

# **City of Gainesville**

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



## **Meeting Agenda**

**July 10, 2006**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

***Mayor Pegeen Hanrahan (At Large)  
Mayor-Commissioner Pro Tem Craig Lowe (District 4)  
Commissioner Rick Bryant (At Large)  
Commissioner Jeanna Mastrodicasa (At Large)  
Commissioner Scherwin Henry (District 1)  
Commissioner Ed Braddy (District 2)  
Commissioner Jack Donovan (District 3)***

***Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone***

## CALL TO ORDER

## AGENDA STATEMENT

*"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. (In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited. Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.)"*

## ROLL CALL

## INVOCATION

## CONSENT AGENDA

## CITY MANAGER, CONSENT AGENDA ITEMS

### 060175

#### **Application for Disability Retirement for Robert Smith (B)**

**Retirement application for Robert Smith, Transit Operator with the City of Gainesville - Regional Transit System for 12.917 years who has been under the care of physicians for an illness.**

*Explanation: A meeting of the Disability Review Committee was conducted on Thursday, June 8, 2006 to review the application for disability retirement for Robert Smith. In reviewing the application and supporting information from his physician, it is the recommendation of the Disability Review Committee that the City Commission approve the application.*

*Robert Smith, Transit Operator, with 12.917 years with Regional Transit System, has been under the care of physicians for an illness. Information provided to the Committee from his physicians and from the City of Gainesville's third party administrator Health Direct Inc., states that Mr. Smith is totally disabled and wholly and continuously unable to perform any and every duty of his employment or of a position to which he may be assigned.*

*Fiscal Note: The current monthly salary, final average earnings of the employee's 36 highest consecutive months of earnings, and the estimated benefit for this employee has been determined to be, current monthly salary - \$3,919.49; final average monthly earnings - \$3,891.23; final monthly benefit (with Social Security offset)*

but does not include a Worker's Compensation offset - \$911.29. These benefits would be retroactive to April 16, 2006, and will be paid from the Disability Pension Fund.

**RECOMMENDATION**            *The City Commission approve the submitted application for disability retirement for Robert Smith, Transit Operator, RTS.*

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## **060191**

### **Suwannee River Water Management District Lease (B)**

**This item is a request for the City Commission to approve a lease with Suwannee River Water Management District for 60-acres, that borders SR 121 and runs along NW 102nd Place, to the City for use as a potential Recreation Park.**

*Explanation: In July 2004 a representative from the Suwannee River Water Management District (SRWMD) approached the Parks, Recreation and Cultural Affairs Department about leasing a 60-acre tract of land that borders SR 121 and runs along NW 102nd Place to the City for use as a potential recreational park. SRWMD indicated this long-term lease would allow the City of Gainesville to pursue active recreational fields. Staff has done a site assessment on the land and met with both the SRWMD staff and citizens to discuss potential recreational development. A 50-Year Lease Agreement has been drafted and reviewed by both the City of Gainesville and the Suwannee River Water Management District.*

*Fiscal Note: There is no fiscal impact at this time. Future developmental funding would need to be addressed in the Parks, Recreation and Cultural Affairs Capital Improvement Projects.*

**RECOMMENDATION**            *Recommended Motion: The City Commission authorize the City Manager to execute the 50-year lease.*

*Alternative Recommendation A: The City Commission refer this item to the Recreation, Cultural Affairs and Public Works Committee.*

*Alternative Recommendation B: The City Commission decline the lease.*

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## **060198**

### **Amendments to Vehicles for Hire Ordinance - Referral to the Public Safety Committee (NB)**

**This item requests the City Commission refer new amendments to the**

**Vehicles for Hire Ordinance to the Public Safety Committee for review and recommendation.**

*Explanation: On April 11, 2005 the City Commission authorized the City Attorney to draft amendments to the Vehicles for Hire Ordinance and directed staff to refine the permitting process and recommendations that had come from the Public Safety Committee discussions that began in August 2004.*

*As a result of this referral from the City Commission, Gainesville Police Department (GPD) staff worked with the legal department in reviewing and updating the Vehicle For Hire ordinance. The purpose of updating the ordinance was to create a better enforcement process for violators; create an application and permit process to improve the quality and equitable business practice of Gainesville's taxi service; while focusing on protection of health, safety and welfare of the residents and visitors to the community. A medallion process that readily identifies a particular taxi's compliance and better coordination with the airport were also to be reviewed and discussed.*

*GPD staff did the following work on updating the ordinance:*

- Contacted other cities (Orlando and Jacksonville) to determine how these cities handle Vehicles For Hire in their respective cities.*
- Held meetings with GPD staff, members of Gainesville Regional Airport administration, and with other city departments to determine how best to structure the ordinance to increase professionalism by vehicle for hire companies.*
- Several revisions of a draft ordinance were discussed among interested parties over a period of many months, and a medallion system was created that identifies properly permitted cabs, along with a system of background checks and photo ID's for cab drivers.*

*A draft version of the ordinance has been completed. However, due to the number of changes and improvements over the draft previously reviewed by the City Commission, it is recommended that this item be referred to the Public Safety Committee for further discussion before sending it to the full City Commission.*

*Fiscal Note: There is no fiscal impact to the City, however, the Finance Department is recommending that the minimal cost of the decal be passed on to the customer in the form of a permit fee, collected by the Finance Department, along with the other required fees.*

**RECOMMENDATION**

*Recommended Motion: The City Commission refer new amendments to the Vehicle for Hire Ordinance to the Public Safety Committee for discussion, and return recommendations to the City Commission.*

*Alternative Recommendation: The City Commission direct staff to work with the City Attorney in making amendments to the Vehicle for Hire Ordinance, without further review by the Public Safety Committee.*

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****060221****Contract Services for ConnectFREE Project (B)**

**Staff recommends establishing a contract with Summit Professional Services, Inc. to coordinate plumbing conversions for GRU customers qualifying for the ConnectFREE Program.**

*Explanation: On September 24, 2001 the City Commission established an ordinance to collect a 25 percent surcharge on water/wastewater connection charges in the unincorporated area. The collected funds were to be allocated to finance the City's ConnectFREE Program which is administered jointly by GRU and General Government. The program's purpose is to connect GRU's centralized potable water to customers in existing homes within the Gainesville City limits that are currently served by wells.*

*The program will initially focus on providing water service to existing homes in Community Development Block Grant (CDBG) target areas. The goal of the program is to connect water service to approximately 100 customers per year for the next 3 years. The City shall pay for water system extensions, connection charges and meter charges for all of the program participants. For income eligible participants, the City shall also coordinate and pay for plumbing modifications to the customers' properties to allow connection to GRU's water system. Customers who do not meet the low income criteria will be responsible for the plumbing modifications on their properties.*

*Due to the level of effort required to coordinate these activities and limited staff resources, staff recommends establishing a contract for coordination of the activities directly with customers for plumbing modifications. A Request for Proposal was issued for these services to four prospective bidders. All attended a mandatory pre-proposal meeting and two companies submitted proposals. Staff evaluated the proposals based on qualifications and experience of the company, cost, acceptability of evaluation method and references. Summit Professional Services, Inc. submitted the best evaluated proposal. A copy of the evaluation of the proposals is attached for your information.*

*Fiscal Note: Funding for coordinating these services shall be generated from the surcharge collected from connections in the unincorporated areas of the City.*

**RECOMMENDATION**

*The City Commission 1) authorize the Interim General Manager, or her designee, to execute a three year contract with Summit Professional Services, Inc. to coordinate on-site plumbing conversions for GRU customers, subject to approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders to Summit Professional Services, Inc. in an amount not to exceed \$60,000 for the three years.*

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**CITY ATTORNEY, CONSENT AGENDA ITEMS****CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****060216****City Commission Minutes (B)****RECOMMENDATION**

*The City Commission approve the minutes of June 20, 2006 (Special Meeting); and June 26, 2006 (Regular Meeting); as circulated.*

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**060218****Resignation of Gainesville Enterprise Zone Development Agency Member Alfred "Al" H. Schmidt (B)****RECOMMENDATION**

*The City Commission accept the resignation of Alfred "Al" H. Schmidt from the Gainesville Enterprise Zone Development Agency effective July 10, 2006.*

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PUBLIC SAFETY COMMITTEE, CONSENT****051174****Issue of Young Men Wearing Baggy Pants (B)**

*Explanation: On April 10, 2006 the City Commission referred the issue of young men wearing baggy pants to the Public Safety Committee for discussion and recommendation.*

*Citizen Rosa Williams addressed the Public Safety Committee requesting the City consider legislation enforcing young men who wear baggy pants on public streets. Ms. Williams, chair of the Black on Black Crime Task Force related concerns with the bad example, described as a disgrace, set by young men who show off their undergarments in public.*

*Attorney staff present advised that while the fashion may be offensive to some, if they are only showing another garment, there is no legislation prohibiting that dress.*

*The Public Safety Committee agreed with staff's comments and research that found no other city or states having successfully implemented any legislation in this regard.*

**RECOMMENDATION**

*The City Commission accept the Public Safety Committee's recommendation to take no further action on this item, and remove this item from the pending referral list.*

**Legislative History**

4/10/06	City Commission	Referred	Public Safety Committee
5/18/06	Public Safety Committee	Deferred	
6/15/06	Public Safety Committee	Discussed	

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**050749****Review of Roam Tow Rate Information (B)****This item requests amendments to the Trespass (Roam) Tow Ordinance.**

*Explanation: The Public Safety Committee has held ongoing discussions regarding the trespass tow rates and the ordinance in general. During these discussions, staff was asked to research files to determine how the decision to set the original \$70 maximum tow charge in 1992 was made. Staff found, that at the time of these discussions, Tallahassee's trespass tow ordinance was used as part of the Public Safety Committee's review, and Tallahassee set their maximum tow charge at \$70.*

*The Public Safety Committee additionally directed staff to review the City of Tallahassee's current towing ordinance. As a result, staff presented several recommendations for the City to consider to amend Trespass Tow Ordinance, Article III, Section 14-5. The recommendations include adding requirements for 1) registration of the tow company owner, operator and vehicle, 2) permitting of the wrecker operators and vehicles, 3) acceptance of credit cards as a form of payment, 4) photographing vehicles towed under the trespass tow contract, and 5) requirement to provide certain information to vehicle owners or authorized operators before picking up their towed vehicle.*

*The Public Safety Committee is recommending these amendments, intended to enhance the safety of the citizen retrieving their vehicle and providing for a safer, least conflicting resolve in trespass towing.*

*The Committee continues to gather information that will assist the full City Commission when/if the tow vendors request an increase in the rates, as is allowable per City Ordinance by September 30th of each year.*

**RECOMMENDATION**

*The City Commission approve the Public Safety Committee's recommendation to 1) authorize the City Attorney to draft and the Clerk of the Commission to advertise, an ordinance amendment to the Trespass Tow Ordinance, Article III, Section 14-5, using staff's report included in this item, and 2) retain this item on*

*the Public Safety Committee's pending referral list for continued ordinance and rate review.*

**Legislative History**

11/28/05	City Commission	Referred	Public Safety Committee
12/15/05	Public Safety Committee	Discussed	
2/16/06	Public Safety Committee	Discussed	
3/16/06	Public Safety Committee	Discussed	
4/10/06	City Commission	Approved as Recommended (4 - 0 - 3 Absent)	
6/15/06	Public Safety Committee	Discussed	

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**060002**

**Towing Administrative Fee (B)**

**This item recommends amendments to the Trespass Tow Administrative Fee ordinance providing a pro-rated sliding fee scale to properties that meet certain requirements.**

*Explanation: On May 8, 2006 the City Commission referred the issue of the trespass towing administrative fee (City Ordinance Section 14.5-26(a)) to the Public Safety Committee. Specifically, at issue was how the administrative fee applied to College Park Properties and how the city, through the ordinance, applied the fee structure to multiple properties, having the same owner, located in close proximity to each other.*

*The \$47 fee is intended to cover the cost of staff time to verify trespass tow contracts, maintain a record of all accounts, initial and periodic site visits to confirm signage compliance, and investigation of complaints of alleged illegal towing.*

*The Public Safety Committee held two public meetings and requested staff to develop a proposal for restructuring fees as it applies to one community or property in contiguous locations to each other.*

*The Public Safety Committee agreed with staff's recommendation for a pro-rated sliding fee where all properties are included in one contract, are contracted simultaneously, have the same owner(s) and are located within close proximity of each other (within a ten block area). Properties meeting these criteria would be eligible for the following fee scale: Properties 1-5, \$47 each; Properties 6-10, \$35 each; Properties 11-15, \$30 each; Properties 16-20, \$25 each; Properties 20, \$15 each.*

**RECOMMENDATION**

*The City Commission 1) accept the Public Safety Committee's report and recommendation for a pro-rated sliding fee scale for the Trespass Tow*



*Administrative Fee, 2) authorize the City Attorney to draft the necessary amendments to City of Gainesville Ordinance 14.5-26(a) and the Clerk of the Commission to advertise the ordinance, and 3) remove this item from the Public Safety Committee referral list.*

Legislative History

5/8/06	City Commission	Referred (7 - 0)	Public Safety Committee
5/18/06	Public Safety Committee	Discussed	
6/15/06	Public Safety Committee	Discussed	
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## COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

**050863**

### Equity Stripping Scam (NB)

**The City Commission referred the issue of equity stripping scam to the Community Development Committee on January 23, 2006.**

*Explanation: This item was referred from the City Commission to the Community Development Committee in response to comments from a citizen, Annette Kennedy, during citizen comment. Ms. Kennedy had purchased a mobile home in Buck Bay, and there was a dispute between her and the previous owner. The referral included discussion of the definition of an owner of a property. The Community Development Committee met on February 2, 2006, and the City Attorney's office advised that the matter was in litigation and would be heard in Circuit Court on February 6, 2006, and recommended that neither the Community Development Committee members nor staff be involved in any discussion of the matter since it was pending litigation. The City Attorney's office advised that the allegations of equity stripping should be raised either as civil matters or with the Attorney General in the Economic Crimes Division. The Committee discussed the definition of property owner in local regulations and discussed the State Statutes governing mobile homes. The Community Development Committee discussed the item again on June 1, 2006, and concluded that the City's local definition of owner was fine and straightforward, and that as far as the City is concerned, the issue had been resolved. The Committee moved to recommend the City Commission remove this item from the referral list.*

*Fiscal Note: None*

RECOMMENDATION

*Community Development Committee to the City Commission: The City Commission remove this item from the referral list.*

Legislative History

1/23/06	City Commission	Referred (7 - 0)	Community Development Committee
1/23/06	City Commission	Referred	Community Development Committee
1/23/06	City Commission	Referred	City Manager
2/2/06	Community Development Committee	Approved as Recommended	
6/1/06	Community Development Committee	Approved as Recommended	

## COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

### END OF CONSENT AGENDA

### ADOPTION OF THE REGULAR AGENDA

### CHARTER OFFICER UPDATES

### CLERK OF THE COMMISSION

### CITY MANAGER

#### 060195

#### **Agreements with Alachua County to Operate Two Middle School Teen Zone Programs (B)**

**Alachua County is requesting to enter into two Agreements with the City of Gainesville to operate a Teen Zone program at Kanapaha Middle School for FY2007 and to establish a new Teen Zone program at Ft. Clarke Middle School for FY2007 and FY2008. Both middle schools are located outside the City limits.**

*Explanation: During FY2005 and FY2006 the City operated two middle school Teen Zone programs. They were Kanapaha Middle School - funded by Alachua County and Westwood Middle School - funded by the City of Gainesville and the Eastside Community Center which is funded by a 21st Century Grant. The Eastside Center program provides services for youth from Lincoln Middle School and Howard Bishop Middle School.*

*The County is requesting to enter into a new Agreement for the continuation of a Teen Zone program for 120 children at Kanapaha Middle School during the FY2007 school year. This would be a one year agreement and the Alachua County will pay for all City costs associated with this program up to \$75,000. Currently, the County only pays for direct costs; with this agreement indirect or administrative costs will be paid.*

*Additionally, Alachua County is requesting the City enter into an Agreement for the operation of an additional Teen Zone program which would take place at Ft. Clarke Middle School. This agreement would cover a two year school period (FY '07/'08) with the County paying for all city costs up to \$49,600 each year. The annual funding for this program is less than Kanapaha Middle School due to the requirement to provide a program for only 60 children vs. 120 children.*

*Since Alachua County is providing the funding for these two programs, there is no program participation fees charged to participants.*

*While staff is confident that the City can continue the successful program at Kanapaha Middle School and operate a new program at Ft. Clarke Middle School, staff is requesting a clarification from the City Commission on whether the Commission wishes staff to continue to provide recreation programs outside of the city's boundaries and/or expand recreational programs outside the city's boundaries.*

*One of the concerns relating to annexation is the type and level of service being provided to unincorporated residents. The City Manager's Annexation Steering Team is currently wrestling with this issue, recognizing that additional services provided by the City in the unincorporated area results in fewer services the City has to offer to entice County residents to consider annexation into the City of Gainesville.*

*Fiscal Note: Alachua County will pay for all City of Gainesville costs up to \$75,000 for a one year Teen Zone program at Kanapaha Middle School and up to \$49,600 per year for a two year Teen Zone program at Ft. Clarke Middle School.*

**RECOMMENDATION**

*Recommended Motion: The City Commission direct the City Manager not to provide city recreational programs outside the city limits. This reflects a philosophy of City service provision as areas in the unincorporated area annex into the City.*

*Alternative Recommendation A: The City Commission authorize the City Manager to sign an agreement with Alachua County for a one year Teen Zone program at Kanapaha Middle School. This would retain the existing program outside the city limits, but not expand programs provided in unincorporated Alachua County.*

*Alternative Recommendation B: The City Commission authorize the City Manager to sign separate agreements with Alachua County for the provision of a one year Teen Zone program at Kanapaha Middle School and a two year Teen Zone program at Ft. Clarke Middle School, subject to the approval of the City Attorney as to form and legality. This reflects an expansion of recreational programs into unincorporated Alachua County and incorporates a*

*philosophy of continued recreation and other City program expansions in Alachua County.*

*Alternative Recommendation C: The City Commission refer this item to the Recreation, Cultural Affairs and Public Works Committee for review and discussion.*

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## GENERAL MANAGER FOR UTILITIES

## CITY ATTORNEY

## CITY AUDITOR

## EQUAL OPPORTUNITY DIRECTOR

## COMMITTEE REPORTS (PULLED FROM CONSENT)

## PUBLIC SAFETY COMMITTEE

### 050400

### Homeless Issues - Downtown Plaza Area (B)

*Explanation: On September 12, 2005 the City Commission dual referred homeless issues on the downtown plaza to the Public Safety and Economic Development Committees. The Public Safety Committee has discussed, in four public meetings, general matters concerning the homeless, including enforcement efforts in the downtown plaza and surrounding area.*

*The Public Safety Committee received an update from the Gainesville Police Department on staffing, special enforcement details, crime patterns, crime prevention and security efforts and community meetings involved in their management of homeless issues for the past year.*

#### RECOMMENDATION

*The City Commission accept the Public Safety Committee's recommendation to receive staff's report on the update to the downtown plaza area, and remove this item from the pending referral list*

#### Legislative History

9/12/05	City Commission	Referred (6 - 0 - 1 Absent)	Public Safety Committee
9/12/05	City Commission	Referred	Economic Development/University Community Com
10/3/05	Economic Development/Univ ersity Community Com	Discussed	

10/20/05	Public Safety Committee	Discussed
11/17/05	Public Safety Committee	No Action Taken
12/5/05	Economic Development/Univ ersity Community Com	Deferred
12/15/05	Public Safety Committee	Discussed
6/15/06	Public Safety Committee	Discussed

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## COMMUNITY DEVELOPMENT COMMITTEE

### 050635

#### Over-Occupancy in Single Family Neighborhoods (B)

**The City Commission referred the issue of over-occupancy in single-family neighborhoods to the Community Development Committee and Public Safety Committees on November 14, 2005, and the Committees are reporting back with recommendations.**

*Explanation: The Public Safety Committee and Community Development Committee met jointly on January 19, 2006, the Community Development Committee met on April 6, 2006, and the two committees met jointly on April 20, 2006, and discussed this referral. Staff updated the Committees on current programs for enforcement of rentals in single-family neighborhoods, a status report on the earlier recommendations from the Ad Hoc Committee on University Neighborhoods and the implementation done as a result of that work, a report on the current amounts of code enforcement and changes to enforcement in the last few years, and a list of possible changes to enforcement, compiled by a staff team. The staff team had met a number of times and included representatives from Code Enforcement, GPD, the City Attorney's office, and Solid Waste. The team also met at times with University of Florida and Santa Fe Community College representatives, and citizens.*

*On April 20, 2006, the Community Development Committee and Public Safety Committee went over the recommendations from the staff team, which include a number of program changes under the general headings of: 1) changes to automation of the point system; 2) changes to the point system rules; 3) increases to landlord permit fees, fines and staff resources; 4) changes to how information is provided; and 5) other miscellaneous recommendations for change. On April 20, 2006, the Committees jointly recommended moving forward with the proposed program changes, including an increase in the landlord permit fee, but asked staff to bring back information on the costs associated with automation aspects of implementing the changes, and how that could be reflected in a fee increase, at the June 1, 2006 Community Development Committee meeting. At the April 20, 2006 joint meeting the Committees also recommended that the following changes be brought forward*

*with these recommendations: amend the proposed landlord point system so points stay on properties for three years, amend the ordinance to have the Board of Adjustment hear landlord permit revocation cases based on points, amend noise and other code enforcement warnings so warnings last 365 rather than 180 days, and require all owners' names on the landlord permits to be equally responsible and to maintain responsibility for the remainder of the permit term, as long as the owners remain on the property deed.*

*Staff brought the automation/technology support cost information to the June 1, 2006 meeting, and the Community Development Committee recommended that the proposed fee be increased to \$233.00. The Community Development Committee met once more on June 1, 2006 and discussed, among other issues, an additional assessment for technology for code enforcement activities. The Committee also supported increasing the fee to \$233. The Committee also supported increasing the fee to \$233 for those applying initially or for annual renewals if there are points on the property, and discounting the fee to \$183 for those with no points on their property.*

*Fiscal Note: The recommendation of the Community Development Committee is to increase the landlord permit fee from the current \$84 to \$233 annually, with a \$50 discount on renewals for properties with no points. This increase is estimated to cover the costs of the additional code enforcement programs and resources proposed.*

**RECOMMENDATION**

*The Community Development Committee and Public Safety Committee recommended taking any necessary action to report this out to the full Commission, and the Community Development Committee recommended in a followup meeting to: 1) adopt the proposed increase civil citation penalties to \$250; and 2) increase the landlord permit an additional \$33 for a landlord to qualify for a \$50 rebate the second year, if a landlord does not have any points against them.*

**Legislative History**

11/14/05	City Commission	Referred (7 - 0)	Community Development Committee
11/14/05	City Commission	Referred	Public Safety Committee
1/19/06	Public Safety Committee	Discussed	
4/6/06	Community Development Committee	Approved as Recommended	
4/20/06	Public Safety Committee	Discussed	
6/1/06	Community Development Committee	Approved as Recommended	
6/15/06	Public Safety Committee	Discussed	

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**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****060219****The Americans with Disabilities Act Awareness Month - July 2006 (B)****RECOMMENDATION**

*City of Gainesville Equal Opportunity Director Jimmie Williams to accept the proclamation.*

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**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet****PUBLIC HEARINGS****060100****Public Hearing to Approve the Campus Development Agreement for the University of Florida Campus Master Plan, 2005 - 2015 (B)**

**In accordance with Subsection 1013.30(15), Florida Statutes, the University of Florida must enter into an Agreement with their host local government(s) that addresses level-of-service requirements, deficiencies and campus impacts on public services and facilities. The host local government must adopt the Agreement in a manner consistent with the requirements of Chapter 163.3225.**

*Explanation: The University Comprehensive Master Plan process established in Subsection 1013.30 of the Florida Statutes is intended to facilitate coordination between universities and their host local governments. Subsection (1) states "This section contains provisions for campus planning and concurrency management that supersede the requirements of part II of chapter 163, except when stated otherwise in this section. These special growth management provisions are adopted in recognition of the unique relationship between university campuses and the local governments in which they are located. While the campuses provide research and educational benefits of statewide and national importance, and further provide substantial educational, economic, and cultural benefits to their host local governments, they may also have an adverse impact on the public facilities, services and natural resources of host*

governments. On balance, however, universities should be considered as vital public facilities of the state and local governments. The intent of this section is to address this unique relationship by providing for the preparation of campus master plans and associated campus development agreements." The University of Florida Board of Trustees adopted the final campus master plan on March 31, 2006.

The City Commission previously authorized the City Manager and the City Attorney to negotiate the terms and conditions of the Campus Development Agreement with the University of Florida. The Agreement must address level-of-service requirements, deficiencies, and campus development impacts on public facilities and services including roads, sanitary sewer, solid waste, drainage, potable water, parks and recreation and public transportation. The Agreements may also address public electricity, non-potable water, law enforcement, fire, emergency rescue, gas and telephone facilities and services.

Staff has met with University of Florida staff and has negotiated a Campus Development Agreement that addresses the mitigation of transportation impacts and fire services impacts and ensures the University will pay the city's stormwater utility fee on certain properties.

*Fiscal Note:* If the Campus Development Agreement is approved as recommended, the City would receive: \$3,789,300 toward implementation of a county-wide traffic management system (TMS); \$4,800,000 (based on a rate of \$960,000 per year for five (5) years; FY2011-FY2015) for public transit rolling stock; \$515,230 toward construction of additional bicycle and pedestrian facilities in the Context Area; \$900,000 toward construction of roadway and intersection modifications on SW 2nd Avenue from SW 13th Street to S. Main Street; \$8,182,970 toward Archer Rd/SW 16th Avenue intersection modifications and toward the Archer Rd/SW 16th Avenue Connector; and \$800,000 for the purchase of certain emergency response apparatus.

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) review the proposed Campus Development Agreement; and 2) hold a public hearing; and 3) authorize the Mayor and the Clerk of the Commission to execute the Campus Development Agreement subject to the City Attorney's approval as to form and legality.*

*Alternative Recommendation A: The City Commission takes no action.*

**Legislative History**

6/12/06	City Commission	Approved as Amended (6 - 0 - 1 Absent)
6/26/06	City Commission	Approved as Recommended with Modification(s) (7 - 0)

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**060217**

**Eastside Redevelopment District Expansion**

**A resolution of the City Commission of the City of Gainesville, Florida,**



**finding that the conditions in a certain area in the eastern portion of the City of Gainesville constitute blight, and that the rehabilitation, conservation, redevelopment, or combination thereof of such area is necessary in the interest of the public health, safety, morals or welfare of the residents of the City; and providing an immediate effective date.**

*Explanation: In January of this year the City Commission allocated funds to study expanding the Eastside CRA District to the south. The City retained APD, Inc. to conduct the study. APD and staff will present the findings of the study (the Report) and additional information for the City Commission's consideration.*

*The resolution finding blight is the first step necessary to expand the Eastside redevelopment area to include the subject property, which will allow the property to generate tax increment funds to assist in rehabilitating and redeveloping the area.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission 1) receive a report from the Community Development staff and a consultant addressing blighted conditions in the proposed expansion area; 2) receive public input; and 3) adopt the proposed resolution.*

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**ADOPTION READING-ROLL CALL REQUIRED**

**LAND USE CHANGE - NW 39TH AVENUE (B)**

*Explanation: STAFF REPORT*

*This petition is a request by the property owner to change the Alachua County Commercial Land Use designation for the property to the City of Gainesville Planned Use District designation to allow commercial development. Without the petitioner's request for Planned Use District, staff would have recommended Office land use for the property, based on the surrounding land uses and existing conditions.*

*The property is an undeveloped 1.26-acre parcel located along the south side of Northwest 39th Avenue, west of Northwest 43rd Street, adjacent to a bank. It is the only undeveloped parcel within the block and is within 200 feet of the intersection of two major roadway corridors, Northwest 39th Avenue and Northwest 43rd Street. The four corners of that intersection are developed as follows:*

- 1. Northwest Corner - Multi-family Residential (Alachua County)*
- 2. Northeast Corner - A low activity family medical emergency center (Office Land Use)*
- 3. Southeast Corner - A financial institution and offices (Office Land Use)*
- 4. Southwest Corner - A financial institution and offices (Office Land Use)*

*This northwest quadrant of the City has been planned with three mixed-use*

*centers to serve both employment and residential uses: the Millhopper Village/Thornebrook Activity Center, Magnolia Park Mixed-Use Center and the Hunter's Crossing Activity Center. Some limited complementary commercial uses may be appropriate in this area.*

*The Planned Use District (PUD) category was created to allow the consideration of unique, innovative or narrowly constructed land use proposals that, because of the specificity of land use regulations, can be found to be compatible with the character of the surrounding area. Each PUD overlay land use designation shall address density and intensity, permitted uses, access by car, foot, bicycle, and transit, trip generation and trip capture, environmental features, and when necessary, buffering of adjacent uses.*

*The City Plan Board heard the petition and recommended that it be approved, based upon the findings of fact of compatibility of the land use and zoning with surrounding uses.*

*Public notice was published in the Gainesville Sun on November 1, 2005. Letters were mailed to surrounding property owners on November 2, 2005. The Plan Board held a public hearing November 17, 2005.*

#### *CITY ATTORNEY MEMORANDUM*

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

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

#### **RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

#### **Legislative History**

12/12/05 City Commission Approved (Petition) with Staff and Plan Board Conditions (7 - 0)

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

**050254****REZONING - N.W. 39TH AVENUE (B)**

**(Quasi-Judicial) Ordinance No. 0-06-23, Petition No. 111PDV-05PB**  
**An Ordinance of the City of Gainesville, Florida; rezoning certain lands annexed into the City, as more specifically described in this Ordinance, and amending the Zoning Map Atlas from the Alachua County zoning category of "BP, business and professional" to the City of Gainesville zoning category of "Planned Development District"; located in the vicinity of 4405 N.W. 39th Avenue and consisting of approximately 1.26 acres; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement and penalties; providing a severability clause; and providing an immediate effective date.**

*Explanation: STAFF REPORT*

*This petition is a request to allow commercial development on an undeveloped parcel located along the south side of Northwest 39th Avenue, west of Northwest 43rd Street. The parcel was recently annexed into the City and is the only undeveloped parcel within the block and is adjacent to a bank, at the intersection of Northwest 39th Avenue and Northwest 43rd Street. Without the petitioner's request for Planned Development overlay zoning, staff would have recommended OF (General Office) zoning for the property, based on the surrounding land uses and existing conditions.*

*The property is an undeveloped 1.26-acre parcel located within 200 feet of the intersection of two major roadway corridors, Northwest 39th Avenue and Northwest 43rd Street. The four corners of that intersection are developed as follows:*

- 1. Northwest Corner - Multi-family Residential (Alachua County)*
- 2. Northeast Corner - A low activity family medical emergency center (Office)*
- 3. Southeast Corner - A financial institution and offices (PD/Office)*
- 4. Southwest Corner - A financial institution and offices (Office)*

*The general area located south and west of Northwest 39th Avenue and Northwest 43rd Street is comprised of offices and residential development. Being in the same general area, it is expected that the subject property should reflect a similar and consistent pattern of development. Given the character of the area, an intense commercial use would be out of character. This northwest quadrant of the City has been planned with three mixed-use centers to serve both employment and residential uses: the Millhopper Village/Thornebrook Activity Center, Magnolia Park Mixed-Use Center and the Hunter's Crossing Activity Center. Some complimentary commercial uses may be appropriate in this area.*

*The Plan Board heard the petition and recommended that it be approved, with staff conditions as modified by the City Plan Board.*

*Public notice was published in the Gainesville Sun on November 1, 2005.*

*Letters were mailed to surrounding property owners on November 2, 2005. The Plan Board held a public hearing November 17, 2005.*

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

**Legislative History**

12/12/05      City Commission      Approved (Petition) with staff conditions, as modified by the City Plan Board (6 - 0 - 1 Absent)

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**050766**

**LAND USE CHANGE - 900 SW 34TH ST (B)**

**Ordinance No. 0-06-56, Petition 172LUC-05PB**

**An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain property 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 "Conservation"; consisting of approximately 13 acres, located in the vicinity of the 900 block of Southwest 34th Street, west side, as more specifically described in this Ordinance; providing a severability clause; providing a repealing clause; and providing an effective date.**

*Explanation: STAFF REPORT*

*The subject property is located west of Southwest 34th Street in the 900 block. The property proposed for the land use change is approximately 13 acres in size and is composed of three tax parcels. This property was annexed into city limits on November 14, 2005. This petition is being proposed in order to bring the parcel under the City's land use and zoning regulations (as is required for all annexed properties).*

*The property is vacant, and all three parcels are located in the 10-year Flood Channel. The Land Development Code (Sec. 30-286) prohibits permanent structures or fills in the flood channel district except structures and fills designed for flood prevention and control, streets, bridges, and sanitary sewer lift stations and utility lines. There is currently no vehicular access to these parcels.*

*The current Future land use category designation on this parcel is Alachua County Low Density Residential. The existing zoning is Alachua County Agriculture; see related Petition 173ZON-05PB. The petition proposal is to change the Future Land Use category to City of Gainesville category Conservation.*

*The parcels to the north of the subject parcels are designated PF (Public*

*Facilities) and CON (a portion of the Hogtown Greenway). To the south and east, properties have an E (Education) land use category consistent with the University of Florida ownership of the land. To the west, the land is designated Alachua County Low Density Residential.*

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

*Public notice was published in the Gainesville Sun on April 4, 2006. Letters were mailed to surrounding property owners on April 5, 2006. The Plan Board held a public hearing April 20, 2006. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 172LUC-06 PB. Plan Board vote 7-0.*

#### *CITY ATTORNEY MEMORANDUM*

*Florida Statutes set forth the procedure for adoption of an amendment to the Comprehensive Plan. The first hearing is held at the transmittal stage and must be advertised seven days prior to the first public hearing. The second hearing will be held at the adoption stage of the ordinance and must be advertised five days before the adoption hearing.*

*If adopted on first reading, the proposed amendment to the Comprehensive Plan will be transmitted to the State Department of Community Affairs (DCA) for written comment. Any comments, recommendations or objections of the DCA will be considered by the Commission at the second public hearing.*

*Following second reading, the Plan amendment will not become effective until the DCA issues a final order determining the adopted amendment to be in compliance in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, or until the Administration Commission (Governor and Cabinet) issues a final order determining the adopted amendment to be in compliance.*

**RECOMMENDATION**                      *The City Commission: 1) approve Petition No. 172LUC-05PB; and 2) adopt the proposed ordinance.*

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## **060097**

### **ANNEXATION - DAUTEL - TAX PARCELS 06711-000-000 AND 06711-003-000 (B)**

#### **Ordinance No. 0-06-41**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, Special Acts, Laws of Florida, 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 comprised of Tax Parcels 06711-000-000 and 06711-003-000, generally located south of the city limits, west of the vicinity**

of SW 34th Street and the City limits, north of the vicinity of SW 20th Avenue and east of SW 37th Street; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

*Explanation:* The adoption of an annexation ordinance is the final stage in the annexation process under the provisions of the Alachua County Boundary Adjustment Act. On Monday, November 28, 2005, at a regular City Commission meeting, the City Commission received and accepted the petition for annexation, and determined that the petition bore the signature of the owner of the property that is the subject of this annexation. On April 24, 2006 and May 8, 2006, the City Commission held advertised public hearings and adopted the corrective Urban Services Report as mandated by the Boundary Adjustment Act.

#### ANNEXATION ORDINANCE

The annexation ordinance proposes to annex a contiguous, compact, unincorporated portion of the reserve area. The Boundary Adjustment Act requires the ordinance to be adopted as a nonemergency ordinance and to include one reasonably compact area.

In the Ordinance the City Commission makes certain findings of fact related to the area proposed for annexation. The area must meet certain standards as required by the Boundary Adjustment Act. In this regard, your attention is drawn to Section 1 of this Ordinance and the presentation by the City Manager.

If adopted on first reading, the second and final reading of this ordinance will be July 24, 2006. Pursuant to the Boundary Adjustment Act, notice of adoption of this ordinance was published for two consecutive weeks prior to first reading.

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

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#### 050584

#### AMENDED LIST OF CONTRIBUTING STRUCTURES IN THE NORTHEAST RESIDENTIAL DISTRICT (B)

##### Ordinance No. 0-06-43; Petition 159MSC-06 PB

An ordinance of the City of Gainesville, Florida, amending the list of contributing buildings and structures in the Northeast Residential Historic District; finding these additional buildings and structures as contributing structures subject to the regulations of the City's historic preservation/conservation ordinance; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Explanation: COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT*

*The petition changes the status from non-contributing to contributing for various properties in the Northeast Residential Historic District. The Northeast Residential Historic District was approved by the City Commission on July 8, 1985 (241ZON-84PB Ordinance #3141) and contributing and non-contributing status was applied to each building, site, structure or object. The Historic Preservation Board unanimously approved the proposed changes in status from non-contributing to contributing structures at a Special Meeting on November 8, 2005.*

*As defined in the cultural resources survey, contributing buildings and structures are those that have been documented with the Florida Division of Historic Resources through completion of a Florida Master Site File. Also they are at least 45 years old, and have not been severely altered, namely through radical alteration of original plan, enclosing of porches, or additions to the facade. Contributing structures include principal dwellings or buildings, garage apartments, and outbuildings. Conversely, noncontributing buildings and structures are defined as buildings with a Florida Master Site File that have been severely altered and/or buildings that are less than 45 years old.*

*Staff has found that the status on 43 non-contributing building sites, structures or objects have met the criteria of contributing and are reflected on the attached list for adoption.*

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

*Public notice was published in the Gainesville Sun on February 28, 2006. Letters were mailed to surrounding property owners on March 1, 2006. The Plan Board held a public hearing March 16, 2006. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 159MSC-05 PB. Plan Board vote 6-0.*

*CITY ATTORNEY MEMORANDUM*

*The City Commission at its meeting of May 22, 2006, requested staff to reevaluate the list of contributing structures in the Northeast Residential Historic District and bring the ordinance back to the Commission at its July 10, 2006 meeting, for first reading. This ordinance requires two public hearings. If adopted on first reading, the second and final reading will be held on Monday, July 24, 2006.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission:*

*1) Hear a report from staff on the reevaluation of the list, as requested by the Commission.*

*2) City Plan Board to City Commission - The City Commission approve Petition 159MSC-05 PB, the*

*modification of the map of Northeast Residential Historic District; Alternative Recommendation A: The City Commission deny the request to adopt the updated maps of the Northeast Residential Historic District.*

*There is no fiscal impact.*

*Alternative Recommendation B: The City Commission modify the map of the Northeast Historic District to change 20 non-contributing structures built in 1952 or earlier to contributing structures.*

*(3) Adopt the proposed ordinance.*

**Legislative History**

5/22/06 City Commission Continued (1st Reading) (7 - 0)

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

### **051162**

#### **CODE ENFORCEMENT BOARD FINES (B)**

##### **Ordinance No. 0-06-65**

**An ordinance of the City of Gainesville, Florida, relating to Code Enforcement Board fines; amending subsection (b) of section 2-388.1, of the City of Gainesville Code of Ordinances, providing for the maximum fines permitted by section 162.09(2)(d), Florida Statutes; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: The City Commission at its meeting on June 12, 2006, authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance giving the Code Enforcement Board or special magistrates, or both, authority to impose a maximum fine not to exceed \$1,000 per day per violation for a first violation, \$5,000 per day per violation for a repeat violation, and up to \$15,000 per violation if the CEB or special magistrate finds the violation to be irreparable or irreversible in nature, as provided by section 162.09(2)(d), Fla. Stat.*

*This ordinance requires two public hearings. If the ordinance passes on first reading, second and final reading will be held on July 10, 2006.*



**RECOMMENDATION**

*The City Commission adopt the proposed ordinance, as amended.*

**Legislative History**

6/12/06 City Commission Approved as Recommended (7 - 0)  
6/26/06 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

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**060058****PROPOSED AMENDMENTS TO CHAPTER 8, CODE OF ORDINANCES (B)****Ordinance No. 0-06-67**

**An ordinance of the City of Gainesville, Florida; amending Chapter 8 of the Code of Ordinances of the City of Gainesville relating to discrimination; amending Section 8-3 and Section 8-24 to include the Airport Authority as a person subject to the ordinance; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: The City Commission at its meeting of May 22, 2006, authorized the City Attorney's Office to draft and the Clerk of the Commission to advertise an ordinance amending Chapter 8 of the Code of Ordinances to bring the Airport Authority under the auspices of the City's discrimination ordinance.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

5/22/06 City Commission Approved as Recommended (6 - 0 - 1 Absent)  
6/26/06 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)

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**060017****LAND DEVELOPMENT CODE AMENDMENT ALLOWING COMPOUND USES BY RIGHT IN THE GENERAL OFFICE DISTRICT (B)****Ordinance No. 0-06-55; Petition No. 43TCH-06 PB**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code, relating to compound uses in the OF (General office) district; amending section 30-23, adding to the definition of compound use as a use allowed by right in the OF (general office) zoning district; amending section 30-59, adding compound uses as a use by right and adding residential uses up to 20 units per acre in the Office (OR and OF) districts; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Explanation: COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT*

*The Gainesville Land Development Code defines a "compound use" as "the use of any land or building in a particular zoning district for both a residential use and a non-residential use permitted in such district, either of which may be the principal use."*

*In other words, a "compound use" allows a building to contain both a residence and a commercial activity within the same building-either of which may be the primary activity in the building-in a zoning district that allows the residential and commercial business types that are to occur within the building.*

*This petition proposes to add compound use as a use allowed by right in the OF (general office) zoning district. Doing so would therefore allow an office building (or other commercial activities allowed in the district, such as a vet, an exercise studio, or a membership organization) to contain a residence. It would also allow a residence to contain such non-residential activities allowed in the OF zoning district.*

*Currently, the OR (office residential), BUS (general business), MU-1 (mixed use low intensity), MU-2 (mixed use medium intensity), CCD (central city district), and W (warehouse) zoning districts allow compound uses by right.*

*The office zoning district allows uses that are considered compatible with residential use.*

*The Office land use category provides justification for allowing residences within office buildings. The Office land use category states that "the Office land use category identifies areas appropriate for office and residential uses." The category also states that "residential uses in office districts shall be designed as new in-town development, mixed-use, live-work, compound use or shall accommodate existing residential development within the district."*

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

*Public notice was published in the Gainesville Sun on April 4, 2006. Letters were mailed to owners of "Office" property on April 5, 2006. The Plan Board held a public hearing April 20, 2006. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 43TCH-06 PB. Plan Board vote 7-0.*

*CITY ATTORNEY MEMORANDUM*

*This ordinance requires two public hearings. Should the Commission adopt the ordinance on first reading, the second and final reading will be held on Monday, July 10, 2006.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance.*

**Legislative History**

6/26/06 City Commission Approved (Petition) and Adopted on First Reading  
(Ordinance) (6 - 0 - 1 Absent)

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## 060080

### ALAMAR GARDENS, LLC ANNEXATION (B)

#### **Ordinance No. 0-06-61**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, Special Acts, Laws of Florida, 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 comprised of Tax Parcels 06680-001-000, 06745-002-000, and 06745-002-001, and generally located south of the City limits and Tax Parcel 06745-000-000, west of the vicinity of SW 42nd Street, north of SW 20th Avenue, and east of the City limits; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.**

*Explanation: The adoption of an annexation ordinance is the final stage in the annexation process under the provisions of the Alachua County Boundary Adjustment Act. On Monday, March 13, 2006, at a regular City Commission meeting, the City Commission received and accepted the petition for annexation, and determined that the petition bore the signature of the owner of the property that is the subject of this annexation. On April 10, 2006 and April 24, 2006, the City Commission held advertised public hearings and adopted the Urban Services Report as mandated by the Boundary Adjustment Act.*

#### ANNEXATION ORDINANCE

*The annexation ordinance proposes to annex a contiguous, compact, unincorporated portion of the reserve area. The Boundary Adjustment Act requires the ordinance to be adopted as a nonemergency ordinance and to include one reasonably compact area.*

*In the Ordinance the City Commission makes certain findings of fact related to the area proposed for annexation. The area must meet certain standards as required by the Boundary Adjustment Act. In this regard, your attention is drawn to Section 1 of this Ordinance and the presentation by the City Manager.*

*If adopted on first reading, the second and final reading of this ordinance will be July 10, 2006. Pursuant to the Boundary Adjustment Act, notice of adoption of this ordinance was published for two consecutive weeks prior to first reading.*

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

6/26/06 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)  
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**060087****SEXUAL OFFENDERS/PREDATORS (B)****Ordinance 0-06-66**

**An ordinance of the City of Gainesville relating to sexual offenders and sexual predators; adding San Felasco County Park, located within the city limits, to the list of parks that prohibits child sexual offenders and predators from living within 2,500 feet of the park; correcting scrivener's errors; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.**

*Explanation: On June 12, 2006, the City Commission authorized the City Attorney to draft, and the Clerk of the Commission to advertise an ordinance adding San Felasco County Park to the list of parks located within the City limits which prohibits child sexual offenders and predators from living within 2,500 feet of the park.*

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

6/12/06 City Commission Approved as Recommended (7 - 0)  
6/26/06 City Commission Adopted on First Reading (Ordinance) (6 - 0 - 1 Absent)  
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**RESOLUTIONS- ROLL CALL REQUIRED****PLAN BOARD PETITIONS****DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT****CITIZEN COMMENT (If time available)****ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)**

