

City of Gainesville

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



Meeting Minutes

Monday, September 10, 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 - 1:04 PM**ROLL CALL**

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

INVOCATION**CONSENT AGENDA**

Commissioner Lowe moved and Commissioner Mastrodicasa seconded to adopt the Consent Agenda, as presented.

(VOTE: 5-0, Commissioner Braddy and Mayor-Commissioner Pro Tem Bryant - Absent, MOTION CARRIED)

CITY MANAGER, CONSENT AGENDA ITEMS**070332. First Extension to the Agreement Between the City of Gainesville and Precision Transmission, Inc. (B)**

This item involves a request for the first one-year extension to the Agreement with Precision Transmission, Inc. for ZF Transmission repair and rebuild service.

RECOMMENDATION

The City Commission authorize the City Manager to execute the First Extension to the Agreement with Precision Transmission, Inc. for the period of October 1, 2007 to September 30, 2008.

Alternative Recommendation: The City Commission decline the authorization for the City Manager to execute the First Extension to the Agreement with Precision Transmission, Inc. and provide staff with specific direction in securing these commodities. This would require selecting another vendor or issuance of a new Invitation to Bid and additional administrative costs.

This Matter was Approved as Recommended on the Consent Agenda.

070332_200709101300.pdf

070356. Agreement Between the School Board of Alachua County and the City of Gainesville for the School Resource Officer Program for the 2007/2008 School

Year (B)

This item requests the City Commission approval to enter into an agreement with the School Board for the School Resource Officer Program. This is a recurring annual agreement.

RECOMMENDATION

The City Commission authorize the City Manager to execute the Agreement between the School Board of Alachua County, Florida and the City of Gainesville, Florida for the School Resource Officer Program, for the period of October 1, 2007 to September 30, 2008, subject to approval by the City Attorney as to form and legality.

Alternative Recommended Motion: The City Commission not authorize the City Manager to execute the Agreement for the School Resource Officer Program, and remove the police officers from the city schools.

This Matter was Approved as Recommended on the Consent Agenda.

070356_200709101300.pdf

070363. Annual Performance Measurement Report for FY 2006 (B)

This item presents the results of the City's Annual Performance Measures Report for Fiscal Year 2006.

RECOMMENDATION

The City Commission receive the report on Performance Measurement for FY 2006.

This Matter was Approved as Recommended on the Consent Agenda.

070363_200709101300.pdf

070368. Special Needs Housing Agreement with St. Francis House, Inc. (SFH) (NB)

This item proposes to award a \$4,820 Special Needs Housing Program due-on-sale loan to St. Francis House, Inc. to install a new roof on a residential structure used to shelter very low and low-income single family households. The building is located at 2105 Southwest 14th Street and contains 32 single room efficiency units.

RECOMMENDATION

The City Commission: 1) approve the grant award of \$4,820 to St. Francis House, Inc. to finance a portion of the cost to install a new roof on the residential structure located at 2105 S.W. 13th Street; and 2) authorize the City Manager, or his designee, to execute the agreement between the City and St. Francis House, Inc., subject to approval by the City Attorney. (Prior to September 10, 2007 a copy of the Agreement will be

on file in the Clerk of the Commission's office. After September 10, 2007, a copy of the Agreement will be on file in the Neighborhood Improvement Department.)

Alternative Recommendation A:

The City Commission could choose to not approve the recommendation and require St. Frances House, Inc to locate funding from another source to undertake this project.

This Matter was Approved as Recommended on the Consent Agenda.

070373. Full Grounds Keeping and Maintenance of Ironwood Golf Course Bid Award (B)

This item is a request that the City Commission accept a bid for grounds keeping and maintenance of Ironwood Golf Course.

RECOMMENDATION

The City Commission: approve proposal award for the full grounds keeping services to OneSource Landscape and Golf Services, Inc.; 2) authorize the City Manager to execute a contract with OneSource Landscape and Golf Services, Inc.; and 3) approve the issuance of a purchase order in a not to exceed amount of \$505,800.

Alternative Recommendation A: The City Commission award the contract for the full grounds keeping services to ValleyCrest Golf Course Maintenance, and approve the issuance of a purchase order in the amount of \$668,061.

Alternative Recommendation B: The City Commission reject the current bids and request that a new Request for Proposals (RFP) be issued.

This Matter was Approved as Recommended on the Consent Agenda.

070373_200709101300.pdf

070397. Increase Demolition Purchase Order with Florida Concrete Recycling, Inc. (NB)

This item is to request the City Commission approve the increase of the demolition purchase order to pay for the demolition of five houses before September 30, 2007.

RECOMMENDATION

The City Commission authorize the City Manager or designee to increase the purchase order to cover the expenses of pending demolitions.

This Matter was Approved as Recommended on the Consent Agenda.

070400. Annexation of Parcels 06810-001-006 and 06810-001-015 (Compass Bank) (B)

This is the submission of petition for voluntary annexation for parcels owned by Compass Bank, which are located in the vicinity of Windmeadows Boulevard, SW 34th Street, SW Archer Road and the vicinity of SW 35th Boulevard.

RECOMMENDATION *The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

070400_200709101300.pdf

070412. Annexation of Parcel Number 06800-017-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel number, which are located in the vicinity of SW 42nd Street, the vicinity of SW 40th Boulevard, and Interstate 75.

RECOMMENDATION *The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

070412_200709101300.pdf

070413. Annexation of Parcel Number 06800-024-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel number, which are located in the vicinity of SW 42nd Street, the vicinity of SW 40th Boulevard, and Interstate 75.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

070413_200709101300.pdf

070414.

Annexation of a Portion of Parcel Number 07240-000-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of SW Archer Road, Interstate 75, SW Williston Road, and SW 63rd Boulevard.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

070414_200709101300.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

070426.

Purchases for Energy Conservation Programs (NB)

Staff requests authorizing the General Manager to purchase goods and/or services necessary for establishing or modifying FY 2008 energy conservation programs which do not to exceed \$100,000.

RECOMMENDATION

The City Commission: 1) Waive the requirement for City Commission approval for budgeted FY 2008 energy conservation programs which do not exceed \$100,000; 2) Authorize the General Manager, or her designee, to negotiate and execute contracts for budgeted FY 2008 energy conservation programs which do not exceed \$100,000 in accordance with established Purchasing policies and procedures, subject to approval of the City Attorney as to form and legality; and 3) Approve the issuance of purchase orders for required goods and services to various vendors for these programs, in amounts not exceeding \$100,000 for FY 2008.

This Matter was Approved as Recommended on the Consent Agenda.

070427.

Amendment to Tree Trimming Contract (NB)

Staff recommends an amendment to extend the contract with Asplundh Tree Expert Company for a period not to exceed 90 days.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or her designee, to execute an amendment to extend the contract with Asplundh Tree Expert Company for a period not to exceed 90 days, subject to approval by the City Attorney as to form and legality; and 2) approve the issuance of a change order to Asplundh Tree Expert Company in an amount not to exceed \$360,000.

This Matter was Approved as Recommended on the Consent Agenda.

070428.

GRU Customer Bulletin (B)

Staff recommends award of contract for printing the GRU Customer Bulletin.

RECOMMENDATION

The City Commission authorize the General Manager, or her designee, to 1) execute a two year contract with Beechler Waters, Inc. for printing the GRU Customer Bulletin and 2) issue a purchase order to Beechler Waters, Inc. for these services in an amount not to exceed \$83,430 per year, subject to the final appropriation of funds.

This Matter was Approved as Recommended on the Consent Agenda.

070428_20070910.pdf

070429. Authority to make changes to Chapter 27, City of Gainesville Code of Ordinances (NB)

Minor changes are needed to Chapter 27, City of Gainesville Code of Ordinances, to reflect revised practices brought about by the implementation of the new SAP Customer Care System in April 2007.

RECOMMENDATION *The City Commission authorize the City Attorney to draft and Clerk of the Commission to advertise, ordinances relating to minor changes to in Chapter 27, City of Gainesville Code of Ordinances.*

This Matter was Approved as Recommended on the Consent Agenda.

070429_200710081300.pdf

CITY ATTORNEY, CONSENT AGENDA ITEMS

070405. Allstate Insurance Company a/s/o Linda S. Luetjen vs. City of Gainesville, a political subdivision of the State of Florida and Misty Thomas, jointly and severally; Eighth Judicial Circuit, Court Case No. 2007-SC-4072 B)

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City of Gainesville and former City employee, Misty Thomas, in the case Allstate Insurance Company a/s/o Linda S. Luetjen vs. City of Gainesville, a political subdivision of the State of Florida and Misty Thomas, jointly and severally; Eighth Judicial Circuit, Court Case No. 2007-SC-4072*

This Matter was Approved as Recommended on the Consent Agenda.

070405_200709101300.pdf

070406. Martin Cleveland Vinson and Mary Vinson, his wife vs. City of Gainesville and Karen Ruff Kilpatrick; Eighth Judicial Circuit, Court Case No. 2007-CA-1743 (B)

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City of Gainesville and former City employee*

Karen Ruff Kilpatrick in the case Martin Cleveland Vinson and Mary Vinson, his wife vs. City of Gainesville and Karen Ruff Kilpatrick; Eighth Judicial Circuit, Court Case No. 2007-CA-1743

This Matter was Approved as Recommended on the Consent Agenda.

070406_200709101300.pdf

070418. EEOC CHARGE NO. 510-2007-02665 JOSEPH M. WEEKS VS. THE CITY OF GAINESVILLE (B)

RECOMMENDATION *The City Commission authorize the City Attorney, to represent the City in the case styled Joseph M. Weeks vs. the City of Gainesville; EEOC Charge No.: 510-2007-02665.*

This Matter was Approved as Recommended on the Consent Agenda.

070418_200709101300.pdf

060016. FINAL ADMINISTRATIVE ORDER - PETITION NO. 42ZON-06PB (B)

RECOMMENDATION *The City Commission authorize the Mayor and Clerk of the Commission to execute the Final Administrative Order.*

This Matter was Approved as Recommended on the Consent Agenda.

060016a_200706251300.pdf

060016_200706251300.pdf

060016_20070625.pdf

060016a_20070625.pdf

060016b_20070625.pdf

060016c_20070625.pdf

060016d_20070625.pdf

060116_200709101300.pdf

060016_20070910.pdf

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

070415. Fire Assessment Meeting (NB)

RECOMMENDATION *The City Commission schedule a special meeting on September 17, 2007, at 6:00 PM to discuss Fire Assessment.*

This Matter was Approved as Recommended on the Consent Agenda.

070416. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of the August 23, 2007 (Special Meeting); and the August 27, 2007 (Regular Meeting); as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

070416_20070910.pdf
070416A_20070910.pdf

070420. Resignation of Regional Transit System Advisory Board Member Gail Sasnett-Stauffer (B)

RECOMMENDATION *The City Commission accept the resignation of Gail Sasnett-Stauffer from the Regional Transit System Advisory Board effective immediately with appreciation for her service.*

This Matter was Approved as Recommended on the Consent Agenda.

070420_200709101300.pdf

070421. Resignation of Bicycle/Pedestrian Advisory Board Member Member Richard D. Browning (B)

RECOMMENDATION *The City Commission accept the resignation of Richard D. Browning from the Bicycle/Pedestrian Advisory Board Member effective immediately with appreciation for his service.*

This Matter was Approved as Recommended on the Consent Agenda.

070421_200709101300.pdf

070422. Resignation of Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan Member Edward LaCombe (B)

RECOMMENDATION *The City Commission accept the resignation of Edward LaCombe from the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan effective immediately with appreciation for his service.*

This Matter was Approved as Recommended on the Consent Agenda.

070422_200709101300.pdf

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE,
CONSENT****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****PUBLIC SAFETY COMMITTEE, CONSENT****070299. Federal LECFTF Funding for the Mounted Patrol Unit (B)**

RECOMMENDATION *The City Commission approve the appropriation of \$49,851 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Mounted Unit.*

This Matter was Approved as Recommended on the Consent Agenda.

070299_200708161600.pdf

070302. Legal Office Expenses from Federal Law Enforcement Contraband Forfeiture Trust Fund for FY 2007-2008 (NB)

RECOMMENDATION *The City Commission authorize the Gainesville Police Department to appropriate \$15,000 from the Federal Law Enforcement Contraband Forfeiture Fund into line item to be determined by OMB.*

*Alternative Recommendation A:
The City Commission appropriate funds from the General Fund for these expenses. The fiscal impact is \$15,000.*

*Alternative Recommendation B:
None*

This Matter was Approved as Recommended on the Consent Agenda.

070303. Federal LECFTF Funding for Purchase of Paraben Device Seizure Software (B)

This item requests that the Public Safety Committee appropriate and expend an amount not to exceed \$2,500.00 from the Federal Law Enforcement Contraband Forfeiture Fund for the purchase of Paraben Device Seizure Software.

RECOMMENDATION *The Public Safety Committee recommends that the City Commission authorize the appropriation of an amount not to exceed \$2,500 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the purchase of the Paraben Device Seizure Software.*

This Matter was Approved as Recommended on the Consent Agenda.

070303_200709101300.pdf

070305. Federal Law Enforcement Contraband Forfeiture Trust Fund Funding for Joint Aviation Unit (B)

RECOMMENDATION *The City Commission approve the appropriation of \$89,854.50 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Joint Aviation Unit.*

This Matter was Approved as Recommended on the Consent Agenda.

070305_200708161600.pdf

070306. Federal Law Enforcement Contraband Forfeiture Trust Fund Funding for GPD Helicopter Upgrade (B)

RECOMMENDATION *The City Commission approve the appropriation of \$187,727.99 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the upgrade of GPD Bell OH-58 helicopter and authorize the use of Coastal Helicopters, Inc. as the specified source for the maintenance, upgrade and engine replacement work.*

This Matter was Approved as Recommended on the Consent Agenda.

070306_200708161600.pdf

070307. Provide Matching Funds from the City of Gainesville State Forfeiture Account to Pay the City of Gainesville's Portion to the Juvenile Assessment Center (JAC) to Acquire the LiveScan Fingerprinting System (B)

This item requests the City Commission's authorization for payment of \$5,726.30 to the Juvenile Assessment Center.

RECOMMENDATION *Recommended Motion: The City Commission authorize the City Manager to provide the matching funds of \$5,726.30 to the Juvenile Assessment Center.*

Alternative Recommendation A: The City Commission authorize partial funding.

Alternative Recommendation B: The City Commission deny funding.

This Matter was Approved as Recommended on the Consent Agenda.

070307_200708161600 (1).pdf

070307_200708161600 (2).pdf

070309. Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Black on Black Crime Task Force (NB)

This item requests that the City Commission appropriate and expend funds from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Black on Black Crime Task Force for miscellaneous mutual projects at the Reichert House.

RECOMMENDATION *The City Commission authorize the appropriation of \$5,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Black on Black Crime Task Force to offset their cost of assisting with the maintenance of the facility.*

Alternative Recommendation A: The City Commission declines the appropriation and directs staff to seek alternative maintenance options and not implement new programs designed to curb youth violence. There is no fiscal impact.

This Matter was Approved as Recommended on the Consent Agenda.

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

070364. Performance Measures for Highway and Road Maintenance (B)

RECOMMENDATION *The City Commission: 1) Accept the City Auditor's report and the response from the City Manager; 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.

070364_20070830.pdf

070402. Fiscal Year 2007 Operating Funds Quarterly Monitoring Report - Quarter Ending June 30, 2007 (B)

RECOMMENDATION *The City Commission receive the quarterly budget monitoring report for the quarter ended June 30, 2007.*

This Matter was Approved as Recommended on the Consent Agenda.

070402_20070830.pdf

Passed The Consent Agenda

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

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

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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

MODIFICATIONS:

- 1. Waive the rules to hear the Proclamation @ 5:45 PM.*
- 2. File #070277 & 070407 - Dual-Naming of 2 Streets Resolutions - Waive the Rules to hear these Resolutions at 7:00 PM.*
- 3. File #070372 - (Ord) - Various Fees Rates and Charges - (Revised back-up and add to recommendation "as revised".)*
- 4. File #050613 - (Res) Final Plat of Lincoln Park - (Revised Recommendation).*
- 5. File #070213 - (Pet) Amend Existing Sam's Club Planned Development - (Power Point to be submitted by affected party).*
- 6. File #070417 - (Scheduled) Advertisement for General Manager for Utilities Selection Process - (Back up submitted - attached in Legistar and on the WEB on*

Friday).

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

070452. November 12, 2007 Meeting (NB)

MOTION: Approve recommendation #4 to move the meeting of November 12, 2007 to November 19, 2007@ 6:00 PM.

RECOMMENDATION *The City Commission select an option for meeting:*

- 1) Cancel meeting*
- 2) Move meeting to Tuesday, November 13, 2007*
- 3) Move meeting to Monday, November 19, 2007 and cancel November CRA meeting*
- 4) Move meeting to Monday, November 19, 2007 at 6:00 PM*
- 5) Move meeting to Monday, November 5, 2007.*

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

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

070432. City Commission Referral Lists (B)

NOTE: This item was continued to the next regular City Commission Meeting (September 24, 2007).

RECOMMENDATION *The City Commission review the attached Referral Lists and take appropriate action.*

Continued

070432_20070910.pdf
070432A_20070910.pdf

CITY MANAGER

070313. Update on the Raising 'Canes Program (B)

This item involves a presentation to the City Commission on the status of Raising

Canes, the City's program adopting Gainesville High School.

Assistant City Manager Lee Ann Lowery, Ms. Ashton Detweiler, CRA Project Coordinator Matt Dube' and Gainesville High School Principal Dr. Wiley Dixon gave presentations.

RECOMMENDATION *Hear a presentation on the status of the Raising 'Canes program.*

Heard

070313_200709101300.pdf

070359. Southeast Gainesville Renaissance Initiative Planning/Financial Presentation (B)

This item relates to a presentation that will be given by Wilson Miller, Inc., the consultants hired to prepare a master/financial plan for the Southeast Gainesville Renaissance Initiative (SEGRI) area.

CRA Manager Anthony Lyons gave introductions.

Wilson Miller, Inc., Representative Michael English, Swan Development Advisors Representative Bruce Lyons and Urban Studio Associates Representative Mickey Jacob gave presentations.

Chair Hanrahan recognized Ted Nichols and Doris Edwards who spoke to the matter.

RECOMMENDATION *The City Commission hear presentation from Wilson Miller, Inc. and staff*

Heard

070359_200709101300.pdf

GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY****CITY AUDITOR****WAIVER OF RULES****EQUAL OPPORTUNITY COMMITTEE****051225. Gender Identity and Expression (B)**

Mayor Hanrahan recognized Terry Fleming who spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation on including gender identity and expression in the City's Anti-discrimination Ordinance; and 2) authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance adding gender identity to the list of protected classes against whom discrimination in employment, public accommodation, housing practices, and credit opportunities is prohibited by Chapter 8 of the Gainesville Code of Ordinances. Gender identity would be defined as "An inner sense of being a specific gender, or the expression of a gender identity by verbal statement, appearance, or mannerisms, or other gender-related characteristics of an individual with or without regard to the individual's designated sex at birth."; and 3) remove this item from the referral list.

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

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

051225_20070910.pdf

EQUAL OPPORTUNITY DIRECTOR

070401. ADA Expo (NB)

Equal Opportunity Director Jimmie Williams and Equal Opportunity Specialist Rodney Bickel gave presentations.

RECOMMENDATION

The City Commission: 1) hear a brief presentation detailing the event.

Heard

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)****Commissioner Jack Donovan**

- 1. Alachua County Juvenile Justice Council - Commissioner Donovan would like to be a representative - approved by consensus.*
- 2. Salvation Army - Feeding Service at the One Stop Center; providing 3 Beds at Salvation Army.*
- 3. Report from Homeless Advocates - Police Officers telling Tent City residents that they had to vacate in 48 hours.*

Police Chief Norm Botsford and Public Information Officer Bob Woods made comments.

Mayor Hanrahan passed the gavel to Commissioner Craig Lowe and left the meeting room at 3:35 PM.

Commissioner Scherwin Henry

Request to provide funding for transportation for the NAACP Convention the week of September 20, 2007.

See following File #070454.

070454. City Co-Sponsorship of NAACP Convention (NB)**RECOMMENDATION**

The City Commission: 1) Allocate up to \$2000 for funding transportation for the NAACP Convention being held in Gainesville the week of September 20, 2007 from the City Commission Contingency Fund; and 2) direct staff to work with the NAACP regarding the details.

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

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

RECESS - 3: 44 PM

RECONVENE - 5:52 PM

PLEDGE OF ALLEGIANCE (5:30pm)

GAINESVILLE CHAPTER SONS OF THE AMERICAN REVOLUTION

PROCLAMATIONS/SPECIAL RECOGNITIONS

070423. Sons of the American Revolution Constitution Week - September 17-23, 2007 (B)

RECOMMENDATION *Gainesville Chapter Sons of the American Revolution Past President Ray M. Davis, Jr. to accept the proclamation.*

Heard

070423_200709101300.pdf

CITIZEN COMMENT (6:00pm)

Gary Hall

Towing Operator Permit - Ordinance Amendment

See following referral item #070455.

Charles Poindexter

Towing Operator Permit - Ordinance Amendment

See following referral item #070455.

Stan Foron - Superior Towing

Towing Operator Permit - Ordinance Amendment

See following referral item #070455.

070455. Roam Towing Regulation Ordinance #050749 (NB)

Assistant City Attorney Ron Combs gave a presentation.

RECOMMENDATION *The City Commission: 1) Authorize staff to draft an amendment to the Roam Towing Regulation Ordinance #050749 adopted 7/23/2007 to provide for an appeal process with regard to some defined prior crimes; and 2) advertise the ordinance and bring back to the City Commission for first reading at the next regular City Commission Meeting;*

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Donovan, that this matter be Referred to the City Attorney, due back on September 24, 2007. The motion carried by the following vote:

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

Absent: Edward Braddy

070455_200709241300.pdf

070455_200710081300.pdf

Walter Willard

Various Issues

Jim Konish

GRU Billing Issues

Pat Fitzpatrick

Homeless Issues

Jason Lutin

Roam Towing Complaint

Assistant City Attorney Ron Combs made comments.

Robert Simensky

East Gainesville Development Partners - Hatchett Creek Process Update

PUBLIC HEARINGS

070381. PROPOSED MILLAGE RATE - FISCAL YEAR 2007-2008 (B)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 2007-2008 FISCAL YEAR; ESTABLISHING PROPOSED MILLAGE RATE; SETTING A PUBLIC HEARING; PROVIDING FOR THE PUBLICATION OF NOTICE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

City Administrative Services Director Becky Rountree gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

070381_200709101300.pdf

070381_20070910.pdf

070382. GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2007-2008 (B)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008; ADOPTING AN AMENDED TENTATIVE GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

City Administrative Services Director Becky Rountree gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

070382_200709101300.pdf

070382_20070910.pdf

070382a_20070910.pdf

WAIVER OF RULES

NOTE: The rules were waived by adoption of the agenda to hear the following resolutions at 7:00 PM.

070407. DUAL NAME - NW 19TH LANE AS CHRISTOPHER NEIBERGER LANE (B)

A resolution of the City Commission of the City of Gainesville, Florida, to designate and dual-name N.W. 19th Lane as "Christopher Neiberger Lane."

Chair Hanrahan recognized Gainesville High School Principal Dr. Wiley Dixon, Walter Willard and Traffic Operations Manager Phil Mann who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

070407_200709101300.pdf

070407_20070910.pdf

070277. DUAL NAME - NW 5TH AVENUE AS DR. AARON YOUNG AVENUE (B)

A resolution of the City Commission of the City of Gainesville, Florida, to designate and dual-name N.W. 5th Avenue as "Dr. Aaron Young Avenue."

Chair Hanrahan recognized Joel Buchanan, James Young, Ethel Cook, Reverend Earl Young, Sis Sharhee, Dr. Dukes, Alachua County Commissioner Rodney Long, Frankie Scott, Azie Young and Lashon Young who spoke to the matter.

NOTE: Commissioner Henry entered the meeting room at 7:18 PM.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

Absent: Edward Braddy

070277_200709101300.pdf

070277_20070910.pdf

PUBLIC HEARINGS - (CONT.)**070395. GAINESVILLE REGIONAL UTILITIES (B)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

GAINESVILLE, FLORIDA, RELATING TO THE TENTATIVE BUDGET FOR THE CITY OF GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008; PROJECTING REVENUES AND ADOPTING A TENTATIVE BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES, FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

GRU Strategic Planning Analyst Diane Wilson gave a presentation.

Chair Hanrahan recognized Jim Konish who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

Nay: Rick Bryant

Absent: Edward Braddy

070395_200709101300.pdf

070395_20070910.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

070372. VARIOUS FEES, RATES AND CHARGES (B)

Ordinance No. 0-07-59

An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges by increasing fees and charges for Adult Performance Establishments, Escort Services, and Escort Licenses; Alcoholic Beverage Bottle Club Licenses; Cable Franchises; Cemeteries; Controlled Vehicular Parking Area Decals/Permits; Fire/Rescue Alarm Fees, Charges and Inspections; Home Occupation Permits; Land Development Code Petitions, Applications and Development Fees; Annual Spring Arts Festival Permits and Fees; Burglar Alarm Operators, Systems and Fees; Roam Towing Fees; Secondhand Goods Dealers; Permits for use of and work in Streets, Sidewalks and Other Public Places; Business Tax Receipts; Traffic and Motor Vehicles Parking Violations and Delinquent Fees; Vehicles for Hire Franchise Fees and Permits; and Vending Booth and Itinerant Permit Fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Edward Braddy

070372_200709101300.pdf

070374. LARGE ELECTRIC POWER CUSTOMERS (B)

Ordinance No. 0-07-65

AN ORDINANCE AMENDING CHAPTER 27, SECTION 27-21, DEFINITIONS, OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING THE DEFINITION OF LARGE POWER; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

Chair Hanrahan recognized Rob Brinkman and Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Edward Braddy

070374_200709101300.pdf

070374_20070924.pdf

070456. Large Electric Power Customers Referral (NB)

RECOMMENDATION *The City Commission refer the issue of Large Electric Power Customers to the Regional Utilities Committee for review and a report back to the City Commission.*

A motion was made by Commissioner Lowe, seconded by Commissioner Donovan, that this matter be Referred to the Regional Utilities Committee, due back on March 10, 2008. The motion carried by the following vote:

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

Absent: Edward Braddy

070375. ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES (B)**Ordinance No. 0-07-66**

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES; AMENDING STREET AND RENTAL LIGHTING RATES AND ADDING LIGHTING FIXTURES AND RATES; AMENDING SUBSECTION i. TO PROVIDE A DISTRIBUTED RESOURCES CREDIT RATE; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

070375_200709101300.pdf

070375_20070924.pdf

070376. NATURAL GAS BASE RATES AND CUSTOMER SERVICE CHARGES (B)**Ordinance No. 0-07-67**

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (5) NATURAL GAS OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING NATURAL GAS BASE RATES AND CUSTOMER SERVICE CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

070376_200709101300.pdf

070376_20070924.pdf

070377. WASTEWATER RATES, CUSTOMER SERVICE CHARGES, CONNECTION CHARGES, AND INDUSTRIAL PERMIT APPLICATION FEES (B)

Ordinance No. 0-07-68

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING WASTEWATER RATES, CUSTOMER SERVICE CHARGES, CONNECTION CHARGES, AND INDUSTRIAL PERMIT APPLICATION FEES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

070377_200709101300.pdf

070377_20070924.pdf

070378. METER INSTALLATION CHARGES, CUSTOMER SERVICE CHARGES, BASE RATES FOR SERVICE, AND WATER TRANSMISSION, DISTRIBUTION AND PLANT CONNECTION CHARGES (B)

Ordinance No. 0-07-69

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (3) WATER, OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING METER INSTALLATION CHARGES, CUSTOMER SERVICE CHARGES, BASE RATES FOR SERVICE, AND WATER TRANSMISSION, DISTRIBUTION AND PLANT CONNECTION CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

GRU Strategic Planning Analyst Diane Wilson gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

070378_20070910.pdf
070378_200709241300.pdf
070378_20070924.pdf

070379. PURCHASED NATURAL GAS ADJUSTMENT (B)

Ordinance No. 0-07-70

AN ORDINANCE AMENDING CHAPTER 27, SECTION 27-273, PURCHASED GAS ADJUSTMENT, OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING THE HANDLING OF THE TRUE-UP CORRECTION FACTOR; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

GRU Strategic Planning Analyst Diane Wilson gave a presentation.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

070379_200709101300.pdf
070379_20070924.pdf

070242. URBAN SERVICES REPORT (CITY-OWNED & STATE OF FLORIDA TREEO CENTER) (B)

Ordinance No. 0-07-72

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 owned by the City of Gainesville and the State of Florida, comprised of Tax Parcels 06837-001-000, a portion of 06845-000-000, and a portion of 06837-000-000, generally located south of the vicinity of SW 20th Avenue, west of the City limits and SW 63rd Boulevard, north of the City limits and SW 41st Place, and east of the City limits and the vicinity of SW 75th Street, 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 Administrative Services Director Becky Rountree gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Edward Braddy

070242_200708131300.pdf

070242_200709101300.pdf

070242_20070924.pdf

070242a_20070924.pdf

070244. VEHICLES FOR HIRE (B)

Ordinance No. 0-07-71

An ordinance of the City of Gainesville, Florida, amending Chapter 28 Vehicles for Hire by providing organizational cohesiveness and adding clarity; amending Section 28-3 by providing a checklist for the application process for franchise and franchisee; amending Sections 28-8 and 28-8.5 by moving language related to medallion registration and placement to Section 28-8 and reorganizing disqualifying convictions; amending Section 28-11 to reference minimum statutory liability insurance requirements; amending Section 28-21 to reference inspection of Vehicle for Hire franchise; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

Assistant City Attorney Ron Combs and Captain Ed Van Winkle gave presentations.

Chair Hanrahan recognized Gainesville Cab Company Owner Jeffrey Chu, Best Way Cab Company Owners Willie Ross and Michael Ross, AAA Taxi Owner Edwin Ritchie, Cab Owner Carl Speight, and Rob Brinkman who spoke to the matter.

MOTION (REFERRAL): Refer this ordinance to the Public Safety Committee for discussion as soon as possible (September 20, 2007); and open up the entire ordinance and notify the Cab Company Owner's when this issue will be discussed; and also investigate the timing of the letter regarding the ordinance amendments to the Cab Company owners.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Rick Bryant and Peegen Hanrahan
Absent: Edward Braddy
070244_200710081300.pdf

070257. SOLID WASTE NON-AD VALOREM TAX ASSESSMENT (B)

Ordinance No. 0-07-63

An ordinance of the City of Gainesville, Florida, providing consent for the entire corporate limits of the City of Gainesville, Florida to be included in a non-ad valorem assessment for a municipal service benefit unit created by Alachua County for collection, disposal, recycling and management of solid waste; providing conditions for the consent; providing that the consent is for a two-year period; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Rick Bryant and Peegen Hanrahan
Absent: Edward Braddy
070257a_200708131300.pdf
070257b_200708131300.pdf
070257_200709101300.pdf
070257_20070924.pdf

070328. MOTOR VEHICLE PARKING FEES (B)

Ordinance No. 0-07-61

An ordinance of the City of Gainesville, Florida, amending Section 26-46 of the City of Gainesville Code of Ordinances, subsection (d), relating to motor vehicle owner's liability for illegal parking and fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

070328_200709101300.pdf
070328_20070924.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

070058. URBAN SERVICES REPORT OF CITY-OWNED PROPERTY - ADJACENT TO LAKE KANAPAHA (B)

Ordinance No. 0-07-50

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 owned by the City of Gainesville and comprised of Tax Parcels 06909-001-001, 06909-001-002, 06909-001-003, 06909-001-004, 06909-001-005, and 06909-001-006, generally located south of the City Limits and Tax Parcel 06909-000-000, west of Tax Parcels 06911-025-000 and 06911-026-000, north of SW 46th Place and east of Tax Parcel 06909-002-000; 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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

070058_200706111300.pdf
070058_20070611.pdf
070058_200708271300.pdf
070058a_200708271300.pdf
070058_20070827.pdf
070058_20070910.pdf

070128. URBAN SERVICES REPORT FOR PROPERTIES OWNED BY GAIN DEVELOP INDUSTRIAL, L.L.C., AND THE CITY OF GAINESVILLE LOCATED IN THE VICINITY OF THE AIRPORT INDUSTRIAL PARK AND NE WALDO ROAD (B)

Ordinance No. 0-07-55

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 Parcels 07872-009-000, 07872-003-001, 07872-014-002, and

07872-014-003, generally located south of the vicinity of NE 63rd Avenue, west of the vicinity of the L. Brown Solid Waste Transfer Station, north of the City Limits and the vicinity of NE 54th Place, and east of NE Waldo Road, 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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

070128_200706251300.pdf
070128_200708271300.pdf
070128a_200708271300.pdf
070128_20070827.pdf
070128_20070910.pdf
070128a_20070910.pdf

RESOLUTIONS- ROLL CALL REQUIRED

050613. Final Plat of Lincoln Park Subdivision (B)

Petition 120SUB-05DB, Dynan Group, Inc., agent for Edix Investments. Final Plat review of Lincoln Park Subdivision, 16 lots on 4.8 acres more-or-less. Located in the vicinity of Southeast 9th Avenue and Southeast 11th Street (State Road 331/Williston Road), east side. Zoned: RSF-3 (single-family residential, 5.8 du/acre).

RECOMMENDATION *The City Commission: 1) adopt the Resolution that approves the final plat of Lincoln Park Subdivision; and 2) authorizes the City Manager or designee to execute the Surety Agreement.*

Development Review Board to City Commission - The City Commission approve Petition 120SUB-05DB. Authorize the Mayor to execute the Lincoln Park Subdivision final plat and authorize execution of the Surety Agreement.

Alternate Recommendation A: The City Commission deny Petition 120SUB-05DB.

Alternate Recommendation B: The City Commission continue

Petition 120SUB-05DB to allow the petitioner to redesign the layout of the subdivision.

Staff to Development Review Board - The Design Plat is approvable with conditions.

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

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

Absent: Edward Braddy

050613b_200511281300.pdf

050613a_200511281300.pdf

050613_200611271300.pdf

050613_200709101300.pdf

050613_20070910a.pdf

050613_20070910a.pdf

050613a_20070910.pdf

070419. Qualified Target Industry (QTI) Refund Resolution - Ignition Entertainment, Limited (B)

This item seeks City Commission approval for a Qualified Target Initiative (QTI) contribution for the prospective location of a gaming software development firm within the City of Gainesville.

City Planning and Development Director Erik Bredfeldt gave a presentation.

RECOMMENDATION

The City Commission: 1) authorize the Mayor to execute the QTI Resolution regarding Ignition Entertainment, Limited upon action similar action taken by Alachua County; 2) direct the City Manager to forward the executed QTI Resolution to Enterprise Florida.

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

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

Absent: Edward Braddy

070419_200709101300.pdf

070419_20070910.pdf

070380. EVERGREEN CEMETERY - FEE INCREASES (B)

A resolution of the City Commission of the City of Gainesville, Florida, amending fees for grave spaces and services at Evergreen Cemetery; and

providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

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

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

Absent: Edward Braddy

070380_200709101300.pdf

070380_20070910.pdf

070424.

A Resolution approving the final plat of "Abbington Oaks, Phase I, a Cluster Subdivision", located in the vicinity of N.W. 39th Avenue and N.W. 26th Terrace; accepting the dedication of the public rights-of-way, easements and other dedicated portions as shown on the plat; providing directions to the Clerk of the Commission; and providing an immediate effective date.

RECOMMENDATION *Planning Staff to City Commission - The City Commission adopt the proposed resolution.*

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

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

Absent: Edward Braddy

070424_200709101300.pdf

070424_20070910.pdf

070425.

Abbington Oaks, Phase II, Final Plat Approval

A Resolution approving the final plat of "Abbington Oaks, Phase II, a Cluster Subdivision", located in the vicinity of N.W. 26th Drive and N.W. 41st Avenue; accepting the dedication of the public rights-of-way and easements, as shown on the plat; providing directions to the Clerk of the Commission; and providing an immediate effective date.

RECOMMENDATION *Planning Staff to City Commission: The City Commission adopt the proposed resolution.*

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

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

Absent: Edward Braddy

070425_200709101300.pdf
070425_20070910.pdf

070403. Third Amendment to the FY 2007 General Government Financial and Operating Plan (B)

RECOMMENDATION *The City Commission: 1) Adopt the third amendment to the Fiscal Year 2007 General Government Financial and Operating Plan Budget; and 2) adopt the proposed resolution.*

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

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

070403_20070830.pdf
070403_20070910.pdf

PLAN BOARD PETITIONS

070213. Amend Existing Sam's Club Planned Development - (Quasi-Judicial) (B)

Petition 4PDA-07 PB, CPH, agent for Wal-Mart Stores, Inc. Request to amend an existing Planned Development to allow for a building expansion of an additional 25,857 square feet and a gasoline fueling station at the existing Sam's Club. Located at 2801 Northwest 13th Street. (Quasi-Judicial)

STAFF PRESENTATION: City Planning Manager Ralph Hilliard gave a presentation.

PETITIONER'S PRESENTATION: Attorney for the Petitioner Ron Carpenter, Agent for the Petitioner Peter Such and Javier Omana with CPH Engineers gave presentations.

AFFECTED PARTY PRESENTATION: Attorney Thomas Hawkins, Geologist with GeoSolutions Steve Boyes, Dr. Earl Starnes and Dr. Ruth Steiner gave presentations.

*WAIVER OF RULES: Commissioner Donovan moved and Commissioner Henry seconded to waive the rules to extend the meeting to 12:00 Midnight.
(VOTE: 5-1, Mayor-Commissioner Pro Tem Bryant - No; Commissioner Braddy - Absent; MOTION CARRIED)*

*WAIVER OF RULES: Commissioner Lowe moved and Commissioner Bryant seconded to waive the rules to extend the meeting to 12:10 PM.
(VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)*

MOTION: Continue to the Special City Commission of September 17, 2007 at 6:00 PM.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 4PDA-07 PB with Plan Board modifications that gas stations be prohibited as an allowable use, restrict loading dock operating hours to 6:00 AM to 10:00 PM, construct and improve screening walls, and allow the Plan Board to review the final development plan. Plan Board vote 5-0.

Staff to Plan Board - Approve with conditions that would allow the gasoline fueling station through the development review process.

Alternative Recommendation A: The City Commission deny Petition 4PDA-07 PB.

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, that this matter be Continued (Petition) for September 17, 2007. The motion carried by the following vote:

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

070213_200708131300.pdf
070213a_200708131300.pdf
070213b_200708131300.pdf
070213c_200708131300.pdf
070213_20070813.pdf
070213a_20070813.pdf
070213_200709101300.pdf
070213a_200709101300.pdf
070213b_200709101300.pdf
070213c_200709101300.pdf
070213d_200709101300.pdf
070213_20070910.pdf
070213a_20070813.pdf
070213b_20070910.pdf
070213C_200709101300.PDF
070213D_200709131300.PDF
070213_20070917.pdf

WAIVER OF RULES

NOTE: The rules were waived by consensus to discuss the Hatchett Creek Development with Mr. Simensky.

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS**070417. Advertisement for General Manager for Utilities Selection Process (B)**

The City Commission review the public advertisement for the General Manager for Utilities Position.

MOTION: Continue to the Special City Commission of September 17, 2007 at 6:00 PM.

RECOMMENDATION *The City Commission approve the advertisement and accompanying salary range.*

*Alternative Recommendation A:
The City Commission discuss the advertisement and accompanying salary range and take action as appropriate.*

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, that this matter be Continued for September 17, 2007. The motion carried by the following vote:

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

070417_200709101300.pdf
070417A_200709101300.pdf
070417B_200709101300.pdf

070430. Excellence in Leadership Group Project (B)

Last Spring the Excellence in Leadership (EIL) team was asked to develop a new residential energy efficiency program. The purpose of the program was to increase energy efficiency using a more customized or “whole house” approach.

NOTE: This item was continued to the September 24, 2007 meeting to the afternoon portion of the agenda.

RECOMMENDATION *The City Commission hear a presentation from EIL members regarding the Home Performance with Energy Star Program to be implemented in January 2008.*

Continued

070430_20070910.pdf

UNFINISHED BUSINESS**COMMISSION COMMENT**

CITIZEN COMMENT (If time available)

ADJOURNMENT - 12:06 AM

Kurt M. Lannon, Clerk of the Commission