

City of Gainesville

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



Meeting Agenda

July 11, 2005

1:00 PM

City Hall Auditorium

City Commission

***Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Chuck Chestnut (District 1)
Commissioner Warren Nielsen (At Large)
Commissioner Rick Bryant (At Large)
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 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 - 1:05 PM

AGENDA STATEMENT

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. (In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited. 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.)"

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

050151

Annexation of City-owned Parcels in the SW 34th Street Area (NB)

Explanation: The City has recently purchased three (3) parcels (06693-000-000, 06694-000-000, and 06695-000-000) for the Hogtown Creek Greenway. The properties are located south of the City Limits, west of SW 34th Street, north of the vicinity of Hull Road, and east of Parcel number 06715-000-000. Staff has reviewed the requirements of the Boundary Adjustment Act. This area meets the requirements of the Act and is appropriate for annexation. The parcels are vacant and currently zoned as "agriculture".

In order to annex these parcels into the City limits, the owner must submit a petition to the City of Gainesville for voluntary annexation. As the owner, the Mayor, on behalf of the City, must execute a petition for voluntary annexation.

Fiscal Note: The fiscal impact of this annexation will be addressed in the urban services report.

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 Interim 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.

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050152

Bid Award for Boundary Fencing Between Split Rock Conservation Area and Portofino (B)

Explanation: The City-owned Split Rock Conservation Area located on SW 24th Avenue, just west of I-75, was acquired with assistance from the Florida Communities Trust, and is managed by the City for the protection and restoration of the natural resources and compatible passive public use. The Portofino Development (a new community for 94 homes) fronts Split Rock Conservation Area for approximately a half mile. A fence is needed to separate the two users so that violations of the Grant Award Agreement do not occur.

On May 19, 2005, the Recreation and Parks Department solicited bids for the Split Rock fencing project from 321 potential bidders on the Demandstar system. Of the 18 plan holders, four bids were received. The bid specifications allowed each bidder to submit a bid for fence line clearing and two fencing type options. Option One allowed for chain link fencing with a coil spring wire on top, and Option Two called for chain link fencing with a top rail. On June 21, 2005, bids were opened. Based on the selection criteria, staff recommends the bid for 3,150 feet of 6-foot galvanized chain link fence utilizing Option One and land clearing to the lowest compliant bidder, All Florida Enterprises, Inc., at a total cost of \$29,040.

During the bid process staff determined that additional fencing in the Split Rock Conservation Area might be necessary and included a provision to cover this in the bid. This will allow the Department to utilize the same vendor and bid price should the additional fencing be required. The Department has \$35,000 budgeted for this project, which will cover the additional fencing if needed. Because of this, staff is requesting to issue the Purchase Order in an amount not to exceed \$35,000 to All Florida Enterprises, Inc. for this project.

Fiscal Note: Funds are available in the General Capital Projects Fund.

RECOMMENDATION

The City Commission: 1) Approve award of the bid for constructing a 6-foot galvanized, chain link fence on the boundary between Split Rock Conservation Area and Portofino to All Florida Enterprises, Inc.; and 2) Authorize the Interim City Manager or designee to execute all contract documents and issue a purchase order in an amount not to exceed \$35,000 to All Florida Enterprises, Inc.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**CITY ATTORNEY, CONSENT AGENDA ITEMS****CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****050144 Resignation of Advisory Board/Committee Member Susan Brown (B)**

RECOMMENDATION *The City Commission accept the resignation of Susan Brown from the Nature Centers Commission effective June 18, 2005.*

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EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PUBLIC SAFETY COMMITTEE, CONSENT****040703 Parking "Boot" on Private Property (NB)**

Explanation: The Public Safety Committee held three meetings to discuss this November 8, 2004 referral from citizen and Goering's Book Store manager Fred Rainbow. His request was to allow private property booting for the parking spaces in front of his store in the 1700 block of NW 1st Avenue. The 11 spaces in the parking lot are frequently used by non-patrons to the business. Although he had previously contracted with a tow service for roam towing, by the time the tow truck arrived, the offender was gone and he would have lost a book store customer, due to the close proximity of competing book stores.

The committee received and discussed survey results from other municipalities provided by city attorney staff. The survey revealed that although cities could create an ordinance allowing booting from private property, it requires the business to contract with a booting company and also requires very similar procedures to that of the current roam towing ordinance, e.g., licenses, insurance, procedures for collection, etc. The committee determined this process would likely not serve the purpose of freeing up the parking space, which is ultimately what Mr. Rainbow was seeking. It would also not ensure compensation from the illegally parked vehicle owner and would be a civil matter between the business and vehicle owner. Although sympathetic to the issue, the Public Safety Committee did not conclude this as a solution. Mr. Rainbow was unable to attend the last two meetings of the committee, however, was advised by letter of the committee's recommendation.

RECOMMENDATION *The City Commission 1) receive and accept the Public*

Safety Committee's report and recommendation to take no action on this referral, and 2) remove this item from the Public Safety Committee's pending referral list.

Legislative History

11/8/04	City Commission	Referred (6 - 0 - 1 Absent)	Public Safety Committee
12/16/04	Public Safety Committee	Discussed	
3/17/05	Public Safety Committee	Discussed	
6/16/05	Public Safety Committee	Discussed	

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

040798

Film Festival (NB)

Explanation: At the December 13, 2004 City Commission meeting the Interim City Manager was instructed to assist Ms. Gloria Rozier with her request for funding to establish a film festival and return to the Commission with a response in ninety days.

Cultural Affairs advised Ms. Rozier of the procedures to request grant funding from the City and State. It was explained to her that in order to be considered for funding, her organization should apply for non-profit status with the State of Florida; this has been done. Ms. Rozier has informed us the federal tax exempt 501-c-3 status will not be known until the end of June 2005. Her organization is currently eligible to apply for an ARTS Tag grant through the City of Gainesville. Once the 501-c-3 status is approved, the Department of Cultural Affairs can assist her in applying for other appropriate grants.

Ms. Rozier and her organization are continuing to make plans for the film festival. The Hippodrome State Theatre has agreed to host the event on April 20-22, 2006. The organization plans on the film festival becoming an annual event.

Fiscal Note: No current fiscal impact.

RECOMMENDATION

The City Commission hear a status report on the Film Festival from the Department of Cultural Affairs and Ms. Rozier.

Legislative History

12/13/04 City Commission Continued
1/24/05 City Commission Approved as Recommended (7 - 0)

050119**Award of a Contract for Insurance Broker/Consultant to Arthur J. Gallagher & Co. (B)**

Explanation: Pursuant to the direction given to staff by the City Commission at the City Commission meeting of June 27, 2005, staff has negotiated a contract extension not to exceed one year with the City's current vendor, Arthur J. Gallagher & Co. for the placement of the City's insurance program and to provide consultant services.

During the term of this contract staff will review the selection criteria and evaluation process to increase the likelihood of additional vendor participation.

Fiscal Note: Adequate funds for insurance brokerage/consultant services are budgeted in the General Insurance Fund.

RECOMMENDATION

The City Commission: 1) approve the selection of Arthur J. Gallagher and Company for the purpose of providing insurance brokerage/consultation for the City's property, casualty and Worker's Compensation programs; and 2) authorize the Interim City Manager, or her designee to negotiate with and enter into an agreement for a period not to exceed one year, effective July 31, 2005, subject to approval of the City Attorney as to form and legality.

Legislative History

6/27/05 City Commission Approved, as shown above (7 - 0)

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050146**Funding Request from The Preserve (NB)**

Explanation: At the June 27, 2005 City Commission meeting, representatives of The Preserve, a non-profit agency that provides transitional housing for homeless male teens, requested that the City provide \$30,000 as grant match for staffing for The Preserve. Five teens would be served. During the current fiscal year, The Preserve was awarded \$3,800 from CDBG. The Preserve was also funded \$50,412 for acquisition in FY 2002-03 for Alachua County Housing Authority.

Typically such funds are provided via the City's block grant allocation process, with applications submitted early in the calendar year and then reviewed by the Citizen Advisory Committee for Community Development and staff, with recommendations made during the summer to the City Commission. Final decisions are made on a competitive basis.

This year, that cycle is largely complete and the City Commission will be making its allocation decisions on August 1, 2005. The Preserve did not request funding through that allocation process. The Preserve has indicated that a response is needed by July 11, 2005.

Fiscal Note: Sources of funding could be City Commission contingency or General Fund-Fund Balance for a reduced or full amount. Commission decision on CDBG funding will not occur until after the deadline cited by The Preserve. It is proposed to set aside \$50,000 for a homeless capital project through CDBG next year; however, Community Development has advised that staffing or operations would not be eligible from the funds proposed for set-aside. Additionally, end of year funds may be available based on tax collections; however, OMB is still working on these numbers.

RECOMMENDATION The City Commission direct staff on funding this request.

Legislative History

6/27/05	City Commission	Approved as Recommended and Referred	City Manager
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GENERAL MANAGER FOR UTILITIES

050153 Update on GRU Payment and Conservation Programs (NB)

Explanation: Staff will discuss various payment assistance programs available to customers and make recommendations for changes. In addition staff will provide a summary of the energy conservation programs that were implemented in January 2005, and make recommendations for Fiscal Year 2006. Energy intensity in the community will be illustrated spatially.

Fiscal Note: There will be no fiscal impact from the payment assistance program changes. Fiscal impacts resulting from the proposed conservation programs will be presented during the City Commission budget review meeting in July.

RECOMMENDATION The City Commission hear a presentation regarding customer payment assistance and energy conservation programs.

050154 Wastewater System Residential Grease Information Campaign (NB)

Explanation: Wastewater spills are a concern to the community and GRU. Over 30 percent of wastewater spills are related to grease blockages resulting from grease poured or released into our wastewater system eventually coagulating and blocking the regular flow of wastewater. Similar to cholesterol blocking a person's arteries, the grease blockage prevents the wastewater from flowing normally and forces it into our environment. GRU has an aggressive program to inspect commercial grease traps and will now add a program for residential customers. A public information campaign will be launched in July 2005 urging residents to place their cooled cooking grease into containers, and then into the garbage, not down the drain - "Think before you put it in the sink." This campaign is in line with the EPA's report to congress in August, 2004 saying, "The best way to prevent blockages due to fats, oils and grease is to keep fats, oils and grease out of the sewer system." The campaign was presented to the FDEP and received positive feedback. GRU is eager to launch this information campaign and begin the community involvement process.

Fiscal Note: Funds for these services are available in the FY 2005 O&M budget and will be proposed in the FY 2006 O&M budget.

RECOMMENDATION

The City Commission hear a presentation from staff on the residential grease information campaign.

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

050156

Commissioner Rick Bryant - ACTION Network (B)

RECOMMENDATION

The City Commission hear an update from Nick Haskell regarding the ACTION Network trip to Washington, D.C.

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COMMISSION COMMENTS (if time available)**CITIZEN COMMENT****COMMISSION COMMENTS (if time available)****PLEDGE OF ALLEGIANCE (6:00pm)****Girl Scout Troop #315**

Cindy Laukert, Troop Leader

PROCLAMATIONS/SPECIAL RECOGNITIONS**PUBLIC HEARINGS****ADOPTION READING-ROLL CALL REQUIRED****041055****LAND USE CHANGE - SUNTRUST BANK PROPERTY (B)****Ordinance No. 0-05-61, Petition 30LUC-05PB**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property annexed into the City from the Alachua County land use category of "COMM, Commercial" to "Office"; located in the vicinity of 3814 Northwest 43rd Street; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This petition was originally submitted for Plan Board recommendation at the March 17, 2005, Plan Board meeting. The Plan Board voted to continue this petition pending further analysis of the proposal for the property adjacent and west of the subject property. Since the March 17th meeting, the owner of this adjacent property has agreed to submit a separate petition for a city land use designation for the property. Therefore, this petition is being re-submitted to only address the property at 3814 Northwest 43rd Street.

The subject property is 0.95 acres in size. The 0.95-acre parcel currently is developed as a Sun Trust Bank. The property was annexed into the city in 2004. This property must be brought into conformance with the City's Comprehensive Plan. This requires amending the City's Future Land Use map to include the property. This petition would amend the City's Future Land Use map.

Planned Unit Development (PUD) land use is east of the property. County Commercial land use is adjacent to the west. County medium-high density residential land use is adjacent and developed to the north. County Commercial

land use is adjacent and developed to the south.

The character of the nearby property is largely suburban office and medium-density residential. Because the character of nearby properties is compatible, this property is most suitably given an Office land use. Banking facilities are an allowable use within the City's Office land use category.

The Plan Board heard the petition and recommended approval.

Public notice was published in the Gainesville Sun on May 3, 2005. Letters were mailed to surrounding property owners on May 4, 2005. The Plan Board held a public hearing May 19, 2005. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 30LUC-05 PB. Plan Board vote 6-0.

CITY ATTORNEY MEMORANDUM

The proposed amendment to the Comprehensive Plan is treated as a small scale development activity. After the City Commission adopts the ordinance, it will be filed with the State Land Planning Agency. The state land planning agency does not review or issue a notice of intent for small scale development amendments. Any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the compliance of a small scale development amendment within 30 days following the City's adoption of the amendment.

Small scale development amendments do not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency or the Administration Commission issues a final order that the adopted small scale development amendment is in compliance.

RECOMMENDATION

The City Commission: 1) approve Petition 30LUC-05PB; and 2) adopt the proposed ordinance.

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041056

REZONING - SUNTRUST BANK PROPERTY (B)

Ordinance No. 0-05-62, Petition 31ZON-05PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property annexed into the City from the Alachua County zoning category of "BP, business and professional" to the City of Gainesville zoning category of "OF: General office district"; located in the vicinity of 3814 N.W. 43rd Street; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This petition was originally submitted for Plan Board recommendation at the March 17, 2005 Plan Board meeting. The Plan Board voted to continue this

petition pending further analysis of the proposal for the property adjacent and west of the subject property. Since the March 17th meeting, the owner of this adjacent property has agreed to submit a separate petition for a city zoning designation for the property. Therefore, this petition is being re-submitted to only address the property at 3814 Northwest 43rd Street.

The subject property is 0.95 acres in size. The parcel is currently developed as a Sun Trust Bank. It was annexed into the city in 2004. This property must be brought into conformance with the City's land development regulations. This requires amending the City's zoning map atlas to include this property. This petition would amend the City's zoning map atlas.

Planned Development/Office (PD/OF) zoning is east of the properties. County multi-family residential (R-2) zoning is adjacent and developed to the north. County Business Professional (BP) zoning is adjacent and developed as offices to the south. County Business Professional (BP) zoning is adjacent and vacant to the west.

The character of the nearby property is largely suburban office and medium-density residential. Because the character of nearby properties is compatible, this property is most suitably given an Office zoning. The OF (General Office District) allows banking facilities as a use by right.

The Plan Board heard the petition and recommended that it be approved.

Public notice was published in the Gainesville Sun on May 3, 2005. Letters were mailed to surrounding property owners on May 4, 2005. The Plan Board held a public hearing May 19, 2005. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 31ZON-05 PB Plan Board vote 6-0.

CITY ATTORNEY MEMORANDUM

The petition and ordinance are simultaneously submitted to the City Commission for approval and adoption because city staff and the plan board both recommend approval.

This ordinance shall become effective immediately upon final adoption; however, the rezoning shall not become effective until the amendment to the City of Gainesville 2000-2010 Comprehensive Plan adopted by Ordinance No. 041055 is effective as provided therein.

RECOMMENDATION *The City Commission: 1) approve Petition 31ZON-05PB; and 2) adopt the proposed ordinance.*

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ORDINANCES, 1ST READING- ROLL CALL REQUIRED

Ordinance No. 0-05-58, Petition No. 50ZON-05PB

An ordinance of the City of Gainesville, Florida, amending Appendix A, section 3 of the Land Development Code, incorporating a specific change from Type IV (Civic) to Type I (Shopfront/Office/Apartment) for tax parcels 14969-000-000, 14912-000-000, 14978-000-000, 14983-000-000, and 15160-000-000 as shown on the map of the College Park Special Area Plan; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: COMMUNITY DEVELOPMENT STAFF MEMORANDUM

There are 6 subject properties totaling approximately 4 acres in size. The properties are located on the north side of West University Avenue between NW 13th Street and NW 20th Terrace. All are across the street from the University of Florida campus.

This petition would amend the College Park Special Area Plan Master Plan & Regulating Plan for New Construction. The underlying MU-1 zoning of 5 of the properties will remain in place. The 6th property-the UF Foundation building at 2012 W. University Avenue-will retain its underlying Office zoning.

All but one of the properties is a church or is church-related. The remaining subject property is the University of Florida Foundation building. The character of the nearby properties is largely student residential apartments, fraternities, parking and retail.

The proximity of these properties to the university campus, and their location fronting a major east-west street indicates that they would be more suited to a Type I designation (which allows shopfronts, apartments, offices and mixed-use buildings) than a Type IV designation (which only allows churches, libraries, schools, post offices and the like).

Type I would continue to allow uses such as the UF Foundation, as well as churches and church-related activity.

The Plan Board heard the petition and voted to recommend approval.

Public notice was published in the Gainesville Sun on May 3, 2005. Letters were mailed to surrounding property owners on May 4, 2005. The Plan Board held a public hearing May 19, 2005. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 50ZON-05 PB. Plan Board vote 6-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings. Should the Commission adopt the ordinance on first reading, the second and final reading will be July 11, 2005.

Fiscal Note: None.

RECOMMENDATION

The City Commission: 1) approve Petition No. 50ZON-05 PB, and 2) adopt the proposed ordinance.

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED**030454****PLANNED DEVELOPMENT - WILDFLOWER (B)****Ordinance No. 0-05-10, Petition No. 111PDV-03PB**

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "RMF-5: 12 units/acre single-family/multiple family residential district "; to "Planned Development District", commonly known as "Wildflower Planned Development"; located in the vicinity of 1005 and 1007 S.W. 13th Street and consisting of approximately 5.7 acres; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement and penalties; providing a severability clause; and providing an immediate effective date.

Explanation: STAFF REPORT

The proposed planned development is a 201-unit multi-family development with a parking garage on a 5.745-acre site. The Planned Development ordinance with the PD report and PD Layout plan adopt all conditions of approval. The petition was approved, with conditions, by the City Commission on November 22, 2004. A separate motion was made by the City Commission to direct staff to engage the Florida Department of Transportation (FDOT) District 2 to consider a left turn storage lane on SW 13th Street and report back to the Public Works Committee of the City Commission. A report on that matter was made from the Public Works Committee to the Commission on April 25, 2005. No recommendation was made to change the proposed planned development conditions as reviewed by the Commission in November 2004.

The proposed density is 35 dwelling units per acre. The total number of bedrooms will be 360. The proposed buildings are 5 four-story apartment buildings, connected by a system of elevators and walkways, a 4-story parking garage with 416 parking spaces and amenities including a swimming pool, a recreation facility and basketball court and maintenance facilities. All access is from Southwest 11th Avenue. Improvements by the developer to Southwest 11th Avenue will include a left-turn lane into the property and a left-turn storage lane on Southwest 11th Avenue at the intersection with SW 13th Street. The development abuts the Depot Avenue Rail Trail, providing easy bike and pedestrian access to the UF Campus and Shands Hospital. The developer will install a bus shelter on Southwest 13th Street near Southwest 11th Avenue.

The property has a significant grade change. As a result, the proposed development will be terraced, with an elevation grade change of approximately ten feet between buildings from north to south. The majority of the stormwater

management facilities will be under the parking garage. The PD ordinance limits the impervious surface area to 67% of the site. There is a 100-foot building setback from the east property line to the building face. Retaining walls, air conditioner pads, sidewalks landscape/hardscape, limited lighting and emergency and service vehicle access will be within this setback. A berm with a hedge is shown on the PD layout plan between these improvements and the east property line. The two existing historic structures will be removed for the proposed development. The 90-day demolition delay, Sec. 6-19, applies to the proposed demolition. The PD ordinance directs the paint colors be earth tone colors and that the Audubon Park Neighborhood Association will review the colors for neighborhood compatibility and make a recommendation to the development review board for the board's review and approval.

The proposed development is in Zone A of the Transportation Concurrency Management Area.

Public notice was published in the Gainesville Sun on October 5, 2004 and November 7, 2004. Letters were mailed to surrounding property owners on October 6, 2004 and November 5, 2004. The Plan Board held a public hearing October 21, 2004.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of November 22, 2004 authorized the city attorney's office to prepare and advertise the necessary ordinance rezoning certain lands within the city to planned development commonly known as "Wildflower Planned Development" within the City of Gainesville.

RECOMMENDATION The City Commission adopt the proposed ordinance.

Legislative History

11/22/04	City Commission	Approved (Petition) with Staff and Plan Board Conditions, as modified (5 - 0 - 2 Absent)
6/27/05	City Commission	Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)
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040796

AMENDMENTS TO CHAPTER 9, ELECTIONS (B)

Ordinance No. 0-05-71

An ordinance of the City of Gainesville, Florida, Chapter 9, Elections; amending Section 9-5 of the Code of Ordinances, providing that the proclamation calling the election shall be issued at least thirty days prior to the election; renumbering Section 9-11 to Section 9-10 of the Code of Ordinances, providing that this section only pertains to qualifications of candidates for city commission; creating a new Section 9-11 of the Code of Ordinances, providing for campaign contribution limitations and campaign finance reports; providing directions to the Codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of December 13, 2004, authorized the City Attorney's Office to draft and the Clerk of the Commission to advertise an ordinance amending Chapter 9, Elections, of the Code of Ordinances, regulating city commission campaign contributions the same as the limitations of Alachua County. Additionally, this Office has initiated an amendment to Section 9-5 of the Code clarifying that the mayor issues a proclamation calling the election at least 30 days prior to the election.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

12/13/04	City Commission	Referred (7 - 0)	City Attorney
6/27/05	City Commission	Adopted on First Reading (Ordinance) (5 - 1 - 1 Absent)	

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050064

TRESPASS TOWING ADMINISTRATIVE FEE (B)

ORDINANCE NO. 0-05-70

An ordinance of the City of Gainesville, Florida, amending section 14.5-26(a) of the Code of Ordinances, to clarify that the administrative fee for processing towing applications applies to all trespass towing regulated by ordinance; applies whenever a property owner changes towing vendor and is an annual fee; amending the Police section of Appendix A, Schedule of Fees, Rates and Charges to specify an administrative fee for processing trespass towing applications; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date of July 1, 2005.

Explanation: On June 13, 2005, the City Commission voted to authorize the City Attorney to draft, and the Clerk of the Commission to advertise an ordinance to provide that the administrative fee is required annually for all current and future non-consensual, trespass towing contracts.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

6/13/05	City Commission	Approved as Recommended (7 - 0)	
6/27/05	City Commission	Adopted on First Reading (Ordinance) (4 - 0 - 3 Absent)	

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RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT - 6:19 PM