

City of Gainesville

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



Meeting Minutes

Monday, January 24, 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 - 1:05 PM**ROLL CALL**

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

INVOCATION**Father Gordon Tremaine, Holy Trinity Episcopal Church****CONSENT AGENDA**

*Commissioner Nielsen moved and Commissioner Lowe seconded to adopt the Consent Agenda with the following modifications.
(VOTE: 7-0, MOTION CARRIED)*

MODIFICATIONS:

- 1. File #040891 - Funding for Proposed CRA District Blight Findings Report - (Typo - Total amount in explanation and recommendation should be \$6,923.75 instead of \$6,729.43).*
- 2. File #040887 - Bid Award - Depot Park, Phase I - Regional Stormwater Treatment Facility - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

CITY MANAGER, CONSENT AGENDA ITEMS**040798 Ms. Gloria Rozier/Film Festival (NB)**

RECOMMENDATION *The City Commission approve the Cultural Affairs Board and the Department of Cultural Affairs involvement with Ms. Rozier to evaluate the request and return to the Commission with a recommendation in 90 days.*

This Matter was Approved as Recommended on the Consent Agenda.

040885 Reappointment of members to the East Gainesville SPROUT Project Task Force (B)

RECOMMENDATION *The City Commission extend the membership term of the East Gainesville SPROUT Project Task Force from two to three years and approve the reappointment of members Stephen Boyes, Phillis Filer, Robert Hutchinson, Kinnon Thomas and*

Janie Williams until January 13, 2008.

This Matter was Approved as Recommended on the Consent Agenda.

040886 Settlement of Worker's Compensation Claim - Walter L. Littles (NB)

RECOMMENDATION *The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Walter Littles in the amount of \$70,000.*

This Matter was Approved as Recommended on the Consent Agenda.

040892 Settlement of Worker's Compensation Claim - Rick L. Watson (NB)

RECOMMENDATION *The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Rick L. Watson in the amount of \$84,750.*

This Matter was Approved as Recommended on the Consent Agenda.

040888 First Extension to the Contract for Redi-Mix Concrete for FY 2005 (B)

RECOMMENDATION *The City Commission authorize the Interim City Manager or designee to execute the First Extension to the contract with Cemex for Redi-Mix Concrete, extending the term of the contract from January 1, 2005 to December 31, 2005, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

040889 Consultant Services Amendment - Old Landfill at Sweetwater Branch (B)

RECOMMENDATION *The City Commission: 1) authorize a contract amendment with Golder in the amount of \$77,624 for the additional work related to the Old Landfill Project at Sweetwater Branch; 2) authorize the Interim City Manager or designee to execute all documents related to this authorization for the project; and 3) authorize all necessary budget amendments, including the transfer of funds from the Solid Waste Enterprise Fund fund balance.*

This Matter was Approved as Recommended on the Consent Agenda.

040890 Sale of Surplus Property at 1233 SW 6th Street (B)

RECOMMENDATION *The City Commission: 1) authorize the Interim City Manager to execute a Purchase and Sale Agreement for Tax Parcel #15635-007-001 to the highest bidder; 2) authorize the Interim City Manager or designee to prepare a Special Warranty Deed, subject to approval by the City Attorney as to form and legality, to convey the property to the highest bidder; and 3) authorize the Mayor to approve, and the Clerk to attest, the Special Warranty Deed to convey the property award bid to the highest and only bidder, Wells TheLosen.*

This Matter was Approved as Recommended on the Consent Agenda.

040891 Funding for Proposed CRA District Blight Findings Report (B)

RECOMMENDATION *The City Commission approve \$6,923.75 for additional expenses associated with the change in the proposed blight findings study boundaries.*

This Matter was Approved as Recommended on the Consent Agenda.

040893 Agreement with Meridian Behavioral Healthcare, Inc. to Provide Outreach and Education Services for the Gainesville Police Department's Comprehensive Drug Plan Program (B)

RECOMMENDATION *The City Commission authorize the Interim City Manager to execute the agreement with Meridian Behavioral Healthcare, Inc., subject to approval by the City Attorney as to form and legality, and authorize the issuance of a purchase order in an amount not to exceed \$49,917 for this agreement.*

This Matter was Approved as Recommended on the Consent Agenda.

040187 Ad Hoc Committee on Homeless Concerns Update Report (B)

RECOMMENDATION *The City Commission review and approve the Interfaith Hospitality Network promotion.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**040877 Partial Release of Easement (B)**

RECOMMENDATION *The City Commission: 1) approve the partial release of a public utility easement; and 2) authorize the Mayor and Clerk of the Commission to execute the Partial Release of 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.

040878 Underground Electric Distribution Installation Services Contract (NB)

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute an amendment to extend the contract with Pike Electric Inc. for the installation of underground electric distribution facilities for a period of one (1) year and 2) approve the issuance of a purchase order to Pike Electric Inc. for a one (1) year term, not to exceed budgeted amounts.*

This Matter was Approved as Recommended on the Consent Agenda.

040898 First Amendment of Credit Agreement for Liquidity Provider - Tax Exempt Commercial Paper Program (TECP) (NB)

RECOMMENDATION *The City Commission authorize: 1) The General Manager to negotiate and execute a first amendment of the agreement dated January 10, 2000 with Bayerische Landesbank (BLB) to provide Bank liquidity backup for the Tax Exempt Commercial Paper program through November 30, 2015, with optional termination dates, subject to the approval of the City Attorney as to form and legality; and 2) Execute further contract extensions that may be allowed under the Amended Agreement subject to the favorable recommendation of GRU's Financial Advisor and subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

**040875 CHARLES CHIDO V. ROB KOEHLER AND CITY OF GAINESVILLE;
UNITED STATES DISTRICT COURT CASE NO. 1:04CV377-MMP/AK (B)**

RECOMMENDATION *The City Commission 1) approve the terms of the settlement; and 2) authorize the City Attorney to settle the claims of Charles Chido on behalf of the City.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

040901 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of Monday, January 10, 2005; as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

040624 2005 Affirmative Action Plan (NB)

RECOMMENDATION *Equal Opportunity Committee recommends the City Commission accept the 2005 Affirmative Action Plan and remove this item from the Referral List.*

This Matter was Approved as Recommended on the Consent Agenda.

040874 Proposed Amendments to Chapter 8, Codes of Ordinances (NB)

RECOMMENDATION *The City Commission authorize the City Attorney to prepare and the Clerk to advertise the ordinance.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

040813 Create New Title Codes Enforcement Supervisor in the Occupational Index (B)

RECOMMENDATION *Personnel & Organizational Structure Committee recommend the City Commission approve the request to add the Codes Enforcement Supervisor to the Occupational Index.*

This Matter was Approved as Recommended on the Consent Agenda.

REGIONAL UTILITIES COMMITTEE, CONSENT

040338 Regional Utilities Committee Referral Item #040338 - Underground Infrastructure Requirement (NB)

RECOMMENDATION *The City Commission remove item #040338, Underground Infrastructure Requirement, from the Regional Utilities Committee referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

040548 Regional Utilities Committee Referral Item #040548 - Power Outage - Special Needs Law (Megan Adam's Law) (NB)

RECOMMENDATION *The City Commission: 1) not adopt local legislation or endorse the adoption of statewide legislation that would impose additional service restoration requirements on public utilities; and 2) remove item #040548, Power Outage – Special Needs Law (Megan Adam's Law), from the Regional Utilities Committee referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Nielsen, 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: 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 Lowe moved and Commissioner Chestnut seconded to adopt the Regular Agenda with the following modifications.

(VOTE: 7-0, MOTION CARRIED)

- 1. File #040894 - Leadership General Government - (Remove from the agenda).*
- 2. File #040162 - Cultural Sensitivity Training - (Remove from the agenda).*
- 3. File #040240 - Fire Hydrant Fees - (Back-up submitted).*
- 4. File #040909 - (New Item) - Members of the City Commission Category - Special Joint City/County Commission Meeting discussion.*

5. File #040908 - Proclamation - "Walk for East Gainesville" - (Add to the agenda).

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

040894 Leadership General Government VI (NB)

RECOMMENDATION *The City Commission hear a presentation from Bob Woods representing Leadership General Government VI.*

Withdrawn

GENERAL MANAGER FOR UTILITIES

040879 Demand Side Management RFP, New Rebate Programs, and New School Curriculum (NB)

GRU Conservation Analyst Tara Thomas and Mark Spiller gave presentations.

RECOMMENDATION *The City Commission hear a presentation outlining energy conservation efforts including results of the Demand Side Management RFP, the status of the New Conservation Rebate Programs, Duct Leak Pilot Program and Energy Conservation School Curriculum.*

Heard

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

040162 Cultural Sensitivity Training (B)

RECOMMENDATION *City Commission direct staff to: 1) implement a plan to schedule diversity training for all regular City employees every three years, 2) update materials used in GPD's Human*

Diversity Training, 3) implement a plan for a City Commission supported dialogue on race and race relations, 4) schedule City Commissioners for diversity awareness training on an individual basis, and 5) remove this item from the Referral List.

Withdrawn

COMMITTEE REPORTS (PULLED FROM CONSENT)

REGIONAL UTILITIES COMMITTEE

040240 Referral Item #040240 - Fire Hydrants Fees (B)

GRU Managing Utility Analyst Heidi Lannon, City Litigation Attorney Elizabeth Waratuke and City Fire Chief Richard Williams gave presentations.

MOTION: Instruct staff to present Option 2 (from the City Manager's Memo, as shown below) during FY 2006 budget hearings; and 2) the City Commission shall consider whether or not to move forward with the proposal after hearing recommendations from staff.

OPTION 2

A. Reduce the millage rate to effect a reduction in ad valorem revenues equal to \$1.5 million. This translates to a .375 mill reduction, lowering the millage rate to 4.5666. This adjusted rate is 1.0849 mills higher than the County MSTU millage rate of 3.4817.

B. Utilize \$1 million of the remaining \$1.5 million expenditure reduction to meet debt service costs on a bond issue with the proceeds going to fund recreation projects. At current rates, on a 20-year issue, \$1 million in annual debt service will support an issue size of approximately \$13,375,000. After issuance costs, this would yield approximately \$13,025,000 in proceeds.

C. Utilize the remaining \$500,000 in expenditure reductions to fund recreation operating costs generated by the recreation capital projects funded in B. above.

RECOMMENDATION *The City Commission: a) receive a written report on Fire Hydrants and Streetlights; b) hear a presentation on Fire Hydrants and Streetlights and provide direction to staff; and c) receive a written opinion by the City Attorney.*

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

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

031228 Water and Wastewater Utilities Extension Policy - Referral Number 031228 (B)

GRU Interim Water/Wastewater Assistant General Manager David Richardson and Managing Utility Analyst Heidi Lannon gave presentations.

RECOMMENDATION *The City Commission: 1) receive a presentation on the GRU water and wastewater extension policy; and 2) make findings that the GRU extension policy is appropriate; and, 3) determine that the primary influence on development patterns within the GRU water and wastewater service area are the future land use designations adopted by the current Alachua County and City of Gainesville Comprehensive Plans; and, 4) remove this item from the Referral List*

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Domenech, 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

ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

040876 Annual Performance, Salary and Benefits Review for the City Attorney (NB)

MOTION: The City Attorney receive a 3.5% pay increase retroactive to his anniversary date.

RECOMMENDATION *The City Commission review the salary and benefits of the City Attorney and make any changes deemed appropriate and retroactive to the anniversary date.*

A motion was made by Commissioner Bryant, 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

040909 Special Joint City/County Commission Meeting (NB)

NOTE: The City Commission will not be available for a Joint City/County Commission Meeting January 28, 2004.

RECOMMENDATION *The City Commission discuss holding a Special Joint City/County Commission Meeting, Friday, January 28, 2005.*

Discussed

040887 Bid Award - Depot Park, Phase I - Regional Stormwater Treatment Facility (B)

City Engineer Stu Pearson gave a presentation.

RECOMMENDATION *The City Commission: 1) Authorize the award of the lowest responsible bid to Watson Construction Co., Inc. based on their proposed \$1,293,850 for the work; 2) authorize the Interim City Manager to issue a Purchase Order not to exceed \$1,293,850; 3) authorize the Interim City Manager to execute all documents related to this authorization for the project subject to approval from the City Attorney as to form and legality; and 3) authorize all necessary budget amendments for the project.*

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

COMMISSION COMMENTS**Commissioner Rick Bryant**

1. Law Enforcement in Springhill Neighborhood Parks.

See following referral item #040910.

040910 Spring Hill Neighborhood Park (NB)

RECOMMENDATION *The City Commission add the Spring Hill Neighborhood Park to the list of parks in the Code of Ordinances by resolution and come back later with an ordinance.*

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Domenech, that this matter be Referred to the City Attorney, due back on July 24, 2005. The motion carried by the following vote:

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

Commissioner Craig Lowe

1. House under construction since 1997.

See following referral item #040911.

040911 Length of Time to Complete Home Construction (NB)

RECOMMENDATION *The City Commission refer the matter of the length of time to complete construction of a home to the Community Development Committee.*

A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Domenech, that this matter be Referred to the Community Development Committee, due back on July 24, 2005. The motion carried by the following vote:

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

Commissioner Chuck Chestnut

Wal-Mart - North Side Park Property Issue - (Reverter Clause)

City Attorney Marion Radson

Introduction of new Assistant City Attorney Marynelle N. Hardy.

RECESS - 4:03 PM

RECONVENE - 5:30 PM

CITIZEN COMMENT

040913 Deerhaven Expansion Citizen Comment (B)

RECOMMENDATION *The City Commission hear comments from Peter Rebmann, Leonard Eisenberg, Francine Robinson, Linda Pollini, Dyonne McGraw, Mark van Soestbergen and Dave Bruderly;*

and place back-up submitted on file.

Placed on File

Peter Rebmann - Citizens for Affordable and Renewable Energy (CARE)

Deerhaven Expansion

Leonard Eisenberg - Citizens for Affordable and Renewable Energy (CARE)

Deerhaven Expansion

Joseph Prager

Deerhaven Expansion

Ms. Francine Robinson - Alachua County Chapter of Florida League of Conservation Voters

Deerhaven Expansion

Linda Pollini - Suwannee-St. John's Sierra Club

Deerhaven Expansion

Caron Cadle

Building Review Board (DRB Item)

NOTE: It was explained to Ms. Cadle that this item was coming up later on the agenda.

Diyonne McGraw

Deerhaven Expansion

Mark van Soestbergen

Deerhaven Expansion

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

Boy Scout Troop #307.

PROCLAMATIONS/SPECIAL RECOGNITIONS**040896 Recognition of Lt. Darrell W. Brown for the 2004 Fire Investigator of the Year Award (NB)**

RECOMMENDATION *The City Commission present Lt. Darrell W. Brown with the Florida Fire Marshals' and Inspectors' Association's Fire Investigator of the Year Award.*

Heard

040883 Burn Awareness Week - February 6-12, 2005 (B)

RECOMMENDATION *City of Gainesville Fire Rescue Chief Richard Williams to accept the proclamation.*

Heard

040880 National Blood Donor Month - January 2005 (B)

RECOMMENDATION *LifeSouth Community Blood Centers Donor Recruitment Supervisor Jennifer Glymph and Branch Manager Wendy Enting to accept the proclamation.*

Heard

040881 Non-Native Invasive Plant Awareness Week - January 24-31, 2005 (B)

RECOMMENDATION *University of Florida Forester Erick Smith to accept the proclamation.*

Heard

040882 School Crossing Guard Appreciation Day - February 4, 2005 (B)

RECOMMENDATION *Gainesville Police Department Chief Norman B. Botsford and Police Service Technician Supervisor Ernestine Fletcher to accept the proclamation.*

Heard

040908 Walk for East Gainesville Day (B)

RECOMMENDATION *Kiwanis Club of the University City President Ashley Wood to*

receive the Proclamation.

Heard

CITIZEN COMMENT - (Continued)

John Fallon

Transportation Issue

NOTE: It was explained to Mr. Fallon that this item was coming up later in the agenda.

Dave Bruderly

Deerhaven Expansion

PUBLIC HEARINGS

ORDINANCES, 1ST 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.

City of Gainesville Strategic Planner Karen Snyder gave a presentation.

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 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

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.

City of Gainesville Planner Jason Simmons gave a presentation.

Chair Hanrahan recognized Marketing Director for the Oaks Mall Becky Baumgardner who spoke to the matter.

RECOMMENDATION *The City Commission (1) approve Petition 149TCH-04 PB and (2) adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Braddy, that this matter be Approved (Petition) and 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

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.

City of Gainesville Senior Planner Onelia Lazzari gave a presentation.

RECOMMENDATION *The City Commission (1) approve Petition 183TCH-04 PB and (2) adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Chestnut, that this matter be Approved (Petition) and 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**RESOLUTIONS- ROLL CALL REQUIRED****040897 First Florida Governmental Financing Commission Revenue Bonds, Series 2005 (B)**

RECOMMENDATION *The City Commission adopt the proposed 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 and Craig Lowe
Absent: Rick Bryant

040900 Florida Strategy Subgrant for Hazardous Materials Tow Vehicle and Equipment Maintenance (B)

RECOMMENDATION *The City Commission: 1) adopt a resolution authorizing the acceptance of the State of Florida, Department of Community Affairs Florida Strategy subgrant funds for the State Homeland Security Grant Program; 2) authorize the City Manager to accept and execute the subgrant agreement, subject to approval by the City Attorney as to form and legality; and 3) authorize the City Manager to approve the required payments process for expending grant funds as needed.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Domenech, 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 and Craig Lowe
Absent: Rick Bryant

PLAN BOARD PETITIONS**031252 Amend the City of Gainesville Comprehensive Plan 2000-2010 Future Land Use, Transportation Mobility, and Concurrency Management Elements' Map Series and Legal Descriptions. Petition 78LUC-04PB (Related to Petition 79CPA-04PB) (B)**

City of Gainesville Senior Planner Onelia Lazzari gave a presentation.

Chair Hanrahan recognized Citizen John Fallon who spoke to the matter.

See following referral item #040912.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 78LUC-04 PB. Plan Board vote 6-0*

Staff to Plan Board - Approve

A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Chestnut, that this matter be Approved (Petition). 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

031253

Amend the City of Gainesville Comprehensive Plan 2000-2010 Concurrency Management Element. Petition 79CPA-04PB (Related to Petition 78LUC-04PB) (B)

City of Gainesville Senior Planner Onelia Lazzari gave a presentation.

See following referral item #040912.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 79CPA-04 PB. Plan Board vote 6-0*

Staff to Plan Board - Approve

A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Chestnut, that this matter be Approved (Petition). 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

040912

Transportation Concurrency Exception Area (TCEA) Review (NB)

NOTE: Staff is to contact the Mayor's office and put the next Community Development Committee meeting on her calendar; also the Mayor requested that this meeting be held before Petitions 031252 & 031253 come back to the City Commission for first reading.

RECOMMENDATION *The City Commission refer the issue of review of the TCEA to the Community Development Committee.*

A motion was made by Commissioner Lowe, seconded by Commissioner Nielsen, that this matter be Referred to the Community Development Committee, due back on July 24, 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

031256 Amend the City of Gainesville Future Land Use Map for annexed properties from Alachua County located in the vicinity of and including 2521 Southwest Williston Road. Petition 24LUC-04 PB. (Related to Petition 25ZON-04PB). (B)

City of Gainesville Planner Jason Simmons gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 24LUC-04 PB. Plan Board vote 6-0*

Staff to Plan Board - Approve

A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Chestnut, that this matter be Approved (Petition). 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

031257 (Quasi-Judicial) Rezone annexed properties from Alachua County located in the vicinity of and including 2521 Southwest Williston. Petition 25ZON-04 PB. (Related to Petition 24LUC-04PB) (B)

City of Gainesville Planner Jason Simmons gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 25ZON-04 PB. Plan Board vote 6-0*

Staff to Plan Board - Approve

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

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

040665 (Quasi-judicial) Oak Hammock at The University of Florida, Inc. Petition 184PDA-04 PB. (B)

City of Gainesville Planner Jason Simmons gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 184PDA-04 PB. Plan Board vote 6-0*

Staff to Plan Board - Approve

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

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

040895 Southeast Gainesville Renaissance Initiative (B)

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

FIRST MOTION: Commissioner Chestnut moved and Commissioner Bryant seconded that staff talk with the property owner (Kennedy Homes) and bring back recommendations to the City Commission. (WITHDRAWN)

MOTION (MAIN MOTION): Commissioner Chestnut moved and Commissioner Nielsen seconded to allocate up to \$50,000 from the City Commission Contingency Fund to move forward with the Southeast Gainesville Renaissance.

(VOTE: 5-2 - Commissioner's Lowe, Chestnut, Nielsen, Bryant and Mayor Hanrahan - Yes; and Commissioners Braddy and Domenech - No, MOTION CARRIED)

ADDITIONAL (INCIDENTAL) MOTION:

Commissioner Domenech moved and Commissioner Braddy seconded to continue the motion.

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

Chair Hanrahan recognized Developer John Hudson and Robert Pearce who spoke to the matter.

RECOMMENDATION *Authorize staff to initiate RFPs for a financial consultant and planning consultant to be funded from City Commission contingency funds, with the intention of a proposed budget of approximately \$25,000 to \$50,000 plus expenses for the financial consultant and \$25,000 plus expenses for the planning consultant.*

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

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

040503

Development Review Process Recommendations (B)

City of Gainesville Economic Development Director Erik Bredfeldt and Community Development Director Tom Saunders gave a presentation.

Chair Hanrahan recognized Developer John Hudson, Mark Goldstein and Joshua Shatkin who spoke to the matter.

*FIRST MOTION: Commissioner Lowe moved and Commissioner Chestnut seconded to approve the Community Development Committee's recommendation.
(NO VOTE)*

AMENDMENT BY SUBSTITUTION MOTION: Commissioner Braddy moved and Commissioner Domenech seconded to: 1) Direct staff to initiate a petition to the City Plan Board to amend the Land Development Code to eliminate site plan review by the Development Review Board (DRB); and 2) direct staff to bring back a conceptual plan for reviewing projects by right, modeled on the County and many progressive cities.

(VOTE: 2-5 - Commissioner's Braddy and Domenech - Yes; Commissioners Lowe, Chestnut, Nielsen, Bryant and Mayor Hanrahan - No, MOTION FAILED)

*WAIVER OF RULES: Commissioner Chestnut moved and Commissioner Lowe seconded to waive the rules to extend the meeting to 11:30 PM.
(VOTE: 6-1, Mayor Hanrahan - No, MOTION CARRIED)*

Chair Hanrahan recognized DRB Member Joshua Shatkin who spoke to the matter.

SECOND AMENDMENT BY SUBSTITUTION MOTION: Commissioner Bryant moved and Commissioner Domenech seconded to 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.

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

Chair Hanrahan recognized Citizen Rob Brinkman who spoke to the matter.

RECOMMENDATION *Economic Development Committee to the City Commission:
The City Commission adopt the City Government Subcommittee's recommendations for the development review process: 1) provide additional information to first step applicants; 2) create a cycle for minor reviews; 3) eliminate neighborhood meetings; 4) create a consent agenda process applicable to the Development Review Board; and 5) restructure the development review process as indicated.*

*Community Development Committee to the City Commission:
Approve with the following modifications: 1) use the nomenclature "restructure" the neighborhood meeting*

requirement rather than "eliminate" it, and for projects outside the special area plan/CRA areas that meet current criteria for requiring neighborhood meetings, send notices to those within 400 feet offering the meeting rather than requiring it automatically, eliminate the newspaper ad for the meeting, and use a modest notice period for the meeting; 2) require the DRB to move items from consent to discussion if there is a citizen request; 3) continue to require that all subdivision plats except minor subdivisions, as now, be reviewed by the DRB, rather than using a 20-lot threshold for single-family subdivisions; 4) use 25 units rather than 50 as the multi-family cut-off; 5) use 10,000 square feet rather than 5 acres for the industrial cutoff; 6) include natural scientist and citizen slots on the DRB; and 7) include all projects over current cutoffs but under the proposed cutoffs on the DRB consent agenda, and remove the item called "Advisory Boards and Committees - Review of Large Site Plan (030266) from the referral list.

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

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

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT

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

ADJOURNMENT - 11:30 PM

Kurt M. Lannon, Clerk of the Commission