

City of Gainesville

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



Meeting Minutes

Monday, 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 line at 334-2069 at least two business day

CALL TO ORDER - 1:06 PM

ROLL CALL

Present: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

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

MODIFICATION - File #060002 - Towing Administrative Fees - (Pull from the Consent Agenda and place on the Regular Agenda for discussion).

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.

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

This Matter was Approved as Recommended on the Consent Agenda.

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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.

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.

This Matter was Approved as Recommended on the Consent Agenda.

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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.

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.

This Matter was Approved as Recommended on the Consent Agenda.

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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.

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.

This Matter was Approved as Recommended on the Consent Agenda.

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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.*

This Matter was Approved as Recommended on the Consent Agenda.

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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.*

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC SAFETY COMMITTEE, CONSENT

051174

Issue of Young Men Wearing Baggy Pants (B)

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.*

This Matter was Approved as Recommended on the Consent Agenda.

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050749

Review of Roam Tow Rate Information (B)

This item requests amendments to the Trespass (Roam) Tow Ordinance.

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.*

This Matter was Approved as Recommended on the Consent Agenda.

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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.

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

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

MOTION: Commissioner Donovan moved and Commissioner Bryant seconded to

*adopt the Regular Agenda with the following modification.
(VOTE: 7-0, MOTION CARRIED)*

*MODIFICATION - File #050635 Over-Occupancy in Single Family Neighborhoods -
(Additional Recommendation added from the City Manager).*

*NOTE: It was approved without objection to reconvene the evening portion of the
meeting at 5:50 PM.*

Chair Hanrahan recognized Dr. David Chalmers who spoke to the matter.

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.

City of Gainesville Recreation and Parks Director David Flaherty gave a presentation.

MOTION: Approve Alternative Recommendations B & C.

Chair Hanrahan recognized Alachua County Parks Superintendent Robert Avery who made comments.

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.

A motion was made by Commissioner Bryant, seconded by Commissioner Braddy, that this matter be Approved as shown above and Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on January 10, 2007. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

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GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

PUBLIC SAFETY COMMITTEE

050400 Homeless Issues - Downtown Plaza Area (B)

City of Gainesville Police Chief Norm Botsford and Captain Willie Washington gave presentations.

Chair Hanrahan recognized Mary Anderson who spoke to the matter.

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

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

Votes: Aye: Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

Absent: Edward Braddy

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COMMITTEE REPORTS (PULLED FROM CONSENT)

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.

City of Gainesville Police Chief Norm Botsford and Captain Ray Weaver gave presentations.

Chair Hanrahan recognized Lisa Collins and Mary Anderson who spoke to the matter.

ADDITIONAL MOTION (REFERRAL): Roam Towing Issues. See following File #060242 - Referred to the Public Safety Committee and the City Manager.

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.

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

Votes: Aye: Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

Absent: Edward Braddy

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060242

Roam Towing Safety Issues (NB)

Chair Hanrahan recognized Lisa Collins and Mary Anderson who spoke to the matter.

NOTE: This item was also placed on the City Manager's Referral List.

RECOMMENDATION

The City Commission refer the issue of roam towing to the Public Safety Committee regarding: 1) Safety issues (leaving people stranded late at night); 2) convenience (providing change, accepting credit/debit cards, checks, etc.); 3) a list of towing companies that the City and Alachua County have contracts with and provide the number of complaints they have; and 4) ask the City Manager to provide a memo to the City Commission and the Public Safety Committee regarding these towing companies.

A motion was made by Commissioner Bryant, seconded by Commissioner Donovan, that this matter be Referred to the Public Safety Committee, due back on January 10, 2007. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry
Absent: Edward Braddy

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

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.

City of Gainesville Community Development Director Tom Saunders and Code Enforcement Manager Jim Garrett gave presentations.

MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to: 1) Adopt all of the Community Development Committee's bulleted recommendations listed on the document entitled "Possible Changes to Enforcement of Rentals in Single-Family Neighborhoods", changing bullet (4) from 24 to 36 months; 2) delete bullet (7), first bullet under "Increase Fine Levels and Landlord Permit Fees and Staff Resources"; 3) initiate a petition for necessary code changes to the Plan Board; and 4) authorize the City Attorney to prepare ordinances for all code changes necessary within other chapters.

(VOTE: 7-0, MOTION CARRIED)

Chair Hanrahan recognized Dr. David Chalmers, Dr. Thomas Lau, Mary Anderson, Carol Daley, Dr Gary Ihas, UF Lobby Coordinator Jason Lutin, Walter Willard, UF Student Body President John Wells, Dr. Jimmy Harnsberger, Dr. Mark Goldstein and

UF Vice-President of Student Affairs Dave Kratzer who spoke to the matter.

City of Gainesville Police Chief Norm Botsford made comments.

*ADDITIONAL MOTION (REFERRAL): Commissioner Lowe moved and Commissioner Bryant seconded to refer to the Community Development Committee: 1) The concept of student involvement (Division of Student Affairs and Student Government) in landlord, tenant and over-occupancy issues; and 2) hear a presentation from those who attended the "Best Practices in Building University Relations" conference this past month.
(VOTE: 7-0, MOTION CARRIED)*

See following referral file # 060243.

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.*

City Manager to the City Commission: Hear a presentation from staff regarding the recommended set of changes to the programs and regulations related to rental properties in single-family neighborhoods, and defer hearing a presentation on, and discussion of the specifics of a proposed fee increase to the upcoming City Commission budget meetings.

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

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060243

Student Involvement in Landlord/Tenant Issues (B)

RECOMMENDATION *The City Commission refer to the Community Development Committee: 1) The concept of student involvement (Division of Student Affairs and Student Government) in landlord, tenant and over-occupancy issues; and 2) hear a presentation from those who attended the "Best Practices in Building University Relations" conference this past month.*

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Bryant, that this matter be Referred to the Community Development Committee, due back on January 10, 2007. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Commissioner Jack Donovan

1. Attack and beating of a club patron downtown - City Manager and Police Chief to bring back a report.

2. Shooting Incident Downtown.

City of Gainesville Police Chief Norm Botsford made comments.

Commissioner Edward Braddy

Ron Nichols Complaint - Speed Tables in the Stephen Foster Neighborhood - Referral - See following referral item #060240.

060240

Stephen Foster Neighborhood Speed Tables (NB)

RECOMMENDATION

The City Commission refer the following issues to the Recreation, Cultural Affairs and Public Works Committee: 1) Stephen Foster Neighborhood speed tables, traffic mitigation and traffic calming devices; and 2) investigate the feasibility of asking scientist Ronald Bowman to do a cost benefit study/analysis on traffic mitigation and emergency response for the City of Gainesville (similar to the study he did for the City of Bolder, Colorado).

A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on January 10, 2007. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

Commissioner Scherwin Henry

1. Proliferation of Homeless near Fire of God Ministries on NE 23rd Avenue (Code Enforcement Issues).

City Manager Russ Blackburn and City of Gainesville Community Development Director Tom Saunders made comments.

2. Congressional Hearings Re: National Health Care Referendum - Commissioner Lowe & Commissioner Henry attended.

RECESS - 4:26 PM**RECONVENE - 5:50 PM****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.*

Heard

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WAIVER OF RULES

The rules were waived by consensus to start Citizen Comment at 5:55 PM.

CITIZEN COMMENT**Nkwanda Jah**

Recreation for young people of Gainesville - Update from the City Manager at the July 24th, 2006 City Commission Meeting.

Reverend Karl Anderson

PAVE (People Against Violence Enterprises) - Request for \$1,500.00 Co-Sponsorship

See following File # 060239.

060239**Stop the Violence Rally Co-Sponsorship Request - Reverend Karl Anderson (B)**

RECOMMENDATION *The City Commission authorize \$1,500.00 from the City Commission Contingency Fund to co-sponsor the Stop the Violence Rally being held on August 5, 2006 and place back-up submitted on file.*

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

Aneter Heard

GRU Bill - Deposit Issue - Mayor and GRU Staff to meet with Mrs. Heard.

Kali Blount

1. *GPD Ride Along - Officer Diamond Smith*
2. *GRU - Electric Service Issues*
3. *Outside Bulletin Board with glass enclosure at City Hall*

Tim Strauser

Speeding Issues in the Forest Creek Neighborhood 31st Avenue to 34th Rd - Referral to the Recreation, Cultural Affairs and Public Works Committee.

060244**Speeding Issues in the Forest Creek Neighborhood (NB)**

RECOMMENDATION *The City Commission refer the issue of speeding in the Forest Creek Neighborhood (West of NW 13th Street between NW 31st Avenue to 34th Rd.) to the Recreation, Cultural Affairs and Public Works Committee.*

A motion was made by Commissioner Braddy, seconded by Commissioner Bryant, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on January 10, 2007. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

Walter Willard

Various Issues

Sarah Poll

GRU 13.4% Rate Increase

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.

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.

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

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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.

City of Gainesville Community Development Director Tom Saunders and Mr. Jesse Wiles of APD gave a presentation.

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.*

A motion was made by Commissioner Bryant, seconded by Commissioner Henry, that this matter be Adopted (Resolution). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

Nay: Edward Braddy

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ADOPTION READING-ROLL CALL REQUIRED

050253

LAND USE CHANGE - NW 39TH AVENUE (B)

Ordinance No. 0-06-22, Petition 110LUC-05PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by overlaying the “Planned Use District” category over certain property, as more specifically described in this ordinance, with the underlying Alachua County land use category of “COMM, Commercial”; located in the vicinity of 4405 N.W. 39th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Henry, that this matter be Approved (Petition) and Adopted on Adoption Reading. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

Absent: Edward Braddy

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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.

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry
Absent: Edward Braddy

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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.

City of Gainesville Senior Planner Onelia Lazzari gave a presentation.

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

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

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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.

City of Gainesville Strategic Planning Manager Karen Snyder gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

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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.

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

Chair Hanrahan recognized Kent Sokmensuer, Joan Gowen, Bill Warinner, Kevin

Daley who spoke to the matter.

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.

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

Votes: Aye: Pegeen Hanrahan, Rick Bryant, Craig Lowe and Jeanna Mastrodicasa
Nay: Edward Braddy, Jack Donovan and Scherwin Henry

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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.

Chair Hanrahan recognized Kevin Daley who spoke to the matter.

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

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jeanna Mastrodicasa and Scherwin Henry

Absent: Jack Donovan

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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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jeanna Mastrodicasa and Scherwin Henry

Absent: Jack Donovan

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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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

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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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

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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.

City of Gainesville Police Captain Lynne Benck made comments.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

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RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Mayor Pegeen Hanrahan

*Father Gillespie - St. Augustine's Catholic Church - (Hurley Hall on 17th Street)
Fence Replacement Issue - This issue was referred to staff (without objection) to come up with a strategy to replace the fence.*

Commissioner Scherwin Henry

- 1. Kennedy Homes - Gates unlocked.*
- 2. Ditch at SE 2nd Street and SE 20th Terrace.*

CITIZEN COMMENT

Kevin Daley

Landlord Permit Issues

Carol Daley

Landlord Issues

ADJOURNMENT - 9:43 PM

Kurt M. Lannon, Clerk of the Commission