

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Meeting Minutes

Thursday, June 14, 2007

3:00 PM

City Commission Workshop  
Room 016

## 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 - 3:08 PM****ROLL CALL**

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

**ADOPTION OF THE AGENDA**

*Commissioner Donovan moved and Commissioner Mastrodicasa seconded to adopt the agenda.*  
*(VOTE: 5-0, Commissioners Braddy and Bryant - Absent, MOTION CARRIED)*

**CITY MANAGER****070037. Planning for the Urban Village Area (B)**

**The City Commission hear a presentation from staff regarding the Urban Village land use scenarios.**

*Commissioner Donovan made opening statements.*

*NOTE: Commissioner Braddy entered the meeting room at 4:08 PM.*

*Community Development Director Tom Saunders, Planning Manager Ralph Hilliard, Public Works Transport Planning Analyst Debbie Leistner, RTS Director Jesus Gomez, RTS Chief Transit Planner Doug Robinson, and Alachua County Growth Management Director Rick Drummond gave presentations.*

**RECOMMENDATION** *Hear a presentation from City Staff on the Urban Village land use scenarios.*

**Discussed**

**ADJOURNMENT - 5:16 PM**

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Kurt M. Lannon, Clerk of the Commission

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Meeting Minutes

Monday, June 18, 2007

6:00 PM

City Commission Special Meeting

City Hall Auditorium

## City Commission

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

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

## CALL TO ORDER - 6:06 PM

## ADOPTION OF THE AGENDA

*NOTE: Commissioner Henry entered the meeting room at 6:07 PM and Commissioner Braddy entered the meeting room at 6:08 PM.*

*MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to adopt the agenda.*

*(VOTE: 7-0, MOTION CARRIED)*

*Chair Hanrahan recognized Dian Deevey, Paula Stahmer and Sally Dickinson who spoke to the adoption of the agenda.*

## ROLL CALL

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

## PLAN BOARD PETITION

### 070089. Amend Section 30-346(d) of City of Gainesville Land Development Code (B)

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

*City Litigation Attorney Elizabeth Waratuke and Planning Manager Ralph Hilliard gave presentations.*

*Chair Hanrahan recognized Barbara Sharpe, Robert Weaver, Arupa Freeman, Ron Barker, John Hermsdorfer, Walter Willard, Pat Malott, Bob Freeman, David Bassler, Pat Fitzpatrick, Mark Goldstein, Rob Brinkman, Jimmy Harnsberger, Susan Ward, Sara Poll and Barbara Ruth who spoke to the matter.*

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

*Staff to Plan Board - Approve*

*Staff to City Commission - Approve*

**A motion was made by Commissioner Henry, seconded by Commissioner Lowe, 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 Peegen Hanrahan

## CLERK OF THE COMMISSION

### 070134. Election Issues (B)

*City Clerk of the Commission Kurt Lannon, Supervisor of Elections Pam Carpenter and Assistant City Attorney Charles Hauck gave presentations.*

*FIRST MOTION: Commissioner Lowe moved and Commissioner Donovan seconded to select January 29, 2008 and February 19, 2008 as the election dates and authorize the City Attorney to draft and Clerk to advertise the ordinance. (Rec. 1)  
(VOTE: 7-0, MOTION CARRIED)*

*NOTE: Mayor Hanrahan and Commissioner Henry volunteered to be on the upcoming Canvassing Board.*

*SECOND MOTION: Commissioner Lowe moved and Commissioner Henry seconded to authorize changing Code section 9-6.5 d to allow the Supervisor of Elections more flexibility in accommodating early voting. (Rec. 2)  
(VOTE: 7-0, MOTION CARRIED)*

*THIRD MOTION: Commissioner Lowe moved and Commissioner Donovan seconded to work with the other municipalities and the Supervisor of Elections to establish a municipal election day in Alachua County each Spring. (Rec. 3)  
(VOTE: 6-1, Commissioner Bryant - No, MOTION CARRIED)*

*Chair Hanrahan recognized Alex Patton, Brian Harmon, Rob Brinkman and Vincent Lipsio who spoke to the matter.*

*FOURTH MOTION: Commissioner Lowe moved and Commissioner Braddy seconded to refer the issue of election auditing to the Audit, Finance & Legislative Committee. (Rec. 5) (See following referral item #070184).  
(VOTE: 7-0, MOTION CARRIED)*

*Chair Hanrahan recognized Vincent Lipsio who spoke to the matter.*

**RECOMMENDATION** The City Commission:

- 1) Select January 29, 2008 and February 19, 2008 as the election dates and authorize the City Attorney to draft and Clerk to advertise the ordinance.*
- 2) Authorize changing Code section 9-6.5d to allow the Supervisor of Elections more flexibility in accommodating early voting.*
- 3) Discuss scheduling elections for 2009 and beyond and*

*discuss a potential municipal election day in Alachua County each Spring.*

*4) Discuss the period between elections and Swearing-In*

*5) Election auditing*

*6. Any other election issues*

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

**070184. Election Auditing Referral (NB)**

**RECOMMENDATION** *The City Commission refer the issue of election auditing to the Audit, Finance & Legislative Committee.*

**A motion was made by Commissioner Lowe, seconded by Commissioner Braddy, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on December 18, 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

**RECESS - 8:56 PM**

**RECONVENE - 9:04 PM**

**GENERAL MANAGER FOR UTILITIES**

**070135. Energy Supply Plan (B)**

*GRU General Manager for Utilities Karen Johnson, GRU Assistant General Manager for Strategic Planning Ed Regan, Utility Forester Patrick Wolf, GRU Assistant General Manager for Energy Supply Chip Allen and Assistant General Manager for Customer Support Kathy Viehe gave presentations.*

*Chair Hanrahan recognized Paula Stahmer, Ed Brown, Tom Cunilio, Elizabeth Francis, Karen Arrington, Dian Deevey, Joshua Dickinson, Sally Dickinson, Adrienne Burgess, David Harlos, Rob Brinkman, Harald Kegelmann, Amy Richard, Danielle Imenheiser and Mark Spiller who spoke to the matter.*

**WAIVER OF RULES:** *Commissioner Lowe moved and Commissioner Henry seconded to waive the rules to extend the meeting to 11:30 PM.  
(VOTE: 7-0, MOTION CARRIED)*

**MOTION:** *Commissioner Lowe moved and Commissioner Bryant seconded that with*

respect to the RFP for Biomass Energy Supply to: 1) Approve all woody biomass fuel types and municipal solid waste as fuels, (as listed on page 18 of the presentation) which includes: Forest Thinning, Logging Residue, Municipal Solid Waste (MSW), Pulpwood and Urban Waste Wood; 2) that the Municipal Solid Waste would be restricted to low emission technology; 3) that coal and petroleum coke would be totally eliminated as fuel sources, leaving methane as an acceptable back-up fuel source; 4) approve Deerhaven as a potential site for generation; and 4) refer the issue of forest certification stewardship to the Regional Utilities Committee (RUC). (VOTE: 6-1, Commissioner Donovan, No - MOTION CARRIED)

NOTE: See following Referral Item #070181.

**RECOMMENDATION**

*The City Commission*

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

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

**070181.**

**Forest Certification Stewardship Issues (NB)**

**RECOMMENDATION**

*The City Commission refer the issue of forest certification stewardship issues to the Regional Utilities Committee.*

**A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Referred to the Regional Utilities Committee, due back on December 18, 2007. The motion carried by the following vote:**

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

**WAIVER OF RULES**

*The rules were waived by consensus to take General Citizen Comment.*

**CITIZEN COMMENT**

*John Feldman - RTS Bus Issues*

**ADJOURNMENT - 11:27 PM**

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Kurt M. Lannon, Clerk of the Commission

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Meeting Minutes

Monday, June 25, 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 - 1:04 PM****AGENDA STATEMENT****ROLL CALL**

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

**INVOCATION**

*The City Commission observed a moment of silence.*

**CONSENT AGENDA**

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

**CITY MANAGER, CONSENT AGENDA ITEMS****070079. Purchase Traffic Signal equipment, software and installation services from Naztec, Inc. (B)**

**This item involves a purchase of Traffic Signal equipment, software and installation services from Naztec, Inc in the amount of \$ 1,304,547 for Phase I of the Traffic Management System.**

**RECOMMENDATION** *Recommended Motion: The City Commission: 1) approve the purchase of the equipment, software upgrades and installation services from Naztec, Inc.; and 2) authorize the City Manager to issue a purchase order not to exceed \$1,304,547.*

*Alternative Recommendation A: The City Commission return this request for purchase to the Department and direct the Public Works Department to solicit bids.*

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

**070128. Annexation of Parcel Numbers 07872-003-001, 07872-014-002, and 07872-014-003 (B)**

**This is the submission of petition for voluntary annexation for the above**

referenced parcel numbers, which are located in the vicinity of NE 63rd Avenue, Leveda Brown Environmental Park and Transfer Station, the Airport Industrial Park, and NE Waldo Road.

**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.**

**070130.**

**Annexation of Parcel Numbers 06687-000-000, 06687-003-000, 06687-005-000, 06687-006-000, 06687-007-000 and 06686-000-000 (B)**

**This is the submission of a petition for voluntary annexation for the above referenced parcel numbers, which are located in the vicinity of SW 20th Avenue, SW 43rd Street, SW 24th Avenue and Interstate 75.**

**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.**

**070133.**

**Increase of Civil Citations Fines (B)**

**This item requests that the City Commission increase civil citation fines to \$250 for each offense, as directed on July 10, 2006.**

**RECOMMENDATION** *The City Commission authorize the City Attorney to revise the civil citation fees noted in Chapter 2, Division 6 Section 2-339, to reflect the recommendation of the joint Public Safety and Community Development Committees.*

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

**070136. Annexation of City-owned Property in the Vicinity of NE Waldo Road (B)**

**This is the submission of a petition for voluntary annexation of City-owned land in the area of NE Waldo Road, NE 63rd Avenue, and the Airport Industrial Park.**

**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.**

**070142. Edward Byrne Memorial Justice Assistance Grant Application. (NB)**

**This item requests City Commission authorization to apply for and accept Edward Byrne Memorial Justice Assistance Grant funds in the amount of \$33,000 for the Tutorial Assistance for At-Risk Youth, \$26,054.90 for the Sexual Predator and Offender Tracking Program, and \$18,532.30 for the SAFE-T Kiosk.**

**RECOMMENDATION** *The City Commission authorize the City Manager to: 1) apply to the Edward Byrne Memorial Justice Assistance Grant program for \$77,587.20 in grant funds; and 2) execute the grant application, grant award, and any other necessary documents, pending review by the City Attorney as to form and legality.*

*Alternative Recommendation*

*The City Commission decline the opportunity to apply for and receive grant funds from the Edward Byrne Memorial Justice Assistance Grant in the amount of \$77,587.20.*

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

**070132. Amendment to FY 2006-07 CDBG and HOME Program Annual Action Plan (B)**

**This amendment would create a new program activity, a Displaced Mobile Home Owner/Tenant Assistance Program, that would be funded through the HOME Program.**

**RECOMMENDATION** *Recommended Motion: The City Commission: 1) approve the*

*amendment to the FY 2006-07 CDBG and HOME Program Annual Action Plan; 2) approve the Displaced Mobile Home Owner/Tenant Assistance Program; and 3) authorize the transfer of \$100,000 within the Housing Division's FY 2006-07 budget from new housing construction and rental rehabilitation programs to the Displaced Mobile Home Owner/Tenant Assistance Program.*

*Alternative Recommendation A: The City Commission defer action on the proposed Annual Action Plan amendment and the Displaced Mobile Home Owner/Tenant Assistance Program.*

*Alternative Recommendation B: The City Commission disapprove the proposed Annual Action Plan amendment and the Displaced Mobile Home Owner/Tenant Assistance Program.*

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

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

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

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

#### **070166. City Commission Minutes (B)**

**RECOMMENDATION** *The City Commission approve the minutes of June 4 and June 11, 2007; as circulated.*

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

#### **070168. City Commission Budget Meetings (NB)**

**RECOMMENDATION** *To implement the 2007 Master Calendar, the City Commission schedule Special Meetings on the 2007-2008 General Government and Gainesville Regional Utilities Budgets on:*  
*July 11 - 3:00 PM*  
*July 16 - 6:00 PM*  
*July 17 - 3:00 PM*  
*July 19 - 3:00 PM*  
*July 26 - 3:00 PM*

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

**070171. Resignation of Development Review Board Member Russ Ingram (B)**

**RECOMMENDATION** *The City Commission accept the resignation of Russ Ingram from the Development Review Board effective immediately.*

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

**070172. Resignation of Development Review Board Member J. T. Frankenberger (B)**

**RECOMMENDATION** *The City Commission accept the resignation of J.T. Frankenberger from the Development Review Board effective immediately.*

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

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****PUBLIC SAFETY COMMITTEE, CONSENT****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT****EQUAL OPPORTUNITY COMMITTEE, CONSENT****REGIONAL UTILITIES COMMITTEE, CONSENT****070169. Removal of Outstanding Regional Utilities Committee Referral items: #050457, #050850, and #060674 (NB)**

**RECOMMENDATION** *The Regional Utilities Committee requests that the City Commission approve removing items #050457, #050850, and #060674 from the referral list.*

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

**070170. Removal of Outstanding Regional Utilities Committee Referral Item #060627 (NB)**

**RECOMMENDATION** *The Regional Utilities Committee requests that the City Commission approve removal of Item #060627 – Energy Efficiency Update from the RUC 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 Lowe, 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, Craig Lowe, Rick Bryant and Pegeen Hanrahan  
Absent: Scherwin Henry and Edward Braddy

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

*Commissioner Lowe moved and Commissioner Donovan seconded to adopt the Regular Agenda, as presented.  
(VOTE: 5-0, Commissioners Braddy and Henry - Absent, MOTION CARRIED)*

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION**

**CITY MANAGER**

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**070180. Attorney-Client Session (NB)**

**Request for attorney-client session.**

*MOTION: Schedule an attorney-client session for Tuesday, July 10, 2007 @ 5:00 PM in the City Commission Auditorium.*

*Chair Hanrahan recognized Pat Fitzpatrick who spoke to the matter.*

**RECOMMENDATION** *The City Commission authorize the Clerk of the Commission to schedule an attorney-client session in the case styled Fire of God Ministries, Inc. v. City of Gainesville; Case No.1:06cv188-SPM-AK*

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

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

## **CITY AUDITOR**

## **EQUAL OPPORTUNITY DIRECTOR**

## **COMMITTEE REPORTS (PULLED FROM CONSENT)**

## **RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**

## **PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

## **PUBLIC SAFETY COMMITTEE**

## **AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

## **REGIONAL UTILITIES COMMITTEE**

## **ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

## **OUTSIDE AGENCIES**

## **MEMBERS OF THE CITY COMMISSION**

## **COMMISSION COMMENTS (if time available)**

## **Mayor-Commissioner Pro Tem Rick Bryant**

*South East Initiative/Kennedy Homes***RECESS - 1:16 PM**

*Note: The meeting is to reconvene at 5:45 PM.*

**RECONVENE - 5:49 PM**

*NOTE: Mayor-Commissioner Pro Tem Rick Bryant called the meeting back to order at 5:49 PM.*

*Commissioner Henry was present for the evening session.*

**PLEDGE OF ALLEGIANCE (5:30pm)****Gator Detachment of the Marine Corp League****PROCLAMATIONS/SPECIAL RECOGNITIONS****070179. Independence Day - July 4, 2007 (B)**

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

**Heard**

**WAIVER OF RULES**

*Commissioner Lowe moved and Commissioner Henry seconded to waive the rules to start Citizen Comment early.*

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

**CITIZEN COMMENT****Deidre Bryan**

*Stephen Foster Neighborhood Protection Group*

**Barbara Ruth**

*Stephen Foster Neighborhood Protection Group*

**070189. Expansion of the City's Fleet Maintenance Facility - Citizen Comment (B)**

**RECOMMENDATION** *The City Commission hear comments from concerned citizens regarding the expansion of the City's Fleet Maintenance Facility and place back-up submitted on file.*

**Placed on File**

**Alan Hayes**

*Eviction Issues*

**Jerry Williamson**

*GPD Issues - See following item #070190.*

**Theodore McLeod**

*GPD Issues - See following item #070190.*

**070190. GPD Investigation Issues - Citizen Comment (B)**

**RECOMMENDATION** *The City Commission hear citizen comment from Theodore McCleod and place back-up submitted on file.*

**Placed on File**

**Pat Fitzpatrick**

*Homeless Issues - See following item #070191.*

**070191. Walk of Compassion - Homeless Issue - Citizen Comment (B)**

**RECOMMENDATION** *The City Commission hear comments from Pat Fitzpatrick and place back-up submitted on file.*

**Placed on File**

**Walter Willard**

*Various Issues*

**Dwight Adams**

*Energy Issues/Recycling Issues - See following file #070192.*

**070192. WTE vs. Recycling (Energy Issues) - Citizen Comment (B)**

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

**Placed on File**

**Richard Selwach**

*Notification/Government in the Sunshine Laws*

**Mohammed Majboor**

*Issue coming up on the agenda.*

**Cleve Sharpe**

*Night Time Golf - Ironwood Lighting - Referred to Interim Recreation and Parks Director Steve Phillips*

**PUBLIC HEARINGS****070123. Public Hearing on Public Utilities Regulatory Policy Act (PURPA) Standards 14 and 15 (B)**

**A public hearing on staff's findings and recommendations pursuant to Standards 14 and 15 of the Public Utility Regulatory Policies Act of 1978 (as amended by the Energy Policy Act of 2005), 16 U.S.C. §2621(d)(14) and (15) is required as part of the federally mandated adoption process for adoption of these standards. Staff's formal findings and recommendations to offer time of use rates, investigate advance metering technologies, and a standard interconnection contract for distributed generation will be made available to the general public by June 15, 2007. Having the first public hearing on June 25, 2007 is necessary in order in order to meet the August 8, 2007 deadline.**

*GRU Assistant General Manager for Energy Delivery Dave Beaulieu gave introductions.*

*GRU Managing Utility Analyst Dr. Heidi Lannon and GRU Attorney Skip Manasco gave presentations.*

*Chair Hanrahan recognized Richard Selwach who spoke to the matter.*

*MOTION: Accept the staff recommendation, including staff considerations, determinations, and citizen comments. The City Commission direct staff to prepare a recommended decision and recommended findings for final consideration at the July 9, 2007 meeting.*

**RECOMMENDATION** *The City Commission receive staff's findings related to offering time differentiated rates, investigating advanced metering technologies, and providing a standard interconnection contract for distributed generation, and adopt the subsequent determinations and recommendations.*

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

## **ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

### **070025. SECONDHAND DEALER HOLD-ORDERS (B)**

**Ordinance No. 0-07-37**

**An ordinance of the City of Gainesville, Florida, amending section 22-22 of Article II of Chapter 22, Code of Ordinances, entitled Secondhand Dealers; increasing the number of days for hold-orders; providing for directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*GPD Captain Edwin Book gave a presentation.*

*Chair Hanrahan recognized Richard Selwach who spoke to the matter.*

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

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

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

### **070027. GENERAL EMPLOYEES PENSION PLAN AMENDMENT (B)**

**Ordinance No. 0-07-42**

**An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances of the City of Gainesville, relating to The General Employees Pension Plan; amending section 2-526, Benefits, relating to maximum benefits and direct transfers of eligible rollover distributions; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

051019

**REZONING AND IMPOSING THE SIGNIFICANT ECOLOGICAL COMMUNITIES OVERLAY DISTRICT ON CERTAIN PROPERTIES IN SOUTHEAST GAINESVILLE (B)**

**Ordinance No. 0-06-58, Petition No. 23ZON-06PB(A)**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning and imposing the Significant Ecological Communities Overlay District category on certain properties zoned RMF-5 (12 units/acre residential low density district), RMF-6 (8-15 units/acre multiple-family residential district), RSF-1 (3.5 units/acre single-family residential district), RSF-4 (8 units/acre single-family residential district), CON (Conservation district) and MU-1 (8-30 units/acre mixed use low intensity) consisting of Tax Parcels 11243-000-000, 11283-000-000, 11284-000-000, 11286-000-000, 11287-000-000, 11288-000-000, 11356-000,000 and 16073-000-000 (totaling approximately 47 acres in size), and generally located east of Southeast 24th Street between East University Avenue and Southeast Hawthorne Road, as more specifically described in this ordinance; making findings; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*City Planning Manager Ralph Hilliard and Water and Air Research Ecologist Lynn Mosura-Bliss gave presentations.*

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

**RECOMMENDATION** *The City Commission: (1) hear a presentation from staff; and (2) adopt the proposed ordinance.*

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

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

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

**050255. AMENDMENT TO CLUSTER SUBDIVISION REQUIREMENTS (B)**

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

*City Planning Manager Ralph Hilliard gave a presentation.*

*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 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, Scherwin Henry, Craig Lowe and Pegeen Hanrahan  
Absent: Edward Braddy and Rick Bryant

**060501. LAND DEVELOPMENT CODE AMENDMENT RELATING TO MULTIPLE-FAMILY MEDIUM DENSITY RESIDENTIAL ZONING DISTRICTS (B)**

**Ordinance No. 0-06-121; Petition 142TCH-06 PB**

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

*City Planning Manager Ralph Hilliard gave a presentation.*

**RECOMMENDATION** *The City Commission 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: Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe and Pegeen Hanrahan  
Absent: Jack Donovan, Edward Braddy and Rick Bryant

**060587. LAND DEVELOPMENT CODE AMENDMENT - AMENDING USES IN PUBLIC SERVICES AND OPERATIONS DISTRICT (PS) (B)**

**Ordinance No. 0-07-04; Petition 160TCH-06 PB**

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

*City Planning Manager Ralph Hilliard gave a presentation.*

*Chair Hanrahan recognized Richard Selwach and Barbara Ruth 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, Rick Bryant and Pegeen Hanrahan  
Absent: Edward Braddy

**060858.**

**LAND DEVELOPMENT CODE AMENDMENT - PARKING REQUIREMENTS FOR LIBRARIES (B)**

**Ordinance No. 0-07-17; Petition 201TCH-06 PB**

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

*Chair Hanrahan recognized Richard Selwach who spoke to the matter.*

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

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

**060415.**

**PLANNED DEVELOPMENT AMENDMENT - METRO CORP- NW 39TH AVENUE AND 43RD STREET (B)**

**Ordinance No. 0-06-109, Petition No. 102PDA-06PB**

An Ordinance of the City of Gainesville, Florida; amending Ordinance No. 030130, that amended Ordinance No. 3805 that amended the Planned Development commonly known as "Metro Corp" located in the vicinity of the southeast corner of N.W. 39th Avenue and N.W. 43rd Street; by allowing an

additional financial institution on Lot 4; by extending the time for the development of Lots 3 and 4; by adopting revised development plan maps and a revised planned development report; amending and adopting additional conditions and restrictions as to Lot 4; providing for penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

**060584.**

**STREET VACATION - SOUTHEAST 23RD STREET (B)**

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

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

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

**051236.**

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

**Ordinance No. 0-07-14**

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

providing a repealing clause; and providing an immediate effective date.

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

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

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

**070107.**

**LANDLORD PERMITS (B)**

**Ordinance No. 0-07-15**

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

*Chair Hanrahan recognized Richard Selwach who spoke to the matter.*

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

**A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, that this matter be Adopted on 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

**070022.**

**LOCAL BUSINESS TAX RECEIPT - NAME CHANGE (B)**

**Ordinance No. 0-07-18**

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

clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

**070023. COMMUNICATION SERVICES TAX RATE INCREASE (B)**

**Ordinance No. 0-07-38**

**An ordinance of the City of Gainesville, Florida, amending section 25-81 of the Code of Ordinances of the City of Gainesville relating to the communication services tax rate; increasing the local communication services tax rate in accordance with Chapter 202.20(2) Florida Statutes; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

**RESOLUTIONS- ROLL CALL REQUIRED**

**070143. Request for support for the Alachua County Fairgrounds - Agriculture Education and Promotion Facility Grant. (B)**

**Alachua County is requesting the City Commission adopt a Resolution supporting the new fairgrounds and its Agriculture Education and Promotion Facility Grant application.**

**RECOMMENDATION** *The City Commission adopt the resolution as requested by Alachua County subject to approval by the City Attorney as to form and legality.*

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

**070173. Rules of the City Commission (B)**

**RECOMMENDATION** *The City Commission adopt the Rules of the Commission to amend the procedure for workshop/informal meetings.*

**A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, that this matter be Adopted (Resolution). The motion carried by the following vote:**

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

**PLAN BOARD PETITIONS**

**061125. Clarify Building Height Regulations - Legislative Matter No. 061125 (B)**

**Petition 35TCH-07 PB. City of Gainesville. Amend the City of Gainesville Land Development Code to clarify the building height regulations.**

*City Planning Manager Ralph Hilliard, Attorney for the Petitioner David Coffey and Consultant Linda Portal gave presentations.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 35TCH-07 PB as revised by the Plan Board. Plan Board vote 6-0.*

*Staff to City Commission - The City Commission approve Petition 35TCH-07 PB as recommended by Staff.*

*Alternative Recommendation - The City Commission deny Petition 35TCH-07PB.*

*Staff to Plan Board - Approve Petition 35TCH-07 PB.*

**A motion was made by Commissioner Lowe, seconded by Commissioner Henry, that this matter be Continued (Petition) for August 13, 2007. The motion carried by the following vote:**

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

**061124. Amend UMU-1 to Change Height Limits (B)**

**Petition 34TCH-07 PB. City of Gainesville. Amend the City of Gainesville Land Development Code, UMU-1 District (Urban Mixed-Use 1: up to 75 units per acre) to change the height limit to five stories by right and six stories by Planned Development.**

*City Planning Manager Ralph Hilliard, Attorney for the Petitioner David Coffey and Consultant Linda Portal gave presentations.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 34TCH-07 PB as modified by the Plan Board. Plan Board vote 6-0.*

*Staff to City Commission - Approve Petition 34TCH-07PB as recommended by staff.*

*Alternative Recommendation -Deny Petition 34TCH-07PB.*

*Staff to Plan Board - Approve Petition 34TCH-07 PB.*

**A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Continued (Petition) for August 13, 2007. 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

**060016. Overlay Significant Ecological Communities District on certain property (B)**

**Petition 42ZON-06 PB. City of Gainesville. Amend the City of Gainesville Land Development Code by overlaying the Significant Ecological Communities District on property zoned AGR (Agriculture district), I-1 (Limited industrial district) and I-2 (General industrial district) and RSF-1 (3.5 units/acre single-family residential district) on approximately 787 acres. Generally located at 1300 and 920 Northwest 53rd Avenue, 4555 Northwest 6th Street, 5300 North Main Street, and 3464 Northwest 21st Place.**

*QUASI-JUDICIAL HEARING:*

*STAFF INTRODUCTION: City Planning Manager Ralph Hilliard introduced the matter.*

*AFFECTED PARTY DETERMINATION:*

- 1. Carl Salifrio representing Osteen & Roberts*
- 2. Steve Cullen, Engineer for Cougar & Associates representing the White & Wurn Families*
- 3. Patrice Boyes, Attorney for the White & Wurn Families*
- 4. Mohammed Majboor*

*DISCLOSURE OF EX PARTE COMMUNICATION: Exparte communication of Commissioner Braddy and Commissioner Henry was disclosed by Mr. Wurn.*

*SWEARING IN OF THE WITNESSES: The Clerk of the Commission swore in the witnesses which included the affected parties, representatives of the affected parties, City staff, and representative of the City Ms. Lynn Mosura Bliss.*

*PRESENTATION OF THE PETITIONER (CITY): Planning Manager Ralph Hilliard introduced Consultant for the City of Gainesville Lynn Mosura-Bliss Ecologist for Water and Air Research who gave a presentation.*

*EXAMINATION OF THE WITNESS (CITY): Attorney for certain affected parties Patrice Boyes questioned Consultant for the City of Gainesville Lynn Mosura-Bliss Ecologist of Water and Air Research.*

*LAY ON TABLE MOTION: Commissioner Lowe moved to table this item to possibly take up later during the meeting. If this item is not taken up during this meeting, it would then be continued to the July 9, 2007 Regular City Commission Meeting in the afternoon between 1:00 and 4:30.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 42ZON-06 PB. Plan Board vote 4-0 and 1 abstain.*

*Staff to Plan Board - Approve*

**A motion was made by Commissioner Lowe that this matter be Continued (Petition). 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

## **DEVELOPMENT REVIEW BOARD PETITIONS**

**070131.**

**Petition 192SUB-06DB, Eng, Denman & Associates Inc., agent for Edix Investments Inc. Design plat approval of Hidden Cove Subdivision, seventeen (17) lots on 10.6 acres more-or-less. Located in the vicinity of Northwest 35th Place and Northwest 15th Terrace. Zoned: RSF-4 (B)**

**This is a petition for a design plat approval of Hidden Cove Subdivision, seventeen lots on approximately 10.6 acres.**

*City Planner Gene Francis and Agent for the Petitioner Sergio Reyes of Eng Denman and Associates gave presentations.*

*Chair Hanrahan recognized Scott Davis, Ewen Thompson, and Rob Brinkman who spoke to the matter.*

*WAIVER OF RULES: Commissioner Henry moved and Mayor-Commissioner Pro Tem Bryant seconded to waive the rules to extend the meeting to 11:15 PM. (VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)*

**RECOMMENDATION** *Development Review Board to City Commission - The City Commission approve Petition 192SUB-06DB, with staff conditions.*

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

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

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

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

## **CITIZEN COMMENT**

## **ADJOURNMENT - 11:11 PM**

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Kurt M. Lannon, Clerk of the Commission

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Meeting Minutes

Monday, July 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 - 1:05 PM****ROLL CALL**

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

**INVOCATION**

*The City Commission observed a moment of silence.*

**CONSENT AGENDA**

*Mayor-Commissioner Pro Tem Bryant moved and Commissioner Lowe seconded to adopt the Consent Agenda, as presented.*

*(VOTE: 4-0, Commissioners Braddy, Donovan and Henry - Absent, MOTION CARRIED)*

**CITY MANAGER, CONSENT AGENDA ITEMS****070080. Cost Share Agreement for Paynes Prairie Treatment Wetland (B)**

**This item involves a request for the City Commission to authorize the City Manager to enter into a cost share agreement with St. Johns River Water Management District (SJRWMD) for the Paynes Prairie Treatment Wetland.**

**RECOMMENDATION** *The City Commission to authorize the City Manager or designee to execute the cost share agreement between the City of Gainesville and St. Johns River Water Management District, subject to approval by the City Attorney as to form and legality.*

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

**070158. Acceptance of Florida EMS County Grant Award (B)**

**This item requests approval to accept \$58,000 in reimbursement grant funding from the Florida Department of Health EMS Grant Program to be distributed to the City of Gainesville through Alachua County.**

**RECOMMENDATION** *The City Commission authorize the City Manager to expend the funds for the items requested.*

*Alternate Recommendation A: The City Commission not authorize the City Manager to expend funds for the items.*

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

**070160. First Extension to the Contracts for Professional Civil Engineering Services for FY 2008 (B)**

**This item involves an extension to the Contracts for Professional Civil Engineering Services with Volkert & Associates, Inc., Causseaux, Hewett, and Walpole, Inc., Comprehensive Engineering Services, Inc. and Dyer, Riddle, Mills & Precourt, Inc.**

**RECOMMENDATION** *Recommended Motion: The City Commission: 1) authorize the City Manager to execute the First Extensions to the contracts with Volkert & Associates, Inc., Causseaux, Hewett, and Walpole, Inc., Comprehensive Engineering Services, Inc. and Dyer, Riddle, Mills & Precourt, Inc., for Professional Civil Engineering Services, extending the term of the contract from October 1, 2007 to September 30, 2008, subject to final appropriation of funds for FY2008.*

*Alternative Recommendation: The City Commission deny the recommendation for the First Extensions 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.*

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

**070162. Second Extension to the Contracts for Professional Surveying and Mapping Services for FY 2008 (B)**

**This item involves an extension to the Contracts for Professional Surveying and Mapping Services with Terrence Brannan Land Surveyor, Inc. and George F. Young, Inc.**

**RECOMMENDATION** *Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Second Extensions to the contracts with George F. Young, Inc., and Terrence Brannan Land Surveyor, Inc. for Professional Surveying and Mapping Services, extending the term of the contract from October 1, 2007 to September 30, 2008, subject to final appropriation of funds for FY2008.*

*Alternative Recommendation A: The City Commission deny the recommendation for the Second Extensions 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.*

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

**070163. The Palms Parking Agreement (B)**

**This item recommends the City Commission approve a License Agreement to allow The Palms the use of 96 parking spaces in the Southwest Downtown Parking Garage.**

**RECOMMENDATION** *Recommended Motion: The City Commission authorize the City Manager to execute the LICENSE AGREEMENT FOR USE OF PARKING GARAGE between The Palms and the City of Gainesville, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation: The City Commission not approve the LICENSE AGREEMENT FOR USE OF PARKING GARAGE and forfeits the option to generate steady revenue for guaranteed usage of the 96 parking spaces.*

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

**070182. Acceptance of \$30,000 check from Wal-Mart Stores, Inc. for Cedar Grove Park Equipment (B)**

**This is a request that the City Commission accepts the \$30,000 donation from Wal-Mart Stores, Inc. for installation of park equipment in the Cedar Grove II subdivision.**

**RECOMMENDATION** *The City Commission: 1) approve the acceptance of the \$30,000 donation from Wal-Mart Stores, Inc. for the Cedar Grove II Park equipment.*

*Alternative Recommendation: The City Commission refuse acceptance of the \$30,000 donation from Wal-Mart Stores, Inc.*

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

**070193. Grant Award - Florida Department of Environmental Protection Invasive Upland Plant Removal Program (NB)**

**This item requests that the City Commission permit the Parks, Recreation, and Cultural Affairs Department to accept a grant from the State of Florida for control of invasive weeds in Loblolly Woods Nature Park.**

**RECOMMENDATION** *The City Commission: Authorize the City Manager to execute the contract and other grant-related documents, pending approval by the City Attorney as to form and legality.*

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

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

### **070206. Central Utility Plant to Support the New Shands Hospital Complex (NB)**

Staff recommends increasing the General Manger's authorization level from \$35,000,000.00 to \$40,000,000.00 For the Central Utility Plant to support the new Shands hospital complex.

**RECOMMENDATION** *Authorize the General Manager or her designee to negotiate and execute final agreements with Shands and Burns & McDonnell, Inc. for the design, finance, construction, operation, maintenance and future expansion of the CUP required to serve the new medical complex at an initial cost not to exceed \$40,000,000.00 and for a term of 50 years, subject to approval by the City Attorney as to form and legality.*

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

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

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

### **070204. Resignation of Gainesville Energy Advisory Committee Member Kathleen Cantwell, MD (B)**

**RECOMMENDATION** *The City Commission accept the resignation of Kathleen Cantwell, MD from the Gainesville Energy Advisory Committee effective immediately.*

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

## **Passed The Consent Agenda**

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

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

*Mayor-Commissioner Pro Tem Bryant moved and Commissioner Lowe seconded to adopt the Regular Agenda with the following modifications.*

*(VOTE: 4-0, Commissioners Braddy, Donovan and Henry - Absent, MOTION CARRIED)*

- 1. File #070012 - CONSOLIDATED FIREFIGHTERS AND POLICE OFFICERS RETIREMENT PLAN - AMENDED ORDINANCE - (Page 15, line 4 - amount corrected from \$1,139,580 to \$1,139,280 per Finance Division) - The recommendation is revised to read: "The City Commission adopt the proposed ordinance as amended".*
- 2. File #061043 - PARKING SPACES FOR CORPORATE OFFICES AND CALL CENTERS ORDINANCE - The last sentence in the first paragraph of the explanation should read "Staff recommends that Section 30-332 be amended to provide one vehicle space per employee or one vehicle space per 300 square feet of gross floor area, whichever is greater, and bicycle spaces that equal 10% of the minimum vehicle spaces". (The back-up is correct).*
- 3. File #070195 - Clerk of the Commission Evaluation - Continued to the July 23, 2007 Regular City Commission Meeting.*

**CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION****CITY MANAGER**

**070141. Report to the City Commission on the 2nd Annual Conference on Best Practices in Building University/City Relations (B)**

**This item is to provide a report on the 2nd Annual Conference on Best Practices in Building University/City Relations that was held in Gainesville on June 7-10, 2007.**

*University of Florida Assistant Dean of Students and Director of Off-Campus Life Ms. Nora Kilroy gave a presentation.*

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

**RECOMMENDATION** *The City Commission receive a report from the Conference Planning Committee*

**Heard**

## **GENERAL MANAGER FOR UTILITIES**

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

**On June 25, 2007, staff presented the Staff Recommendation, the schedule and public participation procedure for consideration and determination of Standards 14 and 15 of the Public Utility Regulatory Policies Act of 1978 (as amended by the Energy Policy Act of 2005), 16 U.S.C. §2621(d)(14) and (15). The City Commission received public input and made comments. The Recommended Decision prepared by staff outlines considerations, findings and determinations recommended for the City Commission.**

*GRU Managing Utility Analyst Dr. Heidi Lannon gave a presentation.*

*AMENDMENT: Under - The Gainesville City Commission find as to Standard 15 of the public Utility Regulatory Polices Act of 1978 (as amended by the Energy Policy Act of 2005), the following:*

- 1. The interconnection of distributed generation is an efficient and effective way to support the electrical systems; and*
- 2. Standards will assist distributed resource owners or operators to determine requirements for electric system interconnection; and*
- 3. Interconnection standards should be adopted to establish terms and conditions to facilitate the interconnection of distributed resources to the electric systems, effective October 1, 2007.*

**RECOMMENDATION** *The Gainesville City Commission find as to Standard 14 of the Public Utility Regulatory Policies Act of 1978 (as amended by the Energy Policy Act of 2005), the following:*

- 1. Time based metering and communications promote conservation and the efficient use of utility resources; and,*
- 2. Standards implementing procedures for time based metering and communications should be adopted; and,*
- 3. Voluntary time differentiated rates for all classes should be developed for implementation October 1, 2008.*

*The Gainesville City Commission find as to Standard 15 of the Public Utility Regulatory Policies Act of 1978 (as amended by the Energy Policy Act of 2005), the following:*

- 1. Standards will assist customers in determining requirements for interconnection; and,*

2. *The interconnection of distributed generation is an efficient and effective way to support the electrical systems; and,*  
3. *Standards implementing interconnection for distributed resources should be adopted to establish terms and conditions to facilitate the interconnection to the electric systems, effective October 1, 2007.*

*The Gainesville City Commission makes the following determinations:*

*a) Standard 14 of the Public Utility Regulatory Policies Act of 1978 (as amended by the Energy Policy Act of 2005), 16 U.S.C. §2621(d)(14) should be implemented through the adoption of voluntary time differentiated rates for all classes of customer by October 1, 2008; and,*

*b) Standard 15 of the Public Utility Regulatory Policies Act of 1978 (as amended by the Energy Policy Act of 2005), 16 U.S.C. §2621(d)(15) should be implemented through the adoption of interconnection standards to support distributed generation at any scale, by October 1, 2007.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Mastrodicasa, that this matter be Approved as Amended. The motion carried by the following vote:**

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

## **CITY ATTORNEY**

## **CITY AUDITOR**

## **EQUAL OPPORTUNITY DIRECTOR**

## **COMMITTEE REPORTS (PULLED FROM CONSENT)**

## **ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

## **OUTSIDE AGENCIES**

## **MEMBERS OF THE CITY COMMISSION**

### **070195. Clerk of the Commission Evaluation (NB)**

*NOTE: This item was continued to July 23, 2007 by adoption of the Regular Agenda.*

**RECOMMENDATION** *The City Commission review the performance of the Clerk of*

*the Commission.*

Continued

**060016. Overlay Significant Ecological Communities District on certain property (B)**

**Petition 42ZON-06 PB. City of Gainesville. Amend the City of Gainesville Land Development Code by overlaying the Significant Ecological Communities District on property zoned AGR (Agriculture district), I-1 (Limited industrial district) and I-2 (General industrial district) and RSF-1 (3.5 units/acre single-family residential district) on approximately 787 acres. Generally located at 1300 and 920 Northwest 53rd Avenue, 4555 Northwest 6th Street, 5300 North Main Street, and 3464 Northwest 21st Place.**

*FIRST MOTION (LAY ON THE TABLE MOTION): Mayor-Commissioner Pro Tem Bryant moved and Commissioner Lowe seconded to table this item by consensus.*

*SECOND MOTION (MAIN MOTION): Commissioner Lowe moved and Commissioner Mastrodicasa seconded to take this item from the table and continue to August 23, 2007 at 6:00 PM.*

*(VOTE: 7-0, MOTION CARRIED)*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 42ZON-06 PB. Plan Board vote 4-0 and 1 abstain.*

*Staff to Plan Board - Approve*

**A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, that this matter be Continued for August 23, 2007. 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

**COMMISSION COMMENTS (if time available)**

**RECESS - 1:39 PM**

**RECONVENE - 5:42 PM**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**070197. Electric Lineworker Appreciation Day - July 9, 2007 (B)**

**RECOMMENDATION** *GRU Electric Systems Ops Manager & Team Sponsor David Sparks, GRU Journeyman Lineworker Brad Thomas, and GRU Lineworker Apprentice Darren Briscoe to accept the proclamation.*

Heard

**070198. Americans with Disabilities Act Awareness Month - July 2007 (B)**

**RECOMMENDATION** *City of Gainesville Equal Opportunity Director Jimmie Williams to accept the proclamation.*

Heard

**070205. Partnership for Working Toward Inclusive Communities (B)**

**RECOMMENDATION** *Equal Opportunity Director Jimmie Williams to accept the proclamation.*

Heard

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

*GRU Bills - Late Fees.*

**Jerry Williamson**

*GPD Issue*

**Alan Hayes**

*Housing Issues for Convicted Felons*

**Clifford Ferguson**

- 1. Racism Issues*
- 2. Illegal Immigrant Workers*

**Pat Fitzpatrick**

*Homeless Issues*

**PUBLIC HEARINGS****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****061043. PARKING SPACES FOR CORPORATE OFFICES AND CALL CENTERS (B)****Ordinance No. 0-07-29; Petition 22TCH-07PB**

An ordinance of the City of Gainesville, Florida, amending Section 30-332 of the Land Development Code, relating to required number of parking spaces; adding parking space requirements for corporate offices and call centers to subsection 30-332(c); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION** *The City Commission (1) approve Petition 22 TCH-07 PB; and (2) adopt the proposed ordinance.*

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

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

**050749. ROAM TOWING REGULATIONS (B)****Ordinance No.: 0-07-40**

An ordinance of the City of Gainesville amending Chapter 14.5, Article III, consisting of Sections 14.5-25 thru 14.5-38 of the Gainesville Code of Ordinances relating to towing from certain private property; by providing definitions; by requiring owner, operator and vehicle registration for trespass towing; requiring wrecker operator permits; providing permit specifications; providing for permit revocation and appeal; clarifying requirement for agreement when property ownership changes; requiring the establishment of maximum rates for multiple classes of vehicles; requiring cash, major credit card and debit card payment options; prohibiting temporary storage of vehicles under tow; requiring photographs depicting violation and requiring telephone monitoring or staffing to provide specified information to owners or authorized drivers of vehicles; amending the Police section of Appendix A, Schedule of Fees, Rates and Charges by providing registration and permit fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*City Police Chief Norm Botsford and Lt. Sherry Scott gave presentations.*

*Chair Hanrahan recognized Ryan Williams Manager of Watson Towing, Brian Finkle of UF Student Government, Stan Foron of Ultimate Towing, Mike Weber of Superior Towing and Pat Fitzpatrick who spoke to the matter.*

*AMENDMENT: In addition to adopting the ordinance on first reading, authorize the City Attorney to draft a resolution setting the maximum fees for different classes of vehicles as provided in the TRA Identification Guide.*

**RECOMMENDATION** *The City Commission: 1) adopt the proposed ordinance and 2) authorize the City Attorney to draft a resolution setting maximum fees for different classes of vehicles as provided for in the "TRAA Vehicle Identification Guide".*

**A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Adopted on First Reading, as amended (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

**051224. DOMESTIC PARTNERSHIP REGISTRY (B)**

**Ordinance No. 0-07-46**

**An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances of the City of Gainesville, by creating and adding an Article VII, under Chapter 2 of the Code, entitled "Registered Domestic Partnerships," providing for registered domestic partnerships and setting forth the rights and legal effects of such partnerships; amending Appendix "A" by creating and adding a section entitled "Registered Domestic Partnerships," setting forth fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*City Equal Opportunity Director Jimmie Williams gave a presentation.*

*Chair Hanrahan recognized Terry Fleming, Pat Carnecio, Horatio Sierra, Susan Fairforest 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 First Reading (Ordinance). The motion carried by the following vote:**

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

**070089. LAND DEVELOPMENT CODE AMENDMENT - NONCONFORMING USES (B)**

**Ordinance No. 0-07-45, Petition No. 51TCH-07PB**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code; amending Section 30-346(d) providing that the Standard Industrial Classification Manual categories are not used in residential districts**

for classification purposes; and providing that a non-conforming membership organization in a residential district may be changed to a place of religious assembly; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Chair Hanrahan recognized Dr. Jimmie Harnsberger, Mark Goldstein, Mac McEachern, Barbara Ruth, Pat Fitzpatrick and Susan Fairforest who spoke to the matter.*

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

**070088. ADULT AND SEXUALLY ORIENTED BUSINESSES, NON-CONFORMING USE (B)**

**Ordinance No. 0-07-47; Petition 53TCH-07PB**

**An ordinance of the City of Gainesville, Florida, amending Section 30-90 of the Land Development Code, relating to adult and sexually oriented establishments; deleting the requirement in subsection 30-90(f) that a change of tenant or ownership terminates an existing nonconforming use; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

*Chair Hanrahan recognized Dr. Jimmy Harnsberger who spoke to the matter.*

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

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

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

**061107. PEDDLING, CANVASSING, SOLICITING AND PANHANDLING (B)**

**ORDINANCE NO.: 0-07-48**

**An ordinance of the City of Gainesville, Florida, amending Chapter 19 of the Code of Ordinances entitled Peddlers, Solicitors and Canvassers, consisting of Sections 19-15 thru 19-17, Section 19-20, Sections 19-79 thru 19-82, Section**

19-96, and Sections 19-126 thru 19-127; repealing Sections 19-51 thru 19-55, Sections 19-110 thru 19-113, and Sections 19-122 thru 19-124 of the Code of Ordinances; providing for the purpose and intent to promote the public health, welfare and safety; providing definitions; providing restrictions and requirements; prohibiting peddlers from peddling from any operator or occupant of a vehicle that is on a portion of a public street that is in use by vehicular traffic; prohibiting operators or occupant of vehicles that are in traffic on a public street from buying goods, wares or merchandise from peddlers while vehicle is on portion of public street in use by vehicular traffic; prohibiting any person from standing on a traffic median, bicycle path or public street to peddle or canvass from an operator or occupant of any vehicle when in use by vehicular traffic; prohibiting beggars, panhandlers or solicitors from begging, panhandling or soliciting from any operator or occupant of a vehicle that is in traffic on a public street; prohibiting any operator or occupant of a vehicle that is in traffic on a public street from engaging in a transaction with a beggar, panhandler or solicitor while a vehicle is on a portion of a public street in use by vehicular traffic; prohibiting any person from standing on a traffic median, bicycle path or public street to beg, panhandle or solicit when in use by vehicular traffic; repealing Article III relating to fundraising by a nonprofit organization; amending restrictions and prohibitions on begging, panhandling or soliciting on private and public property; removing sign message requirements for vending booths and itinerant vendors; repealing Article V relating to street solicitation by a nonprofit organization; amending the definition of handbills; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

*GPD Captain Ed Book, Chief Norm Botsford and Assistant City Attorney Stephanie Marchman gave presentations.*

*Chair Hanrahan recognized Dr. Chris Cogle of the University of Florida, Terry Fleming, Ann Hudson, Pat Fitzpatrick and Rob Brinkman who spoke to the matter.*

**RECOMMENDATION** *The City Commission: 1) hear staff presentation; and 2) adopt the proposed ordinance.*

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

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

### **070025. SECONDHAND DEALER HOLD-ORDERS (B)**

**Ordinance No. 0-07-37**

**An ordinance of the City of Gainesville, Florida, amending section 22-22 of Article II of Chapter 22, Code of Ordinances, entitled Secondhand Dealers; increasing the number of days for hold-orders; providing for directions to the**

codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

**070027.**

**GENERAL EMPLOYEES PENSION PLAN AMENDMENT (B)**

**Ordinance No. 0-07-42**

**An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances of the City of Gainesville, relating to The General Employees Pension Plan; amending section 2-526, Benefits, relating to maximum benefits and direct transfers of eligible rollover distributions; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

**A motion was made by Commissioner 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, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

**070012.**

**CONSOLIDATED POLICE OFFICERS AND FIREFIGHTERS RETIREMENT PLAN (B)**

**Ordinance No. 0-07-22**

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

*City Finance Director Mark Benton gave a presentation.*

**RECOMMENDATION** *The City Commission adopt the proposed ordinance, as*

*amended.*

**A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, that this matter be Adopted on Final Reading, as amended (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

**051019**

**REZONING AND IMPOSING THE SIGNIFICANT ECOLOGICAL COMMUNITIES OVERLAY DISTRICT ON CERTAIN PROPERTIES IN SOUTHEAST GAINESVILLE (B)**

**Ordinance No. 0-06-58, Petition No. 23ZON-06PB(A)**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning and imposing the Significant Ecological Communities Overlay District category on certain properties zoned RMF-5 (12 units/acre residential low density district), RMF-6 (8-15 units/acre multiple-family residential district), RSF-1 (3.5 units/acre single-family residential district), RSF-4 (8 units/acre single-family residential district), CON (Conservation district) and MU-1 (8-30 units/acre mixed use low intensity) consisting of Tax Parcels 11243-000-000, 11283-000-000, 11284-000-000, 11286-000-000, 11287-000-000, 11288-000-000, 11356-000,000 and 16073-000-000 (totaling approximately 47 acres in size), and generally located east of Southeast 24th Street between East University Avenue and Southeast Hawthorne Road, as more specifically described in this ordinance; making findings; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**RECOMMENDATION** *The City Commission: (1) hear a presentation from staff; and (2) adopt the proposed ordinance.*

**A motion was made by Commissioner Lowe, seconded by 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 Pegeen Hanrahan  
Absent: Rick Bryant

**RESOLUTIONS- ROLL CALL REQUIRED**

**070161. Resolution Concerning the City of Gainesville's Regional Transit System FY2007 Program of Projects (POP) and FY 2004-2005 Performance Measures (B)**

**This item involves a Resolution authorizing the filing of an application with the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT).**

**RECOMMENDATION** *The City Commission: 1) adopt the Resolution; and 2) approve the Program of Projects for FY 2007.*

**A motion was made by Commissioner Donovan, 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 and Pegeen Hanrahan  
Absent: Rick Bryant

## PLAN BOARD PETITIONS

## DEVELOPMENT REVIEW BOARD PETITIONS

## SCHEDULED EVENING AGENDA ITEMS

**070196.** **Appeal of Denial by Historic Preservation Board of Certificate of Appropriateness for Demolition of 1102 Southwest 6th Avenue, 1116 Southwest 6th Avenue, and the garage behind 1101 Southwest 5th Avenue. The proposal includes replacing the historic structures with structures ranging in height from three to four stories. (B)**

*NOTE: This item was continued to the July 16, 2007 Special City Commission Meeting at 6:00 PM.*

**RECOMMENDATION** *The City Commission continue the appeal.*

**A motion was made by Commissioner Lowe, seconded by Commissioner Henry, that this matter be Continued for July 16, 2007. 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

## UNFINISHED BUSINESS

## COMMISSION COMMENT

### Commissioner Craig Lowe

*GEAC participating with the Regional Utilities Committee creating Gainesville's Energy Policy - See following referral item # 070084.*

**070084. City of Gainesville Energy Policy - Gainesville Energy Advisory Committee (GEAC) (NB)**

**RECOMMENDATION** *The City Commission invite the Gainesville Energy Advisory Committee to participate with the Regional Utilities Committee in creating an energy policy for the City of Gainesville.*

**A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, that this matter be Referred to the Regional Utilities Committee, due back on January 9, 2008. 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

**Commissioner Jeanna Mastrodicasa**

*Commercial Solid Waste Collection Issues Downtown - See following Referral Item # 070226.*

**070226. Solid Waste Collection in the Downtown Area (NB)**

**RECOMMENDATION** *The City Commission refer the sufficiency of the process of commercial solid waste collection in the Downtown area and in the College Park/University Heights areas to the Recreation, Cultural Affairs and Public Works Committee.*

**A motion was made by Commissioner Mastrodicasa, seconded by Commissioner Lowe, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on January 9, 2008. 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

**Commissioner Scherwin Henry**

- 1. Juneteenth Festival*
- 2. Southeast Gainesville Renaissance Initiative (SEGRI) Visioning Charrette*
- 3. Atlanta Trip - Special EDUCC Meeting to discuss what was learned during the Atlanta Trip "Download Session" - invite City Commission, participants and others - Visioning Charrette - Clerk and City Manager to schedule.*

**CITIZEN COMMENT**

**Kevin Daly**

- 1. Audio Issues - Channel 12*

2. *Domestic Partner Registry - Heterosexuals Included*
3. *Bike Paths*

**Rob Brinkman**

*Coal Fired Power Plants*

**ADJOURNMENT - 9:28 PM**

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Kurt M. Lannon, Clerk of the Commission

