

City of Gainesville

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



Meeting Minutes

Monday, February 14, 2005

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Tony Domenech (District 3)
Commissioner Warren Nielsen (At Large)
Commissioner Rick Bryant (At Large)
Commissioner Chuck Chestnut (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Craig Lowe (District 4)*

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

CALL TO ORDER - 1:10 PM**ROLL CALL**

Present: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

INVOCATION**CONSENT AGENDA**

*Commissioner Bryant moved and Mayor-Commissioner Pro Tem Domenech seconded to adopt the Consent Agenda with the following modification:
(VOTE: 7-0, MOTION CARRIED)*

MODIFICATION:

1. File #040935 - Appointment to the Regional Transit System Advisory Board - (Maxinne Stallings requests that her name be removed from consideration for the board).

CITY MANAGER, CONSENT AGENDA ITEMS**040940 Summer Playground Update (NB)**

RECOMMENDATION *The City Commission refer this matter to the Recreation and Cultural Affairs Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

040941 Contract for the Installation of Landscaping and Irrigation in the NE 3rd Avenue Medians (B)

RECOMMENDATION *The City Commission: 1) award the contract for the installation of landscaping and irrigation to Oasis Landscaping Services, Inc.; and 2) approve the issuance of a purchase order to Oasis Landscaping Services, Inc. in an amount not to exceed \$29, 296.*

This Matter was Approved as Recommended on the Consent Agenda.

040942 Continuation of Employee Bus Pass Program for Downtown City, County and UF Employees (B)

RECOMMENDATION *The City Commission: 1) approve the annual contract for*

continuation of the Employee Bus Pass Program for Downtown City Employees through January 2006; and 2) authorize the Interim City Manager or designee to execute interlocal agreements with University of Florida and Alachua County for a continuation of the Employee Bus Pass Program.

This Matter was Approved as Recommended on the Consent Agenda.

040943 City Parking Lot 10 - Pay for Nighttime Parking (NB)

RECOMMENDATION *The City Commission authorize: 1) a pay for nighttime parking in City Parking Lot 10 on Thursday, Friday and Saturday nights; 2) a parking fee of \$5 per vehicle; and 3) revenues be deposited in the Parking Garage Revenue Account.*

This Matter was Approved as Recommended on the Consent Agenda.

040960 Contract Award for Leasing Retail Space in the New City Parking Garage (B)

RECOMMENDATION *The City Commission: 1) accept the proposal from Nautilus Realty, Inc.; 2) authorize the Interim City Manager to negotiate a contract and execute any related documents, subject to 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

040948 Release of Easement at 2519 NE 13th Avenue, Cedar Grove Unit 1, Lot 11 (B)

RECOMMENDATION *The City Commission: 1) approve the release of a platted public utilities easement; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement document, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

040956 Grant of Easement (B)

RECOMMENDATION *The City Commission: 1) approve the granting of a perpetual easement for the discharge of storm water from retention ponds across a portion of the City's electric transmission*

right-of-way adjacent to property owned by the Catholic Diocese of St. Augustine; and 2) authorize the Mayor and Clerk of the Commission to execute the Easement, substantially in the form on file, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

040958 Amended Drainage Agreement and Easement (B)

RECOMMENDATION *The City Commission: 1) approve an amended drainage agreement to allow a change in location of an existing drainage easement currently located on property owned by Eugene B. Haufler, Trustee of the Eugene B. Haufler Revocable Trust, Oscar E. Haufler, Trustee of the Oscar E. Haufler Trust, and Ernest L. Haufler, Trustee of the Ernest L. Haufler Revocable Trust and Thirty-Ninth Avenue Limited Partnership, Ltd. (collectively the "Hauflers"); and 2) authorize the General Manager for Utilities to execute the First Amended Drainage Agreement, substantially in the form on file, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

040959 Force Main and Reclaimed Water Main Crossings at the 10000 to 11000 Blocks of SW 24th Avenue by Jack and Bore (B)

RECOMMENDATION *The City Commission approve the issuance of a purchase order to Utility Service of Gainesville, Inc. for construction of a 16-inch force main and 16-inch reclaimed water main crossings at five locations in the 10000 to 11000 Blocks of SW 24th Avenue in an amount not to exceed \$240,440.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

040949 ERIKA ZIMMERMAN V. CITY OF GAINESVILLE AND FLORIDA CREATIVE PAVING UNLIMITED, INC.; ALACHUA COUNTY CIRCUIT COURT; CASE NO.: 01-05-CA-75 (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Erika Zimmerman v. City of Gainesville and Florida Creative Paving Unlimited, Inc.; Alachua County Circuit Court; Case No.: 01-05-CA-75.*

This Matter was Approved as Recommended on the Consent Agenda.

**040950 CITY OF GAINESVILLE, FLORIDA V. STATE OF FLORIDA,
DEPARTMENT OF TRANSPORTATION; LEON COUNTY CIRCUIT
COURT; CASE NO.: 2004-CA-2564 (B)**

RECOMMENDATION *The City Commission authorize the City Attorney's Office to file an appeal to the First District Court of Appeal.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

040962 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of January 13, 2005 (Workshop); January 24, 2005 (Regular Meeting); and January 31, 2005 (Special Meeting); as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

040926 Advisory Board/Committee Appointments of Justin DeLeo and Michele LeSure to the Bicycle/Pedestrian Advisory Board (NB)

RECOMMENDATION *The City Commission reappoint Justin DeLeo for a term to expire December 31, 2007 and appoint Michele LeSure to a vacancy to expire December 31, 2005.
Commissioner Braddy: DeLeo and LeSure
Commissioner Bryant: DeLeo and LeSure
Commissioner Chestnut: DeLeo and LeSure
Commissioner Domenech: DeLeo and LeSure
Commissioner Lowe: DeLeo and LeSure
Commissioner Nielsen: DeLeo and LeSure
Mayor Hanrahan: DeLeo and LeSure*

This Matter was Approved as Recommended on the Consent Agenda.

040927 Advisory Board/Committee Appointments of Anita Spring and Cecily McLeod to the City Beautification Board (NB)

RECOMMENDATION *The City Commission reappoint Anita Spring for term to expire November 1, 2007 and appoint Cecily J. McLeod for vacancy to expire November 1, 2006 to the City Beautification Board.
Commissioner Braddy: Spring and McLeod*

*Commissioner Bryant: Spring and Readvertise
Commissioner Chestnut: Spring and Readvertise
Commissioner Domenech: Spring and McLeod
Commissioner Lowe: Spring and McLeod
Commissioner Nielsen: Spring and McLeod
Mayor Hanrahan: Spring and Readvertise*

This Matter was Approved as Recommended on the Consent Agenda.

040928 Advisory Board/Committee Appointment of Thomas W. Webster and Cecily J. McLeod to the Citizens' Advisory Committee for Community Development (NB)

RECOMMENDATION *The City Commission appoint Thomas W. Webster and Cecily J. McLeod to the Citizens' Advisory Committee for Community Development for terms to expire November 1, 2007.
Commissioner Braddy: McLeod and Webster
Commissioner Bryant: McLeod and Webster
Commissioner Chestnut: McLeod and Webster
Commissioner Domenech: McLeod and Webster
Commissioner Lowe: McLeod and Webster
Commissioner Nielsen: McLeod and Webster
Mayor Hanrahan: McLeod and Webster*

This Matter was Approved as Recommended on the Consent Agenda.

040929 Advisory Board/Committee Appointments of James C. Higman and Russell D. Ingram to the Development Review Board (NB)

RECOMMENDATION *The City Commission reappoint James C. Higman and Russell D. Ingram to the Development Review Board for terms to expire November 1, 2007.
Commissioner Braddy: Higman & Ingram
Commissioner Bryant: Higman & Ingram
Commissioner Chestnut: Higman & Ingram
Commissioner Domenech: Higman & Ingram
Commissioner Lowe: Haisley & Higman
Commissioner Nielsen: Hahn and Higman
Mayor Hanrahan: Haisley & Higman*

This Matter was Approved as Recommended on the Consent Agenda.

040930 Advisory Board/Committee Appointments of Carl L. Osberg and Fred L. Vyverberg to the Fire Safety Board of Adjustment (NB)

RECOMMENDATION *The City Commission reappoint Carl L. Osberg and Fred L. Vyverberg to the Fire Safety Board of Adjustment for terms to*

expire November 1, 2007.

Commissioner Braddy: Osberg & Vyverberg

Commissioner Bryant: Osberg & Vyverberg

Commissioner Chestnut: Osberg & Vyverberg

Commissioner Domenech: Osberg & Vyverberg

Commissioner Lowe: Osberg & Vyverberg

Commissioner Nielsen: Osberg & Vyverberg

Mayor Hanrahan: Osberg & Vyverberg

This Matter was Approved as Recommended on the Consent Agenda.

040931

Advisory Board/Committee Appointments of Anne M. Baird and Peggy Richardson to the Gainesville/Alachua County Cultural Affairs Board.(NB)

RECOMMENDATION *The City Commission appoint Anne B. Baird to a vacancy to expire September 30, 2006 and Peggy Richardson to a vacancy to expire September 30, 2005 on the Gainesville/Alachua County Cultural Affairs Board.*

Commissioner Braddy: Baird and Richardson

Commissioner Bryant: Baird and Calvert

Commissioner Chestnut: Baird and Richardson

Commissioner Domenech: Baird and Richardson

Commissioner Lowe: Baird and Calvert

Commissioner Nielsen: Baird and Richardson

Mayor Hanrahan: Baird and Richardson

This Matter was Approved as Recommended on the Consent Agenda.

040932

Advisory Board/Committee Appointment of Jenneine A. Lambert to the Gainesville Energy Advisory Committee (NB)

RECOMMENDATION *The City Commission appoint Jenneine A. Lambert to the Gainesville Energy Advisory Committee. for vacancy to expire September 30, 2005.*

Commissioner Braddy: Lambert

Commissioner Bryant: Lambert

Commissioner Chestnut: Lambert

Commissioner Domenech: Lambert

Commissioner Lowe: Lambert

Commissioner Nielsen: Lambert

Mayor Hanrahan: Lambert

This Matter was Approved as Recommended on the Consent Agenda.

040933

Advisory Board/Committee Appointment of Susan Brown to the Nature Centers Commission (NB)

RECOMMENDATION *The City Commission reappoint Susan Brown to the Nature Centers Commission for term to expire November 1, 2007.*
Commissioner Braddy: Brown
Commissioner Bryant: Dowie
Commissioner Chestnut: Dowie
Commissioner Domenech: Dowie
Commissioner Lowe: Brown
Commissioner Nielsen: Brown
Mayor Hanrahan: Brown

This Matter was Approved as Recommended on the Consent Agenda.

040934 Advisory Board/Committee Appointment of Joanne J. Orrick to the Public Recreation Board (NB)

RECOMMENDATION *The City Commission reappoint Joanne J. Orrick to the Public Recreation Board for term to expire June 1, 2007.*
Commissioner Braddy: Orrick
Commissioner Bryant: Orrick
Commissioner Chestnut: Orrick
Commissioner Domenech: Stone
Commissioner Lowe: Orrick
Commissioner Nielsen: Orrick
Mayor Hanrahan: Orrick

This Matter was Approved as Recommended on the Consent Agenda.

040935 Advisory Board/Committee Appointments of Staci H. Graff and Ronnie A. Lovler to the Regional Transit System Advisory Board (NB)

RECOMMENDATION *The City Commission appoint Staci H. Graff and Ronnie A. Lovler to the Regional Transit System Advisory Board for terms to expire June 1, 2007.*
Commissioner Braddy: Graff and Lovler
Commissioner Bryant: Graff and Lovler
Commissioner Chestnut: Graff and Lovler
Commissioner Domenech: Graff and Lovler
Commissioner Lowe: Graff and Lovler
Commissioner Nielsen: Graff and Lovler
Mayor Hanrahan: Graff and Lovler

This Matter was Approved as Recommended on the Consent Agenda.

040936 Resignation of Advisory Board/Committee Member Sandra Greenwood (B)

RECOMMENDATION *The City Commission accept the resignation of Sandra*

Greenwood from the Gainesville/Alachua County Cultural Affairs Board effective immediately.

This Matter was Approved as Recommended on the Consent Agenda.

040937 Resignation of Advisory Board/Committee Member Dikassa Dixon (B)

RECOMMENDATION *The City Commission accept the resignation of Dikassa Dixon from the Citizens Advisory Committee for Community Development effective January 6, 2005.*

This Matter was Approved as Recommended on the Consent Agenda.

040938 Resignation of Advisory Board/Committee Member William Holt (B)

RECOMMENDATION *The City Commission accept the resignation of William Holt from the Citizens' Advisory Committee for Community Development effective January 18, 2005.*

This Matter was Approved as Recommended on the Consent Agenda.

040965 Resignation of Advisory Board/Committee Member Marty R. Eskridge (B)

RECOMMENDATION *The City Commission accept the resignation of Marty R. Eskridge from the Gainesville Code Enforcement Board effective February 8, 2005.*

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC WORKS COMMITTEE, CONSENT

030606 Gainesville Creeks Summit II (NB)

RECOMMENDATION *The City Commission remove this referral from the Public Works Committee Active Referral List.*

This Matter was Approved as Recommended on the Consent Agenda.

PUBLIC SAFETY COMMITTEE, CONSENT

040842 Federal Law Enforcement Contraband Forfeiture Trust Fund Funding for Night Vision Goggles (NB)

RECOMMENDATION *The City Commission approve the appropriation and expenditure of an amount not to exceed \$21,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the purchase of Night Vision Goggles for the Joint Aviation Unit.*

This Matter was Approved as Recommended on the Consent Agenda.

AUDIT & FINANCE COMMITTEE, CONSENT

040906 Review of the Gainesville Regional Utilities Purchasing Bid Process (B)

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission: 1) Accept the City Auditor's report and the General Manager's response; and 2) Instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit and Finance Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Commissioner Nielsen moved and Commissioner Bryant seconded to adopt the regular agenda with the following modifications.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

1. File 040964 Commissioner Edward Braddy - Development Review Process -

(Remove from the agenda).

2. *File #040922 - Nomination - Library District Board of Trustees - (Waive the rules to make the appointment after the Proclamations).*

3. *File #040977 - New item from The ACTION Network - (Add to the Agenda under "Special Recognitions").*

4. *File #040978 - New Item regarding "Beautiful Block Program" (Add to the agenda under "Scheduled Evening Agenda Items").*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

040954 Special City Commission Meetings (NB)

AMENDMENT TO MAIN MOTION: Add to the agenda of the March 10, 2005 1:30 PM Joint City/County Meeting the following topics: 1) Fire hydrants and street lights issue; and 2) the Kanapaha annexation.

RECOMMENDATION *The City Commission: 1) schedule a special meeting on March 7 @ 6:00 pm regarding Long Term Energy Supply Plan - City Hall Auditorium (Note: City would not be able to participate in the Tower Road discussion) and; 2) discuss holding a joint meeting with the Alachua County Commission regarding Fire/EMS Services - Jack Durrance Auditorium (Note: MTPO may be cancelled on March 10, 1:30 pm).*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

CITY MANAGER

040945 ARTSREACH exhibits (NB)

ARTSREACH Coordinator for the Department of Cultural Affairs Donna Born Drake gave a presentation.

RECOMMENDATION *The City Commission hear a brief presentation by Donna Born Drake, ARTSREACH Coordinator for the Department of Cultural Affairs.*

Heard

040955 Alachua County Sheriff's Office Update (NB)

Alachua County Sheriff Stephen Oelrich gave a presentation.

RECOMMENDATION *The City Commission hear a presentation from Sheriff Stephen Oelrich.*

Heard

040944 Interfaith Hospitality Network of Greater Gainesville (NB)

Interfaith Hospitality Network Executive Director Donna Lawson gave a presentation.

City of Gainesville Community Development Director Tom Saunders and Block Grant Manager Jim Hencin made comments.

RECOMMENDATION *The City Commission hear a presentation from the Executive Director of Interfaith Hospitality Network of Greater Gainesville.*

Heard

040946 Funding for Purchase of New Gainesville Police Department Annex and Construction and Renovation to Existing Facilities (NB)

Gainesville Police Department (GPD) Chief Norm Botsford and Finance Director Mark Benton gave presentations.

RECOMMENDATION *The City Commission approve the appropriation and funding for the purchase, construction and renovation expenses related to the Gainesville Police Department's current and new facility.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

GENERAL MANAGER FOR UTILITIES**040961 An Ordinance Amending Chapter 2 of the Gainesville Code of Ordinances (B)**

Gainesville Regional Utilities Assistant General Manager Dave Beaulieu gave a presentation.

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending Chapter 2 of the Gainesville Code of Ordinances authorizing the award of Supplemental Compensation to Administrative, Professional, and Managerial Employees under certain limited circumstances, providing a severability clause, and providing a retroactive effective date, based upon a policy prepared by staff.*

A motion was made by Commissioner Bryant, seconded by Commissioner Nielsen, that this matter be Referred to the Personnel and Organizational Structure Committee, due back on August 14, 2005. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe
Absent: Edward Braddy

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

COMMUNITY DEVELOPMENT COMMITTEE

040025 Update of City's Housing Code (B)

City of Gainesville Community Development Director Tom Saunders gave a presentation.

RECOMMENDATION *Community Development Committee to City Commission: 1) authorize the City Attorney to draft an update to the City's housing ordinance in substantially the form discussed by the Committee; and 2) remove this item from the referral list.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe
Absent: Edward Braddy

030166 Bicycle Parking Requirements (B)

City of Gainesville Community Development Director Tom Saunders gave a presentation.

RECOMMENDATION *Community Development Committee to the City Commission: 1) initiate a petition to the City Plan Board amending the draft regulations so the bicycle parking requirement is never reduced to less than 50% of the usual required amount; and 2) remove this item from the referral list.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

040187 Community Wide Plan to End Homelessness (NB)

City of Gainesville Community Development Director Tom Saunders, St. Francis House Executive Director Jim Boggs and Block Grant Manager Jim Hencin gave presentations.

FIRST MOTION (MAIN MOTION): Commissioner Lowe moved and Commissioner Chestnut seconded to approve the recommendation.

(VOTE: 4-3, Commissioners Lowe, Chestnut, Nielsen and Mayor Hanrahan - Yes; and Commissioners Domenech, Braddy and Bryant - No, MOTION CARRIED)

NOTE: This item will proceed to the City Plan Board as a Planning Petition per the City Attorney.

AMENDMENT BY SUBSTITUTION MOTION: Commissioner Bryant moved and Mayor-Commissioner Pro Tem Domenech seconded to table this item until after the Homeless Summit.

(VOTE: 3-4, Commissioners Domenech, Braddy and Bryant - Yes; and Commissioners Lowe, Chestnut, Nielsen and Mayor Hanrahan - No, MOTION FAILED)

CITIZEN COMMENT: Chair Hanrahan recognized Citizens Gabriel, Linda McGurn and Joe Jackson who spoke to the matter.

RECOMMENDATION *Community Development to City Commission - Raise the limit of meals served at food distribution centers for the needy to 130.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut and Craig Lowe
Nay: Edward Braddy, Tony Domenech and Rick Bryant

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**040840 Charter Review Committee (B)**

The City Commission appointed the following citizens to the Charter Review Committee:

*Commissioner Domenech - Larry Vettel
Commissioner Chestnut - Horace Moore
Commissioner Lowe - Beverly Hill
Commissioner Braddy - Penny Wheat
Commissioner Nielsen - Odetta MacCleish-White
Commissioner Bryant - Matt Cole
Mayor Hanrahan - Bruce Delaney*

RECOMMENDATION *The City Commission appoint a seven member Charter Review Committee with a sunset date of June 30, 2006.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

OUTSIDE AGENCIES

File # 040922 - Nomination - Library District Board of Trustees was moved to after the Proclamations.

MEMBERS OF THE CITY COMMISSION**040964 Commissioner Edward Braddy - Development Review Process (NB)**

RECOMMENDATION *The City Commission reconsider the following motion: adopt the Economic Development/University Community Committee's recommendation with two modifications: 1) Change recommendation 3 to "restructure" neighborhood meetings eliminating the newspaper advertisement and that a neighborhood meeting need not be held if there are not (at least) five responses of those interested in participating; and 2) that a natural scientist be included on the DRB.*

Withdrawn

040963 Mayor Pegeen Hanrahan - Support of Transportation Bill SB 542 (B)

RECOMMENDATION *The City Commission authorize a letter of support for Transportation Bill SB 542.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech and Craig Lowe
Absent: Rick Bryant

COMMISSION COMMENTS (if time available)

RECESS - 4:33 PM

RECONVENE - 5:37 PM

CITIZEN COMMENT

Gabriel

Art Standards

040984 Gabriel (Gabe Kaimowitz) Citizen Comment (B)

RECOMMENDATION *The City Commission hear citizen comment from Gabriel (Gabe Kaimowitz) and place documents submitted on file.*

Placed on File

Harold Miles

Redevelopment of Kennedy Homes

Doris Bardon - Women for Wise Growth

Use of RTS Bus for Upcoming Creek Systems Field Trip

See following File #040983.

040983 Gainesville's Creek Systems Field Trip (B)

RECOMMENDATION *The City Commission authorize the appropriate amount of funds from the City Commission Contingency Fund for*

transportation via RTS and other ancillary expenses for the upcoming Gainesville Creek Systems Field Trip, March 12, 2005.

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe
Absent: Chuck Chestnut

Ed Brown

Coal Fired Power Plant Research

See following File #040985.

040985

Ed Brown Citizen Comment Re: GRU Power Plant (B)

RECOMMENDATION *The City Commission hear a presentation from Ed Brown and place documents submitted on file.*

Placed on File

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

040951

Hurricane Heroes Day - February 14, 2005 (B)

RECOMMENDATION *General Manager for Utilities Mike Kurtz and Interim City Manager Barbara Lipscomb to accept the proclamation.*

Heard

040952

Future Business Leaders of America - Phi Beta Lambda Week - February 9-15, 2004 (B)

RECOMMENDATION *University of Florida Phi Beta Lambda and Florida State Phi Beta Lambda President Seabron Chad Fears to accept the proclamation.*

Heard

040953 Library Appreciation Month - February 2005 (B)

RECOMMENDATION *Alachua County Library District Director Sol M. Hirsch and Governing Board Vice Chair Craig Lowe to accept the proclamation.*

Heard

SPECIAL RECOGNITION**040977 The ACTION Network (NB)**

RECOMMENDATION *The City Commission hear a presentation from The ACTION Network and accept a plaque for the City City Commission's work in acquiring monies to help with middle school after-school programs.*

Heard

040922 Nomination - Library District Board of Trustees (B)

MOTION: Commissioner Domenech moved and Commissioner Braddy seconded to nominate Joann Auth, Nancy Peterkin and Judith Morrow for the Library Governing Board of Trustees.

RECOMMENDATION *The City Commission nominate three Board of Trustees applicants for consideration for appointment by the Library District Governing Board.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****040874 CHAPTER 8 AMENDMENTS RELATING TO DISCRIMINATION (B)**

Ordinance No. 0-05-18
An ordinance of the City of Gainesville, Florida; amending Chapter 8 of the

Code of Ordinances of the City of Gainesville relating to discrimination; amending Section 8-22 relating to the Human Rights Board meetings; Section 8-51 relating to the processing of equal opportunity complaints; and Section 8-95 relating to the processing of fair housing complaints; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Equal Opportunity Director Jimmie Williams gave a presentation.

Chair Hanrahan recognized Citizen Gabriel who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech and Craig Lowe

Absent: Rick Bryant

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

040409 URBAN SERVICES REPORT - UF FOUNDATION (B)

Ordinance No. 0-05-15

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area located generally south of Tax Parcel 06714-000-000, west of the City Limits, SW 15th Place, SW 17th Place, and Tax Parcels 06699-000-000 and 06700-000-000, north of Tax Parcel 06712-001-000, and east of Tax Parcels 06711-000-000, 06711-001-000, SW 37th Street, and the City Limits; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe

Absent: Edward Braddy

040514 LAND DEVELOPMENT CODE AMENDMENT - DIRECTIONAL SIGNS FOR COMMERCIAL DEVELOPMENTS OVER 300,000 SQUARE FEET (B)

Ordinance No. 0-05-07; Petition 149TCH-04 PB

An ordinance of the City of Gainesville, Florida, creating subsection 30-318(h), City of Gainesville Code of Ordinances, allowing directional signage for non-residential developments with a minimum of 300,000 square feet of floor area under certain conditions; 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 Domenech, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe
Absent: Edward Braddy

040662**LAND DEVELOPMENT CODE AMENDMENT - SPORTING GOODS AND BICYCLE SHOPS AS ALLOWED USE BY RIGHT IN AUTOMOTIVE-ORIENTED BUSINESS DISTRICT (B)****Ordinance No. 0-05-11; Petition 183TCH-04 PB**

An ordinance of the City of Gainesville, Florida, amending the Land Development Code, relating to the automotive-oriented business (BA) district; amending subsection (c) of section 30-62; adding Sporting Goods Stores and Bicycle Shops (IN 5941) as an allowed use by right in the Automotive-oriented business district; 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 Chestnut, seconded by Commissioner Bryant, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe
Absent: Edward Braddy

RESOLUTIONS- ROLL CALL REQUIRED**040910**

A resolution of the City Commission of the City of Gainesville, Florida; designating recently acquired park area for purposes of chapter 18 enforcement; requiring each park so listed to be posted as a City park, including posting of operating hours; providing an immediate effective date (B).

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

040947 Resolution for Maintenance Agreement with FDOT for a Retention Pond Enhancement Project (B)

RECOMMENDATION *The City Commission adopt the Resolution.*

A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Chestnut, that this matter be Adopted (Resolution). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

PLAN BOARD PETITIONS

030753 Pursuant to Section 30-192(b) of the Gainesville Land Development Code, vacate, abandon, and close a portion of the east side of North Main Street in the 3300 block (Petition 152SVA-03 PB). (B)

City of Gainesville Sr. Planner Carolyn Morgan, Planning Manager Ralph Hilliard and Community Development Director Tom Saunders gave presentations.

Chair Hanrahan recognized Gainesville Ford Representative Janice Roland and Citizen Tom Cunilio who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve petition 152SVA-03 PB with the condition that GRU retain a public utilities easement over the entire right-of-way and with staff conditions.*

Staff to Plan Board - Approve petition 152SVA-03 PB with the condition that GRU retain a public utilities easement over the entire right-of-way and with staff conditions.

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

Votes: Aye: Chuck Chestnut, Edward Braddy, Tony Domenech and Rick Bryant
Nay: Pegeen Hanrahan, Warren Nielsen and Craig Lowe

030754 Pursuant to Section 30-192(b) of the Gainesville Land Development Code, vacate, abandon and close a portion of the east side of North Main Street in the

3400 block (Petition 153SVA-03 PB). (B)

City of Gainesville Sr. Planner Carolyn Morgan gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve petition 153SVA-03 PB with the condition that GRU retain a public utilities easement over the entire right-of-way and with staff conditions.*

Staff to Plan Board - Approve petition 153SVA-03 PB with the condition that GRU retain a public utilities easement over the entire right-of-way.

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

Votes: Aye: Chuck Chestnut, Edward Braddy, Tony Domenech and Rick Bryant
Nay: Pegeen Hanrahan, Warren Nielsen and Craig Lowe

040753

Pursuant to Section 30-192(b) of the Gainesville Land Development Code, vacate, abandon and close all the right of way of Southeast Veitch Street lying north of Southeast 10th Avenue and approximately 100 feet west of Southeast 4th Street (Petition 150SVA-04 PB). (B)

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

Chair Hanrahan recognized Citizen Bobby Powell who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 150SVA-04 PB, with condition. Plan Board vote 7-0*

Staff to Plan Board - Approve, with condition.

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

040754

Pursuant to Sec. 30-192(b) of the Gainesville Land Development Code, vacate, abandon and close that portion of Northeast 11th Terrace lying east of and adjacent to Lot 2, Block 6, Range 16 and North of the North right-of-way line of Northeast 12th Avenue (Petition 187SVA-04PB). (B)

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 187SVA-04 PB, with conditions to retain an overall utility easement in the right-of-way to be vacated.*

Plan Board vote 7-0

Staff to Plan Board - Approve Petition 187SVA-04 PB, with conditions to retain an overall utility easement in the right-of-way to be vacated.

A motion was made by Commissioner Chestnut, seconded by Commissioner Lowe, that this matter be Approved (Petition) with Conditions. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Rick Bryant and Craig Lowe
Absent: Tony Domenech

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

040978 Beautiful Block Program (B)

Keep Alachua County Beautiful Chair Jeanne Rochford and Chairperson of the Lincoln Estates Neighborhood Doris Edwards gave presentations.

City of Gainesville Community Development Director Tom Saunders made comments.

RECOMMENDATION *The City Commission hear a presentation from Keep Alachua County Beautiful Chair Ms. Jeanne Rotchford and Lincoln Estates Neighborhood Chair Doris Edwards regarding a dynamic neighborhood improvement project.*

Heard

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Warren Nielsen

NW 8th Avenue Underpass

See following Referral Item #040986.

040986 NW 8th Avenue Underpass (NB)

RECOMMENDATION *The City Commission direct the City Manager to work with the Florida Department of Transportation (FDOT) and the*

respective interested parties including Trimark Properties to develop some improvements to that underpass.

A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Nielsen, that this matter be Referred to the City Manager, due back on August 14, 2005. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech and Rick Bryant
Absent: Craig Lowe

Commissioner Edward Braddy

Teen Zone Pilot Program - Future funding concerns for an expanded program.

CITIZEN COMMENT

Candy Ganyo

Homeless Issues - Requested that the bathrooms on the plaza be left unlocked.

Donna Summerall

Homeless Issues - Bathrooms on plaza.

Elizabeth Howard

Homeless Issues - Bathrooms on plaza.

Tom Cunilio

- 1. Homeless Issues - Bathrooms on plaza.*
- 2. Resource, Conservation and Development Council.*

Harald Kegelmann

- 1. Homeless Issues - Action Network*
- 2. GRU - Electricity*
- 3. Solar Energy*

Michael Jones

Homeless Issues - Suggested that the City could hire the homeless to clean the restrooms on the plaza.

ADJOURNMENT - 8:11 PM

Kurt M. Lannon, Clerk of the Commission