

City of Gainesville

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



Meeting Minutes

Monday, February 26, 2007

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 days in advance.

CALL TO ORDER - 1:01 PM

ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

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

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

MODIFICATIONS:

- 1. File #060822 - City Manager - Adjustment of Inspection and Permit Fees for Home Occupation Permits - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*
- 2. File #061001 - City Attorney - Employment Agreement - General Manager for Utilities - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

CITY MANAGER, CONSENT AGENDA ITEMS

060823. Permit Fees for Outdoor Promotional Sales and Special Event Sales (NB)

This item requests that the City Commission authorize the City Attorney to draft and the Clerk to advertise revisions to Chapter 30 of the Gainesville Code of Ordinances to provide for partial cost recovery through the implementation of permit fees for outdoor promotional sales and special event sales.

RECOMMENDATION

The City Commission authorize the City Attorney to revise Chapter 30-67(g) (1) and Appendix A to implement partial cost recovery for such events by implementing a \$55.25 permit fee, a \$110 reinspection fee, and a \$250 cash bond requirement. The cash bond would be refunded provided the applicant complies with the provision of the permit and no additional costs to the City are incurred.

This Matter was Approved as Recommended on the Consent Agenda.

060955.**Application for Disability Retirement for Ronald Behar (B)**

Retirement application for Ronald Behar, Organizational Development Specialist, who has been under the care of physicians for several medical reasons.

RECOMMENDATION *The City Commission approve the submitted application for disability retirement for Ronald Behar, Organizational Development Specialist with Gainesville Regional Utilities Organizational Development Department*

This Matter was Approved as Recommended on the Consent Agenda.

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060956.**2007 City Commission Strategic Goals and Objectives - Status Update (B)**

This item provides a progress update on the City Commission's adopted goals and objectives for Fiscal Year 2007.

RECOMMENDATION *The City Commission receive a report from the City Manager on the current progress towards the City Commission Strategic Goals for FY 2007.*

This Matter was Approved as Recommended on the Consent Agenda.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**060999.****Annual Contract for Horizontal Directional Drilling Services (B)**

Staff recommends establishing two annual contracts for the provision of horizontal directional drilling services.

RECOMMENDATION *The City Commission: 1) authorize the Interim General Manager, or her designee, to execute three year contracts with D&D, Inc. and TB Landmark Construction for horizontal directional drilling services, subject to approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders for the two named contractors for horizontal directional drilling services in amounts not exceeding budgeted amounts for each year of the contract, subject to the final appropriation of funds for each year of the contracts.*

This Matter was Approved as Recommended on the Consent Agenda.

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061000.

Contract for Employee Uniforms (B)

Staff recommends establishing a contract for purchased employee uniforms for various Utility and General Government departments.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to execute a three year contract with Tyndale Company, Inc. for employee uniforms for various Utility and General Government departments, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders for uniforms to Tyndale Company, Inc. not exceeding budgeted amounts for each year of the contract, subject to the final appropriation of funds for each fiscal year.

This Matter was Approved as Recommended on the Consent Agenda.

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061001.

Amendment of the Wholesale Power Contract with the City of Alachua (NB)

The City of Alachua wishes to levelize its wholesale power fuel adjustment to match Gainesville's retail fuel adjustment to improve customer relations. This will require a contract amendment.

RECOMMENDATION

The City Commission authorize the General Manager or her designee to negotiate an amendment to the wholesale power contract with City of Alachua to match retail fuel adjustment levels but also providing for a true-up prior to the termination of the contract, subject to approval by the City Attorney as to form and legality, and report back to the City Commission upon completion.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

060993.

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of February 12,

2007, as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

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060985. Equal Opportunity Special Meetings (NB)

RECOMMENDATION *The City Commission schedule a special meeting on the Equal Opportunity Department on Monday June 4, 2007 at 6:00 PM*

This Matter was Approved as Recommended on the Consent Agenda.

061003. Advisory Board/Committee Appointment to the Art in Public Places Trust (NB)

RECOMMENDATION *The City Commission appoint Bill Warinner (architect) to the Art in Public Places Trust for a term to expire September 20, 2009.*

*Commissioner Braddy: Ibanez
Commissioner Bryant: Warinner
Commissioner Donovan: Warinner
Commissioner Henry: Warinner
Commissioner Lowe: Warinner
Commissioner Mastrodicasa: Warinner
Mayor Hanrahan: Warinner*

This Matter was Approved as Recommended on the Consent Agenda.

061004. Advisory Board/Committee Appointment to the Bicycle/Pedestrian Advisory Board (NB)

RECOMMENDATION *The City Commission appoint Richard D. Browning to the Bicycle/Pedestrian Advisory Board for a term to expire December 31, 2009.*

*Commissioner Braddy: Saylor
Commissioner Bryant: Garner
Commissioner Donovan: Browning
Commissioner Henry: Browning
Commissioner Lowe: Browning
Commissioner Mastrodicasa: Garner
Mayor Hanrahan: Browning*

This Matter was Approved as Recommended on the Consent Agenda.

061005. Advisory Board/Committee Appointment to the Board of Adjustment (NB)

RECOMMENDATION *The City Commission appoint Rolf E. Hummel to the Board of Adjustment for a term to expire November 1, 2010.*

Commissioner Braddy: Hummel

Commissioner Bryant: Silas

Commissioner Donovan: Hummel

Commissioner Henry: Hummel

Commissioner Lowe: Silas

Commissioner Mastrodicasa: Hummel

Mayor Hanrahan: Hummel

This Matter was Approved as Recommended on the Consent Agenda.

061006. Advisory Board/Committee Appointments to the Citizens' Advisory Committee for Community Development (NB)

RECOMMENDATION *The City Commission reappoint Lois Y. Harrison, Tavera K. Johnson, Jefferson W. Jones and Lauren B. Poe to the Citizens' Advisory Committee for Community Development for terms to expire November 1, 2009.*

Commissioner Braddy: Allen, Mejia, Poe, Seales

Commissioner Bryant: Harrison, Johnson, Jones, and Poe

Commissioner Donovan: Harrison, Jones, Mejia and Poe

Commissioner Henry: Harrison, Johnson, Jones and Seales

Commissioner Lowe: Harrison, Johnson, Jones, and Poe

Commissioner Mastrodicasa: Harrison, Johnson, Jones, and Poe

Mayor Hanrahan: Harrison, Johnson, Jones, and Poe

This Matter was Approved as Recommended on the Consent Agenda.

061007. Advisory Board/Committee Appointment to the City Beautification Board (NB)

RECOMMENDATION *The City Commission appoint Sarah E. Dale and reappoint Harold W. Saive to the City Beautification Board for terms to expire November 1, 2009.*

Commissioner Braddy: Dale and Readvertise
Commissioner Bryant: Dale and Saive
Commissioner Donovan: Dale and Saive
Commissioner Henry: Dale and Saive
Commissioner Lowe: Dale and Saive
Commissioner Mastrodicasa: Dale and Saive
Mayor Hanrahan: Dale and Saive

This Matter was Approved as Recommended on the Consent Agenda.

061008. Advisory Board/Committee Appointment to the Fire Safety Board of Adjustment (NB)

RECOMMENDATION *The City Commission appoint Brad B. Kinsell to the Fire Safety Board of Adjustment for a term to expire November 1, 2009.*

Commissioner Braddy: Farrell
Commissioner Bryant: Kinsell
Commissioner Donovan: Kinsell
Commissioner Henry: Kinsell
Commissioner Lowe: Kinsell
Commissioner Mastrodicasa: Farrell
Mayor Hanrahan: Kinsell

This Matter was Approved as Recommended on the Consent Agenda.

061009. Advisory Board/Committee Appointment to the Gainesville Enterprise Zone Development Agency (NB)

RECOMMENDATION *The City Commission appoint Mary M. Seales (Resident Within) to the Gainesville Enterprise Zone Development Agency for term to expire March 31, 2009.*

Commissioner Braddy: Seales
Commissioner Bryant: Seales
Commissioner Donovan: Seales
Commissioner Henry: Seales
Commissioner Lowe: Seales
Commissioner Mastrodicasa: Seales
Mayor Hanrahan: Seales

This Matter was Approved as Recommended on the Consent Agenda.

061010. Advisory Board/Committee Appointment to the Nature Centers Commission (NB)

RECOMMENDATION *The City Commission appoint Taylor V. Stein to the Nature Centers Commission for a term to expire November 1, 2010.*

*Commissioner Braddy: Stein
Commissioner Bryant: Stein
Commissioner Donovan: Stein
Commissioner Henry: Stein
Commissioner Lowe: Stein
Commissioner Mastrodicasa: Stein
Mayor Hanrahan: Stein*

This Matter was Approved as Recommended on the Consent Agenda.

061011. Advisory Board/Committee Appointment to the Public Recreation and Parks Board (NB)

RECOMMENDATION *The City Commission appoint Todd N. Chase to the Public Recreation and Parks Board for term to expire June 1, 2010.*

*Commissioner Braddy: Chase
Commissioner Bryant: Chase
Commissioner Donovan: Chase
Commissioner Henry: Chase
Commissioner Lowe: Yayi
Commissioner Mastrodicasa: Chase
Mayor Hanrahan: Chase*

This Matter was Approved as Recommended on the Consent Agenda.

061012. Advisory Board/Committee Appointment to the Regional Transit System Advisory Board (NB)

RECOMMENDATION *The City Commission reappoint LaTwania M. Brown and appoint Philip W. Michel to the Regional Transit System Advisory Board for terms to expire June 1, 2009.*

Commissioner Braddy: Brown and Michel

Commissioner Bryant: Brown and Michel
Commissioner Donovan: Brown and Michel
Commissioner Henry: Brown and Michel
Commissioner Lowe: Brown and Michel
Commissioner Mastrodicasa: Brown and Michel
Mayor Hanrahan: Brown and Michel

This Matter was Approved as Recommended on the Consent Agenda.

060944. Denial of Appeal of decision on Petition 9COA-07HPB (B)

RECOMMENDATION *Dismiss the appeal of Petition 9COA-07HPB as untimely filed. Authorize the Clerk of the Commission to execute an official notice to be forwarded to the Petitioner and maintained in the records of the historic preservation board.*

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

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

001198 Graffiti Abatement (NB)

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

This Matter was Approved as Recommended on the Consent Agenda.

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

060948. Review of Gainesville Fire Rescue Overtime (B)

RECOMMENDATION *The City Commission: 1) Accept the City Auditor's report and the City Manager's response; and 2) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative*

Committee.

This Matter was Approved as Recommended on the Consent Agenda.

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060951.

Fiscal Year 2007 Operating Funds Quarterly Monitoring Report - Quarter Ending December 31, 2006 (B)

RECOMMENDATION *The City Commission receive the quarterly budget monitoring report for the quarter ended December 31, 2006.*

This Matter was Approved as Recommended on the Consent Agenda.

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060983.

City of Gainesville Fiscal Year 2006 Audited Financial Statements, Auditors' Reports, Auditors' Management Letters and Single Audit Reports, and Management's Written Response (B)

RECOMMENDATION *The City Commission accept the subject financial statements, auditors' reports, management letters and single audit reports; and accept management's written response.*

This Matter was Approved as Recommended on the Consent Agenda.

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REGIONAL UTILITIES COMMITTEE, CONSENT

060613.

Gainesville Regional Utilities Billing and Collection Policies (B)

RECOMMENDATION *The RUC request the City Commission 1) authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance, in substantially the same format submitted; and, 2) remove this item from the RUC referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

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Passed The Consent Agenda

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

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

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

*Mayor-Commissioner Pro Tem Lowe moved and Commissioner Bryant seconded to adopt the Regular Agenda with the following modifications.
(VOTE: 5-0, Commissioners Braddy and Mastrodicasa - Absent, MOTION CARRIED)*

MODIFICATIONS:

- 1. File #060958 - City Manager - Transition of Services Agreement - (Revised Back-up submitted).*
- 2. File #060949 - City Auditor - Review of the GRU Small Business Enterprise Program - (Additional back-up submitted (PowerPoint presentation)).*
- 3. File #061018 - New Item - Proclamation - National School Breakfast Week - March 5-9, 2007.*
- 4. File #061002 - Resolution - Refunding of Utilities System Revenue Bonds, 2003 Series A and 2005 Series A - (Revised Exhibit "B").*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

060957. City of Gainesville/University of Florida Collaboration - Wind Hazard Research Facility (NB)

This item involves the proposed location of a Wind Hazard Research Facility at the Airport Industrial Park.

City Economic Development Director Erik Bredfeldt gave a presentation.

RECOMMENDATION

The City Commission: 1) hear a presentation on the Wind Hazard Research Facility proposal; 2) authorize the City Manager to sign a letter of support for the Wind Hazard Research Facility grant application that includes City support for utilization of the subject Airport Industrial Park property; and 3) direct appropriate staff to assist University of Florida staff in facilitating the Wind Hazard Research Facility proposal.

Alternative Recommendation: The City Commission: 1) hear a presentation on the Wind Hazard Research Facility proposal; and 2) direct staff not to participate in the Wind Hazard Research Facility grant proposal.

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, Jack Donovan, Pegeen Hanrahan, Craig Lowe and Scherwin Henry

Absent: Edward Braddy and Jeanna Mastrodicasa

060970. Request for City Commission Contingency Funds for Heart of Florida Airshow (B)

Dr. Thomas James Gallagher of the Airport Authority and Mr. Jack Hughes of the Gainesville Sports Organizing Authority gave presentations.

AMENDMENT: 1) Approve the recommendation with the amendment that the \$10,000 allocation be considered a loan instead of a grant; 2) if the Heart of Florida Airshow makes a profit, that the \$10,000 be returned to the City prior to disbursement of any funds; and 3) if the Heart of Florida Airshow has a deficit, then the loan could be converted to a grant.

NOTE: Commissioner Braddy entered the meeting room at 1:45 PM.

RECOMMENDATION

The City Commission receive a presentation regarding the Heart of Florida Airshow and consider approval of the funding request, subject to the following conditions: 1) The City Manager is authorized to execute a grant agreement, as approved by the City Attorney, with the Gainesville Regional

Airshow Consortium; 2) The City of Gainesville will be considered a sponsor of the event. The City's name and logo shall be included on all advertising, brochures, flyers and publications; 3) The Heart of Florida Airshow will be entitled to a rate reduced by 6% for services provided by the Gainesville Police Department (GPD); and 4) The Heart of Florida Airshow shall comply with all federal, state and local requirements, regulations, ordinances and statutes.

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Lowe, 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 and Scherwin Henry
Absent: Jeanna Mastrodicasa
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060927.

Legislative Update

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

City Legislative Grants Coordinator Chris Cooper gave a presentation.

MOTION: Direct the City Manager request a meeting with Governor Crist.

RECOMMENDATION *The City Commission receive the legislative update and take action as appropriate.*

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, 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 and Scherwin Henry
Absent: Jeanna Mastrodicasa
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060958.

Interlocal Agreement with Alachua County for Transition of Services Upon Annexation (B)

This agreement addresses transition of services upon annexation of an area defined as major to be annexed into the City

City Administrative Services Director Becky Rountree gave a presentation.

Chair Hanrahan recognized Carol Higman who spoke to the matter.

RECOMMENDATION

The City Commission adopt the Interlocal Agreement and authorize the Mayor to execute the Agreement.

Alternative Recommendation A:

The City Commission direct staff to continue negotiations with the County.

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

Absent: Jeanna Mastrodicasa

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CITY MANAGER - (PULLED FROM CONSENT)**060822.****Adjustment of Inspection and Permit Fees for Home Occupation Permits (NB)**

This item requests that the City Commission authorize the City Attorney to draft and the Clerk to advertise revisions to Chapter 30 of the Gainesville Code of Ordinance to provide equality of fees for home occupation permits.

FIRST MOTION: Commissioner Bryant moved and Commissioner Braddy seconded to deny the proposed fee increase and to leave the fees as they are.

(VOTE: 2-4, Commissioners Bryant and Braddy - Yes; Commissioners Donovan, Henry, Lowe, and Mayor Hanrahan - No, MOTION FAILED)

Chair Hanrahan recognized Chamber of Commerce Executive Director Brent Christensen and Carol Higman who spoke to the matter.

SECOND MOTION (Referral): Commissioner Bryant moved and Commissioner Braddy seconded to refer the issue of raising fees to the City Manager taking into account the comments that were made by the City Commission.

(VOTE: 6-0, MOTION CARRIED) See following referral item #061023.

RECOMMENDATION

The City Commission authorize the City Attorney to revise Chapter 30-58 and Appendix A to implement partial cost recovery for such permits with the proposed fee increases.

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

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

Absent: Jeanna Mastrodicasa

061023 Inspection and Permit Fees for Home Occupation Permits (NB)

RECOMMENDATION *The City Commission refer the issue of raising the fees for inspection and permit fees for home occupation permits to the City Manager and to take into consideration the comments made by the City Commission regarding this issue.*

A motion was made by Commissioner Bryant, seconded by Commissioner Braddy, that this matter be Referred to the City Manager, due back on August 26, 2007. The motion carried by the following vote:

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

GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY - (PULLED FROM CONSENT)****060849. EMPLOYMENT AGREEMENT - GENERAL MANAGER OF UTILITIES (B)**

RECOMMENDATION *The City Commission: (1) approve the employment of Ms. Karen Johnson as General Manager of Utilities pursuant to the terms and conditions set forth in the attached Employment Agreement, and (2) authorize the Mayor to execute the Agreement on behalf of the City and the Clerk to attest thereto.*

A motion was made by Commissioner Bryant, seconded by Commissioner Braddy, 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 and Scherwin Henry
Absent: Jeanna Mastrodicasa

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**0609 CITY AUDITOR
49****060949. Review of the GRU Small Business Enterprise Program (B)**

City Auditor Brent Godshalk gave a presentation.

MOTION: (2 & 3 of the Recommendation): 2) Accept the City Auditor's report and the response from the Interim General Manager for Utilities; and 3) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.

RECOMMENDATION *The City Commission: 1) Hear a presentation from the City Auditor; 2) accept the City Auditor's report and the response from the Interim General Manager for Utilities; and 3) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.*

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

Absent: Jeanna Mastrodicasa

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EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

REGIONAL UTILITIES COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

060996.

Nomination - Library District Board of Trustees (B)

RECOMMENDATION *The City Commission nominate Ms. Higman for consideration for appointment by the Library District Governing Board.*

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 and Scherwin Henry

Absent: Jeanna Mastrodicasa

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060994.**Advisory Board/Committee Appointments to the Student Community Relations Advisory Board (B)**

Chair Hanrahan recognized Dr. Jimmy Harnsberger and Carol Daly who spoke to the matter.

APPOINTMENT OF ADMINISTRATIVE MEMBERS: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Henry seconded to appoint Nora L. Kilroy as the voting administrative member and Daniel M. Rodkin as the non-voting administrative member of the Student Community Relations Advisory Board.

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

APPOINTMENT OF STUDENT MEMBERS: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Bryant seconded to appoint Christopher D. Gleeson, Dianna L. Ordway and Alan W. Rezaei as student members to the Student Community Relations Advisory Board.

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

APPOINTMENT OF NON-STUDENT MEMBERS: Commissioner Bryant moved and Commissioner Henry seconded to appoint Carol A. Daly, Amelia L. Packard and Richard A. Roberts as non-student members to the Student Community Relations Advisory Board.

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

RECOMMENDATION

The City Commission appoint members to the Student Community Relations Advisory Board. Student terms for one year; non-student member terms for two years.

Approved, as shown above - See Motion(s)

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060995.**Advisory Board/Committee Appointment to the City Plan Board (B)**

MOTION: Appoint Laura D. High to the City Plan Board.

RECOMMENDATION

The City Commission appoint one (1) member to the City Plan Board for a vacancy to expire November 1, 2007.

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, 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 and Scherwin Henry

Absent: Jeanna Mastrodicasa

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OUTSIDE AGENCIES

060984.**Gainesville Housing Authority Notice of Meetings (B)**

MOTION: Approve Option 3: Encourage Gainesville Housing Authority to send their notices to the Gainesville Sun for inclusion in the Notice of Meetings published on Sunday and post their meetings on their properties.

RECOMMENDATION

The City Commission select an option:

- 1) Authorize Clerk of Commission to be a "courtesy" notice for GHA meetings to: a) notice meetings when provided or possible; b) meet our deadlines when possible; c) best effort, but not official notice.*
- 2) Maintain current policy and only notice "official" City of Gainesville meetings.*
- 3) Encourage GHA to send their notices to Gainesville Sun for inclusion in Notice of Meetings published on Sunday.*

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, Edward Braddy, Jack Donovan, Pegeen Hanrahan, Craig Lowe and Scherwin Henry
Absent: Jeanna Mastrodicasa
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MEMBERS OF THE CITY COMMISSION060979.**ANNUAL PERFORMANCE, SALARY, AND BENEFITS REVIEW FOR THE CITY ATTORNEY (NB)**

MOTION: Approve a salary increase of 4.5% for City Attorney Marion Radson retroactive to his anniversary date.

RECOMMENDATION

The City Commission review the salary and benefits of the City Attorney and make any changes deemed appropriate.

A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Lowe, 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 and Scherwin Henry
Absent: Jeanna Mastrodicasa

060997.**Annual Performance, Salary, and Benefits Review for the City Auditor (B)**

MOTION: Approve a salary increase of 4.4% for City Auditor Brent Godshalk, retroactive to his anniversary date.

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

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

Absent: Jeanna Mastrodicasa

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COMMISSION COMMENTS (if time available)**RECESS - Approximately 4:55 PM****RECONVENE - 5:40 PM****PLEDGE OF ALLEGIANCE (5:30pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****060943.****2006 Albert "Ray" Massey Citizen Volunteer Award Recipients Day - February 26, 2007 (B)**

RECOMMENDATION *Joannalyn Delacruz, Jean Lansford, and the Dignity Project, Inc. representatives to accept the proclamation.*

Heard

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061018.**National School Breakfast Week - March 5-9, 2007 (B)**

RECOMMENDATION *Prairie View Acacemy Food Service Manager Donna Anderson to accept the proclamation.*

Heard

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

Black History Workshop

Jerry Williamson

GPD Issues - Theodore McCloud

Pat Fitzpatrick

Economy - Poverty

061026. Pat Fitzpatrick- Citizen Comment (B)

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

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Jim Konish

Spring Hill Development

Nancy Testa

Ironwood Homeowners Association Update

NOTE: This item was referred to the City Attorney's Office and the Public Safety Committee. - See following Referral Item 061024.

061024.**Ironwood Homeowners Association Report (B)**

NOTE: This referral was also added to the City Attorney's Referral List.

RECOMMENDATION *The City Commission refer the feasibility of developer on-site security for larger developments to the City Attorney's Office and the Public Safety Committee.*

A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Referred to the Public Safety Committee, due back on August 26, 2007. The motion carried by the following vote:

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

Mac McEachern

Audubon Park Neighborhood - Oversize trucks in the neighborhood (Wildflower Project).

Richard Selwach

- 1. Transportation Concurrency Exception Area (TCEA).*
- 2. Homeless Sweep Up Downtown.*
- 3. Kopper's - Eminent Domain.*
- 4. Panhandling.*

Walter Willard

Various Issues

PUBLIC HEARINGS

ADOPTION READING-ROLL CALL REQUIRED

061121

REZONING - 2500 BLOCK OF NORTH MAIN STREET (B)

Ordinance No. 0-07-01, Petition No. 161ZON-06PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from "MU-2: 12-30 units/acre mixed use medium intensity" to "BUS: General business district"; located in the vicinity of the 2500 block of North Main Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Planning Manager Ralph Hilliard gave a presentation.

Chair Hanrahan recognized Alachua County Environmental Protection Representative John Moussa who spoke to the matter.

RECOMMENDATION

The City Commission: 1) approve Petition No. 161ZON-06PB; and 2) adopt the proposed ordinance.

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

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

Absent: Jeanna Mastrodicasa

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ORDINANCES, 1ST READING- ROLL CALL REQUIRED

050749.

ROAM TOWING REGULATIONS (B)

Ordinance No.: 0-07-07

An ordinance of the City of Gainesville amending Chapter 14.5, Article III of the Gainesville Code of Ordinances relating to towing from certain private property; by requiring owner, operator and vehicle registration for trespass towing; requiring wrecker operator permits; providing permit specifications; providing for permit revocation and appeal; clarifying requirement for agreement when property ownership changes; requiring payment options by cash or major credit card or debit card; requiring photographs depicting violation and requiring telephone monitoring or staffing to provide specified information to owners or authorized drivers of vehicles; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

Chair Hanrahan recognized Richard Pratt, Mike Webaur of Superior Towing and Stan Forron of Elite Towing who spoke to the matter.

Gainesville Police Lieutenant Sherry Scott and Assistant City Attorney Ron Combs comments.

MOTION (REFERRAL): Refer this ordinance back to the Public Safety Committee for clarification regarding: 1) A timeframe for the accumulation of violations against the tow companies; 2) documentation of corrective actions for tow company employees; and 3) clarification regarding the felony issue (civil rights) of tow company employees; and 4) bring the ordinance back as soon as possible after the next Public Safety Committee meeting.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Bryant, seconded by Commissioner Braddy, that this matter be Referred to the Public Safety Committee, due back on April 9, 2007. The motion carried by the following vote:

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

Absent: Jeanna Mastrodicasa

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060496.**LAND DEVELOPMENT CODE AMENDMENT - TRADITIONAL CITY SPECIAL AREA PLAN AND COLLEGE PARK SPECIAL AREA PLAN (B)****Ordinance No. 0-06-118; Petition 138TCH-06 PB**

An ordinance of the City of Gainesville, Florida, amending Appendix A of the Land Development Code, relating to the Traditional City Special Area Plan and the College Park Special Area Plan; deleting references to College Park Special Area Plan in the Traditional City Special Area Plan; clarifying the parking standard in the Traditional City Special Area Plan; correcting the labels in the side setback graphic for the urban regulations for New Construction-Civic; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Planner Dom Nozzi gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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060664.**URBAN SERVICES REPORT – BEAR ARCHERY (B)****Ordinance 0-07-08**

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 Tax Parcel 07240-001-003, generally located south of the vicinity of the intersection of Interstate 75 and Archer Road, west of the City limits and Interstate 75, north of Parcel No. 07240-000-000 and east of Parcel 07240-000-000; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, 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 Manager Karen Snyder gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Jeanna Mastrodicasa

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060422.

PLANNED DEVELOPMENT AMENDMENT - GREENERY SQUARE (B)

Ordinance No. 0-06-125, Petition No. 104PDA-06PB

An Ordinance of the City of Gainesville, Florida; amending Ordinance Nos. 2678 and 4064, for the Planned Development commonly known as "Greenery Square"; located in the vicinity of the 5402 N.W. Eighth Avenue; amending the terms, conditions and requirements of the planned development as adopted by Ordinance Nos. 2678 and 4064; adopting revised development plan maps and a revised development report relating to the nursery and garden center; 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 Donovan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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RESOLUTIONS- ROLL CALL REQUIRED

060950.**First Amendment to the FY 2007 General Government Financial and Operating Plan (B)**

RECOMMENDATION *The City Commission adopt the resolution.*

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

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

Absent: Jeanna Mastrodicasa

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061002.**Refunding of Utilities System Revenue Bonds, 2003 Series A and 2005 Series A (B)**

Staff is recommending the adoption of an Authorizing Resolution.

GRU Chief Financial Jennifer Hunt gave a presentation.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission: 1. Adopt the attached resolution (Authorizing Resolution), which: (a)incorporates by reference and adopts, and authorizes the execution and delivery of, an Eighteenth Supplemental Utilities System Revenue Bond Resolution which authorizes the issuance, sale, execution and delivery of \$139,505,000 in aggregate principal amount of the City's tax-exempt Variable Rate Utilities System Revenue Bonds, 2007 Series A (2007 Series A Bonds) in order to advance refund a portion of the City's Utilities System Revenue Bonds, 2003 Series A and 2005 Series A (2003 and 2005 Series A Bonds); (b) approves the form, and authorizes the execution and delivery, of a contract of purchase between the City and Bear, Stearns & Co. Inc., as sole underwriter; (c)approves the form, and authorizes the execution and delivery, of a remarketing agreement between the City and Bear, Stearns & Co. Inc., pursuant to which Bear, Stearns & Co. will serve as the initial remarketing agent for the 2007 Series A Bonds; (d)approves the form, and authorizes the execution and delivery, of a tender agency agreement between the City and U.S. Bank Trust National Association (who currently serves as Trustee for our Utilities System Revenue Bonds), pursuant to which U.S. Bank Trust will serve as the initial tender agent for the 2007 Series A Bonds; (e) approves the form, and authorizes the execution and delivery, of a standby bond purchase agreement between the City and State*

Street Bank and Trust Company, pursuant to which State Street Bank and Trust Company initially will provide liquidity support for any 2007 Series A Bonds that are tendered for purchase and not remarketed; (f) approves the form, and authorizes the execution and delivery, of an escrow deposit agreement relating to the advance refunding of a portion of the 2003 and 2005 Series A Bonds, authorizes the deposit of bond proceeds and certain other amounts into the escrow account to be established pursuant to said escrow deposit agreement, authorizes the investment of such monies in United States Treasury Securities - State and Local Government Series and ratifies the subscription for such United States Treasury Securities; (g) authorizes the authentication and delivery of the 2007 Series A Bonds; (h) approves the form and use of the official statement relating to the 2007 Series A Bonds; (i) authorizes the registration or qualification of the 2007 Series A Bonds under the blue sky laws of various states; (j) in the event that the 2007 Series A Bonds are converted to the auction mode, the term mode or the fixed mode, approves the form, and authorizes the execution and delivery, of a continuing disclosure certificate; (k) authorizes certain City officials to take other actions in connection with the issuance, sale and delivery of the 2007 Series A Bonds; (l) delegates the authority to extend the term of any facility providing liquidity support for the 2007 Series A Bonds or to procure another facility in substitution therefor; and (m) delegates the authority to remove the remarketing agent and/or the tender agent for the 2007 Series A Bonds and to appoint successor(s) therefor. 2. Authorize the Clerk of the Commission, the General Manager and other Authorized Officers of the City (as defined in the City's Amended and Restated Utilities System Revenue Bond Resolution) to execute such documents as may be necessary to proceed with the transaction authorized above, subject to the approval of the City Attorney as to form and legality, and to take such other actions as may be necessary or advisable to proceed with such transaction in accordance with this City Commission authorization.

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

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

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PLAN BOARD PETITIONS

060735.

Reestablish the Oak Point Office Park Planned Development (B)

Petition 175PDA-06 PB. Frederick L. Henderson, agent for James D. Henderson, II, Oak Point Office Park. Reestablish an expired PD with modified PD layout plans for an office development. Zoned: PD (Planned development). Located at 3501 South Main Street.

City Chief of Current Planning Lawrence Calderon gave a presentation.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 175PDA-06 PB, with conditions. Plan Board vote 5-0.

Staff to Plan Board - Approve with conditions.

Alternative Recommendation A: The City Commission deny the petition.

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

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

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060853.

Amend Future Land Use Map from SF to RM for Saul Silber Properties (B)

Petition 193LUC-06 PB. Saul Silber. Amend the City of Gainesville 2000-2010 Future Land Use Map from SF (Single-family, up to 8 units per acre) to RM (Residential Medium Density, 8-30 units per acre. Located at 400 Northeast 11th Street, 410 Northeast 11th Street and 401 Northeast 10th Street. Related to

Petition 194 ZON-06 PB.

NOTE: Mayor-Commissioner Pro Tem Lowe declared a conflict of interest regarding this item and did not vote.

City Planning Manager Ralph Hilliard gave a presentation.

Chair Hanrahan recognized Petitioner Saul Silber, Mr. Garrett, Sharon Baur, David Goldsmith, Jessica Goldsmith, Ray Willet, Andrew Mitchell, Donna Shoudy, Larry Pacino, Terry Rogers, Dr. Jimmy Harnsberger and Diana Payne who spoke to the matter.

FIRST MOTION: Commissioner Braddy moved and Commissioner Henry seconded that this petition be denied.

(VOTE: 5-0, Commissioner Lowe - Abstain and Commissioner Mastrodicasa - Absent, MOTION CARRIED)

ADDITIONAL MOTION (REFERRAL): Commissioner Braddy moved and Commissioner Donovan seconded refer to the Community Development Committee the issue of landlord licenses for legal nonconforming uses in single family neighborhoods.

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

See following Referral #061025.

RECOMMENDATION

City Plan Board to City Commission - Deny Petition 193LUC-06 PB. Plan Board vote 4-1. Staff originally recommended to the City Plan Board that this be approved, but accepts and is moving forward to the City Commission the Plan Board's recommendation to deny.

Alternative Recommendation A: Approve a land use change to Residential-Low (up to 12 units per acre) and zoning change to RMF-5 (12 units per acre single-family/multiple-family residential district), since the property is already developed as multi-family.

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

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

Abstain: Craig Lowe

Absent: Jeanna Mastrodicasa

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061025.**Landlord License Fees for Non-Conforming Uses (B)****RECOMMENDATION**

The City Commission refer to the Community Development

Committee the issue of how landlord licenses are applied to legal non-conforming uses within single-family neighborhoods.

A motion was made by Commissioner Braddy, seconded by Commissioner Donovan, that this matter be Referred to the Community Development Committee, due back on August 26, 2007. The motion carried by the following vote:

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

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060855.

Rezone Property from RSF-2 to RMF-7 for Saul Silber Properties (B)

Petition 194ZON-06 PB. Saul Silber. Rezone property from RSF-2 (4.6 units/acres single-family residential district) to RMF-7 (8-21 units/acre multiple-family residential district). Located at 400 Northeast 11th Street, 410 Northeast 11th Street and 401 Northeast 10th Street. Related to Petition 193LUC-06 PB.

City Planning Manager Ralph Hillard gave a presentation.

NOTE: Mayor-Commissioner Pro Tem Lowe declared a conflict of interest regarding this item and did not vote.

RECOMMENDATION

City Plan Board to City Commission - Deny Petition 194ZON-06 PB. Plan Board vote 4-1. Staff originally recommended to the City Plan Board that this be approved, but accepts and is moving forward to the City Commission the Plan Board's recommendation to deny.

Alternative Recommendation A: Approve a land use change to Residential-Low (up to 12 units per acre) and zoning change to RMF-5 (12 units per acre single-family/multiple-family residential district), since the property is already developed as multi-family.

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

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

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DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Rick Bryant

Panhandling Issues and Public Service Announcements - City Manager to come back with a report.

Commissioner Ed Braddy

Comprehensive Plan

Commissioner Scherwin Henry

- 1. Chiropractor's Office Parking*
- 2. Historic Black High School Reunion*

CITIZEN COMMENT (If time available)

ADJOURNMENT - 9:43 PM

Kurt M. Lannon, Clerk of the Commission