City of Gainesville

City Hall 200 East University Avenue Gainesville, Florida 32601



Meeting Minutes

Monday, April 23, 2007

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 - 1:09 PM

ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

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

MODIFICATIONS:

1. File #061183 - Clerk of the Commission Special Meetings - (Pull from the Consent Agenda and place on the Regular Agenda for discussion).

2. File #061119 - Prohibition on Social Service Uses in the Five Points Area - (Pull from the Consent Agenda and place on the Regular Agenda for discussion).

CITY MANAGER, CONSENT AGENDA ITEMS

060711. FY 2007 Youth Summer Camp Registration Fee (B)

This item requests the City Commission to fund the difference in revenue between the proposed city-resident summer camp rate of \$41 per week and the approved city-resident summer camp rate of \$31 per week from the City Commissioner Contingency Fund.

RECOMMENDATION Recommended Motion: The City Commission fund the difference in revenue in the amount of \$19,225 from the City Commission Contingency Fund.

Alternative Recommendation: The City Commission not fund the difference in revenue from the City Commission Contingency Fund and direct staff to absorb the loss in their current budget.

This Matter was Approved as Recommended on the Consent Agenda.

060711_200702121300.pdf 060711_200704231300.PDF 060711a_200704231300.PDF

<u>061075.</u>	Request to Declare as Surplus and Dispose of City Owned Property (B)		
	Request to declare as surplus and dispose of City owned property - a portion of		
	Tax Parcel 11344-000-000 located at Hawthorne Road and Southeast 8th Avenue		
	Extension.		

RECOMMENDATION The City Commission: 1) declare the remnant of Tax Parcel 11344-000-000 located at 750 Southeast 23rd Street as surplus; 2) authorize the City Manager to execute a Purchase and Sale Agreement for the remnant of Tax Parcel 11344-000-000; 3) authorize the Mayor to execute, and the Clerk to attest, a Special Warranty Deed, subject to approval by the City Attorney as to form and legality, to convey the property located at 750 Southeast 23rd Street, the remnant of Tax Parcel 11344-000-000 to the adjacent property owner; and 4) authorize the City Manager to execute any other documents associated with the sale of this surplus property.

Alternative Recommendation: The City Commission denies this request and the City retains maintenance and other associated liabilities.

This Matter was Approved as Recommended on the Consent Agenda.

061075_200704091300.PDF

<u>061113.</u> New Banking Services Agreement for General Government and GRU (NB)

This item presents the firm rankings from the Request for Proposals (RFP) for General Banking Services for both General Government and GRU, a joint process.

RECOMMENDATION The City Commission approve the rankings of the final three proposers as listed above and authorize the City Manager and General Manager or designees to: 1) negotiate with the top-ranked firm to develop a final contract or, if the City and the top-ranked proposer cannot agree on contractual elements, then to negotiate with the second-ranked firm for a final contract, and so on, subject to approval by the City Attorney; and 2) execute the contract.

This Matter was Approved as Recommended on the Consent Agenda.

061146. Release of Mineral Rights within Tax Parcels: 0859-010-001; 10859-010-002; 10859-010-003;10859 010-004, 10859-010-006; 10859-010-007 (Wal-Mart) (B)

This item involves Mayor authorization to execute a Release of mineral rights for Tax Parcels: 0859-010-001; 10859-010-002; 10859-010-003;10859 010-004, 10859-010-006; 10859-010-007 (Wal-Mart), that exist over previously released easement areas.

RECOMMENDATION The City Commission: 1) approve the Release of mineral rights for Tax Parcels: 0859-010-001; 10859-010-002; 10859-010-003; 10859 010-004, 10859-010-006; 10859-010-007 (Wal-Mart) for the abandoned lateral ditches and; 2) authorize the Mayor to execute the Release of mineral rights, subject to approval by the City Attorney, as to form and legality.

Alternative Recommendation: The City Commission denies this request and the City retains the mineral rights, resulting in a clouded title to the property.

This Matter was Approved as Recommended on the Consent Agenda.

061146_200704231300.PDF 061146_042307.pdf

<u>061149.</u> Third Extension to the Contract for Cellular Phone Service with Alltel Communications, Inc. (B)

This item involves a request for the City Commission to extend the term of the Contract for one (1) year with Alltel Communications, Inc.

RECOMMENDATION The City Commission authorize the City Manager or designee to execute the Third Extension to the Contract with Alltel Communications, Inc. for cellular phone service, extending the term of the Contract from October 1, 2007 to September 30, 2008.

Alternative Recommendation A:

The City Commission decline to execute the Third Extension to the Contract with Alltel Communications, Inc., and direct staff to issue a Request for Proposals (RFP) for cellular phone service. The fiscal impact would be unknown until bids were opened.

Alternative Recommendation B:

The City Commission decline to execute the Third Extension to the Contract with Alltel Communications, Inc. for cellular phone service and cease providing cell phones for employees to conduct City business. The fiscal impact would be unknown since employees would have to find other means of communication.

This Matter was Approved as Recommended on the Consent Agenda.

061149_200704231300.pdf

061150.Request for City Commission Contingency Funds for the Second Annual
Conference on Best Practices in Building University/City Relations (B)

This item is a request from the Administrative Service Department, Office of Strategic Planning on behalf of the Conference Planning Committee for City Commission Contingency Funds for the Second Annual Conference on Best Practices in Building University/City Relations.

RECOMMENDATION The City Commission approve an allocation of \$4,000 from the City Commission Contingency Fund for co-sponsorship of the Second Annual Conference on Best Practices in Building University/City Relations.

> Alternative Recommendation A: The City Commission approve an allocation of \$______from the City Commission Contingency Fund for co-sponsorship of the Second Annual Conference on Best Practices in Building University/City Relations.

Alternative Recommendation B: The City Commission not approve an allocation from the City Commission Contingency Fund for co-sponsorship of the Second Annual Conference on Best Practices in Building University/City Relations.

This Matter was Approved as Recommended on the Consent Agenda.

061150_200704231300.pdf 061150A_200704231300.pdf

<u>061151.</u> Request to apply for a Tony Hawk Foundation grant for equipment installation at a proposed skate park facility (NB)

This item involves a request for the City Commission to authorize the Department of Parks, Recreation and Cultural Affairs to seek a grant from the Tony Hawk Foundation for equipment installation at a proposed skate park near the Martin Luther King, Jr. Multi-purpose facility.

RECOMMENDATION Recommended Motion: The City Commission: 1) approve the request to apply for the Tony Hawk Foundation grant; and if awarded; 2) authorize the City Manager to execute the grant award contract and other necessary documents, pending approval by the City Attorney as to form and legality; and 3) approve the required payments process for expending the grant funds.

Alternative Recommendation: The City Commission deny the

request to apply for the Tony Hawk Foundation grant and request staff pull the grant application.

This Matter was Approved as Recommended on the Consent Agenda.

061165. U.S. Department of Justice Bulletproof Vest Partnership (NB)

RECOMMENDATION The City Commission authorize the City Manager to: 1) accept the \$46,680.40 in grant funds, and 2) execute any other necessary documents, pending review by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

061176. U.S. Department of Justice COPS Secure Our Schools Grant - Project Modification (NB)

This item requests City Commission to approve a project modification for the COPS Secure Our Schools Grant.

RECOMMENDATION Recommended Motion: The City Commission approve the modification to the COPS Secure Our Schools Grant and authorize the City Manager to execute any necessary documents, pending review by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

061177. Natural Gas Trench and Casing Installation (NB)

Staff recommends approval to enter into multiple contracts with site preparation contractors to provide trench work, install casings for natural gas pipe under roadways, and place gas distribution pipe within numerous developer-related projects.

RECOMMENDATION

The City Commission: 1) authorize the General Manager or her designee, to execute three-year contracts with various contractors to provide joint use trenches, install road crossings, and place gas distribution pipe on an as-needed basis, subject to approval by the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not to exceed budgeted amounts for these services, subject to the final appropriation of funds for each year of the contracts.

This Matter was Approved as Recommended on the Consent Agenda.

061178. Purchase and Sale of Real Property (NB)

RECOMMENDATION

Authorization for the General Manager to purchase real property or land rights necessary or desirable for utility purposes as defined herein and to sell property or land rights declared surplus by the Utility in amounts of \$100,000 or less.

The City Commission: 1) authorize the General Manager to sell real property or land rights declared surplus by the Utility in amounts of \$100,000 or less and to make purchases of real property or land rights necessary or desirable for utility purposes as follows: a) Property or land rights costing \$100,000 or less; b) settlement of any action in eminent domain for an amount not in excess of \$100,000 or 20% of the appraised value, whichever is more, for the property to be acquired plus reasonable attorneys fees and costs, provided the City Attorney shall have approved such settlement; c) purchase of fee simple title or easement which is required for a construction project approved by the City Commission provided that funds are available within the project amount approved in the budget; and 2) authorize the General Manager or his designee to execute any and all documents necessary to effect such purchases or sales, subject to the approval of the City Attorney as to form and legality; and 3) Authorize the Clerk of the Commission to record in the public records of Alachua County any and all documents for the sale, purchase or acquisition of real property land rights that may be necessary to conduct the day to day business of the City.

This Matter was Approved as Recommended on the Consent Agenda.

<u>061179.</u>

Release of Easements in the 1400 Block NW 9th Avenue (B)

Release of Easements in the 1400 Block NW 9th Avenue to serve Schlegel Minor Subdivision

RECOMMENDATION 7

The City Commission: 1) approve the release of two easements located in the 1400 Block of NW 9th Avenue; and

2) authorize the Mayor to execute the Release of Easement document subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

061179_20070423.pdf 061179_20070423.pdf

<u>061180.</u> Purchase of Buffer Property (B)

Staff is requesting approval of the purchase of 10 acres of buffer property from Terrapointe, LLC, for wellfield protection.

RECOMMENDATION The City Commission: 1) approve the purchase of property from Terrapointe, LLC, as negotiated by staff; and 2) authorize the General Manager, or her designee, to execute a Special Warranty Deed to Terrapointe, LLC, and to execute any documents necessary to complete the closing subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

061180 20070423.pdf

<u>061181.</u> Self Loading Reel Trailer (B)

Staff recommends the purchase of a Self Loading Reel Trailer from Terex Utilities to be used when installing electric transmission and distribution overhead and underground conductor.

RECOMMENDATION The City Commission approve the issuance of a purchase order to Terex Utilities for a Self Loading Reel Trailer in the amount of \$88,957.

This Matter was Approved as Recommended on the Consent Agenda.

061181 20070423.pdf

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

City of Gainesville

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

<u>061078.</u>	Reclassification of GRUCom Director to Director of Sales and New Services (B)		
	Change the GRUCom Director's job title and job description to better reflect changes to the job responsibilities.		
	<u>RECOMMENDATION</u>	The City Commission approve reclassifying the GRUCom Director (Pay Grade M-12) to Director of Sales and New Services (Pay Grade M-12) and adding this job title to the Occupational Index.	
This Matter was Approved as Recommended on the		ved as Recommended on the Consent Agenda.	
	061078_200704231300	D.pdf	
<u>061081.</u>	Addition of Systems In	tegration Supervisor (B)	
	A reorganization of GRU's Information Technology (IT) Division created the need for a supervisory position to coordinate the daily support operations and manage project workload for Systems Integration. Systems Integration has a staff of 11, including analysts and programmers.		
	<u>RECOMMENDATION</u>	The City Commission approve deleting a vacant Systems Integration Analyst position (Pay Grade C11) and adding a Systems Integration Supervisor position (Pay Grade M8) to the Occupational Index.	
	This Matter was Approved as Recommended on the Consent Agenda.		
	061081_200704231300	D.pdf	
<u>061082.</u>	Addition of a Power Pl Manager to the Occup	ant Operations Manager and Power Plant Maintenance ational Index (B)	
	-	Dperations Manager and Power Plant Maintenance rate positions based on operational needs.	
	<u>RECOMMENDATION</u>	The City Commission approve adding the Power Plant Operations Manager and Power Plant Maintenance Manager job titles to the Occupational Index at Pay Grades M-12 and M-11 respectively.	
	This Matter was Approved as Recommended on the Consent Agenda.		
	061082_200704231300	D.pdf	
<u>061085.</u>	Reclassification of the	Power Plant Maintenance Supervisor to Power Plant	

	Materials Handling Supervisor, Deerhaven Generating Station (B)		
	Change the Power Plant Maintenance Supervisor job description to better reflect changes to the job responsibilities.		
	<u>RECOMMENDATION</u>	The City Commission approve reclassifying the Power Plant Maintenance Supervisor (Pay Grade C12) to the Power Plant Materials Handling Supervisor (C12) and adding this job title to the Occupational Index.	
	This Matter was Appro	oved as Recommended on the Consent Agenda.	
	061085_20070423130	0.pdf	
<u>061088.</u>	Addition of an Applic: (B)	ations Security Analyst Position to the Occupational Index	
	A new job description is needed to delineate a particular role within the Information Technology (IT) function of GRU. Software systems are becoming more complex causing the need for a separation of duties for security and auditing concerns from other IT positions.		
	<u>RECOMMENDATION</u>	The City Commission approve deleting a vacant Computer Programmer Analyst position (Pay Grade M5); and adding the Applications Security Analyst position (Pay Grade M5) to the Occupational Index.	
	This Matter was Approved as Recommended on the Consent Agenda.		
	061088_20070423130	0.pdf	
<u>061089.</u>		Gas and Electric Measurement Manager to the Energy gulation Manager in the Energy Delivery Department,	
	Change the Gas and Electric Measurement Manager's job title, job description and pay grade to better reflect changes to the job responsibilities		
	<u>RECOMMENDATION</u>	The City Commission approve reclassifying the Gas and Electric Measurement Manager (Pay Grade M11) to the Energy Measurement and Regulation Manager (Pay Grade M13) and adding this job title to the Occupational Index.	
	This Matter was Appro	oved as Recommended on the Consent Agenda.	
	061089_20070423130	0.pdf	
<u>061090.</u>	Addition of a Systems GRU (B)	Operation Manager in the Energy Delivery Department,	

A Systems Operation Manager is needed due to the increase scope and responsibilities within the department such that this position now includes managerial functions associated with the day-to-operation, control and restoration of the utility's electric systems.

RECOMMENDATION The City Commission approve adding a Systems Operation Manager (Pay in the Energy Delivery Department - Grade M11) and add this position to the Occupational Index.

This Matter was Approved as Recommended on the Consent Agenda.

061090_200704231300.pdf

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

040912. Transportation Concurrency Exception Area (TCEA) Review (NB)

The City Commission referred this issue to the Community Development Committee, which has discussed the issue a number of times and recommends that it be removed from the referral list.

RECOMMENDATION	Community Development Committee to the City Commission -
	remove this item from the referral list, and staff to continue to
	monitor Alachua County's impact fees in relation to the City's
	TCEA standards.

This Matter was Approved as Recommended on the Consent Agenda.

040912_200712121700.pdf 040912_20070123.pdf 040912_20070301.pdf

Passed The Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem Lowe, 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

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

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

1. File #060927 Legislative Update - Additional back-up submitted (Power Point).

2. File #060834 - Local Option Fuel Tax - (New item added to the agenda under City Manager and additional back-up from the County Manager).

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

<u>061118.</u> Certificate of Achievement for Excellence in Financial Reporting (B)

The City was awarded GFOA's Certificate of Achievement for Excellence in Financial Reporting for its 2005 Comprehensive Annual Financial Report (CAFR). The 2006 CAFR is hereby presented to the Commission and will be also submitted to GFOA for the award.

City Administrative Services Director Becky Rountree gave a presentation.

RECOMMENDATION The City Commission: 1) accept the Certificate of Achievement for Excellence in Financial Reporting for fiscal year 2005; 2) receive the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2006; and 3) endorse submittal of the FY2006 report to the GFOA.

NOTE: Document is available for viewing in the Clerk's Office.

Heard

060927. Legislative Update (B)

The City Commission will receive a report from staff regarding legislative affairs.

City Legislative Affairs and Grants Coordinator Chris Cooper and Finance Director Mark Benton gave presentations.

MOTION: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Mastrodicasa seconded that the City Commission oppose House Bill 875 /2676. (VOTE: 7-0, MOTION CARRIED) **RECOMMENDATION** The City Commission receive the legislative update and take action as appropriate.

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Mastrodicasa, that this matter be Approved as shown above (See Motion). 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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<u>061107.</u> Roadway Median Solicitations and Panhandling (NB)

Staff will update the City Commission on issues related to solicitation of funds and panhandling from City medians and right of ways.

Police Chief Norm Botsford, Police Captain Edwin Book, Litigation Attorney Elizabeth Waratuke and Assistant City Attorney Ron Combs gave presentations.

MOTION: Direct the City Attorney to draft an ordinance that would: 1) Ban all solicitation from the medians and the roadway; 2) ban solicitation from within the lanes of traffic and bike lanes; and 3) ban any direct solicitation from any motor vehicle occupant.

Chair Hanrahan recognized Gail Monahan, Jon DeCarmine, Pat Fitzpatrick and Mark Goldstein who spoke to the matter.

RECOMMENDATION The City Commission hear a presentation from Gainesville Police Department staff on solicitation of funds and panhandling from City medians and right of ways and options to resolve. The City Commission request the City Attorney to amend the ordinance to ban solicitation of funds and panhandling in the median.

> Alternative Recommendation A: None Alternative Recommendation B: None

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

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

Presentation On the GPD Master Building Plan, the Community Policing and Training Center, Program Development and the Building Funding Initiative (NB)

061108.

Staff will update the City Commission on the Master Plan and associated issues and program development regarding the Community Policing and Training Center.

Police Chief Norm Botsford, Sergeant, Art Adkins Captain Rick Hanna, State Representative Chestnut's District Secretary Nancy Williams and State Senator Oelrich's Legislative Assistant Jessica Throckmorton gave presentations.

RECOMMENDATION The City Commission hear a presentation from Gainesville Police Department staff on the building Master Plan, the Community Policing and Training Center and the building funding initiative.

> Alternative Recommendation A: None Alternative Recommendation B: None

Heard

060834. Local Option Fuel Tax (B)

On Tuesday, April 17, 2007, the Alachua County Commission approved authorization for the County Manager and County Attorney to prepare an Interlocal Agreement between Alachua County and the City of Gainesville that would provide a distribution formula for an additional five cent local option fuel tax of 52.15% to the unincorporated Alachua County and 38.65% to the City of Gainesville. The balance is distributed to the remaining cities.

City Public Works Director Teresa Scott and County Manager Randy Reid gave presentations.

MOTION: 1) Schedule a Joint City/County Meeting for May 7, 2007 at 6:00 PM to discuss the proposed gas tax; and 2) direct staff to prepare information according to the view points and comments made by the City Commission for the meeting.

RECOMMENDATION The City Commission hear a brief update on the local option fuel tax.

A motion was made by Commissioner Braddy, seconded by Commissioner Bryant, that this matter be Approved as shown above (See Motion). 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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<u>061183.</u>	Special City Commissi	Special City Commission Meetings (NB)		
	RECOMMENDATION	The City Commission schedule special meetings as follows:		
		May 7 - Joint City/County Meeting; Re: Gas Tax - Jack Durrance Auditorium @ 6:00 PM		
		May 21 - Capital Improvements Plan @ 6:00 PM - City Hall Auditorium		
		June 18 - Energy Supply Plan/Conservation Issues; Election Issues @ 6:00 PM - City Hall Auditorium		
	A motion was made by Commissioner Braddy, 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 Henry and Jeanna Mastroo	l Braddy, Jack Donovan, Pegeen Hanrahan, Craig Lowe, Scherwin licasa		
<u>061120.</u>	Gainesville Greens Re	vised Option Request (B)		
	_	the developer of the proposed Gainesville Greens ption on City parking lot 10 be extended for six months.		
		pment Director Tom Saunders and Gainesville Greens ky who spoke to the matter.		
	seconded to approve ex months, ending Decemb appropriate documents. (VOTE: 2-4; Commissi	pr-Commissioner Pro Tem Lowe and Commission Bryant tension of the option on Lot 10 for a period not to exceed six per 17, 2007, and authorize the City Manager to execute all oners Lowe and Bryant - Yes; and Commissioners Donovan, and Mayor Hanrahan - No; Commissioner Braddy - Absent;		
	and Mayor-Commission on Lot 10 for a period n the City Manager execu	ternative Recommendation A): Commissioner Bryant moved her Pro Tem Lowe seconded to approve extension of the option ot to exceed 12 months, ending June 17, 2008, and authorize te all appropriate documents. oner Braddy - Absent, MOTION CARRIED)		

RECOMMENDATION City Manager to the City Commission: approve extension of the option on Lot 10 for a period not to exceed six months, ending December 17, 2007, and authorize the City Manager to execute all appropriate documents.

Alternative Recommendation A: City Manager to the City

Commission: approve extension of the option on Lot 10 for a period not to exceed 12 months, ending June 17, 2008, and authorize the City Manager to execute all appropriate documents.

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Approved, as shown above (Second Motion). 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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<u>061152.</u> Request for City Commission Contingency Funds for the Kiwanis Club of the University City (B)

This item is a request for City Commission Contingency Funds for the Kiwanis Club of the University City in support of the annual World's Greatest Baby Shower .

University City Kiwanis Club Representative Thomas Weller gave a presentation.

MOTION: The City Commission co-sponsor the annual World's Greatest Baby Shower by allocating \$2,500.00 from the City Commission Contingency Fund.

RECOMMENDATION The City Commission consider the request for funds and take action as appropriate

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Henry, that this matter be Approved as shown above (See Motion). 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 061152_200704231300.pdf

File #060987 - Transition Policies for Mobile Home Parks

NOTE: The rules were waived in order to hear this item at 6:30 PM.

WAIVER OF RULES: Commissioner Henry moved and Commissioner Bryant seconded to waive the rules to take up this item at 6:30 PM this evening. (VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)

<u>061119.</u> Prohibition on Social Service Uses in the Five Points Area (NB)

This is a request by a citizen, Doris Edwards, asking the City Commission to amend the Five Points Special Area Plan to prohibit social service uses.

Community Development Director Tom Saunders gave a presentation.

RECOMMENDATION The City Commission initiate a petition to the City Plan Board to prohibit social service uses in the Five Points Area.

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

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

COMMUNITY DEVELOPMENT COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 4:59 PM

RECONVENE - 5:40 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

<u>061190.</u>	Crime Victim Rights Week - April 22-28, 2007 (B)	
	RECOMMENDATION	Peaceful Paths Victim Advocate Molly McGowan to accept the proclamation.
	Heard	
	061190_200704231300	.pdf
<u>061193.</u>	Suicide Prevention Day - April 25, 2007 (B)	
	RECOMMENDATION	Alachua County Crisis Center Director Marshall Knudson and Citizen Judy Bousquet to accept the proclamation.
	Heard	
	061193_200704231300.pdf	
<u>061195.</u>	Administrative Professionals Week - April 23-29, 2007 (B)	
	<u>RECOMMENDATION</u>	Gainesville Chapter of International Association of Administrative Professionals President Chris Ross CPS/CAP to accept the proclamation.
	Heard	
	061195_200704231300	.pdf
<u>061196.</u>	Storm Robert's Day - A	pril 23, 2007 (B)
	RECOMMENDATION	Gainesville Radio KTK 98.5FM Morning Show Host Storm Roberts to accept the proclamation.
	Heard	
	061196_200704231300	.pdf
<u>061194.</u>	Building America Day - April 25, 2007 (B)	
	<u>RECOMMENDATION</u>	Program Director Buildings Research Division of the Florida Solar Energy Center (FSEC) of the University of Central Florida (UCF).Dr. Subarto Chandra to accept the proclamation.
	Heard	
	061194_200704231300	.pdf

City of Gainesville

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

Connie Durway

Grapevine Deli.

Joe Johnson - Florida Works

Career Fair at Santa Fe Community College Gymnasium Saturday, April 28, 2007 from 9:00 AM to 12:00 Noon.

Kali Blount

 GRU Bill
SE 4th Avenue, City of Gainesville Organic Garden Program - Petition for additional land.

Pat Fitzpatrick

Physical attacks on homeless people.

Alan Rezaei - UF Student

Appointments to the Student Community Relations Advisory Board

Community Development Director Tom Saunders made comments.

Robert Agrusa

UF Student Senate President - Student Senators attending City Commission Meetings.

Walter Willard

Various Issues

Richard Selwach

Notification Issues.

Shelby Butcher

Mobile Home Park Issues.

Kent Sokmensuer

Historic District Issues.

<u>060987.</u> Transition Policies for Mobile Home Parks (B)

The City Commission referred this item to the Community Development Committee. The Community Development has discussed the issues, including a proposed housing assistance program for citizens relocated from mobile home parks, and is forwarding the proposed program to the City Commission.

Community Development Director Tom Saunders, Housing Finance Coordinator Andra Davis, Housing Manager Jacquelin Richardson, Varsity Villas Representative Melissa Murphy gave presentations.

Chair Hanrahan recognized Al Schmidt, Edwin Dix, John Shepherd, Walter Willard, Dave Studebaker, Dr. Jimmy Harnsberger, Marty Easters, unidentified female, Nancy Shepherd, Sandra Garner and Sarah Humphrey who spoke to the matter.

RECOMMENDATION *Community Development Committee to the City Commission: Approve the proposed Displaced Mobile Homeowner/Tenant Assistance Program, with consideration to ensuring responsibility on the part of the developer.*

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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PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

060856. STREET VACATION - VICINITY OF NE 8TH PLACE AND N.E. 20TH STREET (B)

Ordinance No. 0-07-24, Petition 195SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a certain portion of the right-of-way located at the westerly 100 feet of Northeast 8th Place, west of Northeast 20th Street, as more specifically described in this Ordinance; reserving a public utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

<u>RECOMMENDATION</u> 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, Jack Donovan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa

Absent: Pegeen Hanrahan

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050255. AMENDMENT TO CLUSTER SUBDIVISION REQUIREMENTS (B)

Ordinance No. 0-05-95; Petition 121TCH-05 PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to cluster subdivisions; amending section 30-190, establishing criteria for classifying cluster subdivisions as either environmental or infill, establishing lot sizes, clarifying the cluster open space requirement, and modifying the criteria for the review of cluster subdivisions; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Planning Manager Ralph Hilliard gave a presentation.

Chair Pro Tem Lowe recognized David Coffey who spoke to the matter.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Henry, seconded by Commissioner Braddy, that this matter be Continued (1st Reading) for May 14, 2007. The motion carried by the following vote:

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

Absent: Pegeen Hanrahan

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060899. URBAN SERVICES REPORT OF CITY-OWNED PROPERTIES - AIRPORT AREA (B)

Ordinance No. 0-07-13

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of City-owned parcels 17752-004-000 and 17731-002-000. Parcel 17752-004-000 is generally located south of the City limits and Tax Parcel 17752-001-000, north of Tax Parcel 17729-000-000 and east of NE 39th Avenue. Parcel 17731-002-000 is generally located south of the City limits, west of the City limits, north of Tax Parcel 17732-000-000 and east of the City limits and Tax Parcels 08180-000-000 and 08178-000-000, as more specifically described in this report; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

City Strategic Planning Management Analyst Pavel Gubanikhin gave a presentation.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

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

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

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060972. VOLUNTARY ANNEXATION - CHILI'S RESTAURANT (B)

Ordinance No. 0-07-09

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of Tax Parcel 06810-001-008, as more specifically described in this ordinance, generally located in the vicinity of 3530 SW Archer Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

City Strategic Planning Manager Karen Snyder-Billings gave a presentation.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Donovan, seconded by Commissioner Braddy, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote: Votes: Aye: Edward Braddy, Jack Donovan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa Absent: Rick Bryant and Pegeen Hanrahan

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<u>061147.</u>

VOLUNTARY ANNEXATION - CITY-OWNED PROPERTY - KANAPAHA AREA 1 (B)

Ordinance No. 0-07-23

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of City-owned Tax Parcels, 06842-001-000, 06844-000-001, 06846-000-000, 06847-000-000, 06848-000-000, a portion of 06845-000-000, and a portion of 06837-000-000, generally located south of the City Limits and the vicinity of SW 24th Avenue, west of Kanapaha Lake and the vicinity of Interstate 75, north of the vicinity of SW Archer Road and east of the vicinity of SW 75th Street/Tower Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

City Strategic Planning Manager Karen Snyder-Billings gave a presentation.

<u>RECOMMENDATION</u> 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: Edward Braddy, Jack Donovan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa Absent: Rick Bryant and Pegeen Hanrahan

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060980. VOLUNTARY ANNEXATION - CITY-OWNED PROPERTY - KANAPAHA AREA 2 (B)

Ordinance No. 0-07-11

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of City-owned Tax Parcel 06909-000-000, generally located south of the City Limits, Kanapaha Lake and the vicinity of SW 24th Avenue, west of the vicinity of Interstate 75, north of the vicinity of SW Archer Road and east of the vicinity of SW 75th Street/Tower Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

City Strategic Planning Manager Karen Snyder-Billings gave a presentation.

<u>RECOMMENDATION</u> 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: Edward Braddy, Jack Donovan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa Absent: Rick Bryant and Pegeen Hanrahan

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060108. LAND DEVELOPMENT CODE CHANGE - AIRPORT FACILITY DISTRICT (B)

Ordinance No. 0-06-76, Petition No. 56TCH-06PB

An ordinance of the City of Gainesville, Florida, amending the "Airport facility district (AF)" regulations and requirements; amending section 30-76 of the Land Development Code by adopting a list of uses permitted by right and related development requirements; adopting limitations and conditions on development on the Airport; providing revised requirements for rezonings and the airport facility zoning map; providing requirements for a Development of Regional Impact; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Pro Tem Lowe recognized Chris Rendenton who spoke to the matter.

City Chief of Comprehensive Planning Dean Mimms made comments.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

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

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

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<u>061128.</u> ADOPTION OF AIRPORT FACILITY ZONING MAP (B)

Ordinance No. 0-06-77, Petition No. 55ZON-06PB An ordinance of the City of Gainesville, Florida, relating to the Gainesville Regional Airport; adopting a new Airport Facility Zoning Map that delineates and establishes the various development and non-development areas of the airport, as shown on the map; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

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

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

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050256. AMENDMENT TO DEVELOPMENT REVIEW PROCESS AND STANDARDS FOR SUBDIVISION APPROVAL (B)

Ordinance No. 0-06-63; Petition 122TCH-05 PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to approval of design plats and modifying the requirements and procedures for subdivision approval; amending sections 30-180 through 30-185 and sections 30-187(b), 30-189, and 30-192(b), of Division 2, Subdivisions and Street Vacation, of Article VII, Development Review Process by amending the procedure for the approval of a final plat; amending design standards and the criteria relating to a street vacation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

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

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

Absent: Pegeen Hanrahan

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RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

<u>061042.</u> Wellfield Special Use Permit for an Automotive Dealership - Quasi-Judicial (B)

Petition 166WSU-06CC. Causseaux & Ellington, agent for All Pro Auto Group, LLC-Bryan Myers. Development plan review for the construction of an automotive dealership located on 12 acres. Zoned: I-1(Industrial.) Located at 2810 North Main Street.

City Senior Planner Shenley Neeley, Agent for the Petitioner Robert Wapole of Causseaux & Ellington and Fred Parton of Universal Engineering gave presentations.

AMENDMENT: Condition 2, change the word "should" to "shall".

RECOMMENDATION City Plan Board to City Commission - The City Commission approve Petition 166WSU-06 CC with staff conditions as modified and recommendations. Plan Board vote 5-0

Staff to Plan Board - The Wellfield Special Use Permit and development plan be approved with staff conditions.

Alternative Recommendation A: The City Commission deny the Wellfield Special Use Permit.

A motion was made by Commissioner Braddy, seconded by Commissioner Bryant, that this matter be Approved (Petition) with staff conditions as modified and recommendations as amended. The motion carried by the following vote:

Votes: Aye: Rick Bryant, Edward Braddy, Jack Donovan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa Absent: Pegeen Hanrahan 061042 20070423.pdf

060497. Add Electronic Signs to List of Prohibited Signs (including digital and LED signs); add Definition of "Electronic Signs." (B)

Petition 139TCH-06 PB. City Plan Board. Amend the City of Gainesville Land Development Code to add electronic signs to list of prohibited signs (includes digital and LED signs) and add a definition of Electronic Signs.

City Senior Planner Dom Nozzi gave a presentation.

MOTION: Commissioner Henry moved and Commissioner Bryant seconded to approve: 1) Alternative Recommendation A to allow electronic portions of signs up to 20 square feet with staff recommendations outlined in the staff report to the Plan Board; 2) have staff bring back visual examples of different sizes and design standards; 3) also approve the City Manager's recommendation to initiate a separate petition to the City Plan Board to achieve greater consistency of regulation within the sign code to ensure equal treatment of different use types; and 4) direct staff to draft an ordinance.

(VOTE: 6-1, Commissioner Donovan - No, MOTION CARRIED)

Chair Hanrahan recognized Gainesville Area Chamber of Commerce CEO Brent Christiansen who spoke to the matter.

WAIVER OF RULES: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Henry seconded to waive the rules to extend the meeting to 11:30 PM. (VOTE: 7-0, MOTION CARRIED)

Chair Hanrahan recognized Citizens Carol Gordon, Jon Reiskind, Rob Brinkman, Lynn Dowling, David Coffey, Florida Credit Union CEO Mark Starr, Arnall Downs, Chuck Woods, Marjorie Fox, Betsy Whitaker, Vice President First Credit Union Rob Dees and Shelby Butcher who spoke to the matter.

WAIVER OF RULES: Commissioner Henry moved and Mayor-Commissioner Pro Tem Lowe seconded to waive the rules to extend the meeting to 11:40 PM. (VOTE: 7-0, MOTION CARRIED)

ADDITIONAL MOTION: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Donovan seconded to place a moratorium on permitting electronic signs.

(VOTE: 4-3; Commissioners Donovan, Lowe, Mastrodicasa and Mayor Hanrahan -Yes; and Commissioners Bryant, Braddy and Henry - No, MOTION CARRIED)

WAIVER OF RULES: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Henry seconded to waive the rules to extend the meeting to 11:50 PM. (VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION City Plan Board to City Commission - The City Commission approve Petition 139TCH-06 PB. The Plan Board recommended that electronic signs (including time and temperature devices) be prohibited, that existing electronic signs be amortized for a legitimate period of time before being removed, and recommended the addition of an electronic signs definition, amendment of animated signs (in 30-23 definitions, and in prohibited signs 30-316 (b) (8)), and deletion of changing message device from definitions, and from prohibited signs. Plan Board vote 5-0.

> Alternative Recommendation A: City Staff to Plan Board --Allow electronic portions of signs up to 20 square feet with staff recommendations outlined in the staff report to the Plan Board.

City Manager to City Commission - The City Commission also direct staff to initiate a separate petition to the City Plan Board to achieve greater consistency of regulation within the sign code to ensure equal treatment of different use types.

Approved, as shown above - See Motion(s)

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DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Ed Braddy

Digital Cities Conference in Washington DC

061213. Digital Cities Conference in Washington DC - Commissioner Braddy Referral Item (NB)

RECOMMENDATION The City Commission refer the issue of "fiber to the home" and possible incentives that can be offered in new and existing development to the Regional Utilities Committee and bring back recommendations to the City Commission.

A motion was made by Commissioner Braddy, seconded by Commissioner Bryant, that this matter be Referred to the Regional Utilities Committee, due back on October 23, 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

Mayor-Commissioner Pro Tem Craig Lowe

Proposed Energy Neutral Neighborhood - Photo Voltaic Policies

061214. Photovoltaic Policies - Proposed Energy Neutral Neighborhood - Commissioner Craig Lowe Referral (NB)

> **RECOMMENDATION** The City Commission refer the issue of GRU's Photovoltaic Policies to the Regional Utilities Committee for their review.

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Bryant, that this matter be Referred to the Regional Utilities Committee, due back on October 23, 2007. The motion carried by the following vote:

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:49 PM

Kurt M. Lannon, Clerk of the Commission

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