

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, September 11, 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 - 1:07 PM

## ROLL CALL

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

## INVOCATION

## CONSENT AGENDA

*Mayor-Commissioner Pro Tem Lowe moved and Commissioner Braddy seconded to adopt the Consent Agenda with the following modifications.*

*(VOTE: 4-0, Commissioners Bryant, Donovan and Henry - Absent, MOTION CARRIED)*

### *MODIFICATIONS:*

- 1. File #060386 - Annexation of Parcel Number 07240-001-008 - Submission of Petition for Voluntary Annexation in the Area of SW 41st Blvd - (Withdraw from the Agenda).*
- 2. File #060461 - Pending Consent Order for the Old Landfill Project at Sweetwater Branch - (Withdraw from the agenda and re-submit at a later date).*
- 3. File #060431 - Creation of a Student Community Relations Advisory Board - (Remove from the Regular Agenda and place on the Consent Agenda).*

## CITY MANAGER, CONSENT AGENDA ITEMS

### 041219.

#### **First Amendment to Dumont Company, Inc. for Sodium Hypochlorite, Storage Vessels, and Containment (B)**

**This item involves a request for the City Commission to approve the amendment of the original contract with Dumont Company, Inc. to include Mickle Pool.**

#### RECOMMENDATION

*Recommended Motion: The City Commission approve the contract amendment with Dumont Company.*

*Alternative Recommendation A: The City Commission deny the request to amend the contract.*

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

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041219a\_200609111300.pdf

041219b\_200609111300.pdf

**050348.****Second/Final Extension of the Ironwood Grounds Maintenance Agreement (B)**

**This item involves a request for the City Commission to approve the second one-year extension of the Ironwood Grounds Maintenance Agreement.**

**RECOMMENDATION**

*Recommended Motion: The City Commission approve the second one-year extension to the contract with OneSource Landscape and Golf Services, Inc. for grounds maintenance at Ironwood Golf Course in the amount of \$505,794.93 for the period of October 1, 2006 through September 30, 2007.*

*Alternative Recommendation A: The City Commission decline the second one-year extension.*

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

050348\_200609111300.pdf

**060300.****Annexation of City-owned Water Reclamation Facility and Surrounding City-owned Parcels (B)**

**This is the submission of a petition for voluntary annexation of City-owned land in the area of Kanapaha Lake and Gardens.**

**RECOMMENDATION**

*The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

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

060300\_20060911.pdf

**060385.****Annexation of Parcel Number 06706-044-000 and Parcel Number 06706-045-000 (B)**

**This is the submission of petition for voluntary annexation in the area of SW 20th Avenue.**

**RECOMMENDATION**

*The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and, 3) authorize the City Attorney to prepare and the Clerk of the Commission to*

*advertise ordinances relating to the annexation of the area, if appropriate.*

*Alternative Recommendation:*

*The City Commission deny acceptance of the petition.*

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

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**060386. Annexation of Parcel Number 07240-001-008 (NB)**

**This is the submission of petition for voluntary annexation in the area of SW 41st Blvd.**

**RECOMMENDATION**

*The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and, 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

*Alternative Recommendation:*

*The City Commission deny acceptance of the petition.*

**Withdrawn**

**060388. Approval of Architect for Depot Gardens Houses in Porters (NB)**

**This item proposes to authorize the City Manager or his designee to negotiate a contract price and execute a contract with Karson and Associates, Inc to design the houses and the site layout for the Depot Gardens development.**

**RECOMMENDATION**

*The City Commission authorize the City Manager or his designee to: 1) negotiate a contract price with Karson and Associates, Inc to design houses, floor plans and the site for the Depot Gardens development; and 2) execute a contract with Karson and Associates, Inc, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation A:*

*The City Commission could choose to approve the recommendation and require that the house and site plans be presented to Commission at a later date.*

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

**060394.****Infill Housing (B)**

**This item proposes to build three single-family detached homes on scattered sites for resale to low-income first-time homebuyers.**

**RECOMMENDATION**

*The City Commission: 1) declare the properties located at 2406 N.E. 6th Avenue, 2523 N.E. 3rd Place, and 338 S.W. 8th Avenue as surplus properties; 2) authorize the Housing Division to construct three-bedroom, two-bath houses with two-car garages on vacant sites located at 2406 N.E. 6th Avenue, 2523 N.E. 3rd Place, and 338 S.W. 8th Avenue; 3) authorize the sale of the newly constructed homes at market value to eligible low-income homebuyers that will be identified at a future date; 4) authorize the Housing Division to provide the grants and/or subsidies required to make the purchase of the properties affordable for low-income homebuyers; 5) authorize the City Manager or designee to execute the required purchase and sale agreements, grant or subsidy agreements and any other certifications or assurances required to transfer ownership to the homebuyers that will be identified at a later date; 6) authorize the Mayor and Clerk of the Commission to execute the warranty deeds required to transfer titles to low-income homebuyers that will be identified at a later date; and 7) authorize the Housing Division to use standard program subsidies and purchase and sale documents to consummate the transactions, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation A: The City Commission not approve the construction of the three affordable houses.*

*Alternative Recommendation B: The City Commission could choose to approve an amended recommendation that included construction of homes on some of the sites mentioned above.*

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

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**060404.****Application for Disability Retirement for Mark Nelson (B)**

**Retirement application for Mark Nelson, Maintenance Worker I with Public Works for 10.333 years has been under the care of physicians for several medical reasons.**

**RECOMMENDATION**

*The City Commission approve the submitted application for disability for Mark Nelson, Maintenance Worker I, Public*

*Works.*

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

060404\_200609111300.pdf

**060406.**

**Award of Contract for Collection and Laboratory Technical and Professional Services to Jagers Enterprises DBA Elite Services (B)**

**This item involves a request for the City Commission to approve the selection of Jagers Enterprises DBA Elite Services as the provider for Collection and Clinical Laboratory Services.**

**RECOMMENDATION**

*The City Commission authorize: 1) the Award of the Contract for Collection and Clinical Laboratory Technical and Professional Services to Jagers Enterprises DBA Elite Services for a period of three years beginning October 1, 2006; 2) the issuance of a Purchase Order in an amount sufficient to cover the applicable charges for collection and laboratory services; and, 3) the City Manager or designee to negotiate and execute, subject to the approval of the City Attorney as to form and legality, a contract with Jagers Enterprises DBA Elite Services.*

*Alternative Recommendation:*

*The Federal Transit Administration requires that random drug testing be conducted during all normal hours of operation. The Regional Transit System currently provides services until the early morning hours. In addition, the City's Drug Free Workplace Program's post-accident testing may also require after hour drug testing to fully comply with State Law and the City's collective bargaining agreements. The inability to comply with the above standards could put the City's FTA grants at risk and have an adverse effect on future Regional Transit Systems operating and capital grant funding. With this being the case, there is no alternative at this time. Staff spent considerable time attempting to find qualified local collection sites for this service. The current vendor cited the after hours drug testing requirement as the reason for not submitting a proposal during this recent process.*

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

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**060407.**

**Agreement Between the City of Gainesville and Center for Independent Living of North Central Florida (B)**

**This item involves a request to execute the Agreement with the Center for Independent Living of North Central Florida (CIL-NCF) to determine the**

**eligibility of persons with disabilities to qualify for ADA Certification for the Regional Transit System (RTS) starting Sunday, October 1, 2006.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Agreement with the Center for Independent Living of North Central Florida, for the period of October 1, 2006 to September 30, 2007 for certification or re-certification of ADA eligibility applicants and ADA paratransit eligibility determinations; and 2) authorize the City Manager to execute any and all related documents.*

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

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**060408.**

**Final Adoption of the Transit Development Plan for FY 2007 (B)**

**This item involves a request that the City Commission adopt the RTS Transit Development Plan as submitted to the Florida Department of Transportation (FDOT) on June 30, 2006.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) adopt the TDP for FY 2007-2011.*

*Alternative Recommendation A: The City Commission reject the motion to adopt the TDP. The resulting fiscal impact is the loss of the FDOT \$1,356,306 in block grant funds for FY 2007.*

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

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**060409.**

**Interlocal Agreement with the University of South Florida (B)**

**This item involves a request to authorize the City Manager to execute the Interlocal Agreement between the City of Gainesville and the University of South Florida Center for Urban Transportation Research for \$34,394 to support RTS with technical assistance and expertise relative to a Florida Department of Transportation (FDOT) service development grant.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Interlocal Agreement with University of South Florida to provide Public Transit Service Development Technical Assistance for RTS; and 2) authorize the City Manager to execute any and all related documents.*

*Alternative Recommendation A: The City Commission: 1) deny authorization of the City Manager to execute the*

*Interlocal Agreement with University of South Florida to provide Public Transit Service Development Technical Assistance for RTS. Failure to execute the Interlocal Agreement will result in the loss of the opportunity to invoice 50% of the total CUTR research project costs (approximately \$17,197) against and receive outstanding FDOT Service Development Grant Marketing Funds, and the loss of the benefit of a completed research project and technical report for the RTS Commuter Service Market and Development Plan.*

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

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**060424.**

**Agreement Between the School Board of Alachua County and the City of Gainesville for the School Resource Officer Program for the 2006/2007 School Year (B)**

**This item requests the City Commission approval to enter into an agreement with the School Board for the School Resource Officer Program. This is an annual agreement.**

**RECOMMENDATION**

*Recommended Motion: The City Commission authorize the City Manager to execute the Agreement between the School Board of Alachua County, Florida and the City of Gainesville, Florida for the School Resource Officer Program, for the period of October 1, 2006 to September 30, 2007, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommended Motion A: The City Commission not authorize the City Manager to execute the Agreement for the School Resource Officer Program, and remove the police officers from the city schools.*

*Alternative Recommended Motion B: None*

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

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**060429.**

**EDUCC - Referral Status Review (B)**

**This item seeks City Commission approval of staff's recommendations regarding maintenance and removal of Economic Development University Community Committee (EDUCC) pending referrals.**

**RECOMMENDATION**

*The City Commission: 1) approve staff's recommendation regarding EDUCC pending referrals.*

*Alternative Recommendation*



*The City Commission: 1) deny staff's recommendation regarding EDUCC pending referrals.*

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

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**060460.**

**Bid Award - Traffic Signal Construction at NW 8th Avenue and NW 22nd Street (B)**

**This item involves a request for the City Commission to authorize the bid award to PAH Constructors, Inc., for the traffic signal construction project at N.W. 8th Avenue and N.W. 22nd Street in the amount of \$ 216,796.45.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the bid award to PAH Constructors, Inc., for the traffic signal construction project at NW 8th Avenue and NW 22nd Street; and 2) authorize the City Manager to execute the contract and issue a purchase order not to exceed \$216,796.45.*

*Alternative Recommendation:*

*The City Commission deny the request for the bid award to PAH Constructors, Inc., and direct the City Manager to leave the traffic signal in its current state, without turn arrows.*

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

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**060461.**

**Pending Consent Order for the Old Landfill Project at Sweetwater Branch (B)**

**This item involves a request to the City Commission to authorize the City Manager to execute a Consent Order to be issued by the Florida Department of Environmental Protection for turbidity violations and sediment discharge from the project site for an estimated cost of \$200,000.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Consent Order for the Old Landfill Project (OGC File NO. 06-1782) upon receipt, provided it substantively conforms to the draft of the same; 2) authorize the City Manager to execute all related administrative duties enumerated within the Consent Order; and 3) authorize all necessary budget amendments, including the transfer of funds, from the Solid Waste Enterprise fund balance account to carry out the Consent Order.*

**Withdrawn**

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060461\_200609111300b.PDF

**060431.****Creation of a Student Community Relations Advisory Board (B)**

**This is a request to authorize the City Attorney to draft an ordinance to create a Student Community Relations Advisory Board.**

**RECOMMENDATION**

*The City Commission: authorize the City Attorney to use proposed language to draft and Clerk of the Commission to advertise an ordinance establishing a Student Community Relations Advisory Board.*

*Alternate Recommendation:*

*The City Commission take no action.*

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

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**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****060455.****Reimbursement for Oversizing of Water and Wastewater Facilities at Town of Tioga Phases 12 & 13 (NB)**

**Town of Tioga Phases 12 & 13 provides an opportunity for beneficial oversizing of the water distribution system.**

**RECOMMENDATION**

*The City Commission authorizes reimbursement to the Developer of Town of Tioga Phases 12 & 13, Caribemar, Inc. for the oversizing of the water facilities in an amount not to exceed \$51,717.*

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

**060456.****Reimbursement for Oversizing of Water and Wastewater Facilities at Willow Oak Plantation (NB)**

**Willow Oak Plantation provides an opportunity for beneficial oversizing of the water distribution and wastewater collection systems.**

**RECOMMENDATION**

*The City Commission authorizes reimbursement to Willow Oak Development, LLC, for the oversizing of the water and wastewater facilities in an amount not to exceed \$29,475.*

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

**060457.****An Ordinance Amending Chapters 27 and Appendix A of the Gainesville Code of Ordinance (B)**

Staff has conducted the required five year review of the industrial pretreatment program (IPP) and the local limits for discharging to the wastewater collection system. Changes to the existing ordinance are necessary to reflect the new local limits and to comply with regulatory requirements for administering the IPP. Staff is also taking this opportunity to correct a reference in the cross connection control ordinance.

**RECOMMENDATION**

*The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending sections of Chapters 27 and Appendix A of the Gainesville Code of Ordinances as necessary to incorporate changes recommended by staff to the IPP and the cross connection control programs.*

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

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**060462.****Authority to Procure Goods and Services for Energy Conservation Programs (NB)**

Staff is requesting authorization to procure goods and services required to implement new energy conservation programs.

**RECOMMENDATION**

*The City Commission: 1) authorize the Interim General Manager, or her designee to negotiate and execute such contracts as needed to procure goods and services required to implement new energy conservation programs, subject to approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders for the required goods and services to various vendors amounts not exceeding budgeted amounts for FY 2007.*

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS****060428.****SEXUAL PREDATOR OFFENDER PARKS (B)****RECOMMENDATION**

*Authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending Sec 17-32 of the City of Gainesville Code of Ordinances.*

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

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**060447.**

**KEN ROBERTS VS. THE CITY OF GAINESVILLE; EEOC CHARGE NO. 510-2006-03395 (B)**

**RECOMMENDATION**

*The City Commission authorize the City Attorney, and/or special counsel if insurance coverage is available, to represent the City in the case styled Ken Roberts vs. the City of Gainesville; EEOC Charge No.: 510-2006-03395.*

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

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

**060442.**

**Resignation of Advisory Board/Committee Member Gloria Lopez (B)**

**RECOMMENDATION**

*The City Commission accept the resignation of Gloria Lopez from the Citizens' Advisory Committee for Community Development effective August 18, 2006.*

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

**060448.**

**City Commission Minutes (B)**

**RECOMMENDATION**

*The City Commission approve the minutes of August 21, 2006 (2 Special Meetings); and August 28, 2006 (Regular Meeting); as circulated.*

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

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060448A\_20060911.pdf

060448B\_20060911.pdf

## **EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

## **COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

## **REGIONAL UTILITIES COMMITTEE, CONSENT**

**031086.****Utility Policies for Residential Grid-connected Solar Electric Systems, 031086  
(NB)****RECOMMENDATION**

*The City Commission: a) Eliminate the \$200 application fee for solar electric system interconnection, proposed in the FY 2007 Budget, and; b) Remove Item # 031086 - Utility Policies for Residential Grid-connected Solar Electric Systems from the Regional Utilities Committee (RUC) referral list*

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

2005 Photovoltaic Interconnection Survey Result Matrix.jpg

**Passed The Consent Agenda**

**A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Braddy, 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, Craig Lowe and Jeanna Mastrodicasa  
Absent: Rick Bryant, Jack Donovan and Scherwin Henry

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

*Commissioner Braddy moved and Mayor-Commissioner Pro Tem Lowe seconded to adopt the Regular Agenda with the following modifications.  
(VOTE: 4-0, Commissioners Bryant, Donovan and Henry - Absent, MOTION CARRIED)*

**MODIFICATIONS:**

- 1. File #060463 Carbon Emissions Update - (Additional back-up submitted).*
- 2. File #050910 - Planned Development Amendment - Kingswood Court - (Withdraw this item from the agenda and the City's review process).*
- 3. Waive the Rules to Reconvene at 6:00 PM.*

**CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION**

**CITY MANAGER****060309.**

**Gainesville Sports Organizing Committee Recognition of Gainesville Fire Rescue (NB)**

**This item requests that the City Commission hear a presentation from the Gainesville Sports Organizing Committee to Gainesville Fire Rescue for their support of the 2006 Florida Firefighter Games.**

*Gainesville Sports Organizing Committee Executive Director Jack Hughes gave a presentation.*

*NOTE: Commissioner Henry entered the meeting room at 1:14 PM; and Commissioner Donovan entered the meeting room at 1:16 PM.*

**RECOMMENDATION**      *The City Commission hear a presentation from the Gainesville Sports Organizing Committee to Gainesville Fire Rescue.*

**Heard**

**060465.**

**Annexation of Parcel Numbers 05973-000-000, 07813-000-000, 07781-000-000, 05946-000-000, 05882-000-000 and 07777-000-000. (B)**

**This is the submission of petition for voluntary annexation in the area of NW Route 121 near Deerhaven Power Plant.**

*City Strategic Planning Manager Karen Snyder gave a presentation.*

**RECOMMENDATION**      *The City Commission: 1) receive the petition for annexation, and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

*Alternative Recommendation: The City Commission deny acceptance of the petition.*

**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, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry  
Absent: Edward Braddy and Rick Bryant

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**GENERAL MANAGER FOR UTILITIES****060463.** Carbon Emissions Update (B)

Staff has performed an inventory of carbon emissions and carbon intensities in the Gainesville Community and in City operations and compared them to overall patterns of carbon emissions in the United States. The City has already taken steps to generate carbon reductions and offsets, and plans to do more, as will be described. Staff also plans to register these savings and offsets through the DOE 1605 program in order to support voluntary greenhouse gas programs, potential grant funding, and in anticipation of future carbon constraint regulations.

*GRU Interim Environmental Resource Coordinator Rob Klemans gave a presentation.*

*GRU Marketing and Communications Manager Kathy Viehe made comments.*

**RECOMMENDATION** *The City Commission receive a presentation from staff on the current status of carbon emissions, and projections of impacts to carbon emissions from future carbon reduction programs, such as demand side management, energy conservation, solar rebates, possible renewable energy power supply options, and a variety of land management programs.*

**Discussed**

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060463a\_20060911.pdf

**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****PUBLIC SAFETY COMMITTEE****060242.** Roam Towing Safety Issues (B)

**This is a Public Safety Committee report out on Roam Towing Safety Issues and provides several recommendations for the City Commission to consider.**

*City Police Chief Norm Botsford and Lt. Sherry Scott gave presentations.*

**RECOMMENDATION**

*The City Commission 1) accept the Public Safety Committee's report, 2) request the City Attorney to make additional amendments to the Trespass Tow ordinance to include a requirement for adding the address of the tow company on the Roam Tow signs and language recommending the citizen call first, 3) direct staff to include educational publicity through various methods on parking regulations, 4) hear a presentation by the City Attorney on an additional tool for enforcement of roam towing and take necessary action, and 5) remove this item from the Public Safety Committee referral list.*

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

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

Absent: Rick Bryant

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## **ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

### **OUTSIDE AGENCIES**

### **COMMUNITY REDEVELOPMENT AGENCY**

#### **060340.**

#### **Southwest Fifth Avenue Triangle Public Art (NB)**

**In order for the Art in Public Places Trust (APPT) to move forward with issuing a Call to Artists and ultimately selecting a public art piece for the Southwest Fifth Avenue Triangle project funded by the Community Redevelopment Agency, the City Commission is asked to appoint three temporary members to the APPT.**

*Interim CRA Manager Kate Parmelee gave a presentation.*

**RECOMMENDATION**

*The City Commission appoint Kate Parmelee, Interim CRA Manager; Tom Rider, College Park/University Heights Redevelopment Advisory Board Member; and Harold Barrand, University of Florida Professor and Chair of the Preservation of Historic Buildings and Sites Committee, as temporary members to the Art in Public Places Trust.*

**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, Craig Lowe, Jack Donovan and Scherwin Henry  
Absent: Rick Bryant and Jeanna Mastrodicasa

## MEMBERS OF THE CITY COMMISSION

### 060466.

#### **Mayor Pegeen Hanrahan - Heart of Florida Prosperity Campaign (NB)**

*Odetta MacLeish-White gave a presentation.*

*(AMENDMENT) Commissioner Lowe moved and Commissioner Braddy seconded to: 1) Adopt items 1-4 in the recommendation; 2) refer this item to the City Manager, General Manager for Utilities and the City Attorney for recommendations; and 3) encourage our own eligible (City) employees to participate.*

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

*NOTE: This item was also placed on the General Manager for Utilities and the City Attorney's referral list.*

#### **RECOMMENDATION**

*The City Commission hear a presentation from Odetta MacLeish-White regarding the Heart of Florida Prosperity Campaign and consider supporting this effort by approving any or all of the following recommendations:*

- 1) encourage city employees to volunteer for training to prepare tax returns (accountants and attorney's receive continuing education credits for this training),*
- 2) provide VITA sites where available,*
- 3) utilize Channel 12 to publicize the availability of this service,*
- 4) donate or purchase computers to assist in this mission, and*
- 5) refer to Charter Officers for further recommendations.*

**A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Braddy, that this matter be Approved as Amended and Referred to to the City Manager, due back on November 13, 2006. The motion carried by the following vote:**

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

### 060467.

#### **Mayor Pegeen Hanrahan - Economic Development University/Community Committee (EDUCC) Referral (NB)**

*President for the Business Alliance of Greater Gainesville Christian M. Newman gave a presentation.*

#### **RECOMMENDATION**

*The City Commission hear a presentation from Christian M.*

*Newman, President for the Business Alliance of Greater Gainesville and refer the request for a joint community meeting with Michael Shuman, an attorney and economist, and keynote speaker for the Campus & Community Sustainability Conference, October 25-26, 2006, to the EDUCC. The community meeting would dove-tail into the regularly scheduled EDUCC meeting on October 26 and begin about 4pm followed by a light reception.*

**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, Edward Braddy, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry  
Absent: Rick Bryant

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

### **Commissioner Scherwin Henry**

*Workshop on Poverty - See following item #060491.*

### **060491. Co-Sponsorship for Workshop on Poverty (NB)**

**RECOMMENDATION**      *The City Commission authorize \$1,500.00 from the City Commission Contingency Fund to co-sponsor the "Framework of Understanding Poverty" a one-day workshop, as brought forward to the Commission by Commissioner Scherwin Henry.*

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

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

## **RECESS - 3:12 PM**

## **PLEDGE OF ALLEGIANCE (5:30pm)**

## **GIRL SCOUT TROOP 489 - CANCELLED**

**PROCLAMATIONS/SPECIAL RECOGNITIONS****RECONVENE - 6:03 PM****CITIZEN COMMENT (6:00pm)****Mark van Soesthbergen**

*Thank you to Commissioners for participating in the Campus and Community Sustainability Event next month.*

**Pat Fitzpatrick**

*Homeless Issues*

**Dian Deevey**

*GRU Carbon Emissions Report*

**Richard Selwach**

- 1. Carbon Emissions*
- 2. Landlord Fees*

**Mary Anderson**

*Landlord Issues*

**Walter Willard**

*Various Issues*

**PUBLIC HEARINGS****060445.****PROPOSED MILLAGE RATE - FISCAL YEAR 2007 (B)**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 2006-2007 FISCAL YEAR; ESTABLISHING A PROPOSED MILLAGE RATE; SETTING A PUBLIC HEARING; PROVIDING FOR THE PUBLICATION OF NOTICE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*City of Gainesville Administrative Services Director Becky Rountree gave a*

*presentation.*

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

**A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Adopted (Resolution). 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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**060446.**

**GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2007 (B)**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007; ADOPTING AN AMENDED TENTATIVE GENERAL OPERATING AND FINANCIAL PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*City of Gainesville Administrative Services Director Becky Rountree gave a presentation.*

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

**A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Bryant, that this matter be Adopted (Resolution). 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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**060443.**

**GAINESVILLE REGIONAL UTILITIES BUDGET (B)**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE TENTATIVE BUDGET FOR THE CITY OF GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; PROJECTING REVENUES AND ADOPTING A TENTATIVE BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES, FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*GRU Chief Financial Officer (CFO) Jennifer Hunt gave a presentation.*

*Chair Hanrahan recognized Mary Anderson who spoke to the matter.*

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

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

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

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

### **060198.**

#### **VEHICLES FOR HIRE ORDINANCE (B)**

##### **Ordinance No. 0-06-92**

**An ordinance of the City of Gainesville amending Chapter 28 Vehicles for Hire by regulating taxi service within the City of Gainesville; amending Section 28-1 Occupational license required to reference municipal boundary; amending Section 28-2 definitions; amending Section 28-3 to make it unlawful for a company to engage in the vehicle for hire business without a franchise; making it unlawful to operate a vehicle for hire under the auspices of a company that does not have a valid franchise and amending the application process for franchise and franchise owner; creating a new Section 28-3.5 relating to service at the Gainesville Regional Airport and the setting of the rates and charges for airport decals; amending Section 28-4(g) to reference Gainesville Alachua County Regional Airport Rules and Regulations; amending Section 28-5 providing franchise duration, specifying annual report requirements and penalties; amending Section 28-6 by specifying time periods for franchise revocation; amending Section 28-8 by requiring unique franchise color scheme; permanently affixed signage, permanently affixed medallions and a lighted roof-top sign; creating a new Section 28-8.5 by providing vehicle for hire driver requirements; renaming Section 28-10; amending Section 28-11 related to insurance requirements; amending Section 28-12(e) relating to non-discrimination by adding sexual orientation; amending Section 28-14 by providing authority to the manager/designee to remove vehicles from service for safety reasons and delineating specific equipment requirements; creating a new Section 28-14.5 related to equipment and safety requirements; amending Section 28-20 related to soliciting passengers by deleting the reference to railway and adding airport facility; amending Appendix A fees and charges related to vehicles for hire; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an effective date.**

*Gainesville Police Captain Edward VanWinkle gave a presentation.*

*AMENDMENT: Change the effective date on certain portions of the ordinance to October 7, 2007 by second reading.*

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

**A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Adopted on First Reading, as amended (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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### 060347.

#### **BUILDING PERMIT FEES (B)**

##### **Ordinance No. 0-06-78**

**An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to fees; amending the Building and Building Regulation section of Appendix A by changing and increasing the fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

**A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, 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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### 060383.

#### **STORMWATER MANAGEMENT FEES (B)**

##### **Ordinance No. 0-06-79**

**An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to fees; amending the Stormwater Management section of Appendix A by increasing the fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date in accordance with the schedule provided herein.**

*Chair Hanrahan recognized Walter Willard who spoke to the matter.*

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

**A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, 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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060433.**CHAPTER 27 AND APPENDIX A - UTILITY SERVICES (B)**

**Ordinance No. 0-06-89**

**AN ORDINANCE AMENDING CHAPTER 27, ARTICLE 1, SUBSECTION 27-15(a) OF THE CODE OF ORDINANCES OF GAINESVILLE, FLORIDA RELATING TO SAME DAY AND AFTER HOURS INSTALLATION OR TURN-ON OF UTILITY SERVICES; AND AMENDING APPENDIX A, UTILITIES SECTION (7), SUBSECTION b. SERVICE CHARGES BY INCREASING CERTAIN ADDITIONAL CHARGES FOR SAME DAY OR AFTER HOURS INSTALLATION OR TURN-ON OF SERVICE; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

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

**A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be 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

Nay: Edward Braddy

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060434.**APPENDIX A - WATER INSPECTION SERVICE FEES, METER INSTALLATION CHARGES, CUSTOMER SERVICE CHARGES (B)**

**Ordinance No. 0-06-90**

**AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (3) WATER OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING CERTAIN WATER INSPECTION SERVICE FEES, METER INSTALLATION CHARGES, CUSTOMER SERVICE CHARGES, BASE RATES FOR SERVICE, AND WATER TRANSMISSION, DISTRIBUTION AND PLANT CONNECTION CHARGES AND INSPECTION FEES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

**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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**060435.**

**APPENDIX A – WASTEWATER RATES, CUSTOMER SERVICE CHARGES (B)**

**Ordinance No. 0-06-91**

**AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING WASTEWATER RATES, CUSTOMER SERVICE CHARGES, CONNECTION CHARGES AND INSPECTION FEES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

**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 First Reading (Ordinance). The motion carried by the following vote:**

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

Absent: Jeanna Mastrodicasa

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**060436.**

**APPENDIX A – ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES (B)**

**Ordinance No. 0-06-92**

**AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES; AMENDING RESIDENTIAL ELECTRIC RATE STRUCTURE; INCREASING STREET AND RENTAL LIGHTING RATES AND ADDING LIGHTING FIXTURES AND RATES; ELIMINATING THE BUSINESS PARTNER DISCOUNT; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

**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, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry  
Nay: Edward Braddy and Rick Bryant



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## ORDINANCES, 2ND READING- ROLL CALL REQUIRED

### 060103.

#### **SPECIAL REGULATIONS FOR OFF-STREET PARKING AND ESTABLISHING A RESIDENTIAL PARKING OVERLAY DISTRICT (B)**

##### **Ordinance No. 0-06-62; Petition 70TCH-06 PB**

**An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, Chapter 30; amending section 30-23 by defining the term “context area;” amending section 30-56, providing special regulations for off-street parking in the context area or any residential regulated parking overlay district; creating and adding a new section 30-56.1, providing for a new overlay district to be known as “Residential Parking Overlay District;” establishing the procedure and criteria for rezoning and imposing the overlay district; providing administrative remedy; amending section 30-330, making conforming changes; amending the City of Gainesville Code of Ordinances, relating to fees; amending Appendix A, Land Development Code, section (2), Planning, by creating a fee for verifying signatures on a petition requesting imposition of a Residential Parking Overlay District; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Chair Hanrahan recognized Carol Daly who spoke to the matter.*

**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 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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### 060352.

#### **AMENDMENT TO NOISE ORDINANCE (B)**

##### **Ordinance No. 0-06-75**

**An ordinance of the City of Gainesville, Florida, relating to noise; amending section 15-6 of the Code of Ordinances increasing the duration of warnings for all prohibited sounds; providing directions to the codifier; providing a severability clause; providing a repealing clause; providing for penalties; and providing an immediate effective date.**

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

*Chair Hanrahan recognized Kevin Daly, Carol Daly, Patrice Boyes, Richard*

*Selwach, Manuel Askera, Walter Willard, Juddy Carter and Reverend Edward Earl Young who spoke to the matter.*

*FIRST MOTION: Commissioner Bryant moved and Commissioner Lowe seconded to adopt the ordinance on second reading by title only.*

*(NO VOTE)*

*SECOND MOTION (MAIN MOTION): Commissioner Bryant moved and Commissioner Braddy seconded to: 1) Continue this ordinance to the October 23, 2006 City Commission meeting after 6:00 PM; and 2) also bring back the ordinance that addresses when landlords are notified of warnings and change that from a 3 point mandatory notice to a one point notice (landlords are notified after every point against their license).*

*(VOTE: 4-3, Commissioners Lowe, Mastrodicasa and Mayor Hanrahan - No, MOTION CARRIED)*

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

**A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Continued (2nd Reading) for October 23, 2006. The motion carried by the following vote:**

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

### **060336.**

#### **EASTSIDE COMMUNITY REDEVELOPMENT AREA (B)**

##### **Ordinance No. 0-06-80**

**An ordinance of the City of Gainesville, Florida, amending Division 9 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to Community Redevelopment, amending Section 2-410.3 by expanding the boundaries of the Eastside Community Redevelopment Area; amending Section 2-415 relating to the trust fund for the Eastside Community Redevelopment Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

**A motion was made by Commissioner Henry, seconded by Commissioner Donovan, that this matter be Adopted on Final Reading (Ordinance). 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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**050910. PLANNED DEVELOPMENT AMENDMENT - KINGSWOOD COURT (B)****Ordinance No. 0-06-48, Petition No. 10PDA-06PB**

**An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Kingswood Court"; located at 5240 Northwest 8th Avenue; adopting an additional planned development report; and additional development plan maps; amending the conditions adopted by Ordinance No. 2989; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

**Withdrawn**

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**RESOLUTIONS- ROLL CALL REQUIRED****PLAN BOARD PETITIONS****060233. University House Planned Development Amendment (B)**

**Petition No 30PDA-06PB Quasi-Judicial. Causseaux & Ellington, Inc., Agent for University House. Planned Development Amendment to allow modifications to the approved Planned Development Layout Plan. Located in the 700 Block of Northwest 13th Street, east side.**

*City of Gainesville Chief of Current Planning Lawrence Calderon and Agent for the Developer Gerry Dedenbach and Patrice Boyes gave a presentations.*

*Chair Hanrahan recognized Richard Selwach, Walter Willard and Reverend Edward Earl Young who spoke to the matter.*

*MODIFICATION: 1) Approve the petition with staff conditions, i.e., leaving staff conditions 9, 10 and 14 as is; and 2) between now and first reading of the ordinance the developer will work with staff to determine the proportionate share for RTS improvements relating to staff's Condition 11.*

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve Petition 30PDA-06 PB, with staff conditions as modified. Plan Board vote 3-1.*

*Staff to Plan Board - Approve, with staff conditions.*

*Alternative Recommendation A: The City Commission deny the petition.*

**A motion was made by Commissioner Braddy, seconded by Commissioner Mastrodicasa, that this matter be Approved (Petition) with Staff Conditions as Modified. The motion carried by the following vote:**

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

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### 060412.

#### **Amend Future Land Use from SF to PUD (B)**

**Petition 75LUC-06 PB. Avid Engineering, agent for RAM Development Company. Amend the City of Gainesville 2000-2010 Future Land Use Map from SF (Single-family, up to 8 dwelling units per acre) to PUD (Planned Use District). Located at 5043 Northwest 43rd Street. Related to Petition 76PDV-06PB.**

*City of Gainesville Planner Shenley Neely and Agent for the Petitioner Ron Carpenter gave presentations.*

*MODIFICATIONS: Condition 30 - strike through was omitted on "Possum Creek Road" and "North"; and Condition 31- strike through was omitted on the word "north". (typos).*

#### **RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve Petition 75LUC-06PB. Plan Board vote 4-0.*

*Staff to Plan Board - Approve*

*Alternative Recommendation A: The City Commission deny the petition.*

**A motion was made by Commissioner Bryant, seconded by Commissioner Braddy, that this matter be Approved (Petition) as Modified. The motion carried by the following vote:**

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

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### 060413.

#### **Rezone property to Planned Development (B)**

**Petition 76PDV-06 PB Quasi-Judicial. Avid Engineering, agent for RAM Development Company. Rezone property from RSF-4 (Single-family residential district, 8 units per acre) to PD (Planned Development) for a commercial development. Located at 5043 Northwest 43rd Street. Related to 75LUC-06PB.**

*City of Gainesville Planner Shenley Neely and Agent for the Petitioner Ron Carpenter gave presentations.*

*MODIFICATIONS: Condition 30 - strike through was omitted on "Possum Creek Road" and "North"; and Condition 31- strike through was omitted on the word "north". (typos).*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve Petition 76PDV-06PB. Plan Board vote 3-1.*

*Staff to Plan Board - Approve*

*Alternative Recommendation A: The City Commission deny the petition.*

**A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Approved (Petition) as Modified. 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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## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

### **Commissioner Scherwin Henry**

*Sidewalks at SE 7th Street and 7th Avenue - Williams Elementary School.*

*See following referral item #060506.*

### **060506. Williams Elementary School Sidewalks and Fence (NB)**

**RECOMMENDATION**

*The City Commission: 1) Refer the issue of the need for sidewalk repairs surrounding Williams Elementary School (SE 15th Street and 7th Avenue) to staff; and 2) have staff communicate with the School Board regarding the physical appearance of the chain link fence and other impediments in that area and bring a report back to the City Commission.*

**A motion was made by Commissioner Henry, seconded by Commissioner Bryant, that this matter be Referred to the Public Works Department, due back on March 11, 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 Edward Braddy**

*Special Meeting - September 12, 2006 @ 5:00 PM - Re: Homeless Facility at Sunshine Inn on NW 13th Street.*

### **Commissioner Jack Donovan**

*September 11 thoughts.*

### **Mayor Pegeen Hanrahan**

*1. Unable to attend the Homeless meeting September 12, 2006 and the Grove Street Neighborhood meeting September 13, 2006 (out of town).*

*2. Travel to Tallahassee, Thursday September 14, 2006 - City of Gainesville's application to Florida Communities Trust for acquisition of the Hartman Property.*

### **CITIZEN COMMENT**

#### **Richard Selwach**

*Notification to landlords on ordinance changes.*

*Community Development Director Tom Saunders made comments.*

#### **Ray Bennett**

- 1. GRU Administration Building - Sunscreen over skylight.*
- 2. County Commissioner Parking Issues.*

### **ADJOURNMENT - 10:42 PM**

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Kurt M. Lannon, Clerk of the Commission