

City of Gainesville

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



Meeting Minutes

Monday, February 25, 2008

1:00 PM

City Hall Auditorium

City Commission

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

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

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

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

Commissioner Lowe moved and Commissioner Mastrodicasa seconded to adopt the Consent Agenda with the following modification.

(VOTE: 5-0, Commissioners Braddy and Bryant - Absent, MOTION CARRIED)

MODIFICATION:

1. File #070946 - Prioritization of 2009 Federal Appropriation Requests - (Back-up received after the deadline).

CITY MANAGER, CONSENT AGENDA ITEMS**040823. Contract for State of Florida Lobbying Services (B)****RECOMMENDATION**

The City Commission: 1) Approve the contract for State of Florida Lobbying Services provided by Doug Bruce & Associates; and 2) authorize the City Manager or designee to execute the contract.

This Matter was Approved as Recommended on the Consent Agenda.

070903. Grant Application for Environmental Assessment and Cleanup Assistance (B)

This item involves a grant application to the Florida Department of Environmental Protection (FDEP) for Site Specific Activity (SSA) financial assistance to address a low-risk environmental impact on the Depot Park site.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to submit the application to FDEP for the SSA grant assistance, and; 2) authorize the City Manager to execute the grant agreement and other grant related documents.

Alternative Recommendation: The City Commission decline

applying for the SSA grant assistance. Declining this application will result in a fiscal impact up to \$200,000 which might be forfeited and result in the City having to bear the entire cost to address the contamination on the site.

This Matter was Approved as Recommended on the Consent Agenda.

070905. Fourteenth Amendment to the Contract for Professional Consulting Services for the East Gainesville Sprout Project (B)

This item involves a request for the City Commission to approve additional services and compensation for consulting services for the East Gainesville Sprout Project in the amount of \$545,750.

RECOMMENDATION

Recommended Motion: The City Commission: 1) accept the additional work described for the project; 2) authorize the City Manager to execute the Fourteenth Amendment to the contract for Professional Consulting Services for the East Gainesville Sprout Project, subject to approval by the City Attorney as to form and legality; and 3) authorize the City Manager to issue a modified purchase order in the amount not to exceed \$3,105,613, which represents the total for professional services included to date.

This Matter was Approved as Recommended on the Consent Agenda.

070910. Interlocal Agreement for Supplemental Shelter and Services (B)

This item approves an interlocal agreement with Alachua County for the receipt of additional funds for supplemental (cold weather) shelter and services.

RECOMMENDATION

The City Commission: 1) approve the interlocal agreement with Alachua County for the transfer of up to \$25,000 for the provision of supplemental (cold weather) shelter and services; and 2) authorize the City Manager to modify contracts with St. Francis House and the Alachua County Housing Authority to fund additional supplemental shelter and services for the homeless with funding up to \$25,000 each.

Alternative Recommendation A: The City Commission decline the additional funding from Alachua County for the provision of supplemental shelter and services.

This Matter was Approved as Recommended on the Consent Agenda.

070911. FY 2008 HOME Community Housing Development Organization Funding (NB)

The purpose of this item is to approve additional HOME Community Housing Development Organization funding in the amount of \$28,032 for the Neighborhood Housing & Development Corporation.

RECOMMENDATION

The City Commission: 1) award an additional \$28,032 in HOME Community Housing Development Organization funds to the Neighborhood Housing & Development Corporation; and 2) authorize the City Manager to amend the FY 2008 subrecipient agreement between the City of Gainesville and Neighborhood Housing and Development Corporation to include these additional funds.

Alternative Recommendation A: The City Commission defer action on allocating the HOME Community Housing Development Organization funds.

This Matter was Approved as Recommended on the Consent Agenda.

070939. Public Safety Interoperable Communications (PSIC) Grant Program (NB)

RECOMMENDATION

The City Commission: 1) approve the request to apply for PSIC funding for portable radios and the City of Gainesville's participation in the regional interoperability project; and 2) authorize the City Manager to execute any grant related documents following review by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

070946. Prioritization of 2009 Federal Appropriation Requests (B)

RECOMMENDATION

The City Commission approve the prioritization of the City of Gainesville's federal appropriation requests as drafted by staff.

Alternative Recommendation

The City Commission reprioritize the attached list of federal appropriation requests and direct staff to utilize the revised list in the federal appropriation request process.

This Matter was Approved as Recommended on the Consent Agenda.

070962. Quit-Claim Deed onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (B)

This item involves the authorization for the Mayor to execute a Quit-Claim Deed onto the Board of Trustees of the Internal Improvement Trust Fund of the State

of Florida.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the Mayor to execute and the Clerk to attest the Quit-Claim Deed onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, subject to approval by the City Attorney as to form and legality

Alternative Recommendation A: Deny the request either delaying or canceling the conveyance of the 6th Street Rail Trail onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

070942. Purchase of Timber Rights at Deerhaven Generating Station (B)

Staff recommends that the timber rights for the City of Gainesville property adjacent to the Deerhaven Generating Station be purchased from Plum Creek Timberlands L. P.

RECOMMENDATION

The City Commission: authorize the General Manager or her designee to negotiate and execute a contract for the purchase of timber rights from Plum Creek Timberlands L. P.

This Matter was Approved as Recommended on the Consent Agenda.

070943. Engineering Services for Paynes Prairie Sheetflow Restoration (B)

Staff recommends approval of the final ranking of the engineering firms and authorization to negotiate a contract in accordance with the Consultants Competitive Negotiations Act (CCNA) for engineer design services for the Paynes Prairie Sheetflow Restoration Project.

RECOMMENDATION

The City Commission: 1) approve the ranking of engineering firms in the given order of preference for the engineering design of the Paynes Prairie Sheetflow Restoration Project; 2) authorize the General Manager, or her designee, to initiate contract negotiations in accordance with the CCNA; and 3) authorize the General Manager, or her designee, upon successful negotiations, to execute a contract subject to approval of the City Attorney as to form and legality, in an amount not to exceed budgeted amounts for the project.

This Matter was Approved as Recommended on the Consent Agenda.

070944. Amendment to Agreement for Janitorial Services (NB)

Staff recommends extending the term of the contracts with Warjon, Inc. d/b/a Coverall and C&S Building Maintenance for janitorial services for various GRU facilities.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or her designee, to execute one-year amendments to the contracts with Coverall and C & S Building Maintenance for janitorial services at GRU facilities, subject to the approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders to Coverall and C&S Building Maintenance in amounts not exceeding \$122,000 and \$77,000 respectively, subject to the final appropriation of funds for FY2009.

This Matter was Approved as Recommended on the Consent Agenda.

070965. Refunding of 2002A and 2002B Bonds, Termination of Interest Rate Swap (NB)**RECOMMENDATION**

The City Commission:
1. Authorize the refunding of the Variable Rate Subordinated Utilities System Revenue Bonds, 2002 Series A (the "2002A Bonds") and the Variable Rate Subordinated Utilities System Revenue Bonds, 2002 Series B (the "2002B Bonds") through the issuance of fixed rate senior lien bonds; 2. Authorize the termination of a floating-to-fixed interest rate swap entered into with Merrill Lynch Capital Services, Inc. in connection with the issuance of the 2002A Bonds; 3. Approve the selection of J.P. Morgan Securities Inc. as sole Underwriter for the refunding bonds referenced in 1 above; and 4. Authorize the Clerk of the Commission, the General Manager and other Authorized Officers to execute such documents as may be necessary to proceed with the transactions authorized in 1 and 2 above, subject to approval of the Office of the City Attorney as to form and legality, and to take such other actions as may be necessary or advisable to proceed with these transactions in accordance with this City Commission authorization.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS**070925. EEOC CHARGE NO. 846-2008-08649, PARIS OWENS VS. CITY OF GAINESVILLE (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Paris Owens vs. the City of Gainesville; EEOC Charge No.: 846-2008-08649.*

This Matter was Approved as Recommended on the Consent Agenda.

070929. EEOC CHARGE NO. 846-2008-15144, MEGAN GRANT VS. CITY OF GAINESVILLE (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Megan Grant vs. the City of Gainesville; EEOC Charge No.: 846-2008-15144.*

This Matter was Approved as Recommended on the Consent Agenda.

070927 Building 32606, Inc. a Florida Corporation vs. City of Gainesville, a Florida Municipal Corporation; Alachua County Circuit Court; Case No.: 01-08-CA-264. (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 Building 32606, Inc. a Florida Corporation vs. City of Gainesville, a Florida municipal corporation; Alachua County Circuit Court; Case No.: 01-08-CA-264.*

This Matter was Approved as Recommended on the Consent Agenda.

070936. Building 32606, Inc. a Florida Corporation and Star Garage Corporation, a Florida Corporation vs. First Street Lodging, LLC, a South Carolina limited liability company, and City of Gainesville, a Florida municipal corporation; Alachua County Circuit Court; Case No.: 01-08-CA-438 (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 Building 32606, Inc. a Florida Corporation and Star Garage Corporation, a Florida Corporation vs. First Street Lodging, LLC, a South Carolina limited liability company, and City of Gainesville, a Florida municipal corporation; Case No.: 01-08-CA-438*

This Matter was Approved as Recommended on the Consent Agenda.

070930. CLAIM AGAINST AIG INSURANCE COMPANY (B)

RECOMMENDATION

*agreement
that awards the City payment of a claim against AIG
Insurance Company;
and 2) authorize the City Attorney to settle the claim on behalf
of the
City.*

This Matter was Approved as Recommended on the Consent Agenda.

070935. CHARTER OFFICERS AMENDED EMPLOYMENT CONTRACTS (B)

RECOMMENDATION *The City Commission (1) approve the amendments of the employment contracts of the City Auditor, City Attorney, City Clerk, City Manager and Equal Opportunity Director, as set forth in the attached Amendment to Employment Agreements, and (2) authorize the Mayor to execute the attached Amended Employment Agreements on behalf of the City of Gainesville and the Clerk to attest thereto.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

070931. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of February 5, 2008; February 11, 2008; and February 18, 2008, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

070947. Resignation of City Beautification Board Member Vivian Filer (B)

RECOMMENDATION *The City Commission accept the resignation of Vivian Filer from the City Beautification Board effective immediately and extends its appreciation for her services.*

This Matter was Approved as Recommended on the Consent Agenda.

070948. Resignation of City Beautification Board Member Beth Jordan (B)

RECOMMENDATION *The City Commission accept the resignation of Beth Jordan from the City Beautification Board effective immediately and extends its appreciation for her services.*

This Matter was Approved as Recommended on the Consent Agenda.

070949. Resignation of Gainesville Enterprise Zone Development Agency Member Carol A. Villemaire (B)

RECOMMENDATION *The City Commission accept the resignation of Carol A. Villemaire from the Gainesville Enterprise Zone Development Agency effective immediately and extends its appreciation for her services.*

This Matter was Approved as Recommended on the Consent Agenda.

070967. Special Meetings (B)

RECOMMENDATION *The City Commission schedule special meetings as follows:*

April 7 - 6:00 PM
May 29 - 2:00 PM
June 16 - 6:00 PM

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

070913. Report of Small Business Enterprise Activity for the City of Gainesville (General Government and Gainesville Regional Utilities) (B)

RECOMMENDATION *The City Commission accept the reports.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Commissioner Lowe moved and Commissioner Henry seconded to adopt the Regular Agenda with the following modifications.

(VOTE: 5-0, Commissioners Braddy and Bryant - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File #070224 - Staff Review of APD Blight Finding Report for the Expansion of the Eastside CRA District - (Back-up received after deadline).*
- 2. File #070868 - Request for City Commission Contingency Funds from University of Florida (UF) Black Student Union - Blackout Weekend 2008 - (Additional back-up received after deadline).*
- 3. File #070926 - City Commission Strategic Planning Workshop Results - (Back-up received after deadline).*
- 4. File #070963 - Board of Canvassers Report - Run-Off Election - (Back-up received after deadline).*
- 5. File #070937 - New Item - Bartley Temple Contract - (Add to the agenda under City Manager).*
- 6. File #070973 - The Countywide Visioning and Planning Committee - (New back-up submitted).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

070868. Request for City Commission Contingency Funds from University of Florida (UF) Black Student Union - Blackout Weekend 2008 (B)

This is a request for City Commission Contingency Funds from the University of Florida Black Student Union for Blackout Weekend.

Administrative Services Director Becky Rountree and UF Black Student Union "Blackout Weekend 2008" Director Belinda James gave presentations.

Mayor-Commissioner Pro Tem Rick Bryant entered the meeting room at 1:11 PM.

MOTION: Co-sponsor the University of Florida Black Student Union Blackout Weekend 2008 with up to \$1,716.00 of in-kind services which include the rental fee

and security for the MLK Center with the caveat that the Black Student Union work actively to engage the entire community in this event.

RECOMMENDATION *The City Commission: 1) receive a report from staff; and 2) take action as appropriate.*

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

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

070224. Staff Review of APD's Preliminary Blight Findings Report for the Expansion of the CRA's Eastside District (B)

City Neighborhood Planning Coordinator John Wachtel and Assistant City Manager Fred Murry gave presentations.

AMENDMENT: 1) Approve the staff recommendation as shown; 2) include in the slum and blight study area the area between East University Avenue and Hawthorne Rd., east of the current district to a point to be further refined by staff; and 3) the area south of NE 4th Place and east of NE 11th Street, south to NE 3rd Avenue (just behind the Eastside Clinic on Waldo Road).

Chair Hanrahan recognized Pat Fitzpatrick who spoke to the matter.

RECOMMENDATION *Staff to City Commission: 1) Accept staff's review of APD's Blight Findings Report; 2) Hear a brief presentation by Staff; 3) Authorize the City Manager or Designee to develop a Request for Proposals, and authorize \$20,000 from City Contingency funds to hire a private firm to complete a study to determine whether or not slum or blight exists in the alternative expansion area, or other areas deemed appropriate by the City Commission.*

Alternative Recommendation A: Accept staff's review of APD's Blight Findings Report; 2) Hear a brief presentation by staff; and 3) Instruct staff that no further action is warranted at this time.

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

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

070926. The City Commission Strategic Planning Workshop Results (B)

This item addresses the outcome of the City Commission's Strategic Planning workshop to update the Goals and Objectives for FY 2009 and FY 2010. The Workshop was held on December 3, 2007.

Strategic Planning Manager Karen Billings gave a presentation.

AMENDMENT: Approve the recommendation and schedule a goal setting workshop to include new City Commission members in early June or as soon thereafter as possible.

RECOMMENDATION

The City Commission: 1) receive the summary report prepared by Ms. Crotty, the proposed staff assignments, and the completed objectives for FY 2008; and 2) adopt the proposed objectives and on-going objectives for FY 2009 and FY 2010.

Alternative Recommendation:

The City Commission: 1) receive the summary report prepared by Ms. Crotty, the proposed staff assignments, and the completed objectives for FY 2008; 2) discuss the proposed objectives and on-going objectives and make any agreed upon changes; and 3) adopt the proposed objectives and on-going objectives for FY 2009 and FY 2010.

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

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

070973.

The Countywide Visioning and Planning Committee (B)

This item involves a request from the newly re-instituted Countywide Visioning and Planning Committee (CVPC) for input from the Gainesville City Commission on: 1) CVPC recommended changes to the Countywide Conceptual Plan and 2) the City's position on the Boundary Adjustment Act.

Assistant City Manager Paul Folkers, Strategic Planning Manager Karen Snyder and GRU Administrative Services Director Kathy Viehe gave presentations.

NOTE: Commissioner Braddy entered the meeting room at 3:30 PM.

AMENDMENT: 1) Approve the staff recommendation; 2) take a position to maintain the Boundary Adjustment Act (BAA) with appropriate modifications due to changing conditions; 3) include provisions in state law that would be beneficial to have in the BAA; and 4) include the expectation that staff would provide an analysis of areas

that they determine to be in need of updating in the BAA.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission: 1) endorse changes to the Conceptual Plan recommended by the CVPC and 2) provide guidance on the Commission's position on the BAA that can be conveyed to the CVPC.*

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

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

070937. Bartley Temple Contract (B)

This item involves consideration of a request to revise a contract between Bartley Temple United Methodist Church and the City of Gainesville.

Assistant City Manager Paul Folkers gave a presentation.

RECOMMENDATION *Recommended Motion: If the City Commission concurs that there was a misunderstanding, the Commission should authorize the City Manager to execute the revised contract and proceed with actions that will result in full execution of the revised contract.*

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

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

GENERAL MANAGER FOR UTILITIES

070945. Community Weatherization Coalition (CWC) (B)

Last Spring GRU initiated a community discussion to provide basic weatherization services to low income customers. The discussions included representatives from non-profit organizations, the Action Network, religious organizations, businesses, the University of Florida and various city and county agencies.

Senior Account Representative Bill Shepherd and Community Weatherization Coalition Chair Dr. Wendell Porter gave a presentation.

RECOMMENDATION *The City Commission hear a presentation from Wendell*

Porter, the chair of the CWC, regarding efforts to provide energy efficiency surveys and weatherization services for low income households.

Heard

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

070941. Commissioner Mastrodicasa - Hospitality Districts (B)

Chair Hanrahan recognized Walter Willard who spoke to the matter.

NOTE: Commissioner Mastrodicasa left the meeting room at approximately 5:00 PM.

RECOMMENDATION *The City Commission discuss Hospitality Districts and refer issue(s) to the Public Safety Committee as appropriate.*

A motion was made by Commissioner Mastrodicasa, seconded by Commissioner Donovan, that this matter be Referred to the Public Safety Committee, due back on August 25, 2008. The motion carried by the following vote:

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

COMMISSION COMMENTS

Commissioner Scherwin Henry

Request for Co-Sponsorship for the Streetlight Sickle Cell Project

See following file #070979.

070979. Streetlight Sickle Cell Project Request for Co-Sponsorship (B)**RECOMMENDATION**

The City Commission: 1) Support the program for adolescents and young adults suffering from Sickle Cell Anemia by providing an in-kind location for the event to be held April 12, 2008 from 3-5 PM; and 2) refer to City staff any further requests that may come forward.

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Referred to the City Manager, due back on March 10, 2008. The motion carried by the following vote:

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

COMMUNITY REDEVELOPMENT AGENCY

NOTE: File #070466 Northwest Fifth Avenue Historic Structure Survey Project - Discussion began during the afternoon portion of the meeting; and was continued to the evening portion of the agenda. (See after File #070776).

PLEDGE OF ALLEGIANCE (5:30pm)**PROCLAMATIONS/SPECIAL RECOGNITIONS****070950. John Rollins Day - 2007 Albert "Ray" Massey Citizen Volunteer Award Recipient (B)****RECOMMENDATION**

2007 Albert "Ray" Massey Citizen Volunteer Award Recipient and City of Gainesville Employee John Rollins to accept the proclamation.

Heard

070966. The National Entrepreneurship Week (B)**RECOMMENDATION**

The Buchholz DECA Academy of Entrepreneurship Group to accept the proclamation.

Heard

RECESS - 5:51 PM

RECONVENE - 6:21 PM**CITIZEN COMMENT****George Elmore**

Cameras on Red Lights

Walter Willard

Various Issues

Pat Fitzpatrick

Homeless Issues

070887. Citizen Comment - Pat Fitzpatrick (B)

RECOMMENDATION *The City Commission hear comments from Pat Fitzpatrick and place back-up submitted on file.*

Placed on File

Jeff McAdams - FOP President

- 1. Fraternal Order of Police - February Board Meeting.*
- 2. Legislative List - Bar Districts - Problems Downtown.*

Fred Peterkin

GRU Security Concerns.

Sister Cities Russian Delegation

Chair Hanrahan recognized Natalia Kalishman, Steve Kalishman and members of the Sister Cities Russian Delegation.

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****070776. AMENDMENT TO LAND DEVELOPMENT CODE - SIGN REGULATIONS (B)**

Ordinance No. 0-07-87

An ordinance of the City of Gainesville, Florida, amending the Sign Regulations of the Land Development Code; amending § 30-315 by adding an objective; amending § 30-316 providing conditions when signs are allowed on public property and rights-of-way without a permit; amending prohibited signs and signs that are exempt; allowing signs on hospital grounds under certain conditions; allowing flags or insignia under certain conditions; allowing substitution of non-commercial messages for commercial messages; providing clarification; amending § 30-317 relating to regulations and conditions for temporary signs; amending § 30-318 by revising the conditions and restrictions relating to permanent identification signs and structures for non-residential uses in residential districts and adding regulations for flags and flagpoles; repealing § 30-319 relating to restrictions on political signs; repealing § 30-320 relating to time and temperature devices; amending § 30-322 providing when permits are required; amending § 30-323 by adopting procedures for the processing of permits and appeals; amending § 30-326 by authorizing the removal of unauthorized signs in the right-of-way; adding section 30-327 relating to severability; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Attorney for the Planning Department Patricia Carter and Planning Manager Ralph Hillard gave presentations.

RECOMMENDATION *The City Commission continue this ordinance to March 24, 2008.*

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

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

WAIVER OF RULES**070466. Northwest Fifth Avenue Historic Structure Survey Project (B)**

CRA Manager Anthony Lyons and Historic Preservation Planner Dee Henrichs gave presentations.

TABLED: This item was tabled by consensus to the evening portion of the agenda.

TAKE FROM TABLE MOTION: Commissioner Henry moved and Commissioner Lowe seconded to take this item from the table.

(VOTE: 5-0, Commissioner Bryant & Mastrodicasa - Absent, MOTION CARRIED)

Chair Hanrahan recognized Robert Pearce who spoke to the matter.

AMENDMENT: 1) Accept the Historic Structure Survey from staff; 2) allow the

structures recommended (Robert Pearce, Nidal Boughannam, and Aref Boughannam properties) not be considered for the National Historic Registry; 3) direct CRA staff not to move forward with the Local Historic Neighborhood Designation for NW 5th Avenue until all alternative avenues for preserving the 5th Avenue neighborhood have been pursued, and that the citizens are in agreement; and 4) ask CRA staff to pursue National Historic Designation for the A. Quinn Jones property.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION

The City Commission forward the Northwest 5th Avenue Historic Structure Survey to the Historic Preservation Board. Staff is also requesting that two property owners whose structures are listed in the Historic Structure Survey prepared by Consultant Jennifer Nash of Environmental Services Inc, not be considered as part of the recommendation process of the Historic Preservation Board. Owner Nidal Boughannam and Aref Boughannam whose property is located at 907 Northwest 4th Place, Gainesville, Florida, and Mr. Robert Pearce, owner of 912 Northwest 3rd Avenue Gainesville, Florida.

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

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

ORDINANCES FIRST READING CONTINUED

070916. TRAFFIC STUDY REVIEW FEES (B)

Ordinance No. 0-08-08

An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges, for Land Development Code Petitions, Applications and Development Fees, by adding traffic study review fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Public Works Director Teresa Scott and Transportation Planning Manager Debbie Leistner gave presentations.

Chair Hanrahan recognized Gainesville Builders Association Representative Stuart Cullen of Brown and Cullen who spoke to the matter.

FIRST MOTION: Commissioner Lowe moved and Commissioner Henry seconded to adopt File #070916 on first reading by title only.

(VOTE: 3-3, Commissioners Donovan, Lowe and Mayor Hanrahan - Yes; and Commissioners Braddy, Bryant and Henry - No; Commissioner Mastrodicasa - Absent, MOTION FAILED)

RECONSIDERATION MOTION: Commissioner Henry moved and Commissioner Lowe seconded to reconsider the previous motion and continue this ordinance to the March 24, 2008 City Commission Meeting and re-advertise the ordinance. (VOTE: 5-1, Commissioner Braddy - No; Commissioner Mastrodicasa - Absent, MOTION CARRIED)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Henry, seconded by Commissioner Lowe, that this matter be Continued (1st Reading) for March 24, 2008. The motion carried by the following vote:

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

070763. PLANNED DEVELOPMENT AMENDMENT - MAGNOLIA PARKE PD (B)

Ordinance No. 0-08-02, Petition No. 128PDV-07PB

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Magnolia Parke PD", located in the vicinity of 4700 block of Northwest 39th Avenue; by amending City of Gainesville Ordinance Nos. 960941 and 991285 and extending the term of the final development order associated with this Magnolia Parke Planned Development; 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 Lowe, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

070833. OBSOLETE REFERENCE TO TERMS OF CHARTER OFFICERS (B)

Ordinance No. 0-08-03

An ordinance of the City of Gainesville, Florida, repealing section 2-142, of the Gainesville Code of Ordinances, relating to terms of the City Manager, the City Attorney, the Clerk of the Commission, and the Internal Auditor; 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 Henry, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

070857. EQUAL OPPORTUNITY - DEFINITION OF EMPLOYER (B)

Ordinance No. 0-08-01

An ordinance of the City of Gainesville, Florida, amending section 8-47(c), Gainesville Code of Ordinances, relating to equal employment opportunity; amending the definition of "employer," 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 Lowe, seconded by Commissioner Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

RESOLUTIONS- ROLL CALL REQUIRED

070963. BOARD OF CANVASSERS REPORT - RUN-OFF ELECTION (B)

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, run-off election held February 19, 2008; and providing an immediate effective date. B)

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

PLAN BOARD PETITIONS

070906. Oakbrook Walk Planned Development Amendment (B)

Petition 132PDA-07 PB, Planned Development Amendment to remove parcel 15617-000-000 from the Oakbrook Walk PD, with associated PD layout plan. Located at 1331 SW 13th Street and the 1000-1200 block of Southwest 14th Avenue, north side. Related to Petition 88ZON-07 PB.

Senior Planner Onelia Lazzari gave a presentation.

RECOMMENDATION *City Plan Board to City Commission: The City Commission approve Petition 132PDA-07 PB. Plan Board vote 7-0.*

A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Approved (Petition). The motion carried by the following vote:

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

070907. Oakbrook Walk Rezoning (B)

Petition 88ZON-07PB, change the zoning from PD (Planned Development) to UMU-1 (Urban mixed use-1, up to 75 units per acre). Located at 1331 SW 13th Street. Related to Petition 132PDA-07 PB.

Senior Planner Onelia Lazzari gave a presentation.

RECOMMENDATION *City Plan Board to City Commission: The City Commission approve Petition 88ZON-07 PB. Plan Board vote 7-0.*

*Staff to City Commission: Approve Petition 88ZON-07PB.
Plan Board vote 7-0.*

Staff to the Plan Board: Approve Petition 88ZON-07PB.

A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Approved (Petition). The motion carried by the following vote:

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

DEVELOPMENT REVIEW BOARD PETITIONS**SCHEDULED EVENING AGENDA ITEMS**

UNFINISHED BUSINESS**MEMBERS OF THE CITY COMMISSION - (CONTINUED)****070933. ANNUAL PERFORMANCE, SALARY, AND BENEFITS REVIEW FOR THE CITY ATTORNEY (NB)**

MOTION: Approve a salary increase of 3.8% for the City Attorney, retroactive to his anniversary date.

RECOMMENDATION *The City Commission review the performance, salary and benefits of the City Attorney and make appropriate changes, as provided in the City Attorney's Employment Agreement.*

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

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

070940. Annual Performance, Salary and Benefits Review for the City Auditor (B)

MOTION: Approve a salary increase of 3.93% for the City Auditor, retroactive to his anniversary date.

RECOMMENDATION *The City Commission review the performance, salary and benefits of the City Auditor and make appropriate changes, as provided in the City Auditor's Employment Agreement.*

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

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

070831. Annual Performance, Salary, and Benefits Review for the City Manager (B)

MOTION: Approve a salary increase of 3.82% for the City Manager, retroactive to his anniversary date.

RECOMMENDATION *The City Commission review the salary and benefits of the City Manager and make any changes deemed appropriate.*

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

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

COMMISSION COMMENT

Karen Johnson - General Manager for Utilities

The City Commission made comments regarding Karen Johnson's performance as General Manager for Gainesville Regional Utilities.

Commissioner Ed Braddy

Homeless encampments near Koppers - Woman violently assaulted in the area.

Commissioner Rick Bryant

Solar Panels at Forest Creek Subdivision - Tree Canopy Issues.

Referred to the Community Development Committee - See following referral item #070980.

070980. Solar Panels vs. Removing Tree Canopy (NB)

RECOMMENDATION *The City Commission refer the interaction of solar panels and removal of the tree canopy to the Community Development Committee for discussion.*

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Lowe, that this matter be Referred to the Community Development Committee, due back on August 25, 2008. The motion carried by the following vote:

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

Commissioner Scherwin Henry

- 1. Security at City Hall.*
- 2. Constituent Issue - Sexual Predator/Offender - Housing issues/problems after incarceration.*

Mayor Pegeen Hanrahan

Sales Tax Funding Public Poll - Priority of Items - City's list of unfunded needs.

Commissioner Jack Donovan

Sales Tax Public Poll

Commissioner Ed Braddy

Sales Tax Public Poll

CITIZEN COMMENT

There were no citizens who wished to speak at this time.

ADJOURNMENT - 10:34 PM

Kurt M. Lannon, Clerk of the Commission