

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, January 10, 2005**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

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

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

**CALL TO ORDER - 1:06 PM****ROLL CALL**

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

**INVOCATION**

*NOTE: The invocation was heard prior to adoption of the Board of Trustees' Agenda.*

**Reverend George L. Champion, Sr., Greater Bethel AME Church****ADOPTION OF THE CONSENT AGENDA**

*Commissioner Chestnut moved and Mayor-Commissioner Pro Tem Domenech seconded to adopt the Consent Agenda.*

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

**CITY MANAGER, CONSENT AGENDA ITEMS****040817 Grant Award: COPS 2004 "Secure Our Schools" (B)**

**RECOMMENDATION** *The City Commission authorize the Interim City Manager to accept and execute the grant award and any other necessary documents, subject to review by the City Attorney as to form and legality.*

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

**040818 Grant Award: U.S. Department of Justice's (DOJ) "Project Safe Neighborhoods Grant Program" (NB)**

**RECOMMENDATION** *The City Commission authorize the Interim City Manager to accept and execute the award agreement and any other necessary documents, subject to review by the City Attorney as to form and legality.*

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

**040819 Grant Award: Florida Department of Law Enforcement, "Law Enforcement Terrorism Prevention Program" (NB)**

**RECOMMENDATION** *The City Commission authorize the Interim City Manager to accept and execute the grant award and any other necessary grant documents, subject by the City Attorney as to form and legality.*

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

**040820 Grant Award: Florida Department of Transportation, "Gainesville Police DUI Specialist (B)**

**RECOMMENDATION** *The City Commission authorize the Interim City Manager to accept and execute the grant award and any other necessary documents, subject to review by the City Attorney as to form and legality.*

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

**040821 Florida Department of Law Enforcement "Byrne Grant" Residual Funds for Intoxilyzer 8000 Machines (NB)**

**RECOMMENDATION** *The City Commission authorize the Interim City Manager to: 1) apply for \$12,700 in residual Byrne Grant funds distributed by the Florida Department of Law Enforcement, and 2) execute the grant award and any other necessary documents, pending review by the City Attorney as to form and legality.*

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

**040822 State Emergency Medical Services Matching Grant (NB)**

**RECOMMENDATION** *The City Commission authorize the Interim City Manager to: 1) apply to the State of Florida under the State Emergency Medical Services Matching Grant for purchase of replacement EKG monitor/defibrillators; and if awarded, 2) bring back to the Commission a recommendation identifying the matching funds prior to executing the grant award contract.*

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

**040823 Contract Award for State of Florida Lobbying Services (B)**

**RECOMMENDATION** *The City Commission: 1) Approve the ranking of firms as recommended by the selection committee; and 2) authorize the Interim City Manager or designee to negotiate and*

*execute a contract with the top-ranked proposer, or if no contract arrangements can be reached with the top-ranked proposer to negotiate and execute a contract with the second-ranked proposer.*

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

**040824 First Amendment to the Lease for the Solid Waste Division Office Space (B)**

**RECOMMENDATION** *The City Commission: 1) approve the First Amendment to the lease agreement with Mitchell Realty Services, Inc.; and 2) authorize the Interim City Manager or designee to execute any and all related documents.*

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

**040825 Lease Extension for 211 Northeast 1st Street (B)**

**RECOMMENDATION** *The City Commission: 1) approve Addendum Number 4 to the lease between Chandler, Lang, and Haswell, P.A. and the City of Gainesville; and 2) authorize the Interim City Manager or designee to execute the lease Addendum Number 4, and any necessary related documents.*

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

**040826 Consultants to Design and Oversee the Construction of the Expansion of the 39th Avenue Garage (B)**

**RECOMMENDATION** *The City Commission approve the ranking and authorize the Interim City Manager or her designee to negotiate with the firms in the ranked order and then execute a contract with the design firm subject to approval as to form and legality by the City Attorney.*

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

**040827 Revise Rules for City Plan Board (B)**

**RECOMMENDATION** *The City Commission approve the revised City Plan Board rules.*

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

**040828 Interlocal Agreement with the School Board of Alachua County on the Use of**

**School Board Facilities for the Teen Zone After School Program (B)**

**RECOMMENDATION** *The City Commission: 1) authorize the Interim City Manager or designee to negotiate all documents and contracts relating to the Interlocal Agreement with the School Board of Alachua County regarding the use of school facilities for the Teen Zone After School Programs; and 2) authorize the Interim City Manager or designee to execute all documents and contracts relating to the program.*

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

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****040835 Reimbursement for Oversizing of Water, Wastewater and Reclaimed Water Facilities at Garison Way (NB)**

**RECOMMENDATION** *The City Commission authorize reimbursement to the Developer of Garison Way, G.W. Robinson Builders, for the oversizing of the water, wastewater and reclaimed water facilities in an amount not to exceed \$272,396.00.*

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

**040836 Release of Easement at 2525 NE 13th Avenue, Cedar Grove Unit 1, Lot 12 (B)**

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

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS****040833 EEOC CHARGE NO. 150-2004-03300 DAVID PHILLIPS VS. THE CITY OF GAINESVILLE (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney, and/or special counsel if insurance coverage is available, to represent the City in the case styled David Phillips vs. the City of Gainesville; EEOC Charge No.: 150-2004-03300.*

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

**040834 EEOC CHARGE NO. 150-2004-03301 CHRISTOPHER PHILLIPS VS. THE CITY OF GAINESVILLE (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney, and/or special counsel if insurance coverage is available, to represent the City in the case styled Christopher Phillips vs. the City of Gainesville; EEOC Charge No.: 150-2004-03301.*

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

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****040808 City Commission Minutes (B)**

**RECOMMENDATION** *The City Commission approve the minutes of December 9, 2004 (Special Meeting); and December 13, 2004 (Regular Meeting); as circulated.*

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

**040837 Resignation of Advisory Board/Committee Member Michael House (B)**

**RECOMMENDATION** *The City Commission accept the resignation of Michael House from the Regional Transit System Advisory Board effective December 10, 2004.*

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

**040841 Special Meeting (NB)**

**RECOMMENDATION** *The City Commission schedule a special meeting on January 31, 2005, at 6:00 pm in the City Commission Auditorium regarding the Long Term Energy Plan.*

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

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PUBLIC WORKS COMMITTEE, CONSENT****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

**040163 Advisory Boards and Committee (N/B)**

**RECOMMENDATION** *The City Commission remove referral #040163 Advisory Boards and Committee from the Personnel & Organizational Structure Committee referral list.*

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

**040184 Expanding Personnel & Organizational Structure Committee (NB)**

**RECOMMENDATION** *The City Commission remove this referral from the Personnel & Organizational Structure Committee's referral list.*

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

**Passed The Consent Agenda**

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

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

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

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

### *MODIFICATIONS:*

- 1. File #040831 - City Manager Selection Process - (Revised back-up submitted).*
- 2. File #040844 - (Typo in Title) - Should be "2005" State Legislative Statement instead of "2006"; and (back-up submitted).*
- 3. File #040849 - (New Item) - Massachusetts Life Insurance Co., Florida Conference Center Associates, Inc., and State of Florida, Board of Regents v. Ed Crapo, Von Fraser, and James Zingale, Case No. 01-04-CA-4822.*
- 4. File #040848 - (New Item) - Outside Agency Category - Gainesville Chamber Orchestra Funding Request - (Add to the agenda).*
- 5. File #040850 - Martin Luther King, Jr. Hall of Fame Day Proclamation - (Add to the Agenda).*
- 6. File #040851 - Martin Luther King, Jr. Week Proclamation - (Add to the Agenda).*

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

## CITY MANAGER

**040829**

### **Family and Large Family Child Care Homes (B)**

*City of Gainesville Community Development Neighborhood Planning Coordinator John Wachtel and Community Development Director Tom Saunders gave presentations.*

*NOTE: Commissioner Braddy entered the meeting room at 1:09 PM.*

*Chair Hanrahan recognized Child Care provider Kenya Walker who spoke to the matter.*

*REFERRAL: Direct the Community Development Committee take up the issue of Family and Large Family Child Care Homes in the City of Gainesville and request that this come back to the City Commission as expeditiously as possible.*

**RECOMMENDATION** *The City Commission: 1) hear a staff presentation on the*



issues; 2) provide staff with direction on whether to amend the code to allow Large Family Child Care Homes; and 3) direct staff to initiate a petition to make the City's Family Child Care Home definition consistent with Alachua County's definition.

**A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Chestnut, that this matter be Referred to the Community Development Committee, due back on July 10, 2005. The motion carried by the following vote:**

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

## WAIVER OF RULES

*The City Commission waived the rules to take up File #040187 - "Community-Wide Plan to End Homelessness" in order to hear a Presentation from Alachua County Commissioner Rodney Long. The rules were waved without objection.*

### 040187 Community-Wide Plan to End Homelessness (B)

*Alachua County Commissioner Rodney Long and St. Francis House Executive Director Jim Boggs made comments.*

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

*FIRST MOTION: Commissioner Chestnut moved and Commissioner Nielsen seconded to approve staff's recommendation.  
(NO VOTE)*

*Chair Hanrahan recognized Citizen Bill Richards who spoke to the matter.*

*DIVIDE THE PREVIOUS QUESTION MOTION: Mayor-Commissioner Pro Tem Domenech moved to divide the previous question.  
(There was no objection.)*

*FIRST PART OF THE DIVIDED QUESTION: Increase the beds provided at residences for destitute people from 30 to 35 and initiate a petition to amend the City's Land Development Regulations (LDR's).  
(VOTE: 7-0, MOTION CARRIED)*

*SECOND PART OF THE DIVIDED QUESTION: Allow places of religious assembly (housing of homeless families) be increased from 15 to 20 and initiate a petition to amend the City's Land Development Regulations (LDR's).  
(VOTE: 7-0, MOTION CARRIED)*

**RECOMMENDATION** *Community Development Committee to City Commission: raise the limit of meals served to 130.*

*Staff report to the Committee on its findings from the City of Clearwater with regards to how their access cards or service is managed.*

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

### **040831 City Manager Selection Processes (B)**

*City of Gainesville Human Resources Director Tom Motes gave a presentation.*

*MOTION: Approve the RFP process for an executive search firm for the City Manager as presented by Mr. Motes with the following amendments to the RFP: 1) Ask the search firm to provide up to 20 resumes' (for the City Manager Selection Process); 2) inform the search firm that the City Commission will select the candidates through a process at the Commission level with up to 5 candidates to be interviewed; 3) at the request of any individual Commissioner the search firm should be prepared to provide a verbal ranking of their top 3 candidates; and 4) inform them (proposers) that the top 3 (search firms) will be ranked by staff and will be selected after presentations to the City Commission.*

**RECOMMENDATION** *The City Commission review the RFP and provide direction.*

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

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

### **040832 Addie Hill Status Report/Prospective Business Loan Program (B)**

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

*REFERRAL: Refer the idea of a City Micro Loan Program to the P & O Committee for their review and bring back to the City Commission.*

*Chair Hanrahan recognized Reverend Edward Earl Young who spoke to the matter.*

**RECOMMENDATION** *The City Commission: 1) hear a brief presentation from staff regarding the status of the Addie Hill project and prospects for a business loan program; and 2) provide direction to staff.*

**A motion was made by Commissioner Bryant, seconded by Commissioner Braddy, that this matter be Referred to the Personnel and Organizational Structure Committee, due back on July 10, 2005. The motion carried by the following vote:**

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

**040830 Federal Legislative Agenda for 2006 (B)**

*AMENDMENT: Adopt the 2006 Federal Legislative Agenda with the addition of the Airport Industrial Park (25 acre brownfield) site clean-up.*

*NOTE: Staff to come up with language regarding adding this to the 2006 Federal Legislative Agenda.*

**RECOMMENDATION** *The City Commission: 1) hear a report from staff; 2) approve the prioritized list of projects; and 3) approve the recommended federal agenda.*

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

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

## GENERAL MANAGER FOR UTILITIES

## CITY ATTORNEY

**040849 Massachusetts Life Insurance Co., Florida Conference Center Associates, Inc., and State of Florida, Board of Regents v. Ed Crapo, Von Fraser, and James Zingale Case No. 01-04-CA-4822 (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to: 1) Ask the Court to allow the City to intervene in the lawsuit; and 2) represent the Alachua County Property Appraiser in the lawsuit.*

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

## CITY AUDITOR

## EQUAL OPPORTUNITY DIRECTOR

### COMMITTEE REPORTS (PULLED FROM CONSENT)

### WAIVER OF RULES

*The City Commission waved the rules due to time constraints to amend the agenda without objection to: 1) Hear items with citizens present to give presentations before the recess; and 2) hear the remainder of the items not covered before recess at the end of the evening's business.*

### OUTSIDE AGENCIES

#### **040848            Gainesville Chamber Orchestra Funding Request (B)**

*Gainesville Chamber Orchestra President, Board of Directors Elizabeth Getz gave a presentation.*

*MOTION: 1) Approve the request from the Gainesville Chamber Orchestra for \$5,000 from the City Commission Contingency Fund for the 2nd Annual Boston Pops Concert; and 2) include this item in the next budget cycle for Cultural Affairs.*

**RECOMMENDATION**    *The City Commission hear a request for funding from the Gainesville Chamber Orchestra to support the 2nd Annual Pops Concert.*

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

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

### COMMUNITY DEVELOPMENT COMMITTEE

#### **040007            Cluster Subdivision Definitions and Criteria (B)**

*City of Gainesville Community Development Director Tom Saunders and Planning Manager Ralph Hilliard gave presentations.*

*MOTION: Initiate a petition to the Plan Board to implement the draft of the cluster subdivision regulations as indicated in the back-up and remove this item from the referral list.*

*Chair Hanrahan recognized Developer Tom Spain and Reverend Edward Earl Young*

*who spoke to the matter.*

**RECOMMENDATION** *Community Development Committee to the City Commission:  
1) Hear a report from staff; and 2) remove this item from the  
referral list.*

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

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

## **COMMUNITY REDEVELOPMENT AGENCY**

*NOTE: File #040806 "NW 5th Avenue Streetscape Project" began in the afternoon and continued in the evening portion of the meeting.*

## **COMMISSION COMMENTS (if time available)**

**RECESS - 5:16 PM**

**RECONVENE - 5:46 PM**

**CITIZEN COMMENT (5:30pm) - Please fill out card and hand to the Clerk**

**Candy Ganyo**

*Homeless Community & Anchor Lodge concerns*

**Natalie R. Cornell**

*Proposal to adopt a "Sister City" in Thailand.*

*See following Item #040870.*

**040870 Proposal to adopt a "Sister City" in Thailand (B)**

**RECOMMENDATION** *The City Commission hear a presentation from Natalie R. Cornell regarding the Tsunami relief efforts and reconstruction in Thailand, and place back-up submitted on file.*

**Placed on File**

**Doris Edwards**

*Co-Sponsorship of UF-East Gainesville Operation Facelift*

*See following Item #040871.*

**040871 Co-Sponsorship of UF-East Gainesville Operation Facelift (B)**

*City of Gainesville Interim Recreation and Parks Director Steve Phillips made comments.*

**RECOMMENDATION** *The City Commission Co-Sponsor the UF-East Gainesville Operation Facelift and: 1) Waive the fee for the use of the T.B. McPherson Facility on Saturday, January 22, 2005; and 2) authorize staff to use funds from the City Commission Contingency Fund for additional costs such as staff costs.*

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

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

**COMMISSION COMMENTS (if time available)**

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**040715 Presentation of Executive Fire Officer Certificate to Kim Berryman-Dages, District Chief (NB)**

**RECOMMENDATION** *The Mayor and the Fire Chief present the EFO certificate to Kim Berryman-Dages.*

**Heard**

**040838 Arbor Day 2005 - January 21, 2005 (B)**

**RECOMMENDATION** *City Beautification Board Chair Dr. Anita Spring, and City of Gainesville City Arborist Meg Niederhofer to accept the proclamation.*

**Heard**

**040843 Separation of Church and State Week (B)**

**RECOMMENDATION** *Humanist Society of Gainesville President Louis Clark and Webmaster Mark Mayfield to accept the proclamation.*

**Heard**

**040851 Martin Luther King, Jr. Week (B)**

**RECOMMENDATION** *The City Commission hear the proclamation.*

**Heard**

**040850 Martin Luther King, Jr. Hall of Fame Day (B)**

**RECOMMENDATION** *The City Commission hear the proclamation.*

**Heard**

**PUBLIC HEARINGS****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****040373 COMPREHENSIVE PLAN AMENDMENT - HEIGHT LIMITATIONS IN THE OFFICE AND COMMERCIAL LAND USE CATEGORIES****Ordinance No. 0-04-103; Petition 148CPA-04 PB**

**An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan, Policy 4.1.1, in the Mixed-Use Low Intensity, Mixed-Use Medium Intensity, Office and Commercial land use categories to allow a height of more than 5 stories by Special Use Permit; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

**RECOMMENDATION** *The City Commission (1) adopt the proposed ordinance, and (2) declare Petition 103CPA-04 PB moot, as the subject matter is now encompassed in this petition.*

**A motion was made by Commissioner Nielsen, seconded by Mayor-Commissioner Pro Tem Domenech, that this matter be Adopted on First Reading (Ordinance) and Approve Recommendation(s). The motion carried by the following vote:**

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

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED****040516 REZONING - 635-637 N.W. 13th Street (B)****Ordinance No. 0-05-02, Petition No. 164ZON-04PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City from the zoning category of "BA: Automotive-oriented business district" to "MU-1: 10-30 units/acre mixed use low intensity"; located in the vicinity of 635-637 N.W. 13th Street; providing a severability clause; providing a repealing clause; and providing an effective date.

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

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

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

**040517 REZONING - UNIVERSITY HEIGHTS SOUTH (B)****Ordinance No. 0-05-03, Petition No. 165ZON-04PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties from the zoning category of "RH-1: 8-43 units/acre residential high density district" to "RH-2: 8-100 units/acre residential high density district"; located in the vicinity of University Heights (South), east of S.W. 11th Street, south of S.W. 8th Avenue, west of S.W. 6th Street and north of Depot Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

**040518 REZONING - COFRIN PROPERTY (B)****Ordinance No. 0-05-04, Petition No. 166ZON-04PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property from the zoning category of "RSF-1: 3.5 units/acre single-family residential district" to "CON: Conservation district" and "PS: Public services and operations district"; allowing



development of a nature and activity-based recreation park without the approval of a preliminary development plan; located in the vicinity of the north side of Northwest 8th Avenue, east of Northwest 49th Drive commonly known as the "Cofrin" property; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*City of Gainesville Interim Recreation and Parks Director Steve Phillips gave a presentation.*

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

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

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

**040669 SALE, CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES - PARKING GARAGE (B)**

**Ordinance No. 0-05-06**

**An ordinance of the City of Gainesville, Florida, amending section 4-4(b) of the City of Gainesville Code of Ordinances, relating to the consumption, sale or possession of alcoholic beverages; 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, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

**RESOLUTIONS- ROLL CALL REQUIRED**

**PLAN BOARD PETITIONS**

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**UNFINISHED BUSINESS**

*NOTE: The following items were from the afternoon portion of the meeting.*

## COMMUNITY REDEVELOPMENT AGENCY

### 040806 Northwest 5th Avenue Streetscape Project (B)

*Community Redevelopment Agency (CRA) Manager Karen Slevin , GRU Electrical Engineering Manager Reid Rivers, and Community Development Director Tom Saunders gave presentations.*

*Chair Hanrahan recognized Reverend Edward Earl Young who spoke to the matter.*

*NOTE: Discussion of this item began in the afternoon portion of the meeting.*

*MOTION: The City Commission offer a \$300,000 loan to the CRA (from the UDAG funds) for the (Northwest 5th Avenue) Streetscape Project with a repayment plan to begin in 10 years.*

**RECOMMENDATION** *CRA to the City Commission: 1) Request the City Commission approve use of \$300,000 from the UDAG funds for the next phase of the project.*

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

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

## LEGISLATIVE COMMITTEE

### 040844 2005 State Legislative Statement (B)

*MOTION: Adopt the City's 2005 State Legislative Statement with an indication to Mr. Bruce that he focus primarily on the funding requests.*

**RECOMMENDATION** *The City Commission review the proposed 2005 State Legislative Statement and make any changes, additions, or deletions as deemed appropriate.*

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

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

## PUBLIC WORKS COMMITTEE

**040261 Policy Regarding Road Widths (NB)**

*City of Gainesville Interim Assistant City Manager Teresa Scott gave a presentation.*

*MOTION: 1) Approve recommendation 2 in the explanation; and 2) and remove this item from the Public Works active referral list.*

**RECOMMENDATION** *The City Commission: 1) hear a presentation from staff and take appropriate action; and 2) remove this item from the Public Works active referral list.*

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

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

*MOTION: 1) Appoint a Charter Review Committee and sunset the previous committee; 2) the committee be composed of 7 members; 3) that one member be appointed by each City Commissioner; 4) that this be an Ad Hoc Committee that unless otherwise extended would sunset June 30, 2006; 5) the charge of the committee would be to consider the length of terms for City Commissioners and if there is a change, how that change would be implemented; 6) that city residency be required for members of the Charter Review Committee; and 7) the City Commission bring back their appointments at first regular City Commission meeting in February (February 14, 2005).*

**RECOMMENDATION** *The City Commission appoint and/or reappoint a Charter Review Committee and charge the Committee.*

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

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

**MEMBERS OF THE CITY COMMISSION****040839 Commissioner Warren Nielsen - Hope Six Photos (NB)**

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

*and gave a Kennedy Homes Update.*

**RECOMMENDATION** *The City Commission hear a 10-minute presentation from Commissioner Nielsen regarding the Hope Six photos.*

**Heard**

## COMMISSION COMMENT

### Commissioner Chuck Chestnut

*Citizen Complaint regarding homeless people congregating in the streets at 2:00 AM and during the day in the SE 3rd and 4th Avenue and asked for an increase in police patrols.*

*Note: Interim City Manager to ask about increasing patrols in that area.*

### Commissioner Rick Bryant

*Comprehensive Enforcement of Running Red Lights*

*Gainesville Police Department Captain Sadie Darnell made comments.*

*See following file #040872.*

### 040872 Comprehensive Enforcement of Running Red Lights (NB)

**RECOMMENDATION** *The City Commission refer the issue running red lights to the Public Safety Committee for a review of data and report back to the City Commission.*

**A motion was made by Commissioner Bryant, seconded by Commissioner Nielsen, that this matter be Referred to the Public Safety Committee, due back on July 10, 2005. The motion carried by the following vote:**

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

## CITIZEN COMMENT

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

## ADJOURNMENT - 7:27 PM

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Kurt M. Lannon, Clerk of the Commission