

City of Gainesville

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



Meeting Minutes

Monday, November 14, 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 - 1:06 PM

ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

*Commissioner Braddy moved and Commissioner Donovan seconded to adopt the Consent Agenda with the following modification.
(VOTE: 7-0, MOTION CARRIED)*

Chair Hanrahan recognized Citizen Kali Blount who spoke to the matter.

MODIFICATION:

Remove File # 050611 - "Mayor Hanrahan - Ethics Opinion" from the Consent Agenda and place on the Regular Agenda for discussion - and additional back-up submitted.

WAIVER OF RULES MOTION:

*Commissioner Donovan moved and Commissioner Bryant seconded to waive the rules to hear the above referenced item immediately after adoption of the Consent Agenda.
(VOTE: 6-0, Commissioner Nielsen - Absent, MOTION CARRIED)*

CITY MANAGER, CONSENT AGENDA ITEMS

040634

21st Century Community Learning Center Interlocal Agreement with School Board (B)

This item involves receiving \$308,956 in Year 2 funds from the School Board for the City's 21st Century Learning Centers. One 21st Century Learning Center is located at the Eastside Community Center and the other at the Reichert House.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager to: 1) execute an Interlocal Agreement with the School Board for these funds; 2) issue any program related purchase orders; and 3) execute any other program related contracts as necessary to expend the funds in accord with the approved budget.

Alternative Recommendation A: The City Commission decline the 21st Century Community Learning Center Interlocal and

continue to operate the programs it would have funded. The fiscal impact is that the City would need to provide \$308,956 from an alternative source of funds.

Alternative Recommendation B: The City Commission decline the 21st Century Community Learning Center Interlocal and cancel the programs it would have funded. There is no fiscal impact.

This Matter was Approved as Recommended on the Consent Agenda.

Interlocal with School Board-Yr 2 21st Century Grant Funds.pdf

050557

Digital In-car Video Recording and Management System (B)

This item involves the purchase of six digital in-car video systems for the Gainesville Police Department from Department of Justice grant funding, already awarded to the City.

RECOMMENDATION

Recommended Motion: The City Commission authorize the issuance of a purchase order to Decatur Electronics of Decatur, Illinois, in an amount not to exceed \$40,929, for the purchase of six (6) Gemini digital in-car video cameras and one (1) video management system.

Alternative Recommendation A: The City Commission decline authorization for the purchase of Decatur camera systems and direct staff to purchase a system from a different vendor. This would require selecting a vendor, which does not meet the Gainesville Police Department's needs and may cost more to purchase.

Alternative Recommendation B: The City Commission decline authorization for the purchase of any digital in-car camera systems. This action would require the return of grant dollars to the United States Department of Justice, resulting in the loss of \$40,929 to the Gainesville Police Department.

This Matter was Approved as Recommended on the Consent Agenda.

Video In Car Report Backup #2 .2(2).pdf

Video In Car System Vendor Comparison back up 2.3(2).pdf

050565

Contract for Grounds Maintenance at the Thomas Center Gardens (B)

This item involves a request for the City Commission to approve the awarding of the Contract for Grounds Maintenance at the Thomas Center Gardens to Sunshine State Lawn Service Inc.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the

awarding of the contract for grounds maintenance at the Thomas Center Gardens to Sunshine State Lawn Service, Inc. in the amount of \$21,500 per year, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a Purchase Order in the amount of \$21,500 annually for the three year term of the contract.

Alternative Recommendation A: The City Commission award the contract to the higher bidder, E.W. Reshard, for \$23,100.

Alternative Recommendation B: The City's Department of Leisure Services provide grounds maintenance services to the Thomas Center at a cost to be determined.

This Matter was Approved as Recommended on the Consent Agenda.

Bid Tab Thomas Center.PDF

050567

Organizational Structure of General Government (NB)

Under the City Charter, the City Manager may exercise the duty to propose an ordinance or ordinances designating the job titles of subordinates who are directors of departments. Under the Charter, the City Manager has the authority to appoint directors based on merit and remove directors of departments at will.

RECOMMENDATION

The City Commission authorize the City Attorney to prepare, and the Clerk of the Commission to advertise, an ordinance designating the job titles of subordinates who are directors of departments. In addition, the City Attorney and City Manager are authorized to prepare an amendment to Personnel Policy Number 19 to reflect the at will status of designated department directors.

This Matter was Approved as Recommended on the Consent Agenda.

050567_200511281300.pdf

050568

Bid Award for Repainting RTS Buses (B)

This item involves a request for the City Commission to Award the Bid in the amount of \$60,000 and execute the one year contract for FAAO Manufacturing to Repaint the RTS Buses.

RECOMMENDATION

Recommended Motion: The City Commission approve the bid award for FAAO Manufacturing to Repaint RTS Buses and authorize the City Manager or designee to execute the initial one-year contract and any subsequent annual extensions, subject to approval of the City Attorney as to form and legality.

Alternative Recommendation A: The City Commission deny the bid award for FAAO Manufacturing to Repaint RTS Buses. This would require selecting another vendor or rebid. No fiscal impact.

Alternative Recommendation B: The City Commission deny the bid award to repaint RTS buses. If taken, this action could lead to additional repair cost due to worsening body conditions that must be repaired prior to the repainting of RTS buses.

This Matter was Approved as Recommended on the Consent Agenda.

Paint & Body bid tab 10 13 2005.PDF

050569

Request to Refer the 6th Street Corridor Rail Trail Abandon CSX Railroad Right-of-Way Acquisition to the Public Works Committee (B)

This item requests the City Commission refer to the Public Works Committee for their review and recommendation regarding issues associated with the land rights acquisition of the CSX abandon railroad right-of-way as it relates to the 6th Street Corridor portions of the Rail Trail system.

RECOMMENDATION

The City Commission refer to the Public Works Committee for review and recommendation of the right-of-way acquisition for the portion of the abandoned CSX railroad right-of-way associated with the 6th Street Corridor Rail Trail Project, specifically related to soil and groundwater contamination issues.

Alternative Recommendation A: The City Commission direct the City Manager to continue to work with the State and TPL concerning the right-of-way acquisition for the portion of the abandoned CSX railroad right-of-way associated with the 6th Street Corridor Rail Trail Project and to report back to the City Commission on the recommended action. There is no fiscal impact at this time.

Alternative Recommendation B: The City Commission direct the City Manager to inform the State and the TPL that the City of Gainesville will not assume any of the liability or responsibility for contamination associated with the abandon CSX railroad right-of-way with the understanding that this action will most likely end the rail trail project. The City has invested over \$100,000 in environmental assessments, surveys, and appraisals with the understanding the State would reimburse the City for those expenses. This action may eliminate the City's ability to recover these expenditures.

This Matter was Approved as Recommended on the Consent Agenda.

CSX-6th Street Corridor Rail Trail refer to PWC backup.PDF

050590**Award of Old Landfill at Sweetwater - Slope and Creek Stabilization (B)**

This item involves a request for the City Commission to award the completion of the project to Environmental Barrier Company, LLC.

RECOMMENDATION

Recommended Motion: The City Commission: 1) affirm the emergency purchasing process used for this procurement, 2) award the remaining work on the referenced project to Environmental Barrier Company, LLC based on the proposed Contract that incorporated the October 5th Proposal, and 3) authorize the City manager or designee to issue a purchase order not to exceed \$642,450 subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A: The City Commission: 1) affirm the emergency purchasing process used for this procurement, 2) award the remaining work on the referenced project to Environmental Barrier Company, LLC based on the proposed Contract that incorporates the October 5th Proposal, 3) direct the payment bond be obtained for the project and the proposed contract be modified accordingly, and 4) authorize the City manager or designee to issue a purchase order no to exceed \$642,450 plus the cost of the bonding subject to approval by the City Attorney as to form and legality.

The fiscal impact is that the bonding is estimated to add about \$23,000 to the project cost. Note that the payment bond covers the payment to subcontractors and for material. Present estimates for this work range in the \$20,000 to \$30,000 range thus the ratio of the cost of the coverage to the liability is almost 1:1. The provision of the City making subcontractor/material payment directly to the vendors eliminates the liability exposure that the payment bond covers and it will cost substantially less than \$23,000 for the City to make the payments to the vendors. .

Alternative Recommendation B: The City Commission direct the City Manager or designee to 1) apply to the Florida Department of Environmental Protection for a Consent Agreement deadline extension until July 1, 2006, and 2) obtain bids using the normal procurement process. The fiscal impact is unknown at present and will be reflected in the bids obtained at that time. Note that the Surety did obtain several other quotes for the work that began at about \$900,000 and went higher.

This Matter was Approved as Recommended on the Consent Agenda.

Excerpted - Envir. Barrier Co. Proposal.PDF
CONTRACT - Envir. Barrier Co.PDF

050595**Pension Plan Ordinance Amendments (NB)**

This item involves amending the General Employees' Pension Plan ordinance and the Consolidated Police Officers' and Firefighters' Pension Plan ordinance in response to recent Internal Revenue Service pronouncements.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Attorney to draft and the Clerk to advertise amendments to the General Employees' Pension Plan and the Consolidated Police Officers' and Firefighters' Pension Plan related to mandatory distributions to Individual Retirement Accounts under certain circumstances.

Alternative Recommendation: If we wish to remain in compliance with IRS guidelines, there is no alternative recommendation.

This Matter was Approved as Recommended on the Consent Agenda.

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050561**Tiger Bay Project/Block Grant and Surcharge Connection Funds Reallocation (B)**

At the May 23, 2005 City Commission Meeting, the City Commission requested staff to come back with recommendations to reallocate the \$100,000 worth of Block Grant and Surcharge Connection funds that were previously set aside for the Tiger Bay Project, since these funds were no longer needed for this project. The total funds set aside for this project included \$72,000 from the Surcharge Connection Program and \$28,000 from the HOME Program. This item involves a request for the City Commission to approve the reallocation of these funds for other affordable housing projects.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the reallocation of the \$28,000 in HOME Program funds to the Housing Division for use in the housing rehabilitation program; and 2) approve the allocation of \$72,000 in Surcharge Connection Funds to NHDC for the NorthPoint at Ironwood (\$59,644) and Carter Place developments (\$12,356).

Alternative Recommendation A: The City Commission roll

the \$28,000 in the Housing Division's budget for use in other housing programs such as Down Payment Assistance or New Construction. There is no fiscal impact.

Alternative Recommendation B: The City Commission roll the \$72,000 in Surcharge Connection funds in the Programmed Extensions set-aside budget. There is no fiscal impact.

Alternative Recommendation C: The CGCFC to advertise the availability of the \$100,000 to other affordable housing providers on a competitive basis. There is no fiscal impact.

This Matter was Approved as Recommended on the Consent Agenda.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

050599

Approval to Enter into a Consent Order with the Florida Department of Environmental Protection (NB)

Due to wastewater releases earlier this year, FDEP has proposed a Consent Order to resolve the previous release events, conduct activities to deter future releases, and assess stipulated penalties for any future wastewater releases to surface waters that do occur within a five year period. The stipulated penalties may be reduced or eliminated if releases are beyond the Utility system's reasonable control, if the Utility is exercising prudent utility practices to eliminate wastewater spills, or if the Utility takes aggressive actions to reduce the environmental impact of a release. Monetary penalties have been assessed at \$12,500 for the wastewater releases earlier.

RECOMMENDATION

The City Commission authorize the General Manager or his designee to execute a Consent Order with the Florida Department of Environmental Protection substantially in the form of that which is attached to resolve matters involving releases of wastewater to surface waters, subject to the approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

050617

Taxable Financing - Partial Cost Mitigation (NB)

RECOMMENDATION

The City Commission: 1) Authorize the entry into a basis swap with Goldman, Sachs if the financing team determines that it is most beneficial to the Utility, in order to lower

synthetically the taxable interest rate to be paid on the taxable debt for the Deerhaven 2 Retrofit that will be issued on November 16, 2005, and delegate to the General Manager the authority to determine certain matters, and to execute certain documents, in connection therewith, subject to approval of the Office of the City Attorney as to form and legality; 2) Approve the designation of the basis swap as a "Qualified Hedging Contract" within the meaning of the City's Amended and Restated Utilities System Revenue Bond Resolution (Utilities Bond Resolution), and approve the securing of such swap under the Utilities Bond Resolution; and 3) Authorize the Clerk of the Commission, the General Manager and other Authorized Officers to take such other actions as may be necessary or desirable to proceed with this transaction in accordance with this City Commission authorization.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

050598

BellSouth Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting from Changes in Law, FPSC Docket 041269-TP (B)

RECOMMENDATION

Authorize the City Attorney to retain the law firm of Squire, Sanders and Dempsey, to: 1) represent the interest of the City's telecommunications enterprise (GRUCom) in the Docket #041269-TP, Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting from Changes of Law pending before the Florida Public Service Commission, and 2) provide assistance with anticipated negotiations with BellSouth relating to amendments to the Interconnection Agreement between the City and BellSouth.

This Matter was Approved as Recommended on the Consent Agenda.

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CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

050593

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of October 24, 2005, as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

050560

"The Intern" (2) (B)

RECOMMENDATION

The City Commission appropriate \$3,000 from the City Commission Contingency Fund for scholarship and book stipends. Part-time intern funding will be provided by the Clerk of the Commission office, as needed up to budgeted amount of \$7,210.

This Matter was Approved as Recommended on the Consent Agenda.

intern.pdf
050560_200511141300.pdf

050594

Dual Name for SW 28th Street (B)

RECOMMENDATION

The City Commission authorize a resolution to be placed on the November 28, 2005, meeting agenda, dual naming a section of SW 28th Street to "Buster Bishop Drive".

This Matter was Approved as Recommended and Adopted (Resolution) on the Consent Agenda.

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050609

City Commission Special Meetings (NB)

RECOMMENDATION

The City Commission approve the following meetings:

December 5 - 5:00 pm - Second Reading - SFCC Urban Services Report Ordinance #041214

December 19 - 6:00 pm

**First Reading - Hogtown Creek Charter Amendment*

**Second Reading - SFCC Annexation Ordinance*

**Second Reading - CRA College Park Ordinance*

January 30 - 3:00 pm

**Joint meeting with the Alachua County Commission and Alachua County School Board*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Braddy, seconded by Commissioner Donovan, 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, Rick Bryant, Craig Lowe and Jack Donovan

WAIVER OF RULES

Commissioner Donovan moved and Commissioner Bryant seconded to waive the rules to hear File #050611 Mayor Hanrahan - Ethics Opinion, immediately after adoption of the Consent Agenda.

(VOTE: 7-0, MOTION CARRIED)

050611 Mayor Hanrahan - Ethics Opinion (NB)

Chair Hanrahan recognized Kali Blount who spoke to the matter.

RECOMMENDATION *The City Commission request an opinion from the Florida Commission on Ethics regarding any potential conflicts regarding the service of the Gainesville Housing Authority-Resident Commissioner.*

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

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

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

LEGISLATIVE COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Commissioner Braddy moved and Commissioner Chestnut seconded to adopt the Regular Agenda with the following modifications.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

1. File # 050399 - Civic Lights - (Waive the rules to hear Civic Lights at a Time Certain @ 4:00 PM).
2. File #041138 - Revision to Hogtown Creek Watershed Charter Amendment - New Item - (Add to the Agenda under Recreation and Cultural Affairs Committee).
3. Legislative Committee Items File #'s 050483 and 050484 - (Continue to the November 28, 2005 City Commission Meeting); and (Refer the new Proposed Airport Legislation to the Community Development Committee and the Legislative Committee).
4. File #050559 Commissioner Jack Donovan - Temporary Emergency Homeless Assistance Plan (Additional Back-up Submitted).

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

050563

Appointment of a City Commissioner to the Elected Officials Group of the Interlocal Agreement for Public School Facility Planning (B)

Appointment of a City Commissioner to serve as a member of the Elected Officials group for school concurrency in accordance with the Interlocal Agreement for Public School Facility Planning.

Chief of Comprehensive Planning Dean Mimms gave a presentation.

MOTION: Appoint Commissioner Jack Donovan to the Elected Officials group of the Interlocal Agreement for Public School Facility Planning.

RECOMMENDATION

The City Commission appoint one of the City Commissioners to the Elected Officials group of the Interlocal Agreement for Public School Facility Planning.

Alternative Recommendation A: Not to appoint a City Commissioner would violate a provision of the Interlocal Agreement.

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

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

School Concurrency Interlocal Agreement.PDF

GENERAL MANAGER FOR UTILITIES

050536

Consultant Selection Process for the Independent Consultation on Options for Meeting the Electrical Supply Needs of the Gainesville Community (B)

GRU Purchasing Manager Ruth Davis gave a presentation.

FIRST MOTION: Commissioner Donovan moved and Commissioner Nielsen seconded to request that GRU staff negotiate with the second ranked firm to provide a scope of services and a cost estimate for a peer review of the first ranked firm's work to come back to the City Commission within a few weeks after the report is completed. (VOTE: 5-2, Commissioners Braddy and Bryant - No, MOTION CARRIED)

Chair Hanrahan recognized Tom Cunilio, Walter Willard and David Bruderly who spoke to the matter.

SECOND MOTION: Commissioner Braddy moved and Commissioner Bryant seconded to: 1) Rank ICF as the top ranked firm and GDS as the second ranked firm; 2) authorize the General Manager to negotiate and execute the contracts consistent with the previous motion made by Commissioner Donovan; and 3) staff to come back to the City Commission in two weeks (with an estimate of what the costs are associated with the second ranked firm (GDS)). (VOTE: 6-1, Commissioner Lowe - No, MOTION CARRIED)

Chair Hanrahan recognized Director, Energy Studies Public Utility Research Center Paul Sotkiewicz, PhD; Director, UF-DOE High Temperature Electrochemistry Center Eric D. Wachsman PhD, Rob Brinkman and Doris Bardon who spoke to the matter.

RECOMMENDATION

The City Commission: a) Select one or more Independent Consultant(s); and b) Authorize the General Manager or his designee to negotiate and execute the contract(s) with the Independent Consultant(s) for the consultation on options for meeting the electrical supply needs of the Gainesville community and approve the issuance of purchase orders.

Approved, as shown above

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050600**Recent Trends and Factors Influencing Fuel Costs (NB)**

Staff is prepared to update the City Commission on market conditions.

Barry Moline of the Florida Municipal Electric Association, GRU Utilities Management Analyst Dr. Heidi Lannon and Assistant General Manager for Energy Supply Chip Allen gave presentations.

RECOMMENDATION

The City Commission receive a presentation from staff describing recent trends and factors influencing the cost of coal, natural gas, and oil used for electrical generation and distributed to customers for direct use.

Heard

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

WAIVER OF RULES

The rules were waived without objection to hear File #050484 before 050483.

050495**Request to Review Tow Rates and Status of Towing Advisory Board (B)**

The Public Safety Committee and staff gave presentations.

Chair Hanrahan recognized Ultimate Towing Representative Katherine M. Smaha, P.A. who spoke to the matter.

MOTION: Continue this item to the next regular City Commission Meeting (November 28, 2005).

RECOMMENDATION

The City Commission 1) officially sunset the Towing Advisory

Board, 2) hear from the towing industry and other interested parties who may want to present information for the Commission to consider a rate increase, 3) take necessary action to set the maximum fees by resolution of the City Commission prior to December 31st, and 4) retain the room towing discussion on the Public Safety Committee referral list for discussion of future survey rate information, to be provided by the City Manager, as noted in the explanation.

A motion was made by Commissioner Braddy, seconded by Commissioner Nielsen, that this matter be Continued for November 28, 2005. The motion carried by the following vote:

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

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OUTSIDE AGENCIES

050588

Alachua County Solid Waste System (B)

Alachua County Assistant Public Works Director Karen Deeter and City of Gainesville Public Works Director Teresa Scott gave presentations.

RECOMMENDATION

The City Commission hear a report from Karen Deeter, Assistant Public Works Director, as discussed in the October 23, 2005 letter.

Heard

050588.pdf

TIME CERTAIN ITEM - 4:00 PM

050399

Civic Lights (B)

This item involves a request for a \$10,000 contribution and City participation in the Civic Lights Urban Lighting Design Exhibition sponsored by the University of Florida College of Fine Arts.

Economic Development Director Erik Bredfeldt, UF Interim Dean, College of Fine Arts Barbara Korner, UF Professor Stan Kaye and Dr. Martin Gold gave presentations.

RECOMMENDATION

Recommended Motion: The City Commission: 1) hear a

presentation on the Civic Lights exhibition proposal; 2) direct appropriate staff to assist in facilitating the Civic Lights exhibition proposal and to assess all potential City technical/utility, staffing and publicity costs prior to making any future in-kind contribution; and 3) provide a \$10,000 participating partner start up contribution from the City Commission Contingency Fund.

Alternative Recommendation A: The City Commission: 1) hear a presentation on the Civic Lights exhibition proposal; and 2) direct appropriate staff to assist in facilitating the Civic Lights exhibition proposal and to assess all potential City technical/utility, staffing and publicity costs prior to making a future participating partner or in-kind contribution. Fiscal impact will need to be assessed and reported to the City Commission at a future date.

Alternative Recommendation B: The City Commission: 1) hear a presentation on the Civic Lights exhibition proposal; and 2) direct appropriate staff to assist in facilitating the Civic Lights exhibition proposal with no City financial participation. There is no fiscal impact.

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

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

11-14-05 Civic Lights Back-Up.pdf

RECREATION AND CULTURAL AFFAIRS COMMITTEE

041138

Revision to Hogtown Creek Watershed Charter Amendment (B)

This is a discussion item on the proposed revisions to the Hogtown Creek Watershed Charter Amendment Language.

RECOMMENDATION

The City Commission: 1) approve the proposed Hogtown Creek Charter Amendment Language; 2) refer this item to Charter Review Committee as an information item only; 3) direct the City Attorney to draft an ordinance and prepare ballot language; and 4) remove this item from the Recreation and Cultural Affairs referral list.

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

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

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041138b_200511141300.pdf

PUBLIC SAFETY COMMITTEE (Continued)

LEGISLATIVE COMMITTEE

050483 2006 State Legislative Statement (B)

NOTE: This item was continued to the November 28, 2005 Regular City Commission Meeting by adoption of the Regular Agenda Modification Sheet.

RECOMMENDATION *The City Commission accept the report from the Legislative Committee.*

Continued

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050483a_200511281300.pdf

050484 Request from Sarasota County Regarding Red Light Camera Legislative Support (B)

NOTE: This item was continued to the November 28, 2005 Regular City Commission Meeting by adoption of the Regular Agenda Modification Sheet.

RECOMMENDATION *The City Commission support the Resolution and convey that support to the Alachua County delegation.*

Continued

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ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

MEMBERS OF THE CITY COMMISSION

050471 Mayor Hanrahan/Charter Review (NB)

TAKE FROM THE TABLE MOTION: Commissioner Lowe moved and Commissioner Donovan seconded to take this item from the table and schedule for the November 28, 2005 City Commission meeting.

RECOMMENDATION

The City Commission take this item from the table and schedule for the November 28, 2005 City Commission meeting.

A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, 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, Rick Bryant, Craig Lowe and Jack Donovan

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COMMISSION COMMENTS (if time available)**RECESS - 4:51 PM****RECONVENE - 5:31 PM****CITIZEN COMMENT****Susan Wright**

Over-Occupancy in Single Family Neighborhoods

Joe Schmid

Over-Occupancy in Single Family Neighborhoods

Jimmy Harnsberger

Over-Occupancy in Single Family Neighborhoods

Judy Bosquet

National Suicide Survivors Day

See following file #050655

050655 National Suicide Survivors Day (B)

This item was brought before the City Commission during Citizen Comment.

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

Placed on File

Alex Wagenaar

Duckpond Neighborhood Downtown/Homeless Issues

Bob Orndorf

New location for the Food Bank

Mark Goldstein

Over-Occupancy in Single Family Neighborhoods

Dr. Bob Casey

Coalition for Hungry/Homeless

Dr. Glen Smearge

Over-Occupancy in Single Family Neighborhoods

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

Junior Girl Scout Troop #282

PROCLAMATIONS/SPECIAL RECOGNITIONS

050602 Farm-City Week - November 18-25, 2005 (B)

RECOMMENDATION *Alachua County Farm Bureau President Myron Bryan to accept the proclamation.*

Placed on File

050602_200511141300.pdf

050603**Alexa Ostoloza and Prematurity Awareness Day - November 14, 2005 (B)****RECOMMENDATION***Florida Chapter March of Dimes State Advocacy Chair
DeeJay Hellrung to accept the proclamation.***Heard**

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CITIZEN COMMENT - (Continued)**Walter Willard***Various Issues***Pat Fitzpatrick***Homeless Issues***David Chalmers***Over-Occupancy in Single Family Neighborhoods***Michelle Reeves***Duckpond Neighborhood/Homeless Issues***Randy Wells***Duckpond Neighborhood/Homeless Issues***050635****Over-Occupancy in Single Family Neighborhoods (B)***NOTE: This item was also referred to the Public Safety Committee and placed on their referral list.***RECOMMENDATION***The City Commission refer the issue of over-occupancy in
Single Family Neighborhoods to the Community Development
Committee and the Public Safety Committee.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Bryant, that this matter be Referred to the Community Development Committee, due back on May 14, 2006. The motion carried by the following vote:

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

PUBLIC HEARINGS

STATE REVIEW ORDINANCES, 2ND READING - ROLL CALL REQUIRED

041050

LAND USE CHANGE - SW 24TH AVENUE (B)

Ordinance No. 0-05-42, Petition 16LUC-05PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain properties annexed into the City from the Alachua County land use category of "LOW, Low Density Residential" to the City of Gainesville land use category of "Single-Family (up to 8 units per acre)"; consisting of approximately 34 acres; located at the south side of Southwest 24th Avenue, west of I-75 and east of Tower Road; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission: 1) receive the preliminary review of the Department of Community Affairs; and (2) adopt the proposed ordinance.

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

Votes: Aye: Pegeen Hanrahan, Chuck Chestnut, Edward Braddy, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Warren Nielsen

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041186

LAND USE CHANGE - BLUES CREEK (B)

Ordinance No. 0-05-54, Petition 48LUC-05PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties annexed into the City from the Alachua County land use category of "LOW, Low Density Residential" to the City of Gainesville land use category of "Residential Low-Density (up to 12 units per acre)", as more specifically described in this Ordinance, generally located in the vicinity of the 7200 block of

N.W. 52nd Terrace; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission: 1) receive the preliminary review of the Department of Community Affairs; and (2) adopt the proposed ordinance.*

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

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

Absent: Jack Donovan

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041190

LAND USE CHANGE - SOUTH MAIN STREET (B)

Ordinance No. 0-05-56, Petition 52LUC-05PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties from "Single-Family (up to 8 units per acre)" to "Conservation", as more specifically described in this Ordinance, generally located in the vicinity of 3304 South Main Street; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission: 1) receive the preliminary review of the Department of Community Affairs; and (2) adopt the proposed ordinance.*

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

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

Absent: Jack Donovan

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041060

COMPREHENSIVE PLAN AMENDMENT, FUTURE LAND USE MAP, CHANGING LAND USE CATEGORIES OF CERTAIN PROPERTIES TO URBAN MIXED-USE 1 AND URBAN MIXED-USE 2 (B)

Ordinance No. 0-05-76; Petition 36LUC-05 PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use categories of certain properties from the land use categories of "Residential Medium-Density (8-30 units per

acre)", "Residential High-Density (8-100 units per acre)", "Mixed-Use Residential (up to 75 units per acre)", "Mixed-Use Low-Intensity (8-30 units per acre)", "Mixed-Use Medium-Intensity (12-30 units per acre)", "Office", "Commercial", "Education", "Public Facilities", "Conservation", and "Planned Use District", as more specifically described in this Ordinance, to "Urban Mixed-Use 1 (UMU-1: Up to 75 units/acre)" and "Urban Mixed-Use 2 (UMU-2: Up to 100 units/acre)", as more specifically described in this Ordinance; the affected properties are located within that area generally described as the area bounded by NW 5th Avenue to the north, SW 6th Street to the east, and SW 16th Avenue to the south and NW 20th Street to the west; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

City Community Development Director Tom Saunders gave a presentation.

RECOMMENDATION *The City Commission (1) receive the preliminary review of the Department of Community Affairs; and (2) adopt the proposed ordinance.*

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

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

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041057

COMPREHENSIVE PLAN AMENDMENT - URBAN MIXED-USE DISTRICTS (B)

Ordinance No. 0-05-72; Petition 34CPA-05 PB

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan; creating and adding two new land use categories, Urban Mixed-Use district 1 (UMU-1: up to 75 units per acre) and Urban Mixed Use district 2 (UMU-2: up to 100 units per acre); allowing for up to 25 additional units per acre by Special Use permit; providing conditions and standards; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission (1) receive the preliminary review of the Department of Community Affairs; and (2) adopt the proposed ordinance.*

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

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

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031252

COMPREHENSIVE PLAN AMENDMENT (TCEA) (B)

Ordinance No. 0-05-16; Petition 78LUC-04 PB

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; amending the City of Gainesville Future Land Use, Transportation Mobility and Concurrency Management Elements' Map Series and Legal Descriptions to add a Zone C to the Transportation Concurrency Exception Area (TCEA) containing areas annexed in the Archer Road/Southwest area annexation; amending the Future Land Use Map Series to expand the Designated Urban Redevelopment area to include the Archer Road/Southwest area annexation; amending the existing and potential transit hubs, terminals, transfer stations map, Transportation Mobility Map Series; amending the Concurrency Management Element Map Series to add a NW 13th Street Special Concurrency Redevelopment Area Map; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission (1) receive the preliminary review of the Department of Community Affairs; and (2) adopt the proposed ordinance, as amended (Map 6).

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, Chuck Chestnut, Edward Braddy, Rick Bryant, Craig Lowe and Jack Donovan

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031253

COMPREHENSIVE PLAN AMENDMENT - TCEA (B)

Ordinance No. 0-05-17; Petition 79CPA-04 PB

An ordinance of the City of Gainesville, Florida, amending the Concurrency Management Element of the City of Gainesville 2000-2010 Comprehensive Plan;

adding Zone C to the Transportation Concurrency Exception Area; adding policies for Zone C; amending other policies to update the Element; amending Capital Improvements Element and Future Land Use Elements to implement the TCEA expansion; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

City of Gainesville Senior Planner Onelia Lazzari gave a presentation.

AMENDMENT: Page 20, 1.3.1 -

RECOMMENDATION *The City Commission (1) receive the preliminary review of the Department of Community Affairs; and (2) adopt the proposed ordinance.*

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

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

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COMPANION ORDINANCES, 1ST READING - ROLL CALL REQUIRED

041051

REZONING - SW 24TH AVENUE (B)

Ordinance No. 0-05-43, Petition 17ZON-05PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties annexed into the City from the Alachua County zoning category of "R-1a, single-family, low density (one to four dwelling units per acre)" to the City of Gainesville zoning category of "RSF-1: 3.5 units/acre single-family residential district"; located in the vicinity of the south side of SW 24th Avenue, west of I-75 and east of Tower Road; consisting of approximately 34 acres; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission: 1) approve Petition No. 17ZON-05PB; and 2) adopt the proposed ordinance on first reading.*

A motion was made by Commissioner Nielsen, seconded by Mayor-Commissioner Pro Tem 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, Rick Bryant, Craig Lowe and Jack Donovan

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041187

PLANNED DEVELOPMENT - BLUES CREEK (B)

Ordinance No. 0-05-55, Petition 49ZON-05PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands, recently annexed into the City and as more specifically described in this ordinance, from the Alachua County zoning category of "PD, planned development" to the City of Gainesville zoning category of "Planned Development District"; adopting and approving the Land Development Conditions that were imposed by Alachua County; generally located in the vicinity of the 7200 block of N.W. 52nd Terrace; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission: 1) approve Petition No. 49ZON-05PB; and 2) adopt the proposed ordinance on first reading.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Lowe, 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, Rick Bryant, Craig Lowe and Jack Donovan

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041191

REZONING - 3304 S MAIN STREET (B)

Ordinance No. 0-05-57, Petition 53ZON-05PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands of the City from "RSF-1: 3.5 units/acre single-family residential district" to "CON: Conservation district", as more specifically described in this ordinance; generally located in the vicinity of 3304 South Main Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission: 1) approve Petition No. 53ZON-05PB;*

and 2) adopt the proposed ordinance on first reading.

A motion was made by Mayor-Commissioner Pro Tem Chestnut, seconded by Commissioner Nielsen, 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, Rick Bryant, Craig Lowe and Jack Donovan

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041061

ZONING MAP AMENDMENT - UMU-1 AND UMU-2 ZONING CATEGORIES (B)

Ordinance No. 0-05-77, Petition No. 37ZON-05PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties, as more particularly described in this Ordinance, from the zoning category designations "RMF-6: 8-15 units/acre multiple-family residential district," "RMF-8: 8-30 units/acre multiple-family residential district," "RH-1: 8-43 units/acre residential high density district," "RH-2: 8-100 units/acre residential high density district," "RMU: up to 75 units/acre residential mixed district," "MU-1: 8-30 units/acre mixed use low intensity," "OR: 20 units/acre office residential district," "MD: Medical services district," "OF: General office district," "BT: Tourist-oriented business district," "CON: Conservation district," "ED: Educational services district," and "PS: Public services and operations district," to the new zoning category designations of "UMU-1: up to 75 units/acre urban mixed use district" and "UMU-2: up to 100 units/acre urban mixed use district, located in the College Park/University Heights area, and an area generally bounded by Archer Road and Depot Avenue to the north, Southwest 6th Street to the east, and Southwest 16th Avenue to the south, consisting of approximately 550 acres; providing a severability clause; providing a repealing clause; and providing an effective date.

Chair Hanrahan recognized Citizens Mark Goldstein, Jane Burman-Holtom and John Klein who spoke to the matter.

City Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Nielsen, seconded by Mayor-Commissioner Pro Tem 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, Rick Bryant, Craig Lowe and Jack Donovan
 Absent: Edward Braddy

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041058**LAND DEVELOPMENT CODE AMENDMENT - NEW ZONING DISTRICT CATEGORIES, UMU-1 AND UMU-2 (B)****Ordinance No. 0-05-73; Petition 35TCH-05 PB**

An ordinance of the City of Gainesville, Florida, creating new zoning district categories in the Land Development Code, called Urban Mixed-Use 1 (UMU-1: up to 75 units/acre) and Urban Mixed-Use 2 (UMU-2: up to 100 units/acre); providing regulations for UMU-1 and UMU-2; allowing up to an additional 25 units per acre with a special use permit; providing directions to the city manager; providing directions to the codifier; providing a severability 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 Donovan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

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ORDINANCES, 1ST READING- ROLL CALL REQUIRED**050159****LAND DEVELOPMENT CODE AMENDMENT - SIDEWALKS IN INDUSTRIAL DISTRICTS (B)****Ordinance No. 0-05-94; Petition 108TCH-05 PB**

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, relating to requirements for sidewalks in industrial areas; amending subsection 30-188(e), eliminating the requirement to provide sidewalks as a required subdivision improvement in an industrial area, except on arterial and collector streets; amending subsection 30-338(6), eliminating sidewalk requirements on land designated as industrial on the Future Land Use Map of the City of Gainesville; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Chestnut, 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, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

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050115

SEXUAL OFFENDERS AND SEXUAL PREDATORS (B)

Ordinance No. 0-05-96

An ordinance of the City of Gainesville relating to sexual offenders and sexual predators; creating and adding a new Article III to Chapter 17 to be titled Sexual Offenders and Sexual Predators; providing definitions; establishing residency requirements, restrictions and penalties; prohibiting certain sexual offenders and sexual predators from residing within a specified distance of schools, daycare centers or parks, as more specifically defined in this ordinance; establishing requirements, responsibility and penalties for property owners and agents that let or rent to certain sexual offenders and sexual predators; providing for sexual offenders and sexual predators to acknowledge responsibilities; amending section 2-339, of the Gainesville Code of ordinances relating to applicable codes and ordinances subject to civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

GPD Police Captain Lynne A. Benck and Police Chief Norm Botsford gave presentations.

Chair Hanrahan recognized Dr. Bob Casey who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Braddy, 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, Chuck Chestnut, Edward Braddy, Rick Bryant, Craig Lowe and Jack Donovan

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Sexual OffenderBufferMap 1500 2000 2500 Schools wParks.pdf

Sexual Offenders and Sexual Predators Ord Ver2.doc

Sex Offender Ordinance Highlights (2).doc

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED**050160****REZONING TO SIGNIFICANT ECOLOGICAL COMMUNITIES OVERLAY DISTRICT (B)**

Ordinance No. 0-05-92, Petition No. 109ZON-05PB

An Ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning and imposing the Significant Ecological Communities Overlay District category on certain properties zoned "RSF-1: 3.5 units/acre single-family residential district", and "I-1: Limited industrial district"; consisting of approximately 358 acres, and generally located south of NE 53rd Avenue, east of NE 15th Street, north of NE 39th Avenue and west of Waldo Road; 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 Lowe, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Craig Lowe and Jack Donovan

Absent: Edward Braddy and Rick Bryant

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050547**ANNEXATION OF PARCELS 06693-000-000, 06694-000-000 AND 06695-000-000, SOUTH OF THE CITY LIMITS AND WEST OF SW 34TH STREET (B)**

Ordinance No. 0-05-89

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 generally described as follows: south of the city limits, west of SW 34th Street and tax parcel 06688-000-000, and east of tax parcel number 06715-000-000; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the Clerk of the Commission; providing a severability 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 Lowe, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

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050373

EARLY VOTING (B)

ORDINANCE NO.: 0-05-98

An ordinance of the City of Gainesville amending Chapter 9 Elections by amending Sections 9-5 and creating Section 9-6.5 by providing early voting in municipal elections; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

Chair Hanrahan recognized Dr. Bob Casey who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

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050228

SECURITY CAMERAS IN PUBLIC PLACES (B)

ORDINANCE NO.: 0-05-97

An ordinance of the City of Gainesville repealing Section 21-10, relating to use of television surveillance equipment in investigation and detection of crime; providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Chestnut, 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, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

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Camera Use Bullet Points CAO.doc
Camera Use Highlights GPD.doc
Cameras in Public Places Section 21-10 Ordinance.doc
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050470**AMENDMENT TO APPRAISAL ORDINANCE (B)****ORDINANCE NO.: 0-05-100**

An ordinance of the City of Gainesville, Florida, amending Article VI, Section 2-435 of the Code of Ordinances to increase the value of property requiring appraisal to \$100,000; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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RESOLUTIONS- ROLL CALL REQUIRED**050579****Resolution for a Joint Partnership Agreement between City of Gainesville and United States Department of Transportation-Unified Certification Program (B)**

This item involves a request for the City Commission to approve the Resolution authorizing execution of a Joint Participation Agreement between the City of Gainesville and the United States Department of Transportation - Unified Certification Program.

*ADDITIONAL MOTION TO RECONSIDER: Commissioner Braddy moved and Commissioner Lowe seconded to reconsider file #050601 and to add back-up.
(VOTE: 7-0, MOTION CARRIED)*

RECOMMENDATION *Recommended Motion: The City Commission approve the Resolution authorizing execution of a Joint Participation Agreement with the United States Department of Transportation, and the City Manager, or designee signs the*

State of Florida Unified Certification Program UCP Agreement as a Non-Certifying Member Status.

Alternative Recommendation A: The City Commission deny adoption of the resolution, resulting in the City of Gainesville Regional Transit System becoming ineligible for federal funding.

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

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

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UCP Resolution.PDF
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050601

Proposed Amendments to Resolution (030223) for Use of Funds from Surcharge on Connection Charges for Funding Water, Wastewater and Reclaimed Water Extensions in the City of Gainesville (B)

At the April 25, 2005 City Commission meeting, the City Commission directed the City Manager and General Manager for Utilities to bring back a proposal for going forward with the program for extending water, wastewater and reclaimed water service to residents within the City limits using funds obtained from the surcharge on water and wastewater connection charges. The specific issue of concern with regard to the program is the need to secure a funding source to pay for on-site plumbing costs for low income beneficiaries in the program. As suggested by the Commission, staff is bringing back changes to the City Commission Resolution that will allow funds obtained from the surcharge to be used to pay for these on-site costs.

RECOMMENDATION *The City Commission approve the amended resolution.*

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

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

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050296

Enterprise Zone Program Re-Designation (B)

This item involves a request for the City Commission to re-designate the City of

Gainesville Enterprise Zone Program per recommendations of the Gainesville Enterprise Zone Development Agency.

City Economic Development Director Erik Bredfeldt gave a presentation.

Chair Hanrahan recognized Jane Burman-Holtom who spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a brief presentation on the Enterprise Zone Program and Re-designation proposal; 2) adopt the proposed Enterprise Zone Re-designation proposal and adopt the language of the included supporting Resolution; 3) authorize the Mayor to execute said Resolution and application package certification on behalf of the City Commission; and 4) direct City Attorney to draft and Clerk of Commission to advertise Ordinances extending the Enterprise Zone Program re-designations.*

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

Votes: Aye: Pegeen Hanrahan, Chuck Chestnut, Edward Braddy, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Warren Nielsen

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11-14-05 RESOLUTION - EZ Redesignation.pdf

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PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

050158

Amend Sec. 30-159 amending the criteria for level of review and creating a level of review for minor plans that will be subject to the consent agenda process of the development review board; amending Sec. 30-350 to restructure the neighborhood meeting requirements, eliminate the requirement for an advertisement in a newspaper of general circulation and add an architectural/design consultant procedure for development located in community redevelopment districts and Special Area Plan districts; amending Sec. 30-351(d) notice of development plan review to provide notice for certain minor plans; amending Sec. 30-23 providing a definition for developed industrial area; and, amending Sec. 30-352(b) to revise the background and expertise requirements of the persons who may serve as development review board members. Petition 107TCH-05PB (B)

Community Development Director Tom Saunders gave a presentation.

Chair Hanrahan recognized Mark Goldstein, Joe Schmid, Jimmy Harnsberger and Jane Burman-Holtom who spoke to the matter.

MOTION (AMENDMENT): 1) Adopt the petition adopting a threshold of 25 multi-family units; and 2) amend the language on page 8 Section B, after the word "but", delete language and insert "with special consideration given to the following".

RECOMMENDATION

City Plan Board to City Commission -The City Commission approve Petition 107TCH-05 PB, recommending that the language in Section 30-350(b)(2) regarding neighborhood workshops remain as currently written, and adding language for neighborhood workshops in community redevelopment districts and special area plans. Plan Board vote 4-1.

Staff to Plan Board -This petition implements the recommendations of the Economic Development/University Community Committee (EDUCC) to the City Commission and the subsequent direction of the City Commission and recommends a rule change to the Development Review Board to create a consent agenda procedure. Staff recommends the City Commission consider adopting a threshold of 25 multi-family units, rather than the 50-unit threshold.

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

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

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SCHEDULED EVENING AGENDA ITEMS

050559

Commissioner Jack Donovan - Temporary Emergency Homeless Assistance Plan (B)

During the October 24, 2005, City Commission meeting, Commissioner Jack Donovan made a presentation on the need for immediate shelter and services for

persons who are homeless or at risk of becoming homeless. The City Commission agreed to discuss proposals to meet these needs at the November 14, 2005, City Commission meeting.

MOTION: Mayor-Commissioner Pro Tem Chestnut moved and Commissioner Donovan seconded to direct staff to schedule the discussion of private funding for the homeless with Alachua County at the Joint City/County Commission Meeting November 21, 2005.

(VOTE: 7-0, MOTION CARRIED)

Chair Hanrahan recognized the following citizens who spoke to the matter:

- 1. Beth O'Grady (Alachua County Hungry/Homeless)*
- 2. Doris Edwards*
- 3. Dan Harmling*
- 4. Arupa Freeman*
- 5. Liz McCullough*
- 6. Joe Jackson*
- 7. Rob Brinkman*
- 8. Virginia McPherson-Hayes*
- 9. John De Carmine*
- 10. Pat Fitzpatrick*
- 11. Reverend Ellenburg*
- 12. Dr. Bob Casey*

ADDITIONAL MOTION: Commissioner Bryant moved and Commissioner Donovan seconded to direct staff to contact existing service providers (homeless service providers) and find out what more they could do if they had more funding.

(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION

Recommended Motion: The City Commission: 1) discuss Commissioner Jack Donovan's proposals (or other proposals to be presented at the 11/14/05 City Commission meeting) to provide temporary emergency homeless services; 2) provide direction to staff on which portions of the proposals the City Commission wishes to implement; 3) if appropriate, authorize staff to issue an RFP at the earliest opportunity for local service providers that are willing to provide the additional services and cold night shelter for homeless persons during the winter months; 4) allocate a portion of City Commission contingency funds, reappropriate budgeted funds, and/or assign funds from the \$300,000 in new, unallocated ad valorem revenues for this purpose; and 5) initiate plans for encouraging, receiving and utilizing donations from community members.

Approved, as shown above

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UNFINISHED BUSINESS

050217

GFR Firefighter Staffing and Equipment Policies (B)

MOTION: 1) Authorize the City Manager to fund the station paging through the bond issuance to maintain an Insurance Services Office Class 3 Rating for approximately \$300,000; and 2) continue the remainder of this item to the November 28, 2005 regular City Commission Meeting.

RECOMMENDATION

The City Commission 1) authorize the City Manager to fund the station paging through the bond issuance to maintain an Insurance Services Office class 3 rating for approximately \$300,000; 2) direct the City Manager to consider funding options to: a) conduct an analysis of fire and rescue overtime and minimum staffing levels to determine the necessary level of funding for FY 07-08, and b) analyze the feasibility of adding a fire station in northwest Gainesville; and 3) the Public Safety Committee continue to review service delivery levels to report back to the City Commission as appropriate.

A motion was made by Mayor-Commissioner Pro Tem Chestnut, seconded by Commissioner Bryant, 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, Rick Bryant, Craig Lowe and Jack Donovan

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COMMISSION COMMENT

Mayor Pegeen Hanrahan

Neighborhood Meeting for the Wal-Mart on Waldo Road

See following file #050656.

050656

Waldo Road - Wal-Mart Time Line (NB)

This item was a request by the Mayor during Commission Comment.

RECOMMENDATION

The City Commission authorize the Mayor to write a letter to Wal-Mart officials letting them know that the City

Commission may be able to assist them with a shorter time line.

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

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

Commissioner Jack Donovan

City Elections - Voting Machines

CITIZEN COMMENT

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

ADJOURNMENT - 10:58 PM

Kurt M. Lannon, Clerk of the Commission