

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, August 23, 2004**

**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 - 1:02 PM

## ROLL CALL

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

## INVOCATION

**Captain Kaleb Prieto, Salvation Army**

## CONSENT AGENDA

*Mayor-Commissioner Pro Tem Domenech moved and Commissioner Nielsen seconded to adopt the Consent Agenda with the following modifications:  
(VOTE: 6-0, Commissioner Chestnut - Absent, MOTION CARRIED)*

### *MODIFICATIONS:*

- 1. File #040326 - Interlocal Agreement with Alachua County Regarding Support for New Access Channel - (Replacement back-up submitted).*
- 2. File #040349 - City Commission Minutes - (Remove the August 5, 2004 City Commission Minutes from the Consent Agenda)*
- 3. File #040306 - Request to Declare as Surplus a Portion of City Right Of Way on Southeast 2nd Avenue - (Remove from the Consent Agenda).*

## CITY MANAGER, CONSENT AGENDA ITEMS

### **040330 Presentation by Neighborhood Housing Development Corporation (NB)**

**RECOMMENDATION** *Postpone the discussion about the proposed Ironwood North subdivision with NHDC and interested neighbors until the September 13, 2004 City Commission meeting due to the unavailability of the NHDC Executive Director on August 23, 2004.*

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

### **030536 Contract Extension to Trans Diesel for the Repair and Overhaul of Medium and Heavy Duty Allison Transmissions (B)**

**RECOMMENDATION** *The City Commission: 1) approve the extension of the current contract with Trans Diesel for a period of one-year; and 2) authorize the City Manager or his designee to execute the*

*contract extension.*

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

**030538 Contract Extension to Genuine Auto Parts d/b/a NAPA Auto Parts - Formerly Known as Gainesville Auto Supply (NAPA) for the Procurement of Automotive and Equipment Parts and Supplies (B)**

**RECOMMENDATION** *The City Commission: 1) approve the extension of the current contract with Genuine Auto Parts d/b/a NAPA Auto Parts for a period of one-year; and 2) authorize the City Manager or his designee to execute the contract extension.*

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

**001869 Contract Extension to Lewis Oil Company of Gainesville for Fuel Management Services (B)**

**RECOMMENDATION** *The City Commission: 1) approve the extension of the current contract with Lewis Oil Company of Gainesville for a period of one-year; and 2) authorize the City Manager or his designee to execute the contact extension.*

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

**040325 Award of Bid for Construction of Regional Transit System (RTS) Employee Parking Lot (B)**

**RECOMMENDATION** *The City Commission: 1) approve the award of the bid to R.E. Arnold Construction for the Construction of a Regional Transit System (RTS) employee parking lot; and 2) authorize the City Manager or his designee to execute a contract with R.E. Arnold Construction in the amount of \$246,386.*

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

**040326 Interlocal Agreement with Alachua County Regarding Support for New Access Channel (B)**

**RECOMMENDATION** *The City Commission approve the Interlocal Agreement in substantially the form presented by staff.*

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

**040327 Agreement Between the School Board of Alachua County and the City of**

**Gainesville for the School Resource Officer Program for the 2004/2005 School Year (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager to execute the Agreement between the School Board of Alachua County, Florida and the City of Gainesville, Florida for the School Resource Officer Program, for the period of October 1, 2004 to September 30, 2005.*

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

**040328 Settlement of Worker's Compensation Claim - Katherine Elkins (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 Katherine Elkins, in the amount of \$215,750.*

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

**040329 Median Design Guidelines (B)**

**RECOMMENDATION** *The City Commission: 1) adopt the Median Design Guidelines; and 2) recommend the City Manager or his designee share the document with State and County staffs in hopes that they will adopt these guidelines to enhance the continuity of median beautification within the City and unincorporated urban area.*

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

**040272 Fourth Extension for Professional Civil Engineering Services for FY 2005 (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute the Fourth Extension to the contracts with Brown & Cullen, Inc., and Causseaux & Ellington, Inc., for Professional Civil Engineering Services, extending the term of the contracts from October 1, 2004 to September 30, 2005, subject to final appropriation of funds for FY 2005.*

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

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****040322 Contract for HVAC Maintenance, Repair and Replacement at GRU Facilities B)**

**RECOMMENDATION** *The City Commission: 1) authorize the General Manager, or his designee, to execute a three year contract with Johnson Controls, Inc. for HVAC maintenance, repair and replacement at GRU facilities, subject to the approval of the City Attorney as to form an legality; and 2) approve the issuance of initial purchase orders of \$146,496 for the first year of the contract and the issuance of purchase orders for the subsequent years of the contract subject to annual price increases not exceeding contract provisions and the appropriation of funds for these services in each fiscal year of the contract.*

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

**040324 Security System at the John R. Kelly Generating Station (NB)**

**RECOMMENDATION** *The City Commission approve the issuance of a purchase order to Crime Prevention Security Systems, Inc. for the provision and installation of a system of security cameras at the John R. Kelly Generating Station in the amount of \$57,835.*

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

**040343 Purchase of Three Aerial Units (B)**

**RECOMMENDATION** *The City Commission approve the issuance of purchase orders to Altec Industries, Inc. for two 50' aerial units and one 45' aerial unit in amounts not exceeding \$289,764.09.*

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

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

**040344 Advisory Board/Committee Appointment of Nina B. Ring to the City Beautification Board (NB)**

**RECOMMENDATION** *The City Commission appoint Nina B. Ring to the City Beautification Board for vacancy to expire November 1, 2006.  
Commissioner Braddy: Ring  
Commissioner Bryant: Ring  
Commissioner Chestnut: Ring  
Commissioner Domenech: Ring*

*Commissioner Lowe: Ring  
Commissioner Nielsen: Ring  
Mayor Bussing: Ring*

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

**040345 Advisory Board/Committee Appointment of Robert S. Cohen to the City Plan Board (NB)**

**RECOMMENDATION** *The City Commission appoint Robert S. Cohen to the City Plan Board for vacancy to expire November 1, 2006.  
Commissioner Braddy: Claney  
Commissioner Bryant: Claney  
Commissioner Chestnut: Cohen  
Commissioner Domenech: Claney  
Commissioner Lowe: Cohen  
Commissioner Nielsen: Cohen  
Mayor Hanrahan: Cohen*

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

**040346 Advisory Board/Committee Reappointment of Monica Cooper, the Appointments of Steven R. Boyes and J.T. Frankenberger to the Development Review Board (NB)**

**RECOMMENDATION** *The City Commission reappoint Monica Cooper to a term to expire November 1, 2007; appoint J.T. Frankenberger to a vacancy to expire November 1, 2006; and appoint Stephen R. Boyes to a vacancy to expire November 1, 2005 to the Development Review Board.*

*Commissioner Braddy: Frankenberger and Readvertise  
Commissioner Bryant: Boyes, Cooper and Frankenberger  
Commissioner Chestnut: Boyes, Cooper and Frankenberger  
Commissioner Domenech: Boyes, Frankenberger and Readvertise  
Commissioner Lowe: Boyes, Cooper and Frankenberger  
Commissioner Nielsen: Boyes, Cooper and Frankenberger  
Mayor Hanrahan: Boyes, Cooper and Frankenberger*

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

**040347 Advisory Board/Committee Appointment of Hugh D. Rhea to the Gainesville Code Enforcement Board (NB)**

**RECOMMENDATION** *The City Commission appoint Hugh D. Rhea to the Gainesville Code Enforcement Board for a vacancy to expire*

*August 1, 2006.  
Commissioner Braddy: Rhea  
Commissioner Bryant: Rhea  
Commissioner Chestnut: Rhea  
Commissioner Domenech: Rhea  
Commissioner Lowe: Rhea  
Commissioner Nielsen: Rhea  
Mayor Hanrahan: Rhea*

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

**040348 Advisory Board/Committee Appointment of Robert W. Brinkman and Kim M. Van Vliet to the Gainesville Energy Advisory Committee (NB)**

**RECOMMENDATION** *The City Commission appoint Robert W. Brinkman and Kim M. Van Vliet to the Gainesville Energy Advisory Committee for terms to expire September 30, 2007.  
Commissioner Braddy: Van Vliet and Readvertise  
Commissioner Bryant: Brinkman and Van Vliet  
Commissioner Chestnut: Brinkman and Van Vliet  
Commissioner Domenech: Readvertise  
Commissioner Lowe: Brinkman and Van Vliet  
Commissioner Nielsen: Brinkman and Van Vliet  
Mayor Hanrahan: Brinkman and Van Vliet*

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

**040349 City Commission Minutes (B)**

**RECOMMENDATION** *The City Commission approve the minutes of August 2, 2004 (two sets); and August 9, 2004; as circulated.*

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

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**040306 Request to Declare as Surplus a Portion of City Right Of Way on Southeast 2nd Avenue (B)**

**RECOMMENDATION** *The City Commission approve the request to declare as surplus the Right-of-Way on Southeast 2nd Avenue in front of*

*the French Courtyard Apartments; and 2) provide the land to the CRA for redevelopment.*

**This Matter was Withdrawn on the Consent Agenda.**

**040315 Approval of the Northwest 5th Avenue Streetscape Concept (B)**

**RECOMMENDATION** *The City Commission support the implementation of the streetscape from Northwest 6th Street to Northwest 3rd Street in whatever fashion possible.*

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

**Passed The Consent Agenda**

**A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Nielsen, 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, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**END OF CONSENT AGENDA**



## ADOPTION OF THE REGULAR AGENDA

*Commissioner Lowe moved and Commissioner Braddy seconded to adopt the Regular Agenda with the following modifications:*

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

### *MODIFICATIONS:*

- 1. File #040353 - Members of the City Commission - Commissioner Edward Braddy - Development Review Board Discussion (New Item).*
- 2. File #040354 - Members of the City Commission - Commissioner Tony Domenech - Local Government Infrastructure Surtax (New Item).*
- 3. File #030906 - Petition 100LUC-03PB, Avid Engineering, Inc. - (Correction in title - Not Quasi-Judicial).*
- 4. File #040352 - Resolution - GACRAA - Authorizing and Accepting Grant Offer From USDOT, FAA - (Replacement back-up submitted).*

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

## CITY MANAGER

### **040331 Downtown Comprehensive Parking Program (B)**

*City of Gainesville Traffic Engineering Manager Brian Kanely gave a presentation.*

*Chair Hanrahan recognized Downtown Redevelopment Advisory Board (DRAB) Member Liz Fetty, Thomas Sputo, Joseph Antonelli, John Prosser, Hal Goodwin, DRAB Chair Kinnon Thomas, DRAB Member Linda McGurn, Israel Karasik, Cliff Nelson, Gabriel Tiner and Shawn Perry who spoke to the matter.*

*MOTION: Approve: 1) Converting City Lot 4 to short-term 2-hour metered parking; 2) maintaining the current parking operations in City Lot 8 and bring the long-term permits back at a future date; 3) converting Lots 10 and 13 to short-term 2 hour metered parking; 4) to direct the City Manager to work with the County Manager on encouraging better use of short term parking by City and County employees; 5) request the City Manager have his staff work with the Downtown Redevelopment Advisory Board (DRAB) to address the metered parking rates for both the short term and long term metered parking rates, and to work on surface parking lot long-term rates; and 6) direct staff to work with the neighborhood to re-evaluate the need of the parking meters on SE 2nd Avenue; and bring back recommendations to the City Commission.*

**RECOMMENDATION** *The City Commission approve: 1) converting City Lot 4 to short-term 2-hour metered parking; 2) maintaining the current parking operations in City Lot 8 and the increase in*

*cost of the long-term permits sold to the Moody Law Firm to \$30 per month; 3) converting Lots 10 and 13 to short-term 2-hour metered parking; 4) increasing short-term metered parking rates from \$0.50/hour to \$0.75/hour; 5) increasing long-term metered parking rates from \$0.05/hour to \$0.25/hour; and 6) discuss a reconsideration of the parking ordinance and resolution approved on July 26, 2004.*

**A motion was made by Commissioner Braddy, seconded by Commissioner Nielsen, that this matter be Approved, as shown above. 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

**040174 Strategic Action Plan for Economic Development and Peer Cities/Benchmarking System (B)**

*City of Gainesville Economic Development Director Erik Bredfeldt gave a presentation.*

*Chair Hanrahan recognized President and CEO of Business Smart Corporation Appie Graham who spoke to the matter.*

**RECOMMENDATION** *The City Commission: 1) hear a presentation of the Strategic Action Plan for Economic Development and Peer Cities/Benchmarking System; 2) approve the Strategic Action Plan for Economic Development and Peer Cities/Benchmarking System with subsequent refinements; and 3) direct staff to present this Strategic Action Plan for Economic Development and Peer Cities/Benchmarking System to the Alachua County Economic Development Advisory Committee.*

**A motion was made by Commissioner Braddy, 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, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut and Tony Domenech

**040332 Metropolitan Transportation Planning Organization (MTPO) (NB)**

*City of Gainesville Traffic Engineering Manager Brian Kanely gave a presentation.*

**RECOMMENDATION** *The City Commission hear a report from staff regarding the September 2, 2004 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

**Heard**

**GENERAL MANAGER FOR UTILITIES****040342 Consulting Services for the GRU Customer Information System (CIS) Replacement Project (B)**

*Gainesville Regional Utilities Energy and Business Services Manager Steve Stagliano gave a presentation.*

**RECOMMENDATION** *The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a contract with Advanced Automation Consulting, Inc. for consulting services to assist with the replacement of GRU's Customer Information System (CIS), subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order(s) to Advanced Automation Consulting, Inc. in a total not to exceed amount of \$500,000 for the contract term, subject to the appropriation of funds in each fiscal year.*

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

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

**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****040350 Film Commission of Real Florida Representing Gainesville/Alachua County (B)**

*Film Commission of Real Florida Inc., Film Commissioner Jude Hagin gave a presentation.*

**RECOMMENDATION** *The City Commission hear a presentation and take*

*appropriate action.*

**Heard**

## MEMBERS OF THE CITY COMMISSION

### 040351 Mayor Pegeen Hanrahan (B)

*Mu Upsilon Omega Chapter Alpha Kappa Alpha Sorority, Inc. President Diyonne McGraw and Appie Graham gave presentations.*

*FIRST MOTION: Commissioner Lowe moved and Commissioner Nielsen seconded to appropriate from the City Commission Contingency Fund \$3,852.00 for co-sponsorship of the Harlem Hospital Dance Leadership Program "Dance-A Healing Medicine" at the Center for Performing Arts on October 30, 2004.  
(NO VOTE)*

*SUBSTITUTE MOTION: Commissioner Bryant moved and Mayor-Commissioner Pro Tem Domenech seconded to appropriate \$1,500.00 from the City Commission Contingency Fund for co-sponsorship of the Harlem Hospital Dance Leadership Program "Dance-A Healing Medicine" at the Center for Performing Arts on October 30, 2004.  
(VOTE: 6-0, MOTION CARRIED)*

**RECOMMENDATION** *The City Commission discuss funding for the Mu Upsilon Omega Chapter Alpha Kappa Alpha Sorority Inc. and take appropriate action.*

**A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Domenech, that this matter be Approved, as shown above (Substitute Motion). 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

## COMMISSION COMMENTS

### Commissioner Ed Braddy

*Special Meetings Re: Energy Supply Plan*

*See following item #040363.*

### 040363 Energy Supply Plan (NB)

**RECOMMENDATION** *The City Commission instruct the Clerk of the Commission to schedule the first of 3 Special Meetings regarding: 1)*

*"Emissions and Air Quality"; 2) "Demand Side Management, Benchmarking and Additional Follow Up from Previous Workshops"; and 3) "Risk Assessments and Financial Planning"; with the first meeting to be scheduled mid to late September.*

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

**RECESS - 4:54 PM**

**RECONVENE - 5:36 PM**

**CITIZEN COMMENT**

**Barbara Barletta**

*Metal Roofs - The City Manager will have the Building Department look into this issue.*

**Deborah Ruiz - Ironwood Villages Resident - NHDC Issues**

**Kevin Claney - Ironwood Villages Resident - NHDC Issues**

**MEMBERS OF THE CITY COMMISSION (Continued)**

**040353 Commissioner Edward Braddy - Development Review Board Discussion (NB)**

*City of Gainesville Community Development Director Tom Saunders made comments.*

**RECOMMENDATION** *The City Commission discuss the Development Review Board and take action deemed appropriate.*

**Discussed**

**PLEDGE OF ALLEGIANCE (6:00pm)**

**Pack #127, Webelos Den #6**

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**PROCLAMATIONS/SPECIAL RECOGNITIONS****040333 Junior Fire Academy Program (NB)**

**RECOMMENDATION** *The City Commission: 1) recognize accomplishments of the Junior Fire Academy graduates; and 2) present graduates with their Junior Firefighter badges.*

**Heard**

**040334 Florida Fire Chief Association Award (NB)**

**RECOMMENDATION** *The Mayor and City Manager present the Florida Fire Chief's Association award to Fire Chief Richard F. Williams.*

**Heard**

**040335 Presentation of Executive Fire Officer Certificate to Howard E. Prince, District Chief of Training (NB)**

**RECOMMENDATION** *The Mayor and the Fire Chief present the EFO certificate to Howard E. Prince.*

**Heard**

**040336 Presentation of Certificate for Completion of Harvard Program for Senior Executives in State and Local Government (B)**

**RECOMMENDATION** *The Mayor and the Fire Chief present the Harvard Program Certificate to Kim M. Berryman-Dages.*

**Heard**

**COMMISSION COMMENTS (if time available)****PUBLIC HEARINGS****040339 CoxCom, Inc. Franchise Agreement (B)**

*City of Gainesville Revenue Recovery Specialist Audrey Lewis gave a presentation.*

*Chair Hanrahan recognized Charles Willett, Jeanna Mastrodicasa, Raquel Garcia and CoxCom. Representative Rick Mulligan who spoke to the matter.*

**RECOMMENDATION** *The City Commission 1) conduct a public hearing to receive comments on the franchise renewal; and 2) approve the franchise agreement as presented by staff.*

**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, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut and Edward Braddy

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

### **040215 REPEAL OF CHAPTER 3, CODE OF ORDINANCES - AIRPORTS AND AVIATION(B)**

**Ordinance No. 0-04-74**

**An ordinance of the City of Gainesville, Florida, related to airports and aviation, repealing Chapter 3 of the Code of Ordinances, reserving Chapter 3 in the code; 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 Nielsen, seconded by Commissioner Bryant, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

### **040278 URBAN SERVICES REPORT - SUNTRUST AND SANTA FE BUSINESS AREA (B)**

**Ordinance No. 0-04-76**

**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 State Road 222 (NW 39th Avenue), west of the City limits and NW 43rd Street, north of Tax Parcels 06111-206-000, 06111-207-000, and 06111-003-004 and east of the vicinity of NW 45th Street; 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 Commissioner Nielsen, seconded by Commissioner Bryant, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

**040279 URBAN SERVICES REPORT - PARCEL NO. 06712-000-000 (ISSIE ANN LOWE, TRUSTEE) (B)**

**Ordinance No. 0-04-73**

**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 06715-000-000 and the City limits, west of the City limits and Tax Parcel 06698-000-000, north of Tax Parcel 06714-000-000 and the vicinity of the City limits, and east of Tax Parcel 06715-000-000 and the vicinity of Tax Parcel 06724-000-000; 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 Nielsen, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

**040280 URBAN SERVICES REPORT - PORTOFINO (B)**

**Ordinance No. 0-04-72**

**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 Southwest 20th Avenue, west of the City limits, north of the City limits and Tax Parcels 06679-000-000 and 06679-003-000, and east of Southwest 20th Avenue; 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 Bryant, that this matter be Adopted on First Reading (Ordinance). 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

**040290 ANNEXATION - BLUES CREEK - "THE COVE" AND "COVE SOUTH" (B)**

**Ordinance No. 0-04-69**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area located generally south of Blues Creek subdivision and the City limits, west of NW 51st Terrace, north of the vicinity of NW 54th Drive and 52nd Terrace, and east of NW 52nd Drive; providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the City Manager and Clerk of the Commission; providing ballot language; providing for land use plan and zoning regulations; providing for persons engaged in any occupation, business, trade or profession; providing a severability clause; and providing effective dates.**

*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 Bryant, that this matter be Adopted on First Reading (Ordinance). 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

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

**031013 LAND DEVELOPMENT CODE AMENDMENT - CORPORATE PARK DISTRICT (B)**

**Ordinance No. 0-04-54; Petition 28TCH-04 PB**

**An ordinance of the City of Gainesville, Florida, amending section 30-78 of the Land Development Code, relating to the Corporate Park district (CP); adding Standard Industrial Classification Code 8999 (Services, not elsewhere classified)**

as an allowable use by right; establishing a building height limit of 5 stories; eliminating FAR (floor area ratio) requirements; changing the offices/residential density range from 10-30 units per acre to 12-30 units per acre; adding outdoor cafes as an accessory use to eating places permitted by special use permit in the CP district; amending Appendix A, section 2, Exhibit B, Special Area Plan for the Triangle Area, specific regulations; limiting building height to five stories; removing redundancies and inconsistencies throughout the ordinance; 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 Nielsen, 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, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

Absent: Chuck Chestnut

**031133**

**LAND DEVELOPMENT CODE AMENDMENT - RESIDENTIAL LOW DENSITY DISTRICTS (B)**

**Ordinance No. 0-04-55; Petition 65TCH-04 PB**

**An ordinance of the City of Gainesville, Florida, relating to residential low density districts; amending section 30-52 of the Land Development Code, Residential low density districts (RMF-5, RC and MH); eliminating FAR (floor area ratio) requirements; establishing a 3-story height limit by right and revising other dimensional requirements for the RC (12 units/acre) and RMF-5 (12 units/acre) residential low density zoning districts; permitting stoops as a condition for townhouses or rowhouses of up to 6 dwellings in the RMF-5 and RC districts; combining Tables 2 and 2-A into one Table 2; removing redundancies and inconsistencies; amending section 30-23, definitions; revising the definition of "townhouse"; creating a definition for "rowhouse;" 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 Bryant, seconded by Commissioner Nielsen, that this matter be Adopted on Final Reading (Ordinance). 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

**RESOLUTIONS- ROLL CALL REQUIRED**

**040321 Final single-lot replat approval of Lot 57 of Woodland Park located at 2241 Southeast 11th Avenue, Petition 52SUB-04CD (B)**

*City of Gainesville Chief of Current Planning Lawrence Calderon gave a presentation.*

**RECOMMENDATION** *The Commission adopt the following resolution: A Resolution approving the final, single lot replat of "Bergbower Replat", being a replat of part of Lot 57 of Woodland Park located at 2241 Southeast 11th Avenue; providing directions to the Clerk of the Commission; and providing an immediate effective date.*

**A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Nielsen, that this matter be Adopted (Resolution). 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

**040340 (Quasi-Judicial) Conditional Final plat review for 30 lots in Krystle Pines Cluster Subdivision Phase II located in the 8200 block of Northwest 43rd Street (west side). Petition 122SUB-02DB (B)**

*City of Gainesville Senior Planner Carolyn Morgan and Agent for the Developer Rory Causseaux gave presentations.*

**RECOMMENDATION** *The City Commission adopt the following resolution: A Resolution approving the conditional final plat of "Krystle Pines Cluster Subdivision Phase II", located generally in the vicinity of Northwest 82nd Avenue and Northwest 44th Drive; providing directions to the Clerk of the Commission; and providing an immediate effective date.*

**A motion was made by Commissioner Braddy, 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, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**040341 FDOT Block Grant Funds for Operating Assistance for Regional Transit System for FY 2004-2005 (B)**

*City of Gainesville Regional Transit Director Jeff Logan gave a presentation.*

**RECOMMENDATION** *The City Commission adopt the Resolution authorizing execution of Joint Participation Agreement with the Florida Department of Transportation.*

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

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

040352

**GACRAA - AUTHORIZING AND ACCEPTING GRANT OFFER FROM USDOT, FAA (B)**

**A resolution of the City of Gainesville, Florida, authorizing acceptance of a grant offer from Department of Transportation, Federal Aviation Administration, and authorizing execution by the Mayor and Clerk of the Commission on behalf of the City of Gainesville; and providing an immediate effective date.**

*Gainesville/Alachua County Regional Airport Director Rick Crider gave a presentation.*

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

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

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

## PLAN BOARD PETITIONS

030906

**Amend the City of Gainesville Future Land Use Map from SF (Single Family, up to 8 units per acre) to PUD (Planned Use District) to allow for commercial development located at 5043 Northwest 43rd Street. (Petition 100LUC-03 PB) (B)**

*City of Gainesville Chief of Comprehensive Planning Dean Mimms and Traffic Engineering Manager Brian Kanely gave presentations.*

*Attorney for the Petitioner Patrice Boyes, Avid Engineering Representative Jill Abel, Engineer for the applicant George McBee, President of Fishkind and Associates Hank Fishkind, WVK Enterprises, Inc. President Wendy Kinser gave presentations.*

**PUBLIC HEARING:**

*Chair Hanrahan recognized Citizens Marcus Trobaugh, James Moulthrop, Dr. Marcie Slayton, Richard Albrecht, Muriel Albrecht, David Smock, Cheryl Berry, David Russ, Bonnie Mott, Bob Richardson, Christine Riggs, Zack Osbrach, Kirk McKay and Cathy Martin who spoke to the matter.*

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

*WAIVER OF RULES: Mayor-Commissioner Pro Tem Domenech moved and Commissioner Lowe seconded to waive the rules to extend the meeting until 11:30 PM.*

*(VOTE: 6-0, MOTION CARRIED)*

*FIRST MOTION: Commissioner Domenech moved and Commissioner Braddy seconded to approve the land use petition.*

*(VOTE: 2-4, Commissioner's Domenech and Braddy, Yes; Commissioner's Lowe, Nielsen, Bryant and Mayor Hanrahan, No; Commissioner Chestnut - Absent - MOTION FAILED)*

*Commissioner Bryant disclosed ex parte communications.*

*Commissioner Domenech disclosed ex parte communications.*

*Commissioner Braddy disclosed ex parte communications.*

*Commissioner Lowe had no ex parte communications.*

*Commissioner Nielsen had no ex parte communications.*

*Mayor Hanrahan had no ex parte communications.*

**RECOMMENDATION** *Plan Board to City Commission: Deny Petition 100LUC-03 PB. Plan Board vote 6-0*

*Staff to Plan Board: Approve, with conditions.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Lowe, that this matter be Denied (Petition). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Edward Braddy, Rick Bryant and Craig Lowe

Nay: Tony Domenech

Absent: Chuck Chestnut

**030907**

**(Quasi-Judicial) Rezone property from RSF-4 (single-family residential 8 units per acre) to PD (planned development) for commercial development located at 5043 Northwest 43rd Street. ( Petition 101PDV-03 PB) (B)**

**RECOMMENDATION** *Plan Board to the City Commission: Deny Petition 101PDV-03 PB. Plan Board vote: 6-0*

*Staff to Plan Board: Approval of the proposed Planned Development rezoning with associated PD Plan Report and Development Layout Plan, with staff conditions.*

**No Action Taken**

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

**MEMBERS OF THE CITY COMMISSION (continued)****040354 Commissioner Tony Domenech - Local Government Infrastructure Surtax (NB)**

*MOTION: Commissioner Pro Tem Domenech moved and Commissioner Braddy seconded that if the "road tax" passes, the City Commission: 1) Pledge to return \$300,000 currently assigned to re-paving roads to it's rightful place, i.e., the Solid Waste Fund; and 2) additionally that the first \$300,000 of the GRU's Incentive Fund be committed to a reduction of the millage rate with a base rate of .0747 and a max of .0814.*

*Commissioner Domenech moved to table this motion.*

**RECOMMENDATION** *The City Commission discuss the Local Government Infrastructure Surtax and take action deemed appropriate.*

**Tabled**

**UNFINISHED BUSINESS****COMMISSION COMMENT****CITIZEN COMMENT (If time available)****ADJOURNMENT - 11:27 PM**

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Kurt M. Lannon, Clerk of the Commission