

City of Gainesville

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



Meeting Minutes

Monday, November 27, 2006

1:00 PM

City Hall Auditorium

City Commission

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

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

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

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

INVOCATION**CONSENT AGENDA**

Commissioner Bryant moved and Commissioner Henry seconded to adopt the Consent Agenda with the following modifications.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

- 1. File #060707 - Consent Agenda - Contract for Portable Ice Skating Rink - (Pull from the Consent Agenda and place on the Regular Agenda for discussion).*
- 2. File #060665 - Consent Agenda - Compensation Study - (Pull from the Consent Agenda and place on the Regular Agenda for discussion).*
- 3. File #060712 - Consent Agenda - State LECFTF Funding for the Purchase of 2 Segway Personal Transporters (Pull from the Consent Agenda and place on the Regular Agenda for discussion).*

CITY MANAGER, CONSENT AGENDA ITEMS**060618. Quit-Claim Deed to Clear Title on Lot 9, Renaissance Subdivision (B)**

This item involves a request to authorize the Mayor to execute a Quit-Claim Deed to clear a cloud of ownership on the title of Lot 9, Renaissance Subdivision, owned by Lorenzo Ford, Sr., located at 716 Northwest 7th Street.

RECOMMENDATION *The City Commission authorize the Mayor to execute a Quit-Claim Deed to Lorenzo Ford, Sr., for Lot 9 of the Renaissance Subdivision, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

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060675. Release of Utility and Drainage Easement at 2903 SW 2nd Court (B)

This item involves a request for the City Commission to release the utility and drainage easement that severs property owned by the Goff's located at 2903 SW 2nd Court.

RECOMMENDATION *The City Commission: 1) Approve the release of the utility and drainage easement at 2903 SW 2nd Court; and 2) Authorize the Mayor to execute the Release of Utility and Drainage Easement document subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

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060705. Bid Award - Annual Contract for Provision of Asphalt (B)

This item involves a request for the City Commission to authorize bid awards to John C. Hipp Construction Equipment Company and APAC Southeast, Inc., for delivery of asphalt, and to V.E. Whitehurst, John C. Hipp Construction Equipment Company and APAC Southeast, Inc., for pickup of asphalt.

RECOMMENDATION *The City Commission: 1) authorize the City Manager to execute contracts with John C. Hipp Construction Equipment Company, APAC Southeast, Inc., and V.E. Whitehurst for delivery and pickup of asphalt, subject to approval of the City Attorney as to form and legality; 2) approve the issuance of a purchase order to each vendor; and 3) 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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060711. Proposed FY 2007 Youth Summer Camp Rates (NB)

This item considers restructuring the proposed FY 2007 Youth Summer Camp Rates at the Parks, Recreation and Cultural Affairs Department Facilities and Centers.

RECOMMENDATION *Recommended Motion: The City Commission refer this item to the Recreation, Cultural Affairs and Public Works Committee for their review, discussion and recommendation to the full City Commission.*

Alternative Recommendation: The City Commission deny this request for review and discussion; and the proposed

FY2007 fees be increased only by the standard 5% annual increase.

This Matter was Approved as Recommended on the Consent Agenda.

060716. Temporary Suspension of Voluntary Contributions to the Retiree Health Savings Plan (B)

This item involves authorizing the City Manager to execute the necessary document to temporarily suspend the irrevocable voluntary contributions to the City's Retiree Health Savings Plan.

RECOMMENDATION *The City Commission authorize the City Manager to sign the letter temporarily suspending the irrevocable voluntary contributions, and enrollments for such, to the Retiree Health Savings Plan for the plan year beginning January 1, 2007.*

*Alternative Recommendation A:
The City Commission could choose not to authorize the temporary suspension. The current contributions would continue, however the City cannot be sure how the IRS will treat these contributions from a tax perspective.*

This Matter was Approved as Recommended on the Consent Agenda.

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060717. Settlement of Worker's Compensation Claim - Edgel Brown (NB)

This item involves the full and final settlement Edgel Brown's worker's compensation claim(s), which will include all future medical and indemnity payments as well as all set aside amounts. The total settlement amount is \$100,000 and represents a significant cost advantage to the City.

RECOMMENDATION *The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Brown, in the amount of \$100,000.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

060749. Purchase of Property in the 4500 block of North Main Street (NB)

Authorize the purchase of 117.68 acres in the 4500 block of North Main Street for the construction of an Eastside Operations Center.

RECOMMENDATION

The City Commission: 1) approve the Purchase and Sale Agreement for the purchase of property in the 4500 block of North Main Street from T. J. Hawes Land Trust, in a amount not to exceed \$2,611,770.00 plus closing costs, as negotiated by staff; and 2) authorize the Interim General Manager or her designee to execute all documents necessary to complete the purchase of the property in accordance with the Purchase and Sale Agreement, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****060743. City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of November 13, 2006, as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

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060750. Annual Membership Dues (B)**RECOMMENDATION**

The City Commission: 1) Transfer \$2,417.50 from Contingency to the Clerk of the Commission to pay annual membership dues to the Florida League of Mayors (\$1,000), New Cities Project (\$1,000) and Sister Cities International (\$417.50); and 2) Increase the Clerk's budget in subsequent years to continue these memberships.

This Matter was Approved as Recommended on the Consent Agenda.

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060751. Resignation of Board of Adjustment Member Curtis Cooper (B)

RECOMMENDATION *The City Commission accept the resignation of Curtis Cooper from the Board of Adjustment effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

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EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC SAFETY COMMITTEE, CONSENT

060713. Funding for Gainesville Police Department's Domestic Violence Unit Crime Victim Advocate (NB)

This item involves receiving \$45,652 from Federal Law Enforcement Contraband Forfeiture Trust funds.

RECOMMENDATION *Recommended Motion: The City Commission approves the appropriation and expenditure of \$45,652 from the Federal Law Enforcement Contraband Trust Forfeiture fund for the reimbursement to the Alachua County Office of Victim Services for fulltime services provided by the Victim Advocate.*

Alternative Recommendation A: The City Commission decline approval of proposal.

Alternative Recommendation B: The City Commission modify the proposal prior to approval.

This Matter was Approved as Recommended on the Consent Agenda.

REGIONAL UTILITIES COMMITTEE, CONSENT

060168. Referral Item #060168 - Review of current standards for construction, retrofit and maintenance of City buildings (NB)

The RUC has requested that the City Commission recommend to the Community Redevelopment Agency (CRA) that they consider whether points should be given in the transformational project program in a manner that would more greatly influence energy conservation in CRA projects.

RECOMMENDATION *The City Commission refer to the CRA the issue of whether points should be given in the transformational project program in a manner that would more greatly influence energy conservation in CRA projects.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Commissioner Henry moved and Mayor-Commissioner Pro Tem Lowe seconded to adopt the Regular Agenda with the following modification.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATION:

1. File #060771 - New Item - Mayor Pegeen Hanrahan - Department of Peace with back-up submitted.

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

060692. GRU Manager Interview Selection Meeting(s) (B)

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

FIRST MOTION: Commissioner Donovan moved and Commissioner Bryant seconded to approve Option 3 of the recommendation, (to reschedule the GRU General Manager interview/selection meetings for Friday January 19, 2007 @ 1:00 PM and Saturday January 20, 2007 @ 3:00 PM).

(VOTE: 6-1 - Mayor Hanrahan - No, MOTION CARRIED)

*SECOND MOTION: Commissioner Scherwin Henry moved and Mayor-Commissioner Pro Tem Lowe seconded to: 1) Cancel the Special City Commission Meetings for the GRU General Manager Selection process scheduled for December 1 and 2, 2006; and 2) schedule the final ranking/selection of the GRU General Manager Candidate(s) for the January 22, 2007 Regular City Commission Meeting (in addition to the special meetings scheduled above).
(VOTE: 7-0, MOTION CARRIED)*

RECOMMENDATION

The City Commission reschedule the meeting dates to one of the set of dates listed below using the special meeting format adopted on November 13, 2006.

- 1. Tuesday January 16th @ 5:00PM/Wednesday January 17th @ 3:00PM*
- 2. Wednesday January 17th @ 5:00PM/Thursday January 18th @ 3:00PM(Conflicts with the State of City Address - Would require working around the address)*
- 3. Friday January 19th @ 1:00PM/Saturday January 20th @ 3:00PM*

1st Special Meeting-Interview GRU Manager Candidates

2nd Special Meeting @ 3:00PM-Rank/Select GRU Manager Candidate(s) and authorize Mayor to negotiate and recommend contract to City Commission

January 22, 2007 Regular Meeting 1:00PM-Rank/Select GRU Manager Candidate(s) and authorize Mayor to negotiate and recommend contract to City Commission

Approved, as shown above - See Motion(s)

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CITY MANAGER

060236. Responses to RFP for Supplemental Shelter and Services (B)

At the July 24, 2006 City Commission meeting, the City Commission authorized staff to issue a Request for Proposals (RFP) to solicit proposals from local providers to provide additional shelter and services to address the needs of the homeless during the upcoming winter months. Responses to the RFP were received on October 20, 2006, and are now presented to the City Commission for consideration.

City of Gainesville Community Development Block Grant (CDBG) Manager Jim Hencin gave a presentation.

Chair Hanrahan recognized Gainesville Housing Authority Executive Director Gail Monahan, St. Francis House Executive Director Kent Vann and Walter Willard who spoke to the matter.

AMENDMENT: Request that Alachua County match the City's \$25,000 that has been budgeted for supplemental cold weather shelter for the homeless.

RECOMMENDATION *Recommended Motion: The City Commission receive a report on responses to the City's RFP for supplemental shelter and services. In an effort to promote the dispersal of services and avoid concentration in the downtown area, staff recommends awarding contracts to both St. Francis House and the Alachua County Housing Authority with \$25,000 to be shared equally.*

Alternate Recommendation A: The City Commission receive a report on responses to the City's RFP for supplemental shelter and service and defer action.

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

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

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060714. Leadership General Government (LGG) Class VII (B)

This presentation will introduce the members of Leadership General Government Class VII.

City of Gainesville Administrative Services Director Becky Rountree and Accounting Manager April Shuping, Public Works Technical Support Specialist Sandy Hightower and Treasury Supervisor William Johnston gave presentations.

RECOMMENDATION *The City Commission hear a presentation from April Shuping representing Leadership General Government Class VII.*

Heard

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060715. Leadership General Government (LGG) Class VII Group Project Presentation - Centralized Volunteer Program within City Government (B)

This is a presentation by Leadership General Government Class VII of their group project and a request to direct staff to implement a proposal for a centralized volunteer program, including designating a volunteer coordinator.

RECOMMENDATION

The City Commission direct staff to implement the proposal to create a centralized volunteer program, including the designation of a volunteer coordinator, all of which should be accomplished using existing resources.

Alternate Recommendation A:

The City Commission take no action.

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

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060707. Contract for Portable Ice Skating Rink (B)

This is a request to enter into an agreement with Magic Ice USA, Inc. to provide the ice skates and a portable Ice Skating Rink for the Downtown Community Plaza December Ice Skating program.

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

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager to enter into an agreement with Magic Ice USA, Inc. to provide the ice floor and ice skates.

Alternative Recommendation: The City Commission not authorize the City Manager to enter into an agreement with Magic Ice to provide the ice floor and ice skates.

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

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

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060665. Compensation Study (B)

Adopt the 2006 Compensation Study for Managerial, Administrative and Professional (MAP) and Communication Workers of America (CWA) jobs and approve implementation effective January 2007.

City of Gainesville Administrative Services Director Becky Rountree and City Auditor

Brent Godshalk gave presentations.

GRU Assistant General Manager for Energy Supply Chip Allen made comments.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed pay plan and approve the implementation plan as outlined in Option 3.*

*Alternative Recommendation A:
The City Commission adopt the proposed pay plan and approve the implementation plan as outlined in Option 1 and set a cap on the percentage increase allowed any individual.*

*Alternative Recommendation B:
The City Commission reject the proposed pay plan and direct staff as appropriate.*

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

Votes: Aye: Edward Braddy, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa

Nay: Rick Bryant, Jack Donovan and Pegeen Hanrahan

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GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC SAFETY COMMITTEE

060275. Civil Citation for Municipal Ordinance Violations (B)

This is a Public Safety Committee report out recommending authorization for the City Attorney to make appropriate ordinance amendments.

Assistant City Attorney Natalie McKellups gave a presentation.

RECOMMENDATION *The City Commission 1) approve the Public Safety*

Committee's recommendation to utilize the civil citation process to enforce violations of the public urination ordinance, 2) authorize the City Attorney to make the appropriate amendments to the ordinances to permit public urination violations to be enforced by civil citation, without warnings and to make this a Class II violation with a \$125 minimum base fine, and 3) remove this item from the pending referral list.

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

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

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060712.

State LECFTF Funding for purchase of two (2) Segway Personal Transporters (B)

This item requests that the City Commission appropriate and expend an amount not to exceed \$12,000 from the State Law Enforcement Contraband Forfeiture Fund for the purchase of two (2) Segway Personal Transporters for the Gainesville Police Department.

City of Gainesville Police Chief Norm Botsford gave a presentation.

Chair Hanrahan recognized Mary Anderson who spoke to the matter.

AMENDMENT: Bring back a report back to the City Commission in six months.

RECOMMENDATION

Recommended Motion: The City Commission authorize the appropriation and expenditure of an amount not to exceed \$12,000 from the State Law Enforcement Contraband Forfeiture Trust Fund, for the purchase of two (2) Segway Personal Transporters.

Alternative Recommendation A: The City Commission authorizes the purchase of one Segway Personal transporter.

Alternative Recommendation B: The City Commission declines the appropriation and direct staff to seek alternative options.

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

Votes: Aye: Rick Bryant, Edward Braddy, Jack Donovan, Pegeen Hanrahan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa
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AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

REGIONAL UTILITIES COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

060754. Mayor Pegeen Hanrahan - Home Makeover (NB)

SFCC Student Body Vice President Kristen Adams and Student Director of Internal Affairs Rory Campese gave presentations.

RECOMMENDATION *Hear a presentation from SFCC Student Body Vice President Kristen Adams regarding SFCC's "Home Makeover" Program and authorize the Mayor to sign a letter of support on behalf of the City Commission.*

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

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

060771. Mayor Pegeen Hanrahan - Department of Peace (B)

MOTION: Authorize the City Attorney to draft a resolution that could be considered at the December 11, 2006 City Commission Meeting.

RECOMMENDATION *The City Commission place the "Department of Peace" item on the December 11, 2006 agenda for further discussion.*

A motion was made by Mayor-Commissioner Pro Tem Lowe, 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, Pegeen Hanrahan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa
Nay: Rick Bryant and Edward Braddy

COMMISSION COMMENTS (if time available)

Mayor-Commissioner Pro Tem Craig Lowe

Renewal of contract for providing electric services to the City of Alachua.

See following item #060774.

060774. Contract with the City of Alachua for Wholesale Electric Services (NB)

GRU Assistant General Manager for Energy Supply Chip Allen made comments.

RECOMMENDATION *The City Commission agenda for December 11, 2006, the wholesale electric contract with the City of Alachua for review with regard to renewal.*

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

Commissioner Jack Donovan

Tiering of GRU electric rates issues.

See following referral item #060775.

060775. Impact of Tiered Rates on People With Low Income Levels (NB)

RECOMMENDATION *The City Commission: 1) Refer to the Regional Utilities Committee (RUC) the issue of the impact of tiered rates on those at the lowest income levels; and 2) examine best practices in other cities regarding how they are protecting people with low incomes.*

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Referred to the Regional Utilities Committee, due back on May 27, 2007. The motion carried by the following vote:

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

Commissioner Jeanna Mastrodicasa

Attended the Bio-Florida Conference, November 14 & 15, 2006 representing the City of Gainesville.

Commissioner Scherwin Henry

Candlelight Mobile Home Park - exact date of hearing before the City Commission.

NOTE: Community Development Director Tom Saunders to come back later in the meeting with a report.

RECESS - 5:07 PM

RECONVENE - 5:50 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

060752. Crop Walk Day - December 3, 2006 (B)

RECOMMENDATION *Crop Walk Coordinator Reverend Fred Depenbrock of First Presbyterian Church to accept the proclamation.*

Heard

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060753. Pearl Harbor Remembrance Day - December 7, 2006 (B)

RECOMMENDATION *Members of the Gator Detachment of the Marine Corp League to accept the proclamation.*

Heard

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CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet

John Carr

Landlord License Fees - High Rent at Spanish Trace Apartments

B. J. Bukata

Code Enforcement Issue

060776. Code Enforcement Board Case No. 2004-067 (B)**RECOMMENDATION**

The City Commission hear a presentation from B. J. Bukata and Todd Z. Osborne and place back-up submitted on file.

Placed on File

Frederick Peterkin

Urban Development Issues - Distributed a book to the City Commission.

Walter Willard

- 1. Home Makeover*
- 2. Palms Development*

060777. Walter Willard - Citizen Comment (B)**RECOMMENDATION**

The City Commission hear comments from Walter Willard and place back-up submitted on file.

Placed on File

Richard Selwach

- 1. Notification Procedures*
- 2. Landlord Violation*

Pat Fitzpatrick

- 1. Campaign for City Commission*
- 2. Campaign to End Childhood Hunger*

060778. Citizen Comment - Pat Fitzpatrick (B)**RECOMMENDATION**

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

Placed on File

Josh Weiss - UF Student Senate/UF

Student Community Relations Advisory Board

Carol Daly

Student Community Relations Advisory Board

PUBLIC HEARINGS**ADOPTION READING****060110 LAND USE CHANGE - GATORWOOD APARTMENTS (B)****Ordinance No. 0-06-68, Petition No. 36LUC-06PB**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by overlaying the "Planned Use District" category over certain property, as more specifically described in this ordinance, with the underlying land use category of "Mixed-Use Low-Intensity (8-30 units per acre)"; located in the vicinity of 2337 Southwest Archer Road; providing terms, conditions and restrictions; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

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

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

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ORDINANCES, 1ST READING- ROLL CALL REQUIRED

**060111. PLANNED DEVELOPMENT - GATORWOOD APARTMENTS
(QUASI-JUDICIAL) (B)**

Ordinance No. 0-06-69, Petition No. 37PDV-06PB

An Ordinance of the City of Gainesville, Florida; rezoning certain lands in the City, as more specifically described in this Ordinance, and amending the Zoning Map Atlas from the zoning category of "MU-1: 8-30 units/acre mixed use low intensity" to the zoning category of "Planned Development District"; located in the vicinity of 2337 Southwest Archer Road, as more specifically described in this Ordinance; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement and penalties; providing a severability clause; and providing an immediate effective date.

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

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060416. STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)

Ordinance No. 0-06-111, Petition 111SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southwest 14th Terrace located in the vicinity between the south right-of-way line of Railroad Street, north of the south property line of Lot 3 of Block 7 of Little Gandy Subdivision, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission: 1) adopt the proposed ordinance; and 2) authorize the City Manager to execute the Vacation of Right-of-Way Agreement subject to the approval of the City Attorney.*

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

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

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060417. STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)

Ordinance No. 0-06-112 Petition 112SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southwest 14th Street located in the vicinity between Southwest 12th Avenue and Southwest 13th Avenue, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 Commissioner Braddy, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

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060418. STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)

Ordinance No. 0-06-113 Petition 113SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of the alley located between Southwest 13th Avenue and Southwest 14th Avenue between S.W. 13th Street and S.W. 14th Street, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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060419. STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)**Ordinance No. 0-06-114 Petition 114SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of the alley located between Southwest 12th Avenue and Southwest 13th Avenue between Southwest 13th Street and Southwest 14th Terrace, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 Commissioner Bryant, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

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060420. STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)**Ordinance No. 0-06-115 Petition 115SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of the alley located between Southwest 12th Avenue and Southwest 13th Avenue between Southwest 13th Street and Southwest 14th Street, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 Commissioner Donovan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

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060421. STREET VACATION - SHANDS CANCER HOSPITAL PROJECT (B)**Ordinance No. 0-06-110 Petition 116SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southwest 12th Avenue located between Southwest 14th Street

and the southern right-of-way line of Railroad Street, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 Commissioner Bryant, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

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060431. STUDENT COMMUNITY RELATIONS ADVISORY BOARD (B)

Ordinance 0-06-96

An ordinance of the City of Gainesville, Florida, creating in Chapter 2, Article V a new Division 15 entitled Student Community Relations Advisory Board; providing for membership, officers, attendance requirements, legal counsel, rules of procedure, functions, powers and duties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Intern Daniel Jones and Community Development Director Tom Saunders gave presentations.

Chair Hanrahan recognized Mark Goldstein, Walter Willard, Joe Schmid and Diane Hurtak who spoke to the matter.

NOTE: This item was referred to the Community Development Committee by consensus when the ordinance was adopted on first reading. Please see item #060785.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Nay: Jack Donovan

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060785. Student Community Relations Advisory Board Ordinance Referral (NB)

NOTE: This referral is related to Ordinance #060431.

RECOMMENDATION *The City Commission refer Ordinance #060431 Student Community Relations Advisory Board to the Community Development Committee for their review and recommendations.*

A motion was made by Commissioner Braddy, seconded by Commissioner Mastrodicasa, that this matter be Referred to the Community Development Committee, due back on May 27, 2007. The motion carried by the following vote:

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060494. PROPORTIONATE FAIR SHARE FOR TRANSPORTATION CONCURRENCY (B)

Ordinance No. 0-06-126; Petition 136TCH-06 PB

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, by creating a new Division 3, section 30-37 through 30-41, under Article III, relating to proportionate fair share for transportation concurrency; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Hanrahan recognized Walter Willard 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 Bryant, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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060414. STREET VACATION – JEFFERSON 2ND AVENUE (B)

Ordinance No. 0-06-108, Petition 96SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southwest 5th Terrace located in the vicinity between Southwest 2nd Avenue and Southwest 3rd Avenue, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Edward Braddy

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060553. ANNUAL AUDIT OF ACCOUNTS (B)

Ordinance No.: 0-06-116

An ordinance of the City of Gainesville, Florida, relating to the publication of the annual audit of accounts, amending section 2-433, revising the method by which the audit report will be published; 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 Donovan, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: Edward Braddy

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RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

060584. Street Vacation, Southeast 23rd Street (B)

This petition is to vacate, abandon and close a portion of Southeast 23rd Street (approximately 242 feet) located between the new north right-of-way line of Southeast 23rd Street and the east right-of-way line of Southeast 8th Avenue.

City of Gainesville Planner Jason Simmons gave a presentation.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

AMENDMENT: Request that the staff obtain information regarding the responsibilities of the adjacent property owner and bring this back to the City Commission at First Reading of the ordinance.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 155SVA-06 PB, with the condition that a utility easement be retained over the vacated area. Plan Board vote 7-0*

Staff to Plan Board - Approve 155SVA-06 PB, with the condition that a utility easement be retained over the vacated area.

Alternative Recommendation A: Deny the petition.

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

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

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060703. Street Vacation Southeast 14th Street (B)

This petition is to vacate, abandon and close a portion of an alley located between Southeast 3rd Avenue and Southeast 4th Avenue and between Southeast 14th Street and Southeast 15th Street.

Explanation

The purpose of this request is to vacate a portion of right-of-way running from Southeast 14th Street to Southeast 15th Street, north of Southeast 4th Avenue. The approximately 0.13 acre right-of-way to be vacated was platted as 15 feet wide per the Williams Subdivision, Plat Book "D", page 1 of the Public Records of Alachua County, Florida. The alley is not paved and at times is overgrown with vegetation. The adjacent property owners have had to maintain the alley and would like to gain the property. The right-of-way property is an unimproved "paper street." There is no physical access to the alley and it serves no public use.

Public notice was published in the Gainesville Sun on October 3, 2006. Letters were mailed to surrounding property owners on October 4, 2006. The Plan Board held a public hearing October 19, 2006.

City of Gainesville Planner Jason Simmons gave a presentation.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 19SVA-06 PB with the condition that a utility easement be retained over the vacate area.*

Staff to Plan Board - Approve

Planning Division staff recommends approval of Petition 19SVA-06 PB, with the condition that a utility easement be retained over the vacated area.

Alternative Recommendation A: Deny the petition.

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

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

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DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

050613. Extension of Time for Lincoln Park Subdivision, Petition 120SUB-05 DB (B)

A request by the property owner to extend the time for filing an application for Final Plat approval.

City of Gainesville Planner Gene Francis gave a presentation.

RECOMMENDATION *Staff recommends approval of the extension.*

Alternative Recommendation A: City Commission deny the extension and require the applicant to resubmit the design plat for approval.

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

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

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UNFINISHED BUSINESS

Candlelight Mobile Home Park

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

NOTE: Mr. Saunders stated that this issue will not be coming before the City Commission until at least January, 2007; and that there will be more reports regarding this issue coming forward to the Commission.

COMMISSION COMMENT

Mayor-Commissioner Pro Tem Craig Lowe

Florida Forever Resolution

060780. Supporting Florida Forever and a Successor Program Resolution (B)

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission authorize the City Attorney to draft a resolution supporting a Florida Forever successor program and bring back to the City Commission at the next regular City Commission meeting.*

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

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

Commissioner Ed Braddy

Urban development book that the City Commission received from Fred Peterkin earlier in the evening.

CITIZEN COMMENT

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

ADJOURNMENT - 8:41 PM

Kurt M. Lannon, Clerk of the Commission