

City of Gainesville

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



Meeting Agenda

October 10, 2005

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Chuck Chestnut (District 1)
Commissioner Warren Nielsen (At Large)
Commissioner Rick Bryant (At Large)
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 Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER - 1:05 PM

AGENDA STATEMENT

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. (In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited. Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.)"

ROLL CALL

INVOCATION

CONSENT AGENDA

CITY MANAGER, CONSENT AGENDA ITEMS

050459

Grant Award: Improving Wind Resistance of and Reducing Potential Hazards from Gainesville's Right-of-Way Trees (B)

Explanation: On October 3, 2005, the Florida Division of Forestry informed the City of Gainesville that \$75,000 had been identified in grant funds to hire a contract tree crew for one year of work with the Recreation and Parks Department. The City Commission supported the application for this grant in a Resolution adopted on July 25, 2005. The additional crew will enable the Parks Division to prune street trees to eliminate co-dominant trunks, an effort that will greatly enhance long-term structural stability of Gainesville's right-of-way trees. In addition, the contract crew will help remove large trees that are no longer structurally sound. In the year since hurricanes Frances and Jeanne, the number of declining trees removed has been four times greater than in previous years. This means the Parks Division tree crew has been able to spend much less time on the kind of pruning that prevents problems from developing. Public safety, both immediate and in the long-term, will be much enhanced as a result of this grant.

Fiscal Note: The Recreation and Parks Department will match the grant with \$25,000 in funding that is part of the FY 2006 Parks Division budget.

RECOMMENDATION

The City Commission authorize the City Manager to accept and execute the grant award and any other

necessary documents, subject to review by the City Attorney as to form and legality.

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050461

Agreement Renewal - Keep Alachua County Beautiful (B)

Explanation: The City has been a member of Keep Alachua County Beautiful (KACB) for many years and has supported them with an annual contribution as well as with in-kind services. The Agreement provides:

- 1. Payment of \$15,000 to renew the City's membership in Keep Alachua County Beautiful. In return, KACB will perform specified cleanup and beautification projects in coordination with the City Solid Waste and Parks Divisions. These projects include, but are not limited to: "The Great American Cleanup" and public education programs for litter prevention.*
- 2. Payment of \$10,000 for continued implementation of "The Beautiful Block Program." This program is to recruit block captains from targeted neighborhoods and to provide guidance and tools to empower neighborhoods to keep their own blocks clean and beautiful.*
- 3. Payment of \$30,000 to assist KACB in the provision of cleanup and beautification services for the City.*

Fiscal Note: Funds in the amount of \$25,000 for the membership fee and the Beautiful Block Program are available in the Solid Waste Division's FY 2006 operating budget and the \$30,000 is available in the General Fund Operating budget.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to negotiate deliverables and performance measures with Keep Alachua County Beautiful and to renew the contract with Keep Alachua County Beautiful for the period of October 1, 2005 through September 30, 2006, subject to approval by the City Attorney as to form and legality; and 2) execute all necessary documents.

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050463

Purchase of Security Camera Surveillance System for RTS Buses (NB)

Explanation: In an effort to improve safety and security of passengers and transit operators, and to diminish the number of injury claims in buses, the Regional Transit System (RTS) plans to install a security camera surveillance system on buses purchased in years 2001 and over. The Federal Transit Administration is emphasizing the use of federal funds to improve security at transit facilities and on buses or other transit vehicles.

RTS currently has eighteen (18) buses equipped with Radio Engineering

Industries digital security camera systems. Future bus purchases will include this security system. To standardize the security systems, RTS recommends the use of the vendor supplying the existing system.

RTS has a grant for purchase and installation of the security camera surveillance equipment on fifteen (15) buses. The cost of the equipment and installation for fifteen (15) buses is \$69,882.

Fiscal Note: Funds are available in an RTS Federal Transit Administration Grant FL-90-X536-00.

RECOMMENDATION

The City Commission: 1) approve Radio Engineering Industries as a specified source for the purchase and installation of security camera surveillance equipment; and 2) authorize the City Manager or designee to issue a purchase order in the amount of \$69,882 for purchase of the bus security systems.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

050467

Declare Scrap Metals Surplus and Authorize Contract for the Sale of Scrap Metals (B)

Explanation: Utilities Stores aggregates scrap metals from materials that are returned to the yard (primarily wire and cable) and sells the metals to a scrap metal dealer in order to recover part of the initial cost of the materials. The scrap metals recovered are separated into categories listed in the "American Metal Market" newspaper. This market publication is used in determining the value of the scrap metals and the amount due from the dealer. The scrap metals are separated into the following eight categories: 1) Aluminum Wire and Cable, 2) Insulated Copper Wire and Cable, 3) Bare Copper Wire and Cable, 4) Scrap Steel, 5) Scrap Iron, 6) Brass and Bronze, 7) Street Lights, and 8) Stainless Steel.

A Request for Proposal (RFP) for the sale of scrap metals was sent to three (3) prospective scrap metal dealers, with all three responding. The proposals were evaluated based on criteria published in the RFP, which included price, cost saving measures, value added services, local vendor preference and references. A tabulation of the evaluation is attached for your information.

Fiscal Note: This contract will allow for recovery of funds for those metals designated as scrap for FY 2006.

RECOMMENDATION

The City Commission: 1) declare scrap materials to become available during FY 2006 as surplus; and 2) authorize the General Manager, or his designee, to negotiate and execute a contract with Ocala Recycling for the sale of scrap metals for FY 2006, subject to the approval of the City Attorney as to form and legality.

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050468**Purchase Order for Phase IV-A of a 36-inch Water Transmission Main Project (B)**

Explanation: Water/Wastewater Systems has budgeted funds for a multi-year phased capital improvements program to construct a 36-inch water transmission main that is proposed to extend from the Murphree WTP to the existing NW Repump Station. Continuing significant potable water customer demands within the service area requires improvements to the existing water transmission infrastructure for continued reliable service. This project improves pressures throughout the service area. Phases I, II, and III from the 1500 block of NE 53rd Avenue to the 3400 block of NW 53rd Avenue have been completed. Phase IV-A of the capital improvements project involves the construction equipment, materials, and labor required to install 3600 feet of 36-inch cement lined ductile iron water transmission main furnished by GRU as a standard material item. The project also includes restoring the protective cover for an existing 24-inch water main at a stormwater ditch crossing.

Invitations for Bids for the NW 53rd Avenue 36-inch Water Main Extension Project - Phase IV-A were sent by Utilities Purchasing to four companies that perform this type work, with two responding. A tabulation of the bids is attached for your information.

Fiscal Note: Funding for this work is in the approved FY 2006 Water/Wastewater Systems budget.

RECOMMENDATION

The City Commission authorize the General Manager, or his designee, to issue a purchase order to Garney Companies, Inc. for construction of 3600 feet of 36-inch water transmission main along NW 53rd Avenue within GRU owned property in an amount not to exceed \$648,375.

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CITY ATTORNEY, CONSENT AGENDA ITEMS**050469****ELAYNE G. WALDEN V. CITY OF GAINESVILLE; ALACHUA COUNTY CIRCUIT COURT; CASE NO.: 01-05-CA-3722 (B)**

Explanation: On September 21, 2005, the City of Gainesville was served with a summons and complaint. Ms. Elayne Walden alleges that on or about December 22, 2002, she was walking on the sidewalk located at or around the corner of Northwest 8th Avenue and Northwest 20th Street where she fell on broken asphalt resulting from a new water line being installed. Plaintiff Elayne Walden seeks damages for her injuries.

RECOMMENDATION

The City Commission authorize the City Attorney to

represent the City in the case styled Elayne G. Walden v. City of Gainesville; Alachua County Circuit Court; Case No.: 01-05-CA-3722.

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050470

AMENDMENT TO THRESHOLD AMOUNT FOR APPRAISALS OF PROPERTY (B)

Explanation: It is the desire of the City Manager and the Gainesville Regional Utilities General Manager to exempt real property transactions of \$100,000 or less from the requirement of obtaining a written appraisal. Currently, §2-435, City of Gainesville Code of Ordinances, requires an appraisal for all city purchases and sales of real property at a cost of \$10,000 or more. Land values have increased significantly since this ordinance was last modified in 1986. As a result, many routine transactions involving even small parcels of land now require an appraisal, with costs ranging from as little as \$200 to as much as \$20,000, depending on the type of property and the scope and complexity of the appraisal. This significantly increases the city's costs for such transactions, and causes delays in their completion. Section 166.045, Florida Statutes, which requires written appraisals for acquisition of property for a municipal purpose, allows the governing body of the municipality, by ordinary vote, to exempt purchases of \$100,000 or less from the appraisal requirement. Amending the city's ordinance to exempt purchases of \$100,000 or less from the appraisal requirement would make routine land transactions less costly and time consuming for the city, thus saving taxpayers' money. In addition, the amendment would make the appraisal requirement in the city ordinance identical to that in the state statute. The City Attorney has no objection to this ordinance amendment.

RECOMMENDATION

The City Commission authorize the City Attorney to prepare, and the Clerk of the Commission to advertise, an amendment to the appraisal ordinance increasing the value of property requiring an appraisal to \$100,000.

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CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

050458

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of September 20, 2005 (Special Meeting) and September 26, 2005 (Regular Meeting), as circulated.

050472**Resignation of Advisory Board/Committee Member Michael LeSure (B)****RECOMMENDATION**

The City Commission accept the resignation of Michael LeSure from the Bicycle/Pedestrian Advisory Board effective immediately.

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050473**Resignation of Advisory Board/Committee Member Jeanneine A. Lambert (B)****RECOMMENDATION**

The City Commission accept the resignation of Jeanneine A. Lambert from the Gainesville Energy Advisory Committee effective immediately.

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050474**Resignation of Advisory Board/Committee Member Paula M. DeLaney (B)****RECOMMENDATION**

The City Commission accept the resignation of Paula M. DeLaney from the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan effective immediately.

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050475**Resignation of Advisory Board/Committee Member Susan Brown (B)****RECOMMENDATION**

The City Commission accept the resignation of Susan Brown from the Nature Centers Commission effective immediately.

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EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

041132

Authorization to Prepare a Request for Proposals for City Parking Lot 9 (B)

Explanation: At the September 19, 2005 meeting of the Community Redevelopment Agency (CRA), the CRA authorized staff to prepare a Request for Proposals to solicit developers interested in building a hotel or hotel with other uses on Lot 9. Lot 9 is in the heart of downtown, directly west of the Star Garage, with frontage on Southeast 1st Avenue and Southeast 1st Street. There are several developers interested in developing a hotel at this site. In order for this Request for Proposals to be released, the City and CRA would need to enter into an option agreement for the property.

Fiscal Note: The Request for Proposals will require that the City receive the full appraised value for the land. Staff is waiting for a current appraisal. The City may also receive parking garage revenues associated with the project.

RECOMMENDATION

Community Redevelopment Agency to the City Commission: 1) Authorize the CRA to prepare a Request for Proposals for City Parking Lot 9 for a hotel or hotel/mixed-use development; 2) direct staff to negotiate an option agreement for Lot 9; and 3) authorize the Mayor to execute any and all required documents, subject to approval by the City Attorney as to form and legality.

Legislative History

3/21/05	Community Redevelopment Agency	Approved as Recommended (7 - 0)
9/19/05	Community Redevelopment Agency	Approved as Amended (5 - 0 - 2 Absent)
	041132_20050919CRA.pdf	
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END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA**CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION****CITY MANAGER****050460****Contract for Insurance Broker/Consultant Services (B)**

Explanation: This summer, the City Commission directed staff to conduct a Request For Qualifications (RFQ) process for the purpose of selecting an insurance broker/consultant. The role of the insurance broker/consultant is to market and service the City's insurance programs with respect to property, casualty and excess worker's compensation. In addition, the Commission approved the use of an independent consultant, Waters Risk Management, to facilitate both the RFQ and selection processes.

Al Waters of Waters Risk Management designed and distributed the RFQ for the City. The process consisted of both a written response to the RFQ as well as an oral interview. The City received seven (7) written responses to the RFQ, with two vendors declining to go to the oral interview for various reasons, such as noncompetitive pricing, and an inability to adequately manage the power generation aspect of the account.

Mr. Waters conducted the oral interviews, along with staff, of the remaining five (5) vendors on September 23, 2005. Each vendor was asked eighteen questions, sixteen of which were provided to the vendors prior to the interview. Based on the responses to the interview questions, the evaluation team, along with Mr. Waters, established a ranking of the vendors. In addition, a summary spreadsheet detailing the written responses of each vendor interviewed is included in the backup. Based on the responses and the oral interviews, the evaluation team ranked the vendors in the following order:

- * Marsh USA, Inc.*
- * Arthur J. Gallagher & Co.*
- * Hilb, Rogal & Hobbs of Florida*
- * Wachovia Insurance Services*
- * Public Risk Insurance Agency*

Fiscal Note: Funds for the insurance broker/consultant services are budgeted in the General Insurance Fund.

RECOMMENDATION

The City Commission: 1) hear a brief presentation from Al Waters and Waters Risk Management; 2) approve the rankings of the responding insurance brokerage/consultant firms; and 3) authorize the City Manager or designee to negotiate an agreement with the top ranked firm. If an agreement cannot be

reached with the top ranked firm, authorize the City Manager or designee to initiate negotiations with the next ranked firm, continuing through the rankings until an agreement is reached.

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050465

Neighborhood Planning Program Update (B)

Explanation: The City of Gainesville Neighborhood Planning Program is a collaborative process between the City and the people that live and work in the neighborhoods. The Neighborhood Planning Coordinator helps designated neighborhoods to set and meet goals, address needs, and implement projects. To be eligible for the program, neighborhood organizations (usually formal associations or crime watch groups) must apply for designation and be registered with the City. The City Commission ultimately decides which neighborhoods will participate in the program.

Since 1998, the City Commission has designated twelve neighborhoods for participation in the Program. The City Commission allocated \$15,000 for each neighborhood to implement the Program and for physical improvement projects located on City right-of-way or on City-owned property.

For the next cycle, the City has received applications from four (4) neighborhoods. Two (2) applications from the Stephen Foster and Pine Park Neighborhoods appear to meet all the relevant criteria. Funding to cover the cost of adding these two (2) neighborhoods to the Neighborhood Planning Program has already been budgeted. Planning staff recommends adding the Stephen Foster and Pine Park Neighborhoods to the Neighborhood Planning Program.

Fiscal Note: Funding was provided in the FY 04-05 budget for \$15,000 grants for two neighborhoods.

RECOMMENDATION

Staff to the City Commission: 1) hear a presentation from staff regarding the Neighborhood Planning Program; and 2) add the Stephen Foster and Pine Park Neighborhoods to the Neighborhood Planning Program.

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GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR**COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)****CITIZEN COMMENT****COMMISSION COMMENTS****PLEDGE OF ALLEGIANCE (6:00pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****050443****Gay and Lesbian Pride Days - October 7-16, 2005 (B)****RECOMMENDATION**

Pride Celebration of Gainesville Co-Presidents Jeannie Keene and Timothy Stokes to accept the proclamation.

Legislative History

9/26/05 City Commission Postponed

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050478**Harriet Ludwig Day - October 10, 2005 (B)****RECOMMENDATION**

Citizen Harriet Ludwig to accept the proclamation.

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050479**United Nations Day - October 20, 2005 (B)****RECOMMENDATION**

United Nations Association President Mickie Edwardson to accept the proclamation.

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050480

Put the Brakes on Fatalities - October 10, 2005 (B)

RECOMMENDATION *Alachua County Community Traffic Safety Team Vice Chair Sam Middleton to accept the proclamation.*

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050481

Fire Prevention Week - October 9-15, 2005 (B)

RECOMMENDATION *City of Gainesville Fire Rescue Department Assistant Fire Chief Tony Taylor and Public Education Specialist Shawna Traub to accept the proclamation.*

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050482

White Cane Safety Day 2005 - October 15, 2005 (B)

RECOMMENDATION *Alachua County Council of the Blind President Maxine Stallings, Vice President Lenore McGowan, Treasurer Jack Varnon and Secretary Lucinda Henderson to accept the proclamation.*

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PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

041020

REVISION TO CHAPTER 18, CODE OF ORDINANCES, REGARDING PARK REGULATIONS (B)

Ordinance No. 0-05-81

An ordinance of the City of Gainesville, Florida, amending sections in article II, Chapter 18, City of Gainesville Code of Ordinances, relating to Parks and Recreation; amending section 18-18, City of Gainesville Code of Ordinances; updating list of parks; amending section 18-19, City of Gainesville Code of Ordinances; updating and clarifying hours parks will be closed; amending section 18-20, City of Gainesville Code of Ordinances; updating and clarifying prohibited activities in City parks; creating section 18-21, City of Gainesville Code of Ordinances; stating land management provisions applicable to nature parks, centers, and conservation areas; creating section 18-22, City of Gainesville Code of Ordinances; relating to archeological discovery; providing directions to the codifier; providing a

severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission at its meeting of August 8, 2005, authorized the City Attorney to draft and the Clerk of Commission to advertise an ordinance revising the sections in Article II, Chapter 18 of the Code, regarding park policies. The Recreation and Parks Department presented an overview of the proposed changes to the Recreation and Cultural Affairs Committee at its meeting on June 16, 2005, and the Committee approved the Department's recommendations.

This ordinance requires two readings. If approved on first reading, the second and final reading will be October 24, 2005.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/28/05	City Commission	Approved as Recommended (7 - 0)
2/28/05	City Commission	Referred Recreation and Cultural Affairs Committee
6/16/05	Recreation and Cultural Affairs Committee	Recommended for Approval, as shown above (2 - 0)
8/8/05	City Commission	Approved as Recommended (6 - 0 - 1 Absent)

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041052

PLANNED DEVELOPMENT - BARROW FAMILY PARTNERSHIP (B)

Ordinance No. 0-05-74, Petition No. 22PDV-05PB

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "RSF-3: 5.8 units/acre single-family residential district" to "Planned Development District"; located in the Northeast Historic District in the vicinity of 204, 210 and 216 Northeast 10th Avenue; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement; providing a severability clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of June 13, 2005 authorized the city attorney's office to prepare and advertise the necessary ordinance rezoning certain lands within the city to planned development commonly known as "Barrow Family Partnership" within the City of Gainesville.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

6/13/05	City Commission	Approved (Petition) with Staff Conditions (7 - 0)
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050369**AMENDMENT TO OPEN CONTAINER ORDINANCE (B)****ORDINANCE NO.: 0-05-93**

An ordinance of the City of Gainesville, Florida, amending Article I, Section 4-1(b) of the Code of Ordinances to be consistent with the provisions of F.S. §564.09 and F.S. §316.1936(9); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: On September 12, 2005, the City Commission voted to authorize the City Attorney to draft, and the Clerk of the Commission to advertise an ordinance to be consistent with the provisions of F.S. §564.09 and F.S. §316.1936(9).

F.S. §564.09, effective July 1, 2005, permits a restaurant patron to remove a partially consumed bottle of wine from the premises, if the bottle is re-sealed and placed in a bag or other container. F.S. §316.1936(9), also effective July 1, 2005, provides that a bottle of wine re-sealed in this manner and properly secured for transportation in a motor vehicle is not classified as an open container of alcohol. The City of Gainesville's open container ordinance conflicts with intent of the new statute in that it currently contains no exception for wine purchased at a restaurant and re-sealed. While the statute applies to possession of the wine in a vehicle on the streets and highways, carrying the wine to the vehicle, or directly to the purchaser's residence, would violate the city's ordinance. Amending the ordinance to include such an exemption will eliminate these conflicts and bring the ordinance into compliance with state law.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

9/12/05 City Commission Approved as Recommended (4 - 0 - 3 Absent)

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED**RESOLUTIONS- ROLL CALL REQUIRED****050466**

(Quasi-Judicial) Final Plat for the Portofino Cluster Development Phase II, a subdivision approved by Alachua County, and annexed into the City of

Gainesville. Located in the vicinity of Southwest 66th Drive, Southwest 17th Road and Southwest 20th Lane. (Petition 138SUB-05 CC) (B)

Explanation: This is a request for final plat approval of the Portofino Cluster Subdivision, Phase II. The subdivision is located in the vicinity of Southwest 66th Drive, Southwest 17th Road and Southwest 20th Lane. It consists of 98 lots on 32.713 acres, developed in two phases. Phase I includes 45 lots and Phase II includes 53 lots. The smallest lot is 7,000 square feet and the largest is 14,139 square feet.

The subdivision recently was annexed by the City. It had already been approved by Alachua County in two phases. Phase I has been finalized and is under construction. Phase II was approved by the County as a preliminary plat, but the property was annexed into the City before the County issued final plat approval. Since annexation into the City, Public Works has reviewed and approved the required infrastructure for the subdivision. Following a recent inspection of the subdivision, Public Works accepted a letter of credit for maintenance of the constructed infrastructure. The remaining step is for the City Commission to approve the final plat.

Both phases contain cluster open space, common open area and common drainage areas totaling 5.165 acres. The property still has a County land use designation of Low Density Residential and a zoning of R-1a. A land use and zoning modification is in progress for City land use of Single-family and zoning of RSF-1, Single-Family Residential, 3.5 dwelling units per acre. The density will be consistent with allowable density under that City zoning district. The first phase has a density of 3.2 dwelling units per acre and Phase II has a density of 3.24 units per acre.

Representatives of the Alachua County Departments of Planning, Code Enforcement, Public Works and Environmental Protection approved the Master Plan for the Portofino Cluster Development on November 4, 2004. The plan submitted for final plat approval appears consistent with the earlier approvals granted by the County.

Fiscal Note: None

RECOMMENDATION

Planning Staff to City Commission: The City Commission adopt the following resolution: A Resolution approving the final plat of "Portofino Cluster Development Phase II", located in the vicinity of Southwest 66th Drive, Southwest 17th Road and Southwest 20th Lane; and providing an immediate effective date.

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PLAN BOARD PETITIONS

050447**(Quasi-judicial) Pursuant to Section 30-192(b) of the Gainesville Land Development Code, vacate, abandon, and close a 10-foot alley running north and south by Southeast 4th Avenue. (Petition 125SVA-05 PB) (B)**

Explanation: This is a request by Gainesville Regional Utilities to vacate unused right-of-way for the development of a new technology building. This right-of-way is located east of Southeast 3rd Street and south of Southeast 4th Avenue, running north and south between Southeast 4th Avenue and Southeast 4th Place. The 10-foot wide alley to be vacated is undeveloped. Upon vacation of the right-of-way, the City would retain the area to allow for the possibility of future development. The right-of-way is a "paper street," that consists of grass and some trees. The street provides no public access and would best be used for some type of future development.

The Plan Board heard the petition and voted to recommend approval of the petition.

Public notice was published in the Gainesville Sun on August 30, 2005 and September 25, 2005. Letters were mailed to surrounding property owners on August 31, 2005 and September 23, 2005. The Plan Board held a public hearing September 15, 2005. The City Commission will hold a public hearing October 10, 2005.

Fiscal Note: None

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 125SVA-05 PB. Plan Board vote 6-0.

Staff to Plan Board - Approve

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DEVELOPMENT REVIEW BOARD PETITIONS**SCHEDULED EVENING AGENDA ITEMS****050471****CHARTER REVIEW COMMITTEE (B)****RECOMMENDATION**

The City Commission hear a presentation from the Charter Review Committee and receive the Committee's Report.

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UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT

ADJOURNMENT - 9:31 PM