

City of Gainesville

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



Meeting Minutes

Monday, August 14, 2006

1:00 PM

City Hall Auditorium

City Commission

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

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 day

CALL TO ORDER - 1:03 PM

ROLL CALL

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

INVOCATION

CONSENT AGENDA

Commissioner Donovan moved and Commissioner Henry seconded to adopt the Consent Agenda.

(VOTE: 4-0, Commissioners Braddy, Bryant and Lowe - Absent, MOTION CARRIED)

CITY MANAGER, CONSENT AGENDA ITEMS

050661.

Second Extension to the Contract for Cellular Phone Service with Alltel Communications Inc. (B)

This item involves a request for the City Commission to extend the term of the contract for one year with Alltel Communications Inc.

RECOMMENDATION

The City Commission authorize the City Manager or designee to execute the Second Extension to the agreement with Alltel Communications Inc. for cellular phone service, extending the term of the agreement from October 1, 2006 to September 30, 2007.

Alternative Recommendation A:

The City Commission decline to execute the Second Extension to the agreement with Alltel Communications Inc., and direct staff to issue a RFP for cellular phone service. The fiscal impact would be unknown until bids were opened.

Alternative Recommendation B:

The City Commission decline to execute the Second Extension to the agreement with Alltel Communications Inc. for cellular phone service and cease providing cell phones for employees to conduct City business. The fiscal impact would be unknown since employees would have to find other means of communication.

This Matter was Approved as Recommended on the Consent Agenda.

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051112.**Purchase of Playground Equipment for the Phoenix Subdivision Easement Property (B)**

This item involves the approval to purchase playground equipment and its installation on the conservation easement in the Phoenix Subdivision deeded to the City of Gainesville.

RECOMMENDATION

Recommended Motion: The City Commission 1) authorize the re-appropriation of Capital Fund 302 M323 for the purpose of purchasing playground equipment and related features to be installed at the Phoenix Subdivision in the amount of \$59,704.; and 2) authorize the use of the remaining funds within Capital Fund 302 M323, for the purchase of additional playground equipment and related features at other city parks as part of our program to upgrade the parks.

Alternative Recommendation A: The City Commission deny the purchase and installation of the playground equipment at the Phoenix Subdivision.

This Matter was Approved as Recommended on the Consent Agenda.

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060278.**Annexation of City-owned Parcels Adjacent to the Deerhaven Generating Station (B)**

This is the submission of a petition for voluntary annexation of City-owned land in the area of Deerhaven Power Plant.

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.

This Matter was Approved as Recommended on the Consent Agenda.

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060295.**Sunday Paratransit Service Contract Between the City of Gainesville and MV Transportation, Inc. (B)**

This item involves a request for MV Transportation, Inc., to provide Sunday paratransit service for the Regional Transit System (RTS) starting Sunday, August 27, 2006.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute a contract with MV Transportation, Inc., for the period of August 27, 2006 to December 23, 2006 for Sunday paratransit service; and 2) authorize the City Manager to execute any and all related documents.

This Matter was Approved as Recommended on the Consent Agenda.

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060296.

First Amendment to the Contract for Sidewalk Construction/Replacement Services (B)

This item involves an amendment to the contract for sidewalk construction/replacement services with JoyTech Construction, Inc.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the First Amendment to the Contract with JoyTech Construction, Inc., for Sidewalk Construction/Replacement Services.

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

Alternative Recommendation B: The City Commission deny the recommendation for the First Amendment and direct the City Manager to initiate advertising for new bids for the construction of sidewalks and other related concrete roadway facilities. This would result in project delays and additional administrative costs for both projects and routine tasks that require these services.

This Matter was Approved as Recommended on the Consent Agenda.

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060304.

Year-Two Continuation Funding for the State Division of Cultural Affairs for General Support Award (B)

This item involves the acceptance of the year-two continuation of a three-year general support grant from the State of Florida's Division of Cultural Affairs.

RECOMMENDATION *The City Commission: 1) accept the grant award; and 2) authorize the City Manager or his designee to execute the grant application and subsequent agreement on behalf of the City.*

This Matter was Approved as Recommended on the Consent Agenda.

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060336.

Authorization to advertise an ordinance expanding the boundaries of the Eastside Community Redevelopment Area and setting the base taxable value for the expanded area (NB)

This item authorizes the City Attorney to draft the ordinance related to the Eastside Redevelopment Plan, and the Clerk to advertise the ordinance.

RECOMMENDATION *City Manager to the City Commission: The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance expanding the boundaries of the Eastside Community Redevelopment Area and setting the base taxable value for the expanded area.*

Alternative Recommendation A: Do not authorize the City Attorney to prepare and the Clerk of Commission advertise an ordinance expanding the boundaries of the Eastside Community Redevelopment Area and setting the base taxable value for the expanded area.

This Matter was Approved as Recommended on the Consent Agenda.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

060318.

Personnel Services for Utility Professionals and Engineers (B)

Staff recommends approval of the final ranking of firms that offer personnel services for utility professionals and engineers and authorization to negotiate contracts with the four top-ranked firms.

RECOMMENDATION *The City Commission: 1) approve the final ranking of the qualified firms in the given order of preference for the provision of personnel services for utility professionals and engineers; 2) authorize the Interim General Manager, or her designee, to initiate contract negotiations with the four top-ranked firms; and 3) authorize the Interim General Manager or her designee, upon successful negotiations, to execute three year contracts with the firms, subject to*

approval of the City Attorney as to form and legality and final appropriation of funds for each year of the contract.

This Matter was Approved as Recommended on the Consent Agenda.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

060306. Professional Legal Services for Emergis U.S. Patent No. 6,044,362 - "The 362 Patent", Relating to Claimed Intellectual Property Rights of Emergis, Inc.

Retain Holland and Knight to provide legal services relating to the evaluation of and a response to assertions by Emergis, Inc., of certain intellectual property rights requiring GRU to obtain a license under these rights.

RECOMMENDATION *Authorize the City Attorney to retain the law firm of Holland and Knight LLP, to provide legal services relating to the evaluation of a response to assertions by Emergis, Inc., of certain intellectual property rights requiring GRU to obtain a license under these rights.*

This Matter was Approved as Recommended on the Consent Agenda.

060315. OCCUPATIONAL LICENSE CHALLENGE (NB)

RECOMMENDATION *The City Commission authorize the City to join as an amicus curiae in a brief filed in the Second District Court of Appeal by the Florida League of Cities.*

This Matter was Approved as Recommended on the Consent Agenda.

060316. EEOC CHARGE NO. 510-2006-03022 LUIS CASTRO VS. THE CITY OF GAINESVILLE (B)

RECOMMENDATION *The City Commission authorize the City Attorney, and/or special counsel if insurance coverage is available, to represent the City in the case styled Luis Castro vs. the City of Gainesville; EEOC Charge No.: 510-2006-03022.*

This Matter was Approved as Recommended on the Consent Agenda.

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060317.

ELLA GODBOLT WHITFORD F/K/A ELLA Z. GODBOLT VS. CITY OF GAINESVILLE; ALACHUA COUNTY CIRCUIT COURT; CASE NO.: 01-06-CA-2941 (B)

RECOMMENDATION *The City Commission authorize the City Attorney, and/or special counsel if insurance coverage is available, to represent the City in the case styled Ella Godbolt Whitford f/k/a Ella Z. Godbolt vs. City of Gainesville; Alachua County Circuit Court; Case No.: 01-06-CA-2941.*

This Matter was Approved as Recommended on the Consent Agenda.

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CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**060299.**

City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of July 17, 2006; July 18, 2006; July 20, 2006; July 25, 2006; and July 27, 2006 (Special Budget Meetings); and July 24, 2006 (Regular Meeting); as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

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060323.

Resignation of Advisory Board/Committee Member Daniel Antoine (B)

RECOMMENDATION *The City Commission accept the resignation of Student Adjunct Member Daniel Antoine from the Fire Safety Board of Adjustment effective July 25, 2006.*

This Matter was Approved as Recommended on the Consent Agenda.

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060324.

Resignation of Advisory Board/Committee Member Dr. Clarissa Confer (B)

RECOMMENDATION *The City Commission accept the resignation of Dr. Clarissa Confer from the Nature Centers Commission effective August 17, 2006.*

This Matter was Approved as Recommended on the Consent Agenda.

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060325.

Resignation of Advisory Board/Committee Member Dr. John Confer (B)

RECOMMENDATION

The City Commission accept the resignation of Dr. John Confer from the Nature Centers Commission effective August 17, 2006.

This Matter was Approved as Recommended on the Consent Agenda.

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060262.

Advisory Board/Committee Appointments to the Gainesville Code Enforcement Board (NB)

RECOMMENDATION

The City Commission appoint Alfonso T. Atwaters for a term to expire August 1, 2009, to the Gainesville Code Enforcement Board.

Commissioner Braddy: Atwaters

Commissioner Bryant: Atwaters

Commissioner Donovan: Atwaters

Commissioner Henry: Atwaters

Commissioner Lowe: Atwaters

Commissioner Mastrodicasa: Atwaters

Mayor Hanrahan: Atwaters

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC SAFETY COMMITTEE, CONSENT

060113. Use of City Streets for Fundraising (NB)

RECOMMENDATION

The City Commission 1) accept the Public Safety Committee's recommendation to authorize the City Attorney to prepare the necessary ordinance amendments to Chapter 19, Article V of the Gainesville Code of Ordinances, and 2) remove this item from the Public Safety Committee's pending referral list.

This Matter was Approved as Recommended on the Consent Agenda.

REGIONAL UTILITIES COMMITTEE, CONSENT

050791.

**Regional Utilities Committee (RUC) Outstanding Referral #050791 -
Undergrounding Utilities in the Fifth Avenue Pleasant Street CRA Area (NB)**

RECOMMENDATION *The City Commission remove this item from the Regional
Utilities Committee referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

AUDIT, FINANCE and LEGISLATIVE COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

NOTE: Commissioners Bryant and Lowe entered the meeting room at 1:05 PM.

*Commissioner Henry moved and Commissioner Donovan seconded to adopt the
Regular Agenda with the following modification.*

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

*MODIFICATION: File #050586 - Amended List of Contributing Structures in the
Pleasant Street Historic District - Quasi-Judicial - (Additional Back-up submitted by
Richard Selwach).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

060320. Joint Student Senate Meeting (NB)

RECOMMENDATION *The City Commission consider scheduling a joint meeting with the University of Florida Student Senate.*

Discussed

CITY MANAGER**060223. Request to Notify Solid Waste Haulers of Intent to Issue Exclusive Franchise Rights for Commercial and Residential Solid Waste Collection (B)**

This item involves a request by the Solid Waste Division of the Public Works Department to notify solid waste haulers of intent to issue exclusive franchise rights for commercial and residential solid waste collection.

City of Gainesville Solid Waste Manager Paul Alcantar gave a presentation.

NOTE: Commissioner Braddy entered the meeting room at 1:14 PM.

RECOMMENDATION *Recommended Motion: The City Commission: 1) authorize the publication of the notice of intent and the public hearing to consider whether to authorize one or more exclusive franchises for the provision of solid waste services to commercial properties within the City.*

Alternative Recommendation A: The City Commission deny the request to notice the intent to issue exclusive franchise rights for commercial and residential solid waste collection which would keep current disposal cost controls in place.

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

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

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060289. Legislative Update (B)

The City Commission will receive an update from staff on the Florida League of Cities' Legislative Priorities Development Process, and will discuss representation from the Commission.

*MOTION: Appoint the following representatives to the Florida League of Cities Legislative Priorities Councils as follows:
Municipal Services Delivery Council - Commissioner Scherwin Henry
Urban Planning Council - Mayor-Commissioner Pro Tem Craig Lowe
Fiscal Stewardship Council - Commissioner Jack Donovan
Home Rule Administration Council - Commissioner Jeanna Mastrodicasa
(VOTE: 7-0, MOTION CARRIED)*

RECOMMENDATION *The City Commission receive a report from staff and take action if appropriate.*

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Approved as shown above (See Motion). The motion carried by the following vote:

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

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060292.

Sponsorship of Campus and Community Sustainability Conference (B)

The City Commission will consider a request from the University of Florida for sponsorship of the Campus and Community Sustainability: Sharing Best Practices for Florida's Future Conference at the Sand Hill Crane (Silver) level in the amount of \$1,000 or as a host for one of the breakfasts (\$500) or one of the lunches (\$750).

RECOMMENDATION *The City Commission sponsor the Campus and Community Sustainability Conference at the Silver level (\$1,000).*

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

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

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GENERAL MANAGER FOR UTILITIES

060319. New Public Utilities Regulatory Policy Act (PURPA) Standards (NB)

The City Commission receive a presentation from staff describing how consideration of new Public Utility Regulatory Policies Act (PURPA) standards has begun.

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

RECOMMENDATION

The City Commission receive a presentation from staff describing how consideration of new Public Utility Regulatory Policies Act (PURPA) standards related to “smart metering”, generation interconnection, net metering, fuel diversity, and fossil fuel generation efficiency, as required by provisions enacted by Sections 1251, 1252, and 1254 of the 2005 Energy Policy Act, has begun.

Heard

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

060198.**Amendments to Vehicles for Hire Ordinance (B)**

This item requests the City Commission accept the Public Safety Committee recommendations for amendments to the Vehicles for Hire Ordinance.

Gainesville Police Department (GPD) Captain Ed Van Winkle gave a presentation.

Chair Hanrahan recognized Gainesville/Alachua County Regional Airport Authority Public Relations Manager Michelle Danisovszky who spoke to the matter.

RECOMMENDATION

Recommended Motion: The City Commission 1) accept the Public Safety Committee's recommendation for new amendments to the Vehicle for Hire Ordinance, 2) authorize the City Attorney to draft the ordinance amendments in substantially the same form as included in the backup, with the addition of sexual orientation to the non-discrimination section, 3) direct staff to incorporate the changes into the permitting process, including education to the Vehicle for Hire owners and drivers; and 4) remove this item from the

Public Safety Committee's pending referral list.

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

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

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EQUAL OPPORTUNITY COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

060342. Mayor Pegeen Hanrahan - University of Florida 100th Anniversary (NB)

RECOMMENDATION *The City Commission authorize staff to work with the University of Florida on their 100th Anniversary of being in Gainesville to include a historic tour of the City and University.*

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

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

COMMISSION COMMENTS (if time available)

ASSISTANT GENERAL MANAGER FOR UTILITIES KAREN JOHNSON

Seminars being offered by the American Public Power Association that Commissioners may be interested in attending.

- 1. Power Supply 101*
- 2. Policy Maker's Workshop*

See following file #060357.

060357. American Public Power Association (APPA) Workshops (B)**RECOMMENDATION**

The City Commission hear a presentation from GRU Interim General Manager for Utilities Karen Johnson regarding workshops offered by the APPA and place back-up submitted on file.

Discussed

CITY MANAGER RUSS BLACKBURN

Request to withdraw File #050585 - Amended List of Contributing Structures in the Southeast Residential Historic District (Quasi-Judicial) from the agenda.

*MOTION: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Braddy seconded to withdraw File #050585 from the agenda.
(VOTE: 7-0, MOTION CARRIED)*

Commissioner Rick Bryant

Sunshine Inn on NW 13th Street

Mayor-Commissioner Pro Tem Craig Lowe

Homeless Issues

Commissioner Ed Braddy

Homeless Issues

Mayor Pegeen Hanrahan

Homeless Issues

RECESS - 2:48 PM

RECONVENE - 5:40 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

060326. Youth Awareness Program - August 14, 2006 (B)

RECOMMENDATION *Youth Awareness Program coordinator Wayne L. Lawrence to accept the proclamation.*

Heard

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060328.

Phil Emmer and the Builders' Association of North Central Florida Day - August 14, 2006 (B)

RECOMMENDATION *Reichert House volunteer and local developer Phil Emmer to accept the proclamation.*

Heard

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060329.

Toastmasters Week - September 17-24, 2006 (B)

RECOMMENDATION *Toastmasters International Area 42 Governor James Kocher to accept the proclamation.*

Heard

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060330.

Gainesville Fire/Rescue Appreciation Month - August 2006 (B)

RECOMMENDATION *Gainesville Fire/Rescue Chief Bill Northcutt, IAFF Local 2157 President Jeff Lane, and Muscular Dystrophy Association District Director Leslie Cowart to accept the proclamation.*

Heard

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

Bob Freeman

Parking situation downtown.

Walter Willard

Various Issues

Harold Batey

Towing Issues

Sarah Poll

Fire of God Ministries - Feeding the Homeless

Richard Selwach

File #050586 - Amended List of Contributing Structures in the Pleasant Street Historic District Quasi-Judicial Hearing.

PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

050158.

DEVELOPMENT REVIEW PROCESS (B)

Ordinance No. 0-06-16; Petition 107TCH-05 PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to development review plans; amending section 30-23; adding a definition for developed industrial area; amending section 30-159; creating a new level of review for minor plans before the development review board; amending paragraph 30-350(b)(3); amending the neighborhood meeting requirements, adding an architectural/design consultant procedure for development located in community redevelopment districts and special Area Plan districts; amending paragraph 30-351(d)(1); providing for notice of development plan review for certain minor development plans; amending paragraph 30-352(b)(1); revising the background and professional requirements of the persons who may serve as development review board members; providing directions to the codifier; providing a severability clause; providing a repealing clause; providing a schedule for implementation; and providing an immediate effective date.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

Chair Hanrahan recognized Jimmy Harnsberger and Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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050585.

AMENDED LIST OF CONTRIBUTING STRUCTURES IN THE SOUTHEAST RESIDENTIAL HISTORIC DISTRICT (Quasi-Judicial) (B)

Ordinance No. 0-06-44; Petition 160MSC-06 PB

An ordinance of the City of Gainesville, Florida, amending the list of contributing buildings and structures in the Southeast Residential Historic District, as more specifically described in this ordinance; finding these additional buildings and structures as contributing structures subject to the regulations of the City's historic preservation/conservation ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION

The City Commission:

(1) Hear a report from staff on the reevaluation of the list, as requested by the Commission;

(2) City Plan Board to City Commission: The City Commission approve Petition 160MSC-06 PB, the modification of the map of the Southeast Residential Historic District;

Alternative Recommendation A: The City Commission deny the request to adopt the updated maps of the Southeast Residential Historic District. There is no fiscal impact.

Alternative Recommendation B: The City Commission modify the map of the Southeast Residential Historic District to change 4 non-contributing structures built in 1952 or earlier to contributing structures.

(3) Adopt the proposed ordinance.

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

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

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050586.**AMENDED LIST OF CONTRIBUTING STRUCTURES IN THE PLEASANT STREET HISTORIC DISTRICT (Quasi-Judicial) (B)****Ordinance No. 0-06-45; Petition 161MSC-06 PB**

An ordinance of the City of Gainesville, Florida, amending the list of contributing buildings and structures in the Pleasant Street Historic District, as more specifically described in this ordinance; finding these additional buildings and structures as contributing structures subject to the regulations of the City's historic preservation/conservation ordinance; finding one building and structure as a non-contributing structure; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Historic Preservation Planner D. Henrichs gave a presentation.

Chair Hanrahan recognized Richard Selwach and Vivian Filer who spoke to the matter.

RECOMMENDATION

The City Commission:

(1) Hear a report from staff on the reevaluation of the list, as requested by the Commission;

(2) City Plan Board to City Commission: The City Commission approve Petition 161MSC-06 PB, the modification of the map of the Pleasant Street Historic District;

Alternative Recommendation A: The City Commission deny the request to adopt the updated maps of the Pleasant Street Historic District. There is no fiscal impact.

Alternative Recommendation B: The City Commission modify the map of the Pleasant Street Historic District to change 4 non-contributing structures built in 1952 or earlier to contributing structures.

(3) Adopt the proposed ordinance.

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

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

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050910.**PLANNED DEVELOPMENT AMENDMENT - KINGSWOOD COURT (B)****Ordinance No. 0-06-48, Petition No. 10PDA-06PB**

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as “Kingswood Court”; located at 5240 Northwest 8th Avenue; adopting an additional planned development report; and additional development plan maps; amending the conditions adopted by Ordinance No. 2989; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Planner Jason Simmons gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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050911.**PLANNED DEVELOPMENT AMENDMENT - BUCK BAY (B)****Ordinance No. 0-06-60, Petition No. 12PDA-06PB**

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as “Buck Bay Planned Development”; located in the vicinity of the 7700 block of Northwest 22nd Avenue; amending the terms, conditions and requirements of the planned development as originally adopted by Alachua County Resolution No. Z-82-43; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Planner Jason Simmons gave a presentation.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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060002. TOWING ADMINISTRATIVE FEE (B)

Ordinance No. 0-06-70

An ordinance of the City of Gainesville amending section 14.5-26(a) of the Gainesville Code of Ordinances relating to trespass towing; providing for pro-rated administrative fees; providing requirements for pro-rated administrative fees; amending the Police section of Appendix A, Schedule of Fees, Rates and Charges by delineating pro-rated fee categories; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060148. ANNEXATION - LOWE 2 AND BOYKIN/WARREN (B)

Ordinance No. 0-06-64

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Acts, 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 comprising tax parcels 06712-001-000 and 06712-002-000, as more specifically described in this ordinance, generally located south of the City limits, west of the vicinity of SW 34th Street and the City limits, north of the vicinity of SW 20th Avenue and east of SW 38th Terrace; 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.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

060014.

Amend Land Use Designation from RL to REC (B)

Petition 40LUC-06 PB. City of Gainesville, agent. Mount Olive AME Church, owner. Amend the land use designation of property from RL, Residential Low Density (up to 12 units/acre) to REC, Recreation. Located at 837 Southeast 7th Avenue. Related to Petition 41ZON-06PB.

City of Gainesville Neighborhood Planning Coordinator John Wachtel gave a presentation.

Chair Hanrahan recognized Vivian Filer, Walter Willard, G. W. Mingo and Donna Isaacs who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 40LUC-06 PB. Plan Board vote 4-0.*

Staff to Plan Board - Approve

Alternative Recommendation A: Deny the land use amendment petition.

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Braddy, that this matter be Approved (Petition). The motion carried by the following vote:

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

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060015.

Rezone Property from RSF-4 to PS (B)

Petition 41ZON-06 PB. Quasi Judicial. City of Gainesville, agent. Mount Olive AME Church, owner. Rezone property from RSF-4, Single-Family Residential District (8 units/acre) to PS, Public Services and Operations District. Located at 837 Southeast 7th Avenue. Related to Petition 40LUC-06PB.

City of Gainesville Neighborhood Planning Coordinator John Wachtel gave a presentation.

Chair Hanrahan recognized Vivian Filer, Walter Willard, G. W. Mingo and Donna Isaacs who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 41ZON-06 PB. Plan Board vote 4-0.*

Staff to Plan Board - Approve

Alternative Recommendation A: Approve with the condition that the Plan Board must approve the site plan.

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

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

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060104.

Amend Southwest 13th Street Special Area Plan (B)

Petition 66TCH-06PB. Causseaux & Ellington, Inc., agent for Lakeshore Towers. Amend the Southwest 13th Street Special Area Plan to allow exceptions to the development standards for development proposals processed as a Planned Development. Related to Petitions 31LUC-06 PB and 32PDV-06 PB. (B)

City of Gainesville Senior Planner Shenley Neeley and Causseaux and Ellington Planner Brad Klosterman gave presentations.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 66TCH-06 PB. Plan Board vote 4-0.*

Staff to Plan Board - Approve

Alternative Recommendation A: Recommend denial of Petition 66TCH-06 PB.

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry
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060105.**Amend Future Land Use from MUM to RH (B)**

Petition 31LUC-06PB. Causseaux & Ellington, Inc., agent for S. Clark Butler Properties Land Trust. Amend the City of Gainesville 2000-2010 Future Land Use Map from MUM (Mixed Use Medium Intensity, 12 to 30 units per acre) to RH (Residential High Density, 8-100 units per acre). Located at 2306 SW 13th Street. Related to Petition 32PDV-06 PB.

City of Gainesville Senior Planner Shenley Neeley and Causseaux and Ellington Planner Brad Klosterman gave presentations.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 31LUC-06 PB. Plan Board vote 4-0.*

Staff to Plan Board - Approve

Alternative Recommendation A: Recommend denial of Petition 31LUC-06 PB.

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry
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060106.**Rezone Property from MU-2 and BUS to PD (B)**

Petition 32PDV-06 PB. Causseaux & Ellington, Inc., agent for S. Clark Butler Properties Land Trust. Rezone property from MU-2 (12-30 units/acre mixed use medium intensity) and BUS (General Business District) to PD (Planned Development) to rehabilitate and allow an additional 14-story residential building. Located at 2306 Southwest 13th Street. Related to 31LUC-06PB.

City of Gainesville Senior Planner Shenley Neeley and Causseaux and Ellington Planner Brad Klosterman gave presentations.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 32PDV-06 PB. Plan Board vote 4-0.*

Staff to Plan Board - Approve

*Alternative Recommendation A: Recommend denial of
Petition 32PDV-06 PB.*

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

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

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DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Scherwin Henry

Thanks to staff for auditorium lighting improvements.

CITIZEN COMMENT

Walter Willard

Various Issues

ADJOURNMENT - 8:01 PM

Kurt M. Lannon, Clerk of the Commission