)**

This is a request for City Commission Contingency Funds for the People Against Violence Enterprises (PAVE) in support of the Eighth Annual Stop the Violence Rally.

Reverend Karl Anderson gave a presentation.

MOTION: Approve \$5,558.00 from the City Commission Contingency Fund for the "Eighth Annual Stop the Violence Rally"; (being held August 4, 2007 at the O'Connell center).

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

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, Edward Braddy, Rick Bryant and Pegeen Hanrahan

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CITY ATTORNEY**CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE****EQUAL OPPORTUNITY COMMITTEE****051224.****Domestic Partner Registry (B)**

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

FIRST MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded that: 1) The City of Gainesville adopt a Domestic Partner Registry ordinance; and 2) instruct the City Attorney to draft an ordinance including that the fees be \$10.00 for City Residents and \$20.00 for non-City residents.

(VOTE: 5-2, Commissioners Braddy and Henry - No, MOTION CARRIED)

Chair Hanrahan recognized Terry Fleming, Walter Willard, Page Crandall, Jill Lingard and Scott Chance who spoke to the matter.

*SECOND MOTION: Commissioner Lowe moved and Commissioner Bryant seconded to keep the proposal of adding to the City's Purchasing Policy that preference be given to City contractors (tie breaker) who provide domestic partner benefits in the Equal Opportunity Committee (for further review).
(VOTE: 7-0, MOTION CARRIED)*

RECOMMENDATION *The City Commission: 1) hear a presentation of the establishment of a Domestic Partner Registry; 2) authorize the City Attorney to draft an ordinance establishing a Domestic Partner Registry; and 3) remove the item from the Equal Opportunity Committee's referral list.*

Approved, as shown above - See Motion(s)

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REGIONAL UTILITIES COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

070113.

Commissioner Jack Donovan - City Commission Workshops (B)

City Attorney Marion Radson gave a presentation.

MOTION: Authorize the City Attorney to draft a Resolution amending the City Commission Rules to reflect the amendment as shown in the back-up.

RECOMMENDATION *The City Commission discuss City Commission workshops and take action deemed appropriate.*

A motion was made by Commissioner Donovan, seconded by Commissioner Lowe, 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, Edward Braddy, Rick Bryant and Pegeen Hanrahan

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COMMISSION COMMENTS (if time available)

Commissioner Scherwin Henry

Hatchett Creek Development near the Airport

Commissioner Jeanna Mastrodicasa

Best Practices Conference/University Relations - Thanks for support

Commissioner Jack Donovan

- 1. Best Practices Conference/University Relations*
- 2. Policy for individual Commissioners requesting information from staff*

RECESS - Approximately 5:00 PM**RECONVENE - 5:45 PM****PLEDGE OF ALLEGIANCE (5:30pm)****Gator Detachment of the Marine Corp League****PROCLAMATIONS/SPECIAL RECOGNITIONS****070109. Flag Day - June 14, 2007 (B)**

RECOMMENDATION *Gator Detachment of the Marine Corp League to accept the proclamation.*

Heard

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070110. Code Enforcement Officers Appreciation Week - June 11-15, 2007 (B)

RECOMMENDATION *City of Gainesville Code Enforcement Supervisors Dave Watkins and Jim Cellon to accept the proclamation.*

Heard

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CITIZEN COMMENT (6:00pm)

Ms. Sharon Baur

Code Enforcement & Historic Preservation Issues in the Northeast

Mr. Eric Stokes

Vegetarian Hot Dog Cart - Request to change the ordinance to allow the hot dog stand to stay open until 2:30 or 3:00 AM at least.

See following item # 070164.

070164. Citizen Comment - Request for Ordinance Amendment for Hot Dog Vendors Downtown to Stay Open Later (NB)

RECOMMENDATION *The City Commission refer to the City Manager the issue of amending the ordinance to allow Hot Dog Vendors downtown to stay open until 2:30 or 3:00 AM to accommodate the people leaving the bars and clubs.*

A motion was made by Commissioner Braddy, seconded by Commissioner Henry, that this matter be Referred to the City Manager, due back on December 11, 2007. The motion carried by the following vote:

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

David Drescher

Student Government - Landlord Permit Issues

Ed Brown

Solar Energy Presentation

Ron Carpenter

East Gainesville Partners Petition - (Hatchett Creek Development)

City Community Development Director Tom Saunders and Planning Manager Ralph Hilliard made comments.

Mr. George Elmore

Budget Cuts - City Services

Richard Selwach

1. Tent City - Homeless Issues - (Primitive Campground)
2. Equal Opportunity Issues

Pat Fitzpatrick

Poor and homeless people

Walter Willard

Tax Issues

Robert Pearce

Fleet Maintenance Facility - Alternative Site

Ask staff to have the answer ready when the Neighborhood Meeting is held.

Alan Hayes

Problems of Convicted Felons

Theodore McCloud

Problems of Convicted Felons

Jerry Williamson

GPD Issues

John Robert

Fire of God Ministries

PUBLIC HEARINGS**ADOPTION READING, ROLL CALL REQUIRED****061121.****REZONING - 727 SW 4TH AVENUE (B)****Ordinance No. 0-07-33, Petition No. 1ZON-07PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from "Planned Development District" to "Urban Mixed Use 2 (UMU-2)"; located in the vicinity of 727 SW 4th Avenue; providing a severability clause; providing a repealing clause; and providing an immediate

effective date.

City Senior Planner Onelia Lazzari gave a presentation.

Chair Hanrahan recognized Jean Chalmers who spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve Petition No. IZON-07PB; and 2) adopt the proposed ordinance.*

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

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

Absent: Jack Donovan

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ORDINANCES, 1ST READING- ROLL CALL REQUIRED

050255.

AMENDMENT TO CLUSTER SUBDIVISION REQUIREMENTS (B)

Ordinance No. 0-05-95; Petition No. 121TCH-05PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to cluster subdivisions; amending section 30-190, establishing criteria for classifying cluster subdivisions as either environmental or infill, establishing lot sizes, clarifying the cluster open space requirement, and modifying the criteria for the review of cluster subdivisions; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, 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

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060501.**LAND DEVELOPMENT CODE AMENDMENT RELATING TO
MULTIPLE-FAMILY MEDIUM DENSITY RESIDENTIAL ZONING
DISTRICTS (B)****Ordinance No. 0-06-121; Petition 142TCH-06 PB**

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, relating to height requirements for RMF-6, RMF-7, and RMF-8 multiple-family medium density residential zoning districts; amending section 30-53(d), Table 3, to list the maximum building height allowed for MF buildings; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission (1) approve Petition 142TCH-06 PB and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance), as modified. The motion carried by the following vote:

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

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060587.**LAND DEVELOPMENT CODE AMENDMENT - AMENDING USES IN
PUBLIC SERVICES AND OPERATIONS DISTRICT (PS) (B)****Ordinance No. 0-07-04; Petition 160TCH-06 PB**

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, amending Section 30-75 by adding Major Group 41. - Local and Suburban Transit and Interurban Highway Passenger Transportation as uses by right in the Public Services and Operations District (PS); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Planner Jason Simmons and Planning Manager Ralph Hilliard gave presentations.

Chair Hanrahan recognized Robert Pearce who spoke to the matter.

RECOMMENDATION *The City Commission (1) approve Petition 160TCH-06 PB; and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, that this matter be Approved (Petition) and 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

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060858.**LAND DEVELOPMENT CODE AMENDMENT - PARKING REQUIREMENTS FOR LIBRARIES (B)****Ordinance No. 0-07-17; Petition 201TCH-06 PB**

An ordinance of the City of Gainesville, Florida, amending section 30-332(c), Land Development Code, changing the parking requirement for libraries to one vehicle space per 200 square feet of gross floor area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Senior Planner Onelia Lazzari gave a presentation.

RECOMMENDATION *The City Commission (1) approve Petition 201TCH-06 PB; and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Lowe, seconded by Commissioner Henry, that this matter be Approved (Petition) and 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

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060415.**PLANNED DEVELOPMENT AMENDMENT - METRO CORP- NW 39TH AVENUE AND 43RD STREET (B)****Ordinance No. 0-06-109, Petition No. 102PDA-06PB**

An Ordinance of the City of Gainesville, Florida; amending Ordinance No. 030130, that amended Ordinance No. 3805 that amended the Planned Development commonly known as "Metro Corp" located in the vicinity of the southeast corner of N.W. 39th Avenue and N.W. 43rd Street; by allowing an additional financial institution on Lot 4; by extending the time for the development of Lots 3 and 4; by adopting revised development plan maps and a revised planned development report; amending and adopting additional conditions and restrictions as to Lot 4; providing for penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Chief of Current Planning Lawrence Calderon gave a presentation.

REVISION: Page 4, Line 37; change the year from 2008 to 2010.

Chair Hanrahan recognized Mark Goldstein who spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a presentation from staff; and*

2) adopt the proposed ordinance.

A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Adopted on First Reading, as revised (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

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060736.

LAND USE CHANGE - ALAMAR GARDENS (B)

Ordinance No. 0-07-26, Petition 179LUC-06PB

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, annexed into the City from the Alachua County land use category of "Medium Density Residential" to the City of Gainesville land use category of "Mixed-Use Medium-Intensity (12-30 units per acre)" consisting of approximately 40.5 acres, located in the vicinity of 4400 S.W. 20th Avenue; making findings; providing a severability clause; providing a repealing clause; and providing an effective date.

City Planner Jason Simmons gave a presentation.

Chair Hanrahan recognized Richard Selwach, Diane Hurtak, Nancy Shepherd, Walter Willard, Ms Burman-Holtom, Jimmie Harnsberger, Kenny Niblet, Donald Shepherd, and Attorney Jonathan Wershow who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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060737.

REZONING - 4400 S.W. 20TH AVENUE - ALAMAR GARDENS (B)

Ordinance No. 0-07-27, Petition No. 180ZON-06PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property annexed into the City, as more specifically described in this Ordinance, from the Alachua County zoning category of "RM, manufactured/mobile home park" to the City of Gainesville zoning category of "MU-2: 12-30 units/acre mixed use medium intensity"; located in the vicinity of 4400 S.W. 20th Avenue; making findings; providing a severability clause; providing a repealing clause; and providing an effective date.

City Planning Manager Ralph Hilliard and Public Works Director Teresa Scott gave presentations.

Chair Hanrahan recognized Jimmie Harnsberger and Richard Selwach who spoke to the matter.

NOTE: Public Works Director Teresa Scott to bring back information regarding Park & Ride at Citizen's Field at the June 25, 2007 City Commission Meeting.

ADDITIONAL MOTION: Commissioner Donovan moved and Mayor-Commissioner Pro Tem Bryant seconded to direct the Plan Board to study the impact of future mobile home park closings and the availability of other housing resources to meet the needs generated by the proposed closings.

(VOTE: 7-0, MOTION CARRIED) NOTE: See following referral item #070165.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Donovan, 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

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070165.

Referral to Plan Board to Study the Impact of Mobile Home Closings (NB)

RECOMMENDATION *The City Commission direct the Plan Board to study the impact of future mobile home park closings and the availability of other housing resources to meet the needs generated by the proposed closings.*

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Referred to the City Plan Board, due back on December 11, 2007. The motion carried by the following vote:

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

060584.

STREET VACATION - SOUTHEAST 23RD STREET (B)

Ordinance No. 0-06-134, Petition 155SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a certain portion of the right-of-way of Southeast 23rd Street running north from the northern right-of-way line of Southeast 23rd Street extension to Southeast 8th Avenue, as more specifically described in this Ordinance; reserving a public and private utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Planner Jason Simmons and City Land Rights Coordinator Sam Bridges gave presentations.

Chair Hanrahan recognized Richard Selwach who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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051236.

PROHIBITING THE OUTDOOR STORAGE OF FURNITURE, AND PROHIBITING THE PLACEMENT OF FURNITURE AND POOLS ON ROOFTOPS (B)

Ordinance No. 0-07-14

An ordinance of the City of Gainesville, Florida, amending Chapter 13, Housing and Commercial Building Code, by amending Article II, Division 10, Section 13-171, revising the title; prohibiting the outdoor placement or storage of household furniture, mattresses, or other materials not designed or intended for outdoor use with certain limited exceptions; prohibiting the placement of pools, furniture or furnishings on the roof of a building or structure except as approved by the City; amending Chapter 2, Administration, by amending Article V, Division 6, Section 2-339, revising the title description as to Section 13-171; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Code Enforcement Manager Jim Garrett and City Community Development Director Tom Saunders gave presentations.

Chair Hanrahan recognized Richard Selwach, Ann Haisley, Susan Fairforest and Ms. Burman-Holtom who spoke to the matter.

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

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070107.

LANDLORD PERMITS (B)

Ordinance No. 0-07-15

An ordinance of the City of Gainesville, Florida, relating to landlord permits; amending section 14.5 of the Code of Ordinances; creating additional owner certifications; changing the period in which points for code violations accrue; providing for revocation of permit for failure to comply with owner certifications; clarifying the process for revocation of a permit and the process for denial of a permit; amending Appendix A by changing the due dates for payment of landlord permit fees; providing for a transition permit; providing for a prorated permit fee; providing a severability clause; providing a repealing clause; and providing an effective date.

City Community Development Director Tom Saunders and Code Enforcement Manager Jim Garrett gave presentations.

Chair Hanrahan recognized Richard Selwach, Danielle Imenheiser, Alan Razaee, Ms. Burman-Holtom, David Chalmers, Dr. David Reiskind, Dr. Jimmie Harnsberger, Joe Schmidt, Susan Fairforest, Curtis Cooper, Carol Daley and Mark Goldstein who spoke to the matter.

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 First Reading (Ordinance). The motion carried by the following vote:

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

Nay: Edward Braddy

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070022.**LOCAL BUSINESS TAX RECEIPT - NAME CHANGE (B)****Ordinance No. 0-07-18**

An ordinance of the City of Gainesville, Florida, amending Sections 2-377, 2-379, 2-621, 6-176, 6-182, 6-193, 10-38, 10-40, 14.5-67, 14.5-96, 14.5-121, 16-98, 19-2, 19-3, 19-19, 19-54, 21-58, 21-60, 22-17, 23-57, 23-97, 25-41, 25-42, 25-43, 25-44, 25-45, 25-46, 25-47, 25-48, 25-49, 25-50, 25-50.1, 25-51, 26-116, 28-1, 28-2, 28-4, 28-5, 28-14, 30-336, 30-346, 30-357, relating to Occupational License Tax; by replacing the term Occupational License Tax Act with the term Local Business Tax Act (LBTA); by changing the term "Occupational License" to "Business Tax Receipt" and defining the term "Receipt" as it relates to Business Taxes; amending Appendix A Schedule of Fees Rates and Charges; correcting scrivener's errors; 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 Pegeen Hanrahan

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070023.**COMMUNICATION SERVICES TAX RATE INCREASE (B)****Ordinance No. 0-07-38**

An ordinance of the City of Gainesville, Florida, amending section 25-81 of the Code of Ordinances of the City of Gainesville relating to the communication services tax rate; increasing the local communication services tax rate in accordance with Chapter 202.20(2) Florida Statutes; 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 Commissioner Lowe, 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

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060734.**PLANNED DEVELOPMENT AMENDMENT - UNIVERSITY AVENUE AND 13TH STREET (UNIVERSITY CORNERS) (B)****Ordinance No. 0-07-02, Petition No. 149PDA-06PB**

An Ordinance of the City of Gainesville, Florida; amending Ordinance No. 040657 that rezoned certain properties to the zoning category of Planned Development, commonly known as "University Corners", as more specifically described in this ordinance; generally located between West University Avenue on the South, Northwest 3rd Avenue on the North, Northwest 13th Street (US 441) on the East and Northwest 14th Street on the West; adopting revised development plan maps and a revised development report; adopting additional conditions and restrictions; providing for penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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061079.**VOLUNTARY ANNEXATION - BEAR ARCHERY (B)****Ordinance No. 0-07-21**

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 Parcel 07240-001-003, generally located south of the vicinity of the intersection of Interstate 75 and Archer Road, west of the City limits and Interstate 75, north of Tax Parcel 07240-000-000 and east of Tax Parcel 07240-000-000; 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 Braddy, seconded by Commissioner Lowe, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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061129.

POSTPONING SCHEDULING OF THE 2008 CITY COMMISSION ELECTION (B)

Ordinance No. 0-07-28

An ordinance of the City Commission of the City of Gainesville, Florida, suspending the scheduling dates in Sections 9-2(b) and (c) relating to the setting of election dates for 2008; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

CLERKS' NOTE: The City Commission has scheduled a special meeting on June 18, 2007 to discuss election issues.

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

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

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070012.

CONSOLIDATED POLICE OFFICERS AND FIREFIGHTERS RETIREMENT PLAN (B)

Ordinance No. 0-07-22

An ordinance of the City of Gainesville, Florida, amending provisions relating to the Consolidated Police Officers and Firefighters Retirement Plan, Article VII, Division 8 of Chapter 2 of the Code of Ordinances, by amending section 2-596, Definitions; 2-598, Eligibility and participation; section 2-599, Contributions; section 2-600, Retirement dates and benefits; section 2-601, Optional forms of retirement income; section 2-602, Administration of the plan, section 2-606, Miscellaneous relating to beneficiaries; section 2-607, Cost of living adjustment of benefits; and section 2-633(d) of Article XI, Retiree Health Insurance Program and Trust Fund, of Chapter 2 of the Code of Ordinances; providing directions to the codifier; providing a severability clause; providing a repealing

clause; and providing an immediate effective date, and limited retroactive effect.

MOTION: Continue this item to the July 9, 2007 City Commission Meeting and re-advertise the second reading of the ordinance.

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

A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, that this matter be Continued (2nd Reading) for July 9, 2007. The motion carried by the following vote:

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

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070026.

MORATORIUM ON ELECTRONIC SIGNS AND ANIMATED SIGNS (B)

Ordinance No. 0-07-31

An Ordinance of the City of Gainesville, Florida, imposing a temporary moratorium on the issuance of any permit, development order, site plan approval and any other official action of the City of Gainesville having the effect of permitting or allowing the construction, operation or erection of an electronic sign or an animated sign, as more specifically described in this Ordinance, excluding approvals and permits for the maintenance of an existing electronic sign or animated sign; the temporary moratorium shall apply to all real property located within the corporate limits of the City of Gainesville; providing a procedure for extraordinary hardship; 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, Craig Lowe and Pegeen Hanrahan

Nay: Scherwin Henry, Edward Braddy and Rick Bryant

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RESOLUTIONS- ROLL CALL REQUIRED

070092.

Acceptance of US Department of Transportation FAA - AIP Grant #3-12-0028-022-2005 Amendment No. 2 (B)

This item seeks City of Gainesville acceptance of an amendment to a 2005 US Department of Transportation FAA - AIP Grant to the Gainesville Regional

Airport for renovation and rehabilitation of a portion of the terminal building. Amendment No. 2 amends the scope of work to renovation and rehabilitation (construction only) a portion of the terminal building (66% of base bid and concession shell) - Phase 2A.

RECOMMENDATION

The City Commission: 1) hear a brief presentation from Gainesville Regional Airport Staff regarding this request; and 2) adopt the proposed 2005 FAA - AIP Grant Amendment Resolution and authorize the Mayor and City Attorney to execute said Grant Amendment and the City Clerk to certify said Grant Amendment subject to approval.

A motion was made by Commissioner Braddy, seconded by Commissioner Lowe, 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 Peegen Hanrahan

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070105.

Second Amendment to the FY 2007 General Government Financial and Operating Plan (B)

RECOMMENDATION

The City Commission adopt the resolution.

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

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060095.

(Quasi-Judicial) Final Plat, Blues Creek Unit 7. Located in the 4900 Block of NW 73rd Avenue, North Side (Petition 15SUB-06 DB) (B)

Petition 15SUB-06DB, Alison Fetner, P.E. agent for Blues Creek Development, LT., Final Plat Review for 16 lots on 2.37 Acres. Blues Creek Unit 7. Zoned: PD (Planned Development, Residential). Located in the 4900 Block of NW 73rd Avenue, North Side.

City Chief of Current Planning Lawrence Calderon gave a presentation.

RECOMMENDATION

Staff to the City Commission - Staff recommends approval of the Final Plat for Blues Creek, Unit 7.

Development Review Board to the City Commission - The City Commission approve Petition 15SUB-06 DB, with staff conditions. DRB vote 6-0.

Staff to Development Review Board - The Design Plat is approvable with conditions.

A motion was made by Commissioner Braddy, seconded by Commissioner Donovan, 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

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DEVELOPMENT REVIEW BOARD PETITIONS

NOTE: File #060095 Final Plat, Blues Creek Unit 7 was moved to "Resolutions".

PLAN BOARD PETITIONS

070088.

Amend Section 30-90(f) of Land Development Code (B)

Petition 53TCH-07 PB, City of Gainesville. Amend Section 30-90(f), Adult and Sexually Oriented Establishments, to eliminate the change of tenant or ownership requirement for a non-conforming use in this section.

Assistant City Attorney Nicole Smith and Planning Manager Ralph Hilliard gave presentations.

WAIVER OF RULES - Commissioner Lowe moved and Commissioner Mastrodicasa seconded to waive the rules to extend the meeting until no later than 11:30 PM.

(VOTE: 7-0, MOTION CARRIED)

Chair Hanrahan recognized Mark Goldstein, Jimmie Harnsberger, Jane Burman-Holtom and Susan Fairforest who spoke to the matter.

NOTE: There was discussion regarding continuing the next item File #070089 to the June 18, 2007 Special Meeting.

RECOMMENDATION

City Plan Board to City Commission - The City Commission deny Petition 53TCH-07 PB. Plan Board vote 6-0.

Staff to Plan Board - Approve

City Manager to City Commission: The City retain a consultant, to be funded from the FY 07 personnel vacancy savings, to assist the City with the issues in the future.

A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Approved (Petition). 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

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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.

It was approved by consensus to continue this item to the June 18, 2007 Special City Commission Meeting @ 6:00 PM Time Certain.

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

Continued (Petition)

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SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

Rob Brinkman

GEAC accepted the motion from May 14 regarding energy policies.

Mark Goldstein

Complaint about not being able to use personal computer (wireless connection) at the City Commission meetings any longer.

ADJOURNMENT - 11:33 PM

Kurt M. Lannon, Clerk of the Commission