

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, October 22, 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 - 1:09 PM****ROLL CALL**

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

**INVOCATION****CONSENT AGENDA**

*Commissioner Lowe moved and Commissioner Henry seconded to adopt the Consent Agenda with the following modifications:*

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

**MODIFICATIONS:**

*1. File #070580 Student Adjunct Advisory Board/Committee Appointments for terms to expire August, 1, 2008 - (Revised Recommendation).*

*2. File #070595 - Appointment to the Gainesville Housing Authority - (New Item - Re-appoint Andrew Mickle).*

**CITY MANAGER, CONSENT AGENDA ITEMS**

**070517. Interlocal Agreement between the City of Gainesville and Center for Urban Transportation Research (CUTR) at the University of South Florida (B)**

**This item involves a request for the City Commission to authorize the City Manager to execute a new Interlocal Agreement with the Center for Urban Transportation Research (CUTR) at the University of South Florida and Regional Transit System (RTS) to conduct a Bus Rapid Transit (BRT) study.**

**RECOMMENDATION**

*The City Commission authorize the City Manager to execute the Interlocal Agreement with the Center for Urban Transportation Research (CUTR) at the University of South Florida to conduct the BRT Feasibility Study, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation: The City Commission deny authorization for the City Manager to execute the Interlocal Agreement with the Center for Urban Transportation Research (CUTR) at the University of South Florida to conduct the BRT Feasibility Study.*

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

**070518. Agreement between the City of Gainesville and Keep Alachua County Beautiful for FY 2008 (B)**

**This item involves a request for the City Commission to approve the execution of an agreement with Keep Alachua County Beautiful in the amount of \$55,000.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to renew the Agreement with Keep Alachua County Beautiful in the amount of \$55,000 for the period of October 1, 2007 through September 30, 2008, and execute any and all necessary documents subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation: The City Commission deny the request for this Agreement and direct City Solid Waste staff to perform the tasks of this Agreement. The resulting fiscal impact will be an increase in personal services, overtime in the Solid Waste operating budget, and a potential negative impact on daily work production and operations of the Solid Waste Division.*

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

**070521. Bid Award - NW 5th Avenue, 300 to 600 Block, Streetscape Project Construction (B)**

**This item involves a request for the City Commission to authorize the bid award to Anglin Construction Co., for the NW 5th Avenue, 300 to 600 Block, Streetscape Project construction in the amount of \$387,370.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the bid award to Anglin Construction Co., for the NW 5th Avenue, 300 to 600 Block, Streetscape Project construction; and 2) authorize the City Manager to execute the contract and issue a purchase order in an amount not to exceed \$387,370.*

*Alternative Recommendation A: The City Commission deny the request for the bid award to Anglin Construction Co., and direct the City Manager to rebid the NW 5th Avenue, 300 to 600 Block, Streetscape Project construction. This would result in project delays and additional administrative costs.*

*Alternative Recommendation B: The City Commission deny the request for the bid award to Anglin Construction Co., and direct the City Manager to withdraw the NW 5th Avenue, 300 to 600 Block, Streetscape Project.*

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

**070523.                   Annexation of Tax Parcel Number 06800-008-000 (B)**

**This is the submission of petition for voluntary annexation for a parcel, which is located south of the vicinity of SW 33rd Place, west of Tax Parcel 06810-003-000 and 06800-010-000, north of SW 40th Boulevard and Tax Parcel 06800-110-000, and east of SW 40th Boulevard.**

**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.**

**070570.                   Settlement of Worker's Compensation Claim - Raymond C. Holloway (NB)**

**This item involves the full and final settlement of Mr. Holloway's workers' compensation claim(s), which will include all future medical and indemnity payments as well as all set aside amounts. The total settlement amount is \$195,000 and represents a significant cost advantage to the City.**

**RECOMMENDATION**

*The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Raymond C. Holloway, in the amount of \$195,000.*

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

**070581.                   COPS Universal Hiring Program Grant Extension (NB)**

**This item requests City Commission authorization for the Gainesville Police Department to request an extension for the COPS Universal Hiring Program Grant.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the Gainesville Police Department to request an extension to the COPS Universal Hiring Program Grant, and 2) authorize the City Manager to execute the extension and program related documents subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation*

*The City Commission decline authorization for the Gainesville Police Department to request an extension to the COPS Universal Hiring Program Grant.*

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

## **GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

## **CITY ATTORNEY, CONSENT AGENDA ITEMS**

**070563. EEOC CHARGE NO. 510-2007-02736, KEVIN LOUDER vs. CITY OF GAINESVILLE (B)**

**RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled Kevin Louder vs. the City of Gainesville; EEOC Charge No.: 510-2007-02736.*

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

**070564. Juanita White, as trustee for the Luther M. White Revocable Trust, Case No.: 01-07-CA-3986 (B)**

**RECOMMENDATION**

*The City Commission authorize the City Attorney, to represent the City in the case styled Juanita White, as trustee for the Luther M. White Revocable Trust, Case No.: 01-07-CA-3986.*

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

**070572. THE PALMS PARKING LICENSE AGREEMENT (B)**

**The City Commission approve a First Amendment to the License Agreement for Use of Parking Garage and a Collateral Assignment of License Agreement to allow the Developer of The Palms to assign its rights to 96 parking spaces in the Southwest Downtown Parking Garage to Millennium Bank as collateral for purposes of financing the construction of the project.**

**RECOMMENDATION**

*The City Commission authorize the City Manager to execute the First Amendment to License Agreement for Use of Parking Garage between the City and Southwest Second Avenue, LLC and authorize the City Manager to execute the Collateral Assignment of License Agreement between Southwest Second Avenue, LLC, Millennium Bank, and the City of Gainesville,*

*both Agreements subject to approval by the City Attorney as to form and legality.*

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

## **CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

### **070524. Joint City/County Commission Special Meeting (B)**

**RECOMMENDATION**      *The City and County Commission select County Wide visioning for the joint meeting scheduled for October 29, 2007 at 6:00 pm.*

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

### **070580. Student Adjunct Advisory Board/Committee Appointments for terms to expire August 1, 2008 (NB)**

**RECOMMENDATION**      *The City Commission appoint Student Adjunct Members to the following Advisory Boards and Committees for terms to expire August 1, 2008.*

*Bicycle/Pedestrian Advisory Board - Erica B. Carlsson  
Citizens' Advisory Committee for Community Development - Amanda E. Browder  
City Beautification Board - Osborne B. Hall  
Development Review Board - William E. Murphy  
Gainesville/Alachua County Cultural Affairs Board - Sheallah A. Palmer  
Gainesville Human Rights Board - Jacklyn A. Steinberg  
Historic Preservation Board - Michael Murphy  
Pension Review Committee - Marshall H. Mentz  
Public Recreation & Parks Board - Joseph A. Sciarrotta  
Regional Transit System Advisory Board - Raymond Cho  
Tree Advisory Board/Tree Board of Appeals - Jessica L. Kovari*

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

### **070569. 2007 Congress of Cities (B)**

**RECOMMENDATION**      *The City Commission select Commissioner Craig Lowe as voting delegate and Commissioner Jack Donovan as an alternate.*

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

**070596. Juvenile Justice Council Appointment (B)**

**RECOMMENDATION**      *The City Commission appoint Commissioner Jack Donovan to the Juvenile Justice Council.*

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

**070583. City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of Monday, October 8, 2007; as circulated.*

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

**070595. Appointment to the Gainesville Housing Authority (NB)**

**RECOMMENDATION**      *The City Commission confirm the Mayor's re-appointment of Andrew Mickle to the Gainesville Housing Authority.*

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

**Passed The Consent Agenda**

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

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

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

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

**MODIFICATION:**

*1. File #070210 - Hatchet Creek Planned Use District - (Additional back-up submitted - Addition of presentation materials provided by Noise Consultant and Plan Board minutes (3 sets), new back-up from petitioner (white folder); power point presentation from the African American Accountability Alliance(AAAA); and the Sierra Club.*

## **CHARTER OFFICER UPDATES**

## **CLERK OF THE COMMISSION**

### **070568. Nuclear Power Workshop (NB)**

*MOTION: Select the date of November 27, 2007 from 3:00 to 6:00 PM for the Nuclear Power Workshop.*

**RECOMMENDATION**      *The City Commission select a date and time for a Nuclear Power work-shop in mid-November.*

**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 and Pegeen Hanrahan  
Absent: Edward Braddy and Rick Bryant

## **CITY MANAGER**

### **070415. Fire Services Special Assessment (B)**

**This item is to provide the City Commission with an overview of the pros and cons of a Fire Services Special Assessment and the process to implement one.**

*Administrative Services Director Becky Rountree, Camille Tharpe of Government Services Group and Fire Chief Bill Northcutt gave presentations.*

*NOTE: Commissioner Braddy entered the meeting room at 1:17 PM.*

*MOTION: Commissioner Donovan moved and Commissioner Lowe seconded to move forward to step 1 to negotiate a contract with the consultant and authorize the City Attorney to draft a resolution of intent.*

*(VOTE: 6-1, Commissioner Bryant - NO, MOTION CARRIED)*

*SECOND MOTION: Commissioner Donovan moved and Commissioner Henry seconded to ask the Mayor and direct the City Manager enter into some kind of*

*significant conversation with the University to make clear that the City is starting analysis of fire assessments and fees and to identify and get clarity on the University's response by the December 10, 2007 (Regular City Commission Meeting). (VOTE: 7-0, MOTION CARRIED)*

**RECOMMENDATION**

*The City Commission: 1) hear a presentation from staff and Government Services Group, and 2) take action as deemed appropriate.*

*Alternative Recommendation A:*

*Continue to fund all of the Fire Rescue budget with ad valorem taxes.*

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

**070546.**

**Funding Request from the Implementation Committee of the Gainesville /Alachua County 10-Year Plan to End Homelessness to the City of Gainesville (B)**

**This is a request to provide partial funding in the amount of \$15,000 for Specialized Workforce Services for Homeless Persons through FloridaWorks and authorizes the City Manager to negotiate an agreement between the City of Gainesville and FloridaWorks. The remaining funds are to be requested from Alachua County Government.**

*Assistant City Manager Fred Murry and Director of Florida Works Angela Pate gave presentations.*

**RECOMMENDATION**

*The City Commission authorize the approval of \$15,000 from the City Commission Contingency Fund for Workforce Services for the homeless and direct the City Manager to negotiate an agreement with FloridaWorks for services for the period of January 1, 2008 through December 31, 2008.*

*Alternative Recommendation A: The City Commission deny the approval of \$15,000 from the City Commission Contingency Fund for Workforce Services for the homeless.*

**A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, 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

**070558.**

**General Manager for Utilities Interview Process (NB)**

**The City Commission set dates to interview candidates for the General Manager for Utilities position.**

*Administrative Services Director Becky Rountree gave a presentation.*

*NOTE: Commissioner Donovan requested that Tuesday night of the interview process be used as efficiently as possible.*

**RECOMMENDATION**      *The City Commission approve interviews for the General Manager for Utilities position to be held on December 11-12, 2007.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Braddy, 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 Peegen Hanrahan

### **070573.            Goal Setting Retreat (NB)**

**The City Commission discuss the dates for the City Commission Goal Setting retreat.**

**RECOMMENDATION**      *The City Commission 1) reschedule the Goals Setting Retreat to December 3, 2007, 2) reschedule or cancel the Community Development Committee, and 3) discuss the scope of the strategic planning session and take action as appropriate.*

*Alternative Recommendation A:*

*The City Commission: 1) confirm the dates as originally approved for the Goal Setting Retreat with the deletion of day two on December 1, 2007, and 2) discuss the scope of the strategic planning session and take action as appropriate.*

*Alternative Recommendation B:*

*The City Commission: 1) reschedule the Goal Setting Retreat to another agreed upon date, and 2) discuss the scope of the strategic planning session and take action as appropriate.*

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

## **GENERAL MANAGER FOR UTILITIES**

## **CITY ATTORNEY**

## **CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****COMMUNITY REDEVELOPMENT AGENCY****070466. Northwest Fifth Avenue Historic Structure Survey Project (B)**

*CRA Manager Anthony Lyons and Historic Preservation Planner Dee Henrichs gave presentations.*

*Chair Hanrahan recognized Robert Pearce who spoke to the matter.*

*MOTION: 1) Provide a tentative exemption for Mr. Pearce's property, 2) communicate with the consultant regarding choosing another property for the Historic Preservation Registry; and 3) bring this item back to the City Commission.*

**RECOMMENDATION**      *The City Commission forward the Northwest 5th Avenue Historic Structure Survey to the Historic Preservation Board.*

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

**OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)****Commissioner Ed Braddy**

*Gainesville Airport - Presentation Re: Solar Panels.*

*GRU General Manager Karen Johnson made comments.*

**Commissioner Jeanna Mastrodicasa**

*Alachua County Tourist Development bed tax update.*

**Commissioner Jack Donovan**

*Traffic light at Oak Hammock. 1)The Mayor to send a letter to FDOT and 2)GPD to watch the area more closely for speeders.*

**Mayor Pegeen Hanrahan**

*Hatchett Creek Development proposed hearing schedule.*

**RECESS - 4:24 PM****RECONVENE - 5:37 PM****PLEDGE OF ALLEGIANCE (5:30pm)****Gator Detachment of the Marine Corp League****PROCLAMATIONS/SPECIAL RECOGNITIONS****070574. Veterans Day - November 11, 2007 (B)****RECOMMENDATION**

*Gator Detachment of the Marine Corp League Commandant Dick Lester and Jr. Vice Commandant Greg Williams to accept the proclamation.*

**Heard**

**070575. White Cane Safety Month - October 2007 (B)****RECOMMENDATION**

*Alachua County Council of the Blind White Cane Safety Walks Chair Maxine Stallings to accept the proclamation.*

**Heard**

**070576. Respiratory Care Week - October 21-27, 2007 (B)****RECOMMENDATION**

*Santa Fe Community college Respiratory Care Program President Navrine Tahal to accept the proclamation.*

**Heard**

**070577. Epilepsy Awareness Month - November 2007 (B)**

**RECOMMENDATION**     *North Central Florida Region Epilepsy Prevention & Education Coordinator Audrey Mullett to accept the proclamation.*

**Heard**

**070578. Norma Homan Appreciation Day (B)**

**RECOMMENDATION**     *Gainesville/Alachua County Cultural Affairs Board 2007 Annual Award recipient Norma Homan to accept the proclamation.*

**Heard**

**070579. Robert Garrigues Appreciation Day (B)**

**RECOMMENDATION**     *Gainesville/Alachua County Cultural Affairs Board 2007 Lifetime Achievement Award recipient Robert Garrigues to accept the proclamation.*

**Heard**

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

*Reading and educational programs.*

**070608. Reading and Educational Programs for Adolescents (B)**

**RECOMMENDATION**     *The City Commission hear a presentation from Kali Blount and place back-up submitted on file.*

**Placed on File**

**Jonathan M. Fager**

*Apology to GPD and City Commission.*

**Barbara Ruth**

*Stephen Foster Neighborhood - Zoning Issues at NW 39th Avenue Garage.*

**070609.           Zoning of the NW 39th Avenue Garage - Citizen Comment (B)****RECOMMENDATION**

*The City Commission hear comments from Barbara Ruth and place back-up submitted on File.*

**Placed on File**

**Pat Fitzpatrick**

- 1. Global Warming.*
- 2. Homeless Issues.*

**Walter Willard**

*Various Issues.*

**Dr. Tom Bussing**

*Airport Solar Roof Project.*

**Harry Kegelmann**

*Solar Energy.*

**PUBLIC HEARINGS****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****070116.           VOLUNTARY ANNEXATION - BARNES AND OLIVE BRANCH HOME BUYERS (B)****Ordinance No. 0-07-73**

**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 Parcels 06684-000-000, 06828-000-000, 06820-000-000, 06830-000-000, and 06832-000-000, as more specifically described in this ordinance, generally located in the vicinity of SW 20th Avenue, west of the vicinity of Interstate 75, north of the vicinity of SW Archer Road, and east of Kanapaha Lake, also identified as Tax Parcel 06836-004-000; 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.

*Strategic Planning Manager Karen Snyder gave a presentation.*

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

**A motion was made by Commissioner Henry, 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, Rick Bryant and Pegeen Hanrahan  
Absent: Edward Braddy

## **ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

### **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.**

*Alamar Gardens Representative Bill Munsell and Chief of Comprehensive Planning Dean Mimms gave presentations.*

*Chair Hanrahan recognized Donald Shepherd, Nancy Shepherd and Walter Willard who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) receive the report of the Department of Community Affairs; and 2) adopt the proposed ordinance.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, 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, Rick Bryant and Pegeen Hanrahan  
Absent: Edward Braddy

### **060737.                    REZONING - 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.

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

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

**070429.                    SERVICE CHARGES FOR INSTALLATION OR TURN-ON OF UTILITY SERVICE AND FIELD VISITS FOR RECONNECTION OF UTILITY SERVICE (B)**

**Ordinance No. 0-07-81**

**AN ORDINANCE AMENDING CHAPTER 27, ARTICLE 1, SECTION 27-15 OF THE CODE OF ORDINANCES OF GAINESVILLE, FLORIDA RELATING TO SERVICE CHARGES FOR INSTALLATION OR TURN-ON OF UTILITY SERVICE AND FIELD VISITS FOR RECONNECTION OF UTILITY SERVICE; AMENDING APPENDIX A, UTILITIES SECTION (1), SUBSECTION c BY DELETING AN ADDITIONAL BILLING CHARGE FOR METERS READ BY THE CONSUMER; AMENDING APPENDIX A, UTILITIES SECTION (3), SUBSECTION c BY PROVIDING FOR A BACKFLOW TESTING FEE; AMENDING APPENDIX A, UTILITIES SECTION (7), SUBSECTION b(3) SERVICE CHARGES BY DELETING A FEE FOR TRANSFER OF UTILITY SERVICE CLASSIFICATION AND PROVIDING FOR A FIELD VISIT TRIP CHARGE; AND AMENDING APPENDIX A, UTILITIES SECTION (7)b BY ADDING SUBSECTION 10 PROVIDING FOR AN UNAUTHORIZED SERVICE INVESTIGATION FEE; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

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

**070448.                    CORRECTION OF SCRIVENER'S ERROR (URBAN SERVICES REPORT)**

(B)

**Ordinance No. 0-07-79**

**An ordinance of the City of Gainesville, Florida, correcting a scrivener's error by adding tax parcel number 06687-004-000 to the title and Section 1 of Ordinance No. 070130, which was adopted on August 27, 2007; and providing an immediate effective date.**

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

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

**070520.**

**EXTENSION OF MORATORIUM ON ELECTRONIC AND ANIMATED SIGNS (B)**

**Ordinance No. 0-07-92**

**An Ordinance of the City of Gainesville, Florida, readopting and ratifying Ordinance No. 070026, and extending the time period of the 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; providing a repealing clause; and providing an immediate effective date.**

*Community Planning Director Erik Bredfeldt gave a presentation.*

*NOTE: This item will be re-read at the November 12, 2007 City Commission Meeting.*

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

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

**A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, 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

**060499. COMPREHENSIVE PLAN AMENDMENT - AMENDMENTS TO URBAN MIXED-USE CATEGORIES (B)**

**Ordinance No. 0-06-119; Petition 140CPA-06 PB**

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan, amending Policy 4.7.1 to assign implementing zoning districts to the Urban Mixed-Use 1 (UMU-1) and Urban Mixed-Use 2 (UMU-2) future land use categories; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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

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

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

**060586. COMPREHENSIVE PLAN AMENDMENT - GAINESVILLE INNOVATION ZONE (B)**

**Ordinance No. 0-07-03; Petition No. 159CPA-06PB**

An ordinance of the City of Gainesville, Florida, creating and adding a "Gainesville Innovation Zone" to the Intergovernmental Coordination Element of the City of Gainesville 2000-2010 Comprehensive Plan; creating a Gainesville Innovation Zone; adopting a new objective and new policies; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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

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

**RESOLUTIONS- ROLL CALL REQUIRED**

**070545. Extension of Two Year Reverter Clause and Change in Ownership - Lot #22 Airport Industrial Park (B)**

**This item requests an extension via Resolution by the City Commission to the**

**two year reverter clause applicable to development and construction and a transfer of ownership on Lot #22 in the Airport Industrial Park.**

*Community Planning Services Director Erik Bredfeldt gave a presentation.*

**RECOMMENDATION**

*The City Commission: 1) approve the extension of reverter for a period of two years consistent with the time line for site planning, applicable permitting, construction and issuance of a Certificate of Occupancy and approve the proposed change of ownership; and 2) authorize the Mayor to execute a Resolution granting an extension of the reverter and consent to change of ownership for Lot #22 in the Airport Industrial Park; and authorize and direct the Clerk of the Commission to record a true and correct copy of the Resolution in the Public Records of Alachua County .*

**A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, that this matter be Approved as Recommended and 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

**060578.**

**Final Plat for Ingleside Village, Replat of a Portion of Block F (B)**

**Petition 22SUB-06DB. Brown &Cullen, Inc., agent for Andrew Kaplan. A Resolution approving the final plat of "Ingleside Village, a Replat of a Portion of Block F, Ingleside", located in the vicinity between N.W. 17th Avenue and N.W. 18th Avenue, and between N.W. 9th Street and N.W. 10th Street; accepting the dedication of the public easements as shown on the plat; providing directions to the Clerk of the Commission; and providing an immediate effective date.**

*City Planner Bedez Massey gave a presentation.*

**RECOMMENDATION**

*The City Commission adopt the Resolution that approves the final plat of Ingleside Village.*

*Development Review Board to City Commission- the City commission approves Petition 22SUB-06PB with staff conditions and with the recommendation to the city Commission to waive the sidewalk requirement. Authorized the Mayor to execute the Ingleside Village final plat.*

**A motion was made by Commissioner Braddy, seconded by Commissioner Henry, 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

**PLAN BOARD PETITIONS**

**070543. Land Use Change To Allow A Fire Station (B)**

**Petition 84LUC-07PB. Legislative Matter No. 070543. Causseaux & Ellington, Inc., agent for Desjam Enterprises, Inc. Amend the City of Gainesville 2000-2010 Future Land Use Map from PUD (Planned Use District) to PF (Public Facilities) for construction of a fire station. Zoned: PD (Planned Development). Located at 4127 Northwest 34th Street. Related to Petition 95PDA-07PB; Petition 85ZON-07PB, and Petition**

*City Planner Bedez Massey, Fire Chief Bill Northcutt, Chris Dawson of Causseaux Hewitt and Walpole, Inc. gave presentations.*

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve Petition 84LUC-07PB as submitted.*

*Staff to City Plan Board - Approve Petition 84LUC -07PB as submitted.*

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

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

**070544. Rezoning to Allow Construction of a Fire Station (B)**

**(Quasi-Judicial) Petition 85ZON-07PB. Legislative Matter No. 070544. Causseaux & Ellington, Inc., agent for Desjam Enterprises, Inc. Rezone property from PD (Planned development) to PS (Public services and operations district) for construction of a fire station. Located at 4127 Northwest 34th Street. Related to Petition 95PDA-07PB; Petition 84LUC-07PB, and Petition 96LSP-07CD.**

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve Petition 85ZON-07PB with staff conditions and the condition that the City Plan Board review the associated development plan for preliminary approval.*

*Staff to City Plan Board - Approve Petition 85ZON -07PB with staff conditions.*

**A motion was made by Commissioner Braddy, 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, Edward Braddy, Rick Bryant and Pegeen Hanrahan

**070542. Planned Development Amendment for Fire Station No. 8 (B)**

**(Quasi-Judicial) Petition 95PDA-07PB. Legislative Matter No. 070542. Causseaux & Ellington, Inc., agent for A Child's Place. Planned development amendment to reduce the lot size of the existing development. Zoned: PD (Planned Development). Located at 4127 Northwest 34th Street. Related to Petition 96LSP-07CD; Petition 84LUC-07PB and Petition 85ZON-07PB.**

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve Petition 95PDA-07PB with staff conditions and the condition that the City Plan Board review the associated development plan for preliminary approval.*

*Staff to City Plan Board - Approve Petition 95PDA -07PB with staff conditions.*

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

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

**070210. Hatchet Creek Planned Use District (B)**

**Petition 23LUC-07 PB. Ronald A. Carpenter, agent for East Gainesville Development Partners, LLC. Amend the City of Gainesville 2000-2010 Future Land Use Map from SF (Single-Family, up to 8 units per acre), IND (Industrial), and REC (Recreation) to PUD (Planned Use District to allow up to 1,500 dwelling units, 500-unit adult living facility, and up to 200,000 square feet of non-residential uses, including outdoor storage facilities. Located at 2100 Northeast 39th Avenue, adjacent to the Ironwood Golf Course.**

*Determination of speakers who cannot return tomorrow - (Tuesday, October 23, 2007).*

*Chair Hanrahan recognized Barbara Sharpe and Doris Edwards who spoke to the matter.*

*STAFF PRESENTATION: City Chief of Comprehensive Planning Dean Mimms, Planning Manager Ralph Hilliard Public Works Environmental Coordinator Mark Garland, and Noise Consultant Ted Baldwin gave presentations.*

*NOTE: Noise Consultant Ted Baldwin participated in the meeting via speaker phone.*

*CITIZEN COMMENT: Reverend Milford Griner, Ed Jennings, Jr., and Nona Jones who spoke to the matter.*

*PETITIONER'S PRESENTATION: Attorney for the Petitioner Ron Carpenter, Environmental Consultant Pete Wallace of Ecosystem Research Corporation, Fred*

*Partin of Universal Engineering, Attorney for the Petitioner Linda Shelly, Attorney for the Petitioner Mark Schneider, and Design Consultant Bob Boyd of BSB Design of Florida gave presentations.*

*WAIVER OF RULES: Commissioner Bryant moved and Commissioner Lowe seconded to waive the rules to continue the meeting until 11:45 PM.  
(VOTE: 7-0, MOTION CARRIED)*

*MOTION: Commissioner Braddy moved and Commissioner Henry seconded to continue this item to October 23, 2007 at 3:00 PM.  
(VOTE: 7-0, MOTION CARRIED)*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission deny Petition 23 LUC-07 PB with respect to changing the existing Industrial land use category to Planned Use District, and approve Petition 23LUC-07 PB with respect to changing the existing Single Family and Recreation land use categories to Planned Use District, subject to conditions as revised by the Plan Board. Plan Board vote 6-1.*

*Staff to City Commission - The City Commission deny Petition 23 LUC-07 PB with respect to changing the existing Industrial land use category to Planned Use District, and approve Petition 23LUC-07 PB with respect to changing the existing Single Family and Recreation land use categories to Planned Use District, subject to conditions.*

*Alternative Recommendation -Deny Petition 28LUC-07PB.*

*Staff to Plan Board - Deny Petition 23 LUC-07 PB with respect to changing the existing Industrial land use category to Planned Use District, and approve Petition 23LUC-07 PB with respect to changing the existing Single Family and Recreation land use categories to Planned Use District, subject to conditions.*

**A motion was made by Commissioner Braddy, seconded by Commissioner Henry, that this matter be Continued (Petition) for October 23, 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

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT - 11:31 PM**

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Kurt M. Lannon, Clerk of the Commission