

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, November 19, 2007**

**6:00 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 - 6:10 PM****ROLL CALL**

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

**INVOCATION****PLEDGE OF ALLEGIANCE****CONSENT AGENDA**

*Mayor-Commissioner Pro Tem Bryant moved and Commissioner Lowe seconded to adopt the Consent Agenda with the following modifications.*

*(VOTE: 4-0, Commissioners Braddy, Henry and Mastrodicasa - Absent, MOTION CARRIED)*

**MODIFICATIONS:**

*1. File #070601 - CSX Indemnification Agreement - (Revised back-up submitted and revised recommendation).*

*2. File #070640 - Addition of Precinct to Election District No. 3 - (Additional back-up submitted - Map).*

*3. File #070224 - Waldo Road Corridor Preliminary Blight Findings Report - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

**CITY MANAGER, CONSENT AGENDA ITEMS****070582.****Fire Hydrant Beautification (B)**

**This item requests that the City Commission refer a citizen recommendation for a fire hydrant beautification program to the Public Safety Committee for review.**

**RECOMMENDATION**

*That the Commission make a referral to the Public Safety Committee to study the need for a fire hydrant beautification program and to review a citizen recommendation for a community-based program.*

*Alternative Recommendation A:*

*That the Commission not make a referral to the Public Safety Committee.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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070582\_200803201500 (1).pdf  
070582\_200803201500 (2).pdf

**070605.****Annexation of Parcel Number 06800-012-000 (B)**

**This is the submission of petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of SW 24th 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.**

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**070606.****Annexation of Parcel Number 06800-011-000 (B)**

**This is the submission of petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of SW 24th 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.**

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**070615.****21st Century Community Learning Center Interlocal Agreement with School Board (NB)**

**This item involves receiving \$247,165 in Year 4 funds from the School Board for the City's 21st Century Learning Centers. One 21st Century Learning Center is located at the Eastside Park Community Center and the other at the Reichert House.**

**RECOMMENDATION**

*Recommended Motion: The City Commission authorize the City Manager to: (1) execute an Interlocal Agreement with the School Board for these funds, (2) issue any program related purchase orders, and (3) execute any other program related contracts as necessary to expend the funds in accord with the approved budget, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation A: The City Commission decline the 21st Century Community Learning Center Interlocal and continue to operate the programs it would have funded. The fiscal impact is that the City would need to provide \$247,165 from an alternative source of funds.*

*Alternative Recommendation B: The City Commission decline the 21st Century Community Learning Center Interlocal and cancel the programs it would have funded.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**070617.**

**Selection of Symetra Life Insurance Company as the Carrier for the City's Group Health Plan Specific Stop-Loss Insurance (B)**

**This item involves the selection as Symetra Life Ins. Co. to provide the City's Group Health Plan with Specific Stop-Loss Insurance for claims in excess of \$160,000.**

**RECOMMENDATION**

*The City Commission: 1) authorize the renewal of Symetra Life Insurance Company as the carrier for specific stop loss insurance for plan year 2008; 2) authorize issuance of a purchase order in an amount sufficient to cover applicable charges for specific stop loss to Symetra Life Insurance Company; 3) authorize Gallagher Benefits Services as the agent; and 4) authorize the City Manager or his designee to negotiate and execute the necessary documents required to complete the transaction, subject to approval from the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**070618.**

**Continuation of Blue Cross/Blue Shield Administrative Services Contract (B)**

**This item involves a request for the City Commission to approve the continuance of Blue Cross Blue Shield of Florida Inc. as the third party administrator and network provider for the City of Gainesville's Self-funded Health Plan.**

**RECOMMENDATION**

*The City Commission: 1) authorize continuing the Administrative Services Contract between the City of Gainesville and Blue Cross and Blue Shield of Florida, Inc. for one (1) additional year; 2) authorize issuance of a purchase order in an amount sufficient to cover applicable charges for the administrative services to Blue Cross and Blue Shield of Florida, Inc.; and 3) authorize the City Manager or her designee to negotiate and execute the extension to the Administrative Services Contract, subject to approval from the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**070623.**

**Special Assessment for Fire Services (B)**

**This item requests that the City Commission authorize the City Manager to enter into a contract with Government Services Group, Inc. to develop and implement a Special Assessment for Fire Services.**

**RECOMMENDATION**

*That the Commission authorize the City Manager to execute a contract with Government Services Group, Inc. to develop and implement a Special Assessment for Fire Services, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation A:*

*That the Commission not authorize the City Manager to execute the contract.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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070623\_MODB\_20080609.pdf

**070626.**

**Parking Enforcement Program by the Public Works Department (NB)**

**This item involves a request to direct the City Attorney to draft and the Clerk of Commission to advertise an ordinance to allow certain Public Works Department employees to perform parking enforcement duties.**

**RECOMMENDATION**

*The City Commission direct the City Attorney to draft and the Clerk of the Commission to advertise a revision to ordinance allowing certain Public Works Department employees to enforce the provisions of Chapter 26 of the City Code of Ordinances.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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070626\_200801281300.pdf

070626\_20080128.pdf

**070627.**

**Parking Garage Violations (NB)**

**This item involves a request to direct the City Attorney to draft, and the Clerk of Commission to advertise, an ordinance to make it a violation to exit the parking garage without paying fees; to damage the City parking garage facilities; and establish a fine of \$75 for these violations.**

**RECOMMENDATION**

*The City Commission direct the City Attorney to draft, and the Clerk of Commission to advertise, an ordinance to make it a violation to exit the parking garage without paying fees; to damage the City parking garage facilities; and establish a fine of \$75 for these violations.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**070659.**

**Annexation of Parcel Number 06810-000-000 (B)**

**This is the submission of petition for voluntary annexation for the above referenced parcel numbers which are located in the vicinity of SW 24th Avenue, SW 34th Street, and Windmeadows 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.**

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## **GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

### **070647.**

#### **Executive Search Services - General Manager (NB)**

**Staff recommends approving a change order to the contract with Mycoff, Fry & Prouse LLC for executive search services for the General Manager position.**

#### **RECOMMENDATION**

*The City Commission authorize the General Manager, or her designee, to execute a change to the purchase order to Mycoff, Fry & Prouse, LLC, (formerly Mycoff & Associates) for executive search services for the General Manager position in an amount not to exceed \$15,000 (new not to exceed amount \$75,000).*

**This Matter was Approved as Recommended on the Consent Agenda.**

### **070648.**

#### **Executive Search Services - AGM for Energy Supply (NB)**

**Staff recommends approval of a contract with Mycoff, Fry & Prouse LLC to conduct an executive search for the Assistant General Manager – Energy Supply position.**

#### **RECOMMENDATION**

*The City Commission: 1) authorize the General Manager, or her designee, to negotiate a contract with Mycoff, Fry & Prouse, LLC, a specified source, for executive search services for the Assistant General Manager for Energy Supply, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Mycoff, Fry & Prouse, LLC in an amount not to exceed \$65,000.*

**This Matter was Approved as Recommended on the Consent Agenda.**

## **CITY ATTORNEY, CONSENT AGENDA ITEMS**

### **070641.**

#### **AD VALOREM TAX EXEMPTIONS FOR HISTORIC PROPERTIES (NB)**

#### **RECOMMENDATION**

*Authorize the City Attorney to draft, and the Clerk of the Commission to advertise, four ordinances exempting certain improvements made to historic properties from ad valorem taxation.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**070601.**

**CSX INDEMNIFICATION AGREEMENT (B)**

**This is a request for authorization to enter into an Environmental Indemnification Agreement with CSX Transportation, Inc. in conjunction with the 6th Street Rail Trail Project.**

**RECOMMENDATION**      *The City Commission approve the Environmental Indemnification Agreement and authorize the City Manager to execute the Agreement, subject to approval by the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**070640.**

**ADDITION OF PRECINCT TO ELECTION DISTRICT NO. 3 (NB)**

**RECOMMENDATION**      *Authorize the City Attorney to draft, and the Clerk of the Commission to advertise, an ordinance adding Precinct 48 to Election District No. 3*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

**070630.**

**City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of October 22, 2007 (Regular Meeting); October 23, 2007 (Special Meeting); October 29, 2007 (2 Special Meetings); and November 5, 2007 (Special Meeting); as circulated.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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070630d\_20071119.pdf  
070630e\_20071119.pdf  
070630a\_20071119.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****070510.****Trespass Towing Referral (B)****RECOMMENDATION**

*The City Commission: 1) review the Public Safety Committee recommendations; 2) approve the City Attorney's Office to modify the ordinance to accommodate the changes; and 3) remove this referral from the Public Safety Committee referral list.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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070510\_20080128.pdf

**070511.****Towing - Felony Convictions Referral (NB)****RECOMMENDATION**

*The City Commission receive the clarification on the felony requirements and restrictions from the Public Safety Committee; and 2) remove this referral from the Public Safety Committee referral list.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**070566.****Federal LECFTF Funding for Special Investigations Division - Office furniture for Gainesville Police Department Special Investigations Division personnel assigned to the Gainesville Police Department - Alachua County Sheriff's Office Combined Drug Task Force (NB)****RECOMMENDATION**

*The City Commission approve the appropriation of an amount not to exceed \$29,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Gainesville Police Department Special Investigations Division for utilization for furniture for Gainesville Police Department Personnel assigned to the Gainesville Police Department - Alachua County Sheriff's Office Combined Drug Task Force.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**Passed The Consent Agenda**

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

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

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

*(VOTE: 4-0, Commissioners Henry and Braddy - Absent, MOTION CARRIED)*

- 1. Waive the rules to hear the Proclamations at 6:00 PM and then hear Citizen Comment after the Proclamations.*
- 2. File #070672 - Ordinance - Urban-Mixed Use 1 and Urban-Mixed Use 2 Zoning Districts - (Withdraw from the agenda and letter submitted).*
- 3. File #070116 - Voluntary Annexation - Barnes and Olive Branch Home Buyers - (Additional back-up submitted and revised recommendation).*
- 4. File #070333 - Urban Services Report - Butler Plaza - (Additional back-up submitted - 2 pages).*

## WAIVER OF RULES

*The rules were waived by adoption of the Regular Agenda to hear the Proclamations at 6:00 PM and Citizen Comment immediately after.*

## PROCLAMATIONS/SPECIAL RECOGNITIONS

### 070654. National Family Week - November 18-24, 2007 (B)

**RECOMMENDATION**      *Partnership for Strong Families Resource Development Specialist Dana Bobb to accept the proclamation.*

**Heard**

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### 070655. Prematurity Awareness Month - November 2007 (B)

**RECOMMENDATION**      *March of Dimes coordinator Betsy Trent to accept the proclamation.*

**Heard**

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### 070656. Modern Shoe Repair Shop Month - December 2007 (B)

*NOTE: This item was continued to the December 10, 2007 City Commission Meeting.*

**RECOMMENDATION**

*long-time employee Amos Lewis to accept the proclamation.*

**Continued**

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**Passing of the Gavel**

*Mayor Hanrahan passed the gavel to Mayor-Commissioner Pro Tem Bryant and left the meeting room.*

**CITIZEN COMMENT**

*NOTE: Commissioner Mastrodicasa entered the meeting room at approximately 6:12 PM and Commissioner Braddy entered the meeting room at 6:29 PM.*

**Austin Schuman**

*GRU Increased Tiered Rates*

**Jason Francis**

*Landlord Permit Point System*

**Kali Blount**

- 1. HIV Awareness*
- 2. Roam Towing Issues*

**Harald Kegelmann**

*Solar City Gainesville - GRU Rates*

**Pat Fitzpatrick**

*Homeless Downtown.*

**Theodore McLeod**

*GPD - Complaint - See following File #070714.*

**070714.**

**Theodore McLeod - Citizen Comment (B)**

**RECOMMENDATION**

*The City Commission hear comments from Theodore McLeod and place back-up submitted on file.*

**Heard**

**Jerry Williamson**

*GPD Complaint by Theodore McLeod.*

**Walter Willard**

*Various Issues*

**Dian Deevey**

*GRU General Manager Selection Process.*

**Paula Stahmer**

*GRU General Manager Selection Process.*

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION**

**CITY MANAGER**

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

## EQUAL OPPORTUNITY COMMITTEE

### 060013.

#### **Definition of Employer Based on the Number of Employees in Equal Opportunity Ordinance (B)**

*Equal Opportunity Director Jimmie Williams gave a presentation.*

*MOTION: Mayor-Commissioner Pro Tem Bryant moved Commissioner Braddy seconded to send this item back to the EO Committee and invite the stakeholders to participate in the discussion.*

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

*Chair Hanrahan recognized Rob Brinkman, Walter Willard and Bob Rellar who spoke to the matter.*

#### **RECOMMENDATION**

*1) The Equal Opportunity Committee request approval from the City Commission to authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance changing the threshold for the definition of "employer" based on the number of employees from seven (7) to five (5) employees; and 2) remove this item from the referral list.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Braddy, that this matter be Approved as shown above and Referred to the Equal Opportunity Committee, due back on May 19, 2008. The motion carried by the following vote:**

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

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## AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

## ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

### 070224.

#### **Waldo Road Corridor Preliminary Blight Findings Report (B)**

*AMENDMENT: Approve with the assurance that this item be brought back to the City Commission in January, 2008.*

#### **RECOMMENDATION**

*CRA to the City Commission: City Commission refer this matter to Planning and Development Services Staff for review and recommendations.*

**A motion was made by Commissioner Henry, seconded by Commissioner Braddy, that this matter be Approved as Recommended and Referred to the Planning and Development Services Staff, due back on January 31, 2008. The motion carried by the following vote:**

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

070224\_20070716\_Waldo Road Draft Blight Findings 7.02.07.pdf

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070224c\_200802251300.pdf

## **OUTSIDE AGENCIES**

## **MEMBERS OF THE CITY COMMISSION**

### **070708. Commissioner Jack Donovan - GRU General Manager Selection Process (B)**

*Administrative Services Director Becky Rountree gave a presentation.*

*NOTE: It was discussed that the Goal Setting Retreat on December 3, 2007 would be held from 8:00 to 5:00 and that the City Commission would discuss the General Manager for Utilities selection process from 4:00 PM to 5:00 PM.*

**RECOMMENDATION**      *The City Commission discuss the upcoming General Manager for Utilities Selection Process.*

**Discussed**

## **COMMISSION COMMENTS (if time available)**

## **PUBLIC HEARINGS**

## **ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

### **070049 URBAN MIXED-USE 1 AND URBAN MIXED-USE 2 ZONING DISTRICTS (B)**

**Ordinance No. 0-06-120; Petition 141TCH-06PB**

**An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, relating to the establishment of zoning districts and categories and to the correspondence of zoning districts with future**

land use categories; amending section 30-41, to add the Urban Mixed-Use 1 and Urban Mixed-Use 2 districts; amending section 30-46 to provide corresponding zoning districts and future land use categories that conform to the City of Gainesville 2000-2010 Comprehensive Plan; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION**      *The City Commission (1) approve Petition 141TCH-06PB; and (2) adopt the proposed ordinance.*

**Withdrawn**

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**070215.**

**VOLUNTARY ANNEXATION - TOWNHOMES AT WESTWOOD, L.L.C. & T. LANE PROPERTIES (B)**

**Ordinance No. 0-07-76**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of Tax Parcels 06687-000-000, 06687-003-000, 06687-004-000, 06687-005-000, 06687-006-000, 06687-007-000, and 06686-000-000, as more specifically described in this ordinance, generally located south of the vicinity of SW 20th Avenue, west of SW 43rd Street, north of SW 24th Avenue, and east of the City limits and the vicinity of Interstate 75; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

*Strategic Planning Manager Karen Billings 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: Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan  
Absent: Jack Donovan

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**070457.**

**VOLUNTARY ANNEXATION - CITY-OWNED PROPERTY - ADJACENT TO LAKE KANAPAH (B)**



**Ordinance No. 0-07-84**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of City-owned Tax Parcels 06909-001-001, 06909-001-002, 06909-001-003, 06909-001-004, 06909-001-005, and 06909-001-006, as more specifically described in this ordinance, 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; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

*Strategic Planning Manager Karen Billings 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, Edward Braddy, Rick Bryant and Pegeen Hanrahan

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**070458.**

**VOLUNTARY ANNEXATION - 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. 0-07-85**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of Tax Parcels 07872-003-001, 07872-014-002, 07872-014-003, and 07872-009-000, as more specifically described in this ordinance, generally located south of the vicinity of NE 63rd Avenue, west of the vicinity of L. Brown Solid Waste Transfer Station, north of the City Limits and the vicinity of NE 54th Place, and east of NE Waldo Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

*Strategic Planning Manager Karen Billings gave a presentation.*

**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, Edward Braddy, Rick Bryant and Pegeen Hanrahan

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### **070333.**

#### **URBAN SERVICES REPORT - BUTLER PLAZA (B)**

##### **Ordinance No. 0-07-78**

**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 generally located south of the vicinity of SW 20th Avenue, west of SW 34th Street and the City limits, north of SW Archer Road and the City limits, and east of the vicinity of Interstate 75; 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.**

*Strategic Planning Manager Karen Billings and Administrative Services Director Becky Rountree gave presentations.*

*Chair Hanrahan recognized Butler Plaza Representative Bob Rellar who spoke to the matter.*

**RECOMMENDATION**      *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Bryant, 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, Edward Braddy, Rick Bryant and Pegeen Hanrahan

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### **070414.**

#### **URBAN SERVICES REPORT - PRAIRIE VIEW TRUST (B)**

##### **Ordinance No. 0-07-86**

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of Tax Parcel 07240-000-000, generally located south of the vicinity of Archer Road and Interstate 75, west of Interstate 75, north of Williston Road, and east of SW 62nd Avenue and the vicinity of SW 63rd Boulevard; 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.

*Strategic Planning Manager Karen Billings gave a presentation.*

**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, Edward Braddy, Rick Bryant and Pegeen Hanrahan

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## **ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

### **070116. VOLUNTARY ANNEXATION - BARNES AND OLIVE BRANCH HOME BUYERS (B)**

#### **Ordinance No. 0-07-73**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprised of Tax Parcels 06684-000-000, 06828-000-000, 06820-000-000, 06830-000-000, and 06832-000-000, as more specifically described in this ordinance, generally located in the vicinity of SW 20th Avenue, west of the vicinity of Interstate 75, north of the vicinity of SW Archer Road, and east of Kanapaha Lake, also identified as Tax Parcel 06836-004-000; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

*Strategic Planning Manager Karen Billings gave a presentation.*

**RECOMMENDATION**

*The City Commission hear the request of the owner to withdraw her voluntary petition for voluntary annexation, and either: 1) Adopt the ordinance; or 2) continue second reading of the ordinance; or 3) accept the request of the owner and strike the ordinance from the agenda.*

**A motion was made by Commissioner Lowe, seconded by Commissioner Henry, that this matter be Continued for December 10, 2007. The motion carried by the following vote:**

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

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**RESOLUTIONS- ROLL CALL REQUIRED****070662.**

**Resolution for a Joint Participation Agreement - Florida Department of Transportation (FDOT) for Traffic Management System Construction and Implementation Funds (B)**

**This item involves a request for adoption of a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to accept the allocation for Traffic Management System Construction of \$9,099,218.00 from the Transportation Regional Incentive Program (TRIP) for FY 2007 - 2010.**

*Public Works Director Teresa Scott gave a presentation.*

**RECOMMENDATION**

*Recommended Motion: The City Commission adopt the Resolution authorizing the City Manager to execute a Joint Participaton Agreement between the City of Gainesville and the FDOT to accept the allocation for Traffic Managment System Construction of \$9,099,218.00 from the TRIP for FY 2007-2010, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation: The City Commission reject the motion to adopt the Resolution authorizing the execution of the Joint Participation Agreement for Traffic Management System Construction and Implementation Funds. The resulting fiscal impact is the loss of the FDOT TRIP Funds allocation of \$9,099,218.00 for FY 2007-2010.*

**A motion was made by Commissioner Lowe, 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, Edward Braddy, Rick Bryant and Pegeen Hanrahan

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## PLAN BOARD PETITIONS

### 070620.

**Petition 73LUC-07 PB. Causseaux, Hewett & Walpole, Inc., agent for First Gainesville and Shady Nook Limited. (B)**

**Amend the City of Gainesville 2000-2010 Future Land Use Map from RM (Residential Medium-Density, 8 to 30 units per acre) to MUL (Mixed-Use Low-Intensity, 8-30 units per acre). Located in the 3600 block, east side of Southwest 34th Street. Related to Petition 74PDV-07 PB.**

*Senior Planner Onelia Lazzari gave a presentation.*

*Chair Hanrahan recognized agent for the developer Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. who spoke to the matter.*

#### RECOMMENDATION

*City Plan Board to City Commission: The City Commission approve Petition 73LUC-07 PB. Plan Board vote 6-0.*

*Staff to City Commission: Approve Petition 73LUC-07.*

*Staff to the Plan Board: Approve Petition 73LUC-07PB.*

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

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

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### 070621.

**Mallory Square Planned Development Rezoning (B)**

**Petition 74PDV-07PB. Causseaux, Hewett & Walpole, Inc., agent for First Gainesville and Shady Nook Limited. Rezone property from RMF-8 (Multiple-family medium density residential districts, 8-30 du/acre) to PD (Planned Development) district for construction of a mixed-use development with an associated PD layout plan. Located in the 3600 block, east side of Southwest 34th Street.**

*Senior Planner Onelia Lazzari gave a presentation.*

*Chair Hanrahan recognized agent for the developer Gerry Dedenbach of Causseaux, Hewett & Walpole, Inc. who spoke to the matter.*

**RECOMMENDATION**

*City Plan Board to City Commission: The City Commission approve Petition 74PDV-07 PB with associated PD Report, PD Layout Plan, PD elevations and staff conditions as modified by the Plan Board. Plan Board vote 6-0.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Donovan, that this matter be Approved (Petition) with staff conditions, as modified by the City Plan Board. The motion carried by the following vote:**

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

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**070622.****PLANNED DEVELOPMENT - ARCHER SQUARE (B)**

**Petition 97PDA-07PB. Eng, Denman & Associates, Inc., agent for M & P Shopping Centers, LLC. Planned development amendment to allow construction of a 100,000 square-foot retail establishment. Zoned: PD (Planned Development) district Located at 3501 Southwest Archer Road.**

*City Planner Gene Francis gave a presentation.*

*Chair Hanrahan recognized agent for the petitioner Clay Sweger of Eng, Denman & Associates.*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve Petition 97PDA-07PB as revised by the Plan Board. Plan Board vote 6-0.*

*Staff to City Commission - Approve Plan Board's recommendation and direct the City Attorney to prepare and advertise the Ordinance.*

*Staff to the Plan Board - Approve Petition 97PDA-07PB.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, that this matter be Approved (Petition) as revised by the City Plan Board. The motion carried by the following vote:**

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

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## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

### **Commissioner Scherwin Henry**

*Bartley Temple Flooding - City Manager to bring back options at the December 10, 2007 Commission Meeting.*

### **Commissioner Rick Bryant**

*GRU Utility Rates to the EO Committee.*

### **070716.**

#### **GRU Utility Rates Referral (NB)**

##### **RECOMMENDATION**

*The Equal Opportunity Committee: 1) hear a report from GRU staff on data obtained from other municipal utilities (electric, water/wastewater, and natural gas) to perform a quadratic analysis using family size, energy usage, and income level; 2) hear a report from EO staff on data obtained from Gainesville's Community Action Agency; 3) and continue discussion of information relevant to help with comparisons and take whatever action deemed appropriate.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Braddy, that this matter be Referred to the Equal Opportunity Committee, due back on May 19, 2008. The motion carried by the following vote:**

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

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### **Mayor Peegen Hanrahan**

*SE Gainesville - Citizens desiring to participate in the SE Renaissance (SEGRI) meetings.*

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**Commissioner Scherwin Henry**

*Airport Noise Map.*

**Mayor Pegeen Hanrahan**

- 1. 6th Street Rail Trail Acquisition.*
- 1. Carbon Offset UF vs. FSU.*
- 2. Florida Association of Mayors - Mayor Hanrahan President.*

**CITIZEN COMMENT**

*There were no citizens who wished to speak at this time.*

**ADJOURNMENT - 10:44 PM**

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Kurt M. Lannon, Clerk of the Commission