

City of Gainesville

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



Meeting Minutes

Monday, April 9, 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 - 2:03 PM

ROLL CALL

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

INVOCATION

Commissioner Jack Donovan led the Invocation.

CONSENT AGENDA

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

CITY MANAGER, CONSENT AGENDA ITEMS

031290.

First Extension of Evergreen Cemetery Grounds Maintenance Agreement (B)

This item involves a request for the First Extension to the contract with Oasis Landscape Services, Inc. for the grounds maintenance of Evergreen Cemetery.

RECOMMENDATION

The City Commission: 1) approve the first extension to the contract with Oasis Landscape Services, Inc. for grounds maintenance at Evergreen Cemetery; 2) authorize the City Manager or his designee to execute the contract, subject to the approval of the City Attorney as to form and legality; and 3) approve the issuance of purchase orders for the first extension of the contract for the period a) June 2, 2007 through September 30, 2007 in an amount not to exceed \$19,562.13; and b) October 1, 2007 through June 2, 2008 in an amount not to exceed \$39,124.25.

Alternative Recommendation A: The City Commission deny the request.

This Matter was Approved as Recommended on the Consent Agenda.

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040633.

Hogtown Creek Greenway Boardwalk and Trail Construction (B)

This item authorizes a payment of \$46,825.77 to Sutron Corporation for

additional costs relating to the construction of the Hogtown Creek Greenway Boardwalk and Trail located between NW 8th Avenue and NW 16th Avenue through the Loblolly Woods.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager, or designee, to execute a modification to the existing purchase order and contract for the construction of the Hogtown Creek Greenway - Phase 1B multi-purpose boardwalk and trail issued to Sutron Corporation for additional work, increasing the amount of the purchase order from \$392,500.00 to \$439,325.77.

Alternative Recommendation A: The City Commission deny the contract amendment request. However, the contractor has performed in good faith as per direction of staff and the engineer and is entitled to just compensation. Failure to provide that compensation may expose the City to further costs.

This Matter was Approved as Recommended on the Consent Agenda.

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061073.

Support by the City of Gainesville of House Bill 3 (HB3) and Senate Bill 198 (SB198) (B)

This is a request for letters of support for House Bill 3 (HB3) and the Senate Bill 198 (SB198) from the City of Gainesville, particularly as they relate to allowing the investment of up to twenty-percent (20%) of Police and Fire Pension Fund assets in foreign securities and extending the terms of office to four (4) years for all members of the Consolidated Board of Trustees.

RECOMMENDATION

The City Commission approve the signing of letters of support for House Bill 3 (HB3) and Senate Bill 198 (SB198) to Senator Steve Oelrich, Representative Charles S. "Chuck" Chestnut, IV, Representative Debbie Boyd, and Representative Larry Cretul by the Mayor of the City of Gainesville.

This Matter was Approved as Recommended on the Consent Agenda.

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061110.

U.S. Department of Justice Bulletproof Vest Partnership (NB)

RECOMMENDATION

The City Commission authorize the City Manager to: 1) accept the \$39,470.60 in grant funds, and 2) execute any other necessary documents, pending review by the City Attorney as

to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

061111.

State of Florida - Joint Hazard Mitigation Grant Program (NB)

This item requests City Commission authorize acceptance of a grant in the amount of \$302,363 through the State of Florida - Joint Hazard Mitigation Grant Program.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager to: 1) appropriate \$75,591 from the Federal Law Enforcement Contraband Trust Fund for the local match, 2) accept the \$302,363 in grant funds, 3) execute any other necessary documents, pending review by the City Attorney as to form and legality; and 4) approve the required payments process for expending grant funds as needed.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

061131.

Disposal of Surplus Electric Distribution Equipment (B)

Staff recommends approval to enter into a contract with Solomon Corporation to dispose of miscellaneous surplus oil filled electric distribution equipment.

RECOMMENDATION

The City Commission: 1) declare electric distribution equipment removed from service and classified as decommissioned as surplus; and 2) authorize the General Manager, or her designee, to negotiate and execute a contract for the disposal of electric distribution equipment for a three year period, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

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061132.

Partial Release of Easement in the 3500 Block SW 47th Avenue (B)

Staff recommends the release of easement at 3500 SW 47th Avenue

RECOMMENDATION

The City Commission: 1) Approve the release of an easement located in the 3500 Block of SW 47th Avenue; and 2)

Authorize the Mayor to execute the Release of Easement document subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

061127.

Federal LECFTF funding for purchase of thirty six (36) Taser International X 26E Advanced Tasers and associated holsters, cartridges, replacement batteries and digital audio/video cameras.(B)

This item requests that the City Commission appropriate and expend an amount not to exceed \$60,000.00 from the Federal Law Enforcement Contraband Forfeiture Fund for the purchase of thirty six (36) Taser International X 26E Advanced Tasers and associated holsters, cartridges, replacement batteries and digital audio/video cameras for the Gainesville Police Department.

RECOMMENDATION

The Public Safety Committee recommends that the City Commission authorize the appropriation of an amount not to exceed \$60,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the purchase of thirty six (36) Taser International X26E Tasers and associated holsters, cartridges, replacement batteries and digital audio/video cameras.

This Matter was Approved as Recommended on the Consent Agenda.

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061129.

SCHEDULING OF 2008 CITY COMMISSION ELECTION BY CLERK OF THE COMMISSION (B)

RECOMMENDATION

Authorize the City Attorney to draft an ordinance amending sections 9-2(b) and (c) of the Municipal Code of Ordinances to allow the City Commission to consider at a later date the scheduling of the City Commission election to be held in 2008.

This Matter was Approved as Recommended on the Consent Agenda.

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CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

061116. Swearing-In Ceremony (NB)

RECOMMENDATION *The City Commission schedule the Swearing In ceremony and election of Mayor Pro Tem for May 3, 2007 at 12:00 Noon at the Thomas Center.*

This Matter was Approved as Recommended on the Consent Agenda.

061117. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of March 26, 2007, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

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061144. Resignation of Citizens' Advisory Committee for Community Development Member Heather Saulsbury (B)

RECOMMENDATION *The City Commission accept the resignation of Heather Saulsbury from the Citizens' Advisory Committee for Community Development 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****061045.** Federal LECFTF Funding for Corner Drug Store Interface Youth Program and Spotlight on Youth campaign (B)

This item requests that the City Commission appropriate and expend funds from the Federal Law Enforcement Contraband Forfeiture Fund for the Corner Drug Store Interface Youth Program and Spotlight on Youth campaign

RECOMMENDATION *The City Commission authorize the appropriation of an amount not to exceed \$10,000 from the State Law*

Enforcement Contraband Forfeiture Trust Fund, for the Corner Drug Store Interface Youth Program and Spotlight on Youth campaign.

This Matter was Approved as Recommended on the Consent Agenda.

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061046.

Federal LECFTF funding for purchase of thirty six (36) Taser International X 26E Advanced Tasers and associated holsters, cartridges, replacement batteries and digital audio/video cameras.(B)

This item requests that the City Commission appropriate and expend an amount not to exceed \$60,000.00 from the Federal Law Enforcement Contraband Forfeiture Fund for the purchase of thirty six (36) Taser International X 26E Advanced Tasers and associated holsters, cartridges, replacement batteries and digital audio/video cameras for the Gainesville Police Department.

RECOMMENDATION

The Public Safety Committee recommends that the City Commission authorize the appropriation of an amount not to exceed \$60,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the purchase of thirty six (36) Taser International X26E Tasers and associated holsters, cartridges, replacement batteries and digital audio/video cameras.

This Matter was Approved as Recommended on the Consent Agenda.

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Passed The Consent Agenda

A motion was made by Commissioner Bryant, 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: Rick Bryant, Jack Donovan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa
Absent: Edward Braddy and Pegeen Hanrahan

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

*Commissioner Bryant moved and Commissioner Donovan seconded to adopt the Regular Agenda with the following modifications.
(VOTE: 5-0, Commissioner Braddy and Mayor Hanrahan - Absent, MOTION*

CARRIED)

REGULAR AGENDA MODIFICATIONS:

- 1. INVOCATION - Commissioner Jack Donovan to lead the Invocation.*
- 2. File #061133 - Proclamation - Creek's Week - (Corrected recommendation - (added "Public Works Director Teresa Scott to accept the Proclamation").*
- 3. File #060927 - Legislative Update - (Waive the rules to move this item to the end of the afternoon portion of the agenda with revised language and additional back-up).*
- 4. File #061107 - Roadway Median Solicitation and Panhandling - (Remove from the agenda).*
- 5. File #061130 - Tracking and Investigating Microbial Sources in Gainesville's Urban Creeks - (Waive the rules for this item to be heard immediately after #061100 - Conceptual Plan for Payne's Prairie Sheetflow Restoration under the City Manager category).*
- 6. File #061109 - Presentation by Alachua County Commissioner Rodney Long on Entrepreneurial Charter School Initiative - (Item will be heard immediately after File #061130).*
- 7. PLEDGE OF ALLEGIANCE - GPD Color Guard to lead the Pledge.*
- 8. File #060736 & #060737 - Plan Board Petitions - (Additional back-up submitted from the City Attorney).*
- 9. File #060864 - Presentation on Juvenile Crime by the State Attorney's Office and Drug Activity & Noise in the SE 5th Avenue Neighborhood - (Revised text file - wrong version on the agenda).*

ADDITIONAL MODIFICATIONS - RECEIVED AFTER DEADLINE

- 10. File #061128 (55ZON-06 PB) - Rezoning Adoption of Airport Facility Map - (Correction in Power Point - corrected district acreage of 1,411 acres instead of 1,346 acres).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

061133.

Creeks Week - April 20-27, 2007 (B)

RECOMMENDATION

City of Gainesville Public Works Program Coordinator Sally Adkins accepted the proclamation.

Heard

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061134**Earth Day - Sunday, April 22, 2007 (B)**

RECOMMENDATION *City of Gainesville Arborist Meg Niederhofer to accept the proclamation.*

Heard

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061135**National Community Development Week - April 9-15, 2007 (B)**

RECOMMENDATION *Block Grant Manager James Hencin to accept the proclamation.*

Heard

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061136**National Public Safety Telecommunications Week - April 8-14, 2007 (B)**

RECOMMENDATION *Alachua County Combined Communications Center Technical Services Division Manager Linda Jones to accept the proclamation.*

Heard

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061137**Library Appreciation Month - April 2007 (B)**

RECOMMENDATION *Alachua County Library District Director Sol M. Hirsch, Support Services Director Jeanne Williams to accept the proclamation.*

Heard

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061138**National Fair Housing Month - April 2007 (B)**

RECOMMENDATION *City of Gainesville Equal Opportunity Director Jimmie*

Williams to accept the proclamation.

Heard

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CITY MANAGER

WAIVER OF RULES

The rules were waived by adoption of the Regular Agenda.

061100.

Conceptual Plan for Paynes Prairie Sheetflow Restoration (B)

This item is a Conceptual Project Plan that will provide necessary water quality improvements under the Total Maximum Daily Load (TMDL) regulatory program.

GRU Assistant General Manager for Water/Wastewater Administration David Richardson, Public Works Supervising Engineer Alice Rankeillor, GRU Supervising Design Engineer Rick Hutton, Dr. Bob Knight, Payne's Prairie Biologist Jim Weimer, and St. John's River Water Management District (SJRWMD) Representative Casey Fitzgerald gave presentations.

Chair Lowe recognized Robert Hutchinson, Alachua County Environmental Protection Director Chris Bird, Sierra Club Member Paula Stahmer and Dr. Richard Fry who spoke to the matter.

AMENDMENT TO MAIN MOTION: Authorize staff to develop a Memorandum of Understanding (MOU) between the City, SJRWMD and the State of Florida Department of Environmental Protection Division of Recreation and Parks for the exchange of land; and bring the MOU back to the City Commission for approval. (amended #3 in the recommendation).

RECOMMENDATION

Recommended Motion: The City Commission: 1) receive a copy of the Conceptual Plan for Paynes Prairie Sheetflow Restoration Project; 2) hear a presentation on the Conceptual Plan; 3) authorize staff to develop a Memorandum of Understanding between the City, SJRWMD, and the State of Florida Department of Environmental Protection Division of Recreation and Parks for the exchange of land and authorize the City Manager and General Manager for Utilities to execute same, subject to approval by the City Attorney as to form and legality; 4) authorize staff to begin the consultant selection process to obtain professional design services; 5) direct staff to seek grant opportunities for this project and authorize the City Manager/General Manager for Utilities to execute all selected grant opportunities and related documents for tendered grants; and 6) authorize the City

Manager and General Manager for Utilities to develop and execute a Memorandum of Understanding between PW and GRU concerning the proportional shares and responsibilities, and the allocation of future grant funding.

Alternative Recommendation A: The City Commission refer the proposed Conceptual Plan for Paynes Prairie Sheetflow Restoration to the Recreation, Cultural Affairs and Public Works Committee for review and direction.

Alternative Recommendation B: The City Commission refer the proposed Conceptual Plan for Paynes Prairie Sheetflow Restoration back to the Public Works Department and GRU for review.

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

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

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061130.

Tracking and Investigating Microbial Sources in Gainesville's Urban Creeks (B)

All three major creeks systems in Gainesville (Hogtown, Tumblin, and Sweetwater Branch) have been listed by the Florida Department of Environmental Protection (FDEP) as impaired by elevated levels of fecal coliform. Over the past two years, staff has been working with consultants to apply the latest genetic methods to determine the sources of fecal pollution in these creek systems. The results of the study will provide the foundation for meeting the Total Maximum Daily Load (TMDL) requirements established by FDEP for Gainesville's creeks.

GRU Assistant General Manager for Water/Wastewater Administration David Richardson, GRU Supervising Utility Design Engineer Brett Goodman and Public Works Program Coordinator Sally Adkins gave presentations.

Chair Lowe recognized Walter Willard who spoke to the matter.

RECOMMENDATION

The City Commission hear a presentation from staff that summarizes the results of the study titled "Tracking and Investigating Microbial Sources in Gainesville's Urban Creeks".

Heard

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061107.

Roadway Median Solicitations and Panhandling (NB)

Staff will update the City Commission on issues related to solicitation of funds and panhandling from City medians and right of ways.

RECOMMENDATION

The City Commission hear a presentation from Gainesville Police Department staff on solicitation of funds and panhandling from City medians and right of ways and options to resolve. The City Commission request the City Attorney to amend the ordinance to ban solicitation of funds and panhandling in the median.

Alternative Recommendation A: None

Alternative Recommendation B: None

Withdrawn

CITY MANAGER - (CONTINUED)

061109.

Presentation by Alachua County Commissioner Rodney Long on Entrepreneurial Charter School Initiative (B)

This item, to be presented by Alachua County Commissioner Rodney Long, is a follow-up to the City Commission's review of the Interlocal Agreement regarding the Academy of Business Ownership on January 22, 2007.

City Economic Development Director Erik Bredfeldt and Alachua County Commissioner Rodney Long gave presentations.

FIRST MOTION: Commissioner Bryant moved and Commissioner Henry seconded to waive the rules to hear the rest of this item immediately after the Pledge and the Proclamations.

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

NOTE: Commissioner Long was unable to come back to the evening portion of the meeting.

SECOND MOTION (MAIN MOTION) Commissioner Bryant moved and Commissioner Mastrodicasa seconded to continue this item to a date when Commissioner Rodney Long can return.

(VOTE: 4-0, Commissioners Braddy, Commissioner Henry and Mayor Hanrahan - Absent, MOTION CARRIED)

RECOMMENDATION

The City Commission: 1) hear a presentation by Commissioner Long on the status of the Entrepreneurial Charter School; and 2) direct staff accordingly with respect to the Interlocal Agreement.

Continued

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GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC SAFETY COMMITTEE

REGIONAL UTILITIES COMMITTEE

CITY MANAGER - (CONTINUED)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - Approximately 5:06 PM

RECONVENE - Approximately 5:42 PM

PLEDGE OF ALLEGIANCE (5:30pm)

The GPD Color Guard led the Pledge of Allegiance.

PROCLAMATIONS/SPECIAL RECOGNITIONS

061139. Child Abuse Prevention Month - April 2007 (B)

RECOMMENDATION *Alachua County Child Abuse Prevention Task Force Chair Annie McPherson and Member Sherry Kitchens to accept the proclamation.*

Heard

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061140. Jazz Appreciation Month - April 2007 (B)

RECOMMENDATION *Gainesville Friends of Jazz and Blues President Scott Koons to accept the proclamation.*

Heard

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061141. Volunteer Appreciation Month - April 2007 (B)

RECOMMENDATION *Friends of Nature Parks Chair Penny Webber to accept the proclamation.*

Heard

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061142. Days of Remembrance of the the Victims of the Holocaust - April 15-22, 2007 (B)

RECOMMENDATION *Jewish Council of North Central Florida President Abe Goldman to accept the proclamation.*

Heard

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061143. National Architecture Week - April 9-14, 2007 (B)

RECOMMENDATION *AIA Gainesville President William E. Warinner to accept the proclamation.*

Heard

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061167. Cultural Arts Coalition - Fifth Avenue Arts Festival (B)

RECOMMENDATION

Cultural Arts Coalition Director Nkwanda Jah to receive the proclamation.

Heard

CITIZEN COMMENT**Alan Hayes**

RTS Service

Jerry Williamson

- 1. Homeless Facility near the Stephen Foster neighborhood*
- 2. Cabot-Koppers Super Fund Site*
- 3. GPD Issues*
- 4. Property Tax Issues*

Michelle Reeves

Duckpond Neighborhood Association - Historic District Sign Replacement Issues

Pat Fitzpatrick

Lt. Corey Dahlem - Kindness to Homeless Residents

Richard Selwach

- 1. Panhandling Item*
- 2. Written Notification of Petitions and Ordinances*
- 3. Airport Issues*

Nancy Shepherd

Affordable Housing - Closing of Mobile Home Parks

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****060108.**

**LAND DEVELOPMENT CODE CHANGE - AIRPORT FACILITY DISTRICT
(B)**

Ordinance No. 0-06-76, Petition No. 56TCH-06PB

An ordinance of the City of Gainesville, Florida, amending the "Airport facility district (AF)" regulations and requirements; amending section 30-76 of the Land Development Code by adopting a list of uses permitted by right and related development requirements; adopting limitations and conditions on development on the Airport; providing revised requirements for rezonings and the airport facility zoning map; providing requirements for a Development of Regional Impact; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Chief of Comprehensive Planning Dean Mimms gave a presentation.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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061128.**ADOPTION OF AIRPORT FACILITY ZONING MAP (B)****Ordinance No. 0-06-77, Petition No. 55ZON-06PB**

An ordinance of the City of Gainesville, Florida, relating to the Gainesville Regional Airport; adopting a new Airport Facility Zoning Map that delineates and establishes the various development and non-development areas of the airport, as shown on the map; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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050256.**AMENDMENT TO DEVELOPMENT REVIEW PROCESS AND STANDARDS FOR SUBDIVISION APPROVAL (B)**

Ordinance No. 0-06-63; Petition 122TCH-05 PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to approval of design plats and modifying the requirements and procedures for subdivision approval; amending sections 30-180 through 30-185 and sections 30-187(b), 30-189, and 30-192(b), of Division 2, Subdivisions and Street Vacation, of Article VII, Development Review Process by amending the procedure for the approval of a final plat; amending design standards and the criteria relating to a street vacation; 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 Donovan, seconded by Commissioner Henry, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED**RESOLUTIONS- ROLL CALL REQUIRED****061101.****Resolution Concerning the City of Gainesville's Hazard Mitigation Grant Programs (B)**

This item involves a Resolution authorizing the City Manager to execute the Hazard Mitigation Grant Program Agreements.

RECOMMENDATION *The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute the Hazard Mitigation Grant Program Agreements and any other documents associated with completing these Hazard Mitigation Grant Program projects, subject to approval by the City Attorney as to form and legality.*

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

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

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PLAN BOARD PETITIONS

060736.

Amend Future Land Use Map from Alachua County RM to City of Gainesville MUM for Biltmore Corporation of Gainesville (B)

Petition 179LUC-06 PB, Biltmore Corporation of Gainesville. Amend the City of Gainesville 2000-2010 Future Land Use Map for annexed lands from Alachua County RM (Residential Medium Density) to City of Gainesville MUM (Mixed-Use Medium Intensity). Located at 4400 Southwest 20th Avenue. Related to Petition 180ZON-06PB.

STAFF PRESENTATION: City Planner Jason Simmons and Community Development Director Tom Saunders gave presentations.

PETITIONER PRESENTATION: Attorney for the Petitioner Jonathan Wershow gave a presentation.

FIRST MOTION (FINDING OF FACT MOTION): Commissioner Bryant moved and Commissioner Donovan seconded that adequate mobile home parks or other suitable facilities exist for relocation of the mobile home park owners of Alamar Gardens Mobile Home Park.

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

CITIZEN COMMENT: Chair Pro Tem Lowe recognized Alamar Gardens Residents Nancy Shepherd, Virginia Callen, Martin Foyer and Nancy Shepherd for Fran Feathers who spoke to the matter.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 179LUC-06 PB. Plan Board vote 6-0.

The City Plan Board sends further recommendations and advisory to the City Commission concerning petitions 179LUC-06PB and 180ZON-06PB as such:

The Plan Board expresses its extreme concern about affordable housing in Gainesville, with the Board's intention to look at the issue.

The Board strongly recommends that the City Commission ensures the petitioner meets their goals and objective in regards to the relocation of the mobile home park owners as stated in the public record of their submission on December 14, 2006.

The Board registers their concern that this large-scale development will truly meet its objectives of multi-use development.

Approved. Carried 5 - 1 (Nay: A. Tecler).

Staff to Plan Board - Approve

Alternative Recommendation A: Approve land use change from Alachua County RM to City of Gainesville RL (Residential Low Density, up to 12 units per acre).

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

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

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060737.

Rezone Property from Alachua County RM to City of Gainesville MU-2 for Biltmore Corporation of Gainesville (B)

Petition 180ZON-06 PB, Biltmore Corporation of Gainesville. Rezone property from Alachua County RM (Manufactured/Mobile Home Park) to City of Gainesville MU-2 (12-30 units/acre mixed-use medium intensity). Located at 4400 Southwest 20th Avenue. Related to Petition 179LUC-06PB.

STAFF PRESENTATION: City Planner Jason Simmons and Community Development Director Tom Saunders gave presentations.

PETITIONER PRESENTATION: Attorney for the Petitioner Jonathan Wershow gave a presentation.

Chair Pro Tem Lowe recognized Alamar Gardens Residents Nancy Shepherd, Virginia Callen, Martin Foyer and Nancy Shepherd for Fran Feathers.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 180ZON-06 PB. Plan Board vote 6-0.*

The City Plan Board sends further recommendations and advisory to the City Commission concerning Petitions 179LUC-06PB and 180ZON-06PB as such:

The Plan Board expresses its extreme concern about affordable housing in Gainesville, with the Board's intention to look at the issue.

The Board strongly recommends that the City Commission ensures the petitioner meets their goals and objectives in regards to the relocation of the mobile home park owners as stated in the public record of their submission on December 14, 2006.

The Board registers their concern that this large-scale development will truly meet its objectives of multi-use development.

Staff to Plan Board - Approve

Alternative Recommendation A: Approve rezoning from Alachua County RM to City of Gainesville MH (12 units/acre mobile home residential district).

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

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

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DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

060864.

Drug Activity & Noise in the SE 5th Avenue Neighborhood (NB)

MOTION: Continued to the April 23, 2007 City Commission Meeting.

RECOMMENDATION

The City Commission refer the issue of drug activity and late night noise in the SE 5th Avenue Neighborhood and also the issue of teenage boys carrying automatic weapons in the Sugar Hill Neighborhood to the Public Safety Committee.

A motion was made by Commissioner Bryant, seconded by Commissioner Donovan, that this matter be Continued for April 23, 2007. The motion carried by the following vote:

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

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UNFINISHED BUSINESS

060659.

Urban Core Redevelopment Area Wastewater Master Plan - Funding Alternatives Referral Item #060659 (B)

GRU Assistant General Manager for Water/Wastewater Administration David Richardson and GRU Supervising Utility Design Engineer Rick Hutton gave presentations.

RECOMMENDATION

City Commission hear a brief presentation from staff on the urban core wastewater collection system master plan and direct that, for projects in the urban core area only, GRU amend its existing sewer extension policy which requires developers to pay 100% of the cost of sewer improvements to provide capacity for new development. Amendments to GRU's extension policy are as follows: 1) General ratepayer funds will be used to make sewer improvements at locations in which capacity is constrained due to sewer slope; 2) The City Attorney be directed to prepare, and the City Clerk to advertise an ordinance to implement leveled connection charges to fund a portion of the cost of projects to increase trunk sewer capacity to accommodate new development in the urban core area; 3) The balance of the cost for capacity improvement projects in the urban core area will continue to be the responsibility of the developer without further use of utility funds; and 4) This item be removed from the referral list.

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

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

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060927.

Legislative Update

The City Commission will receive a report from staff regarding legislative

affairs.

City Legislative Affairs and Grants Coordinator Chris Cooper and Revenue Recovery Specialist Audrey Lewis gave presentations.

MOTION: The City Commission support the language added to the Department of Revenue's current year bill (regarding repayment of previously overpaid Communications Services Tax) through the legislative amendment process and reserve the right to repay any overages over the same time period during which such misallocations occurred or longer.

RECOMMENDATION *The City Commission receive the legislative update and take action as appropriate.*

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

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

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COMMISSION COMMENT**Commissioner Rick Bryant**

- 1. Spring Hill Development*
- 2. Lt. Corey Dahlem - Drunk Driving Issues*

Commissioner Scherwin Henry

Entrepreneurial Charter School Issue

CITIZEN COMMENT

There were no citizens who wished to speak during Citizen Comment.

ADJOURNMENT 9:00 PM

Kurt M. Lannon, Clerk of the Commission