

City of Gainesville

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



Meeting Minutes

Monday, December 19, 2005

6:00 PM

City Commission Special Meeting

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Chuck Chestnut (District 1)
Commissioner Warren Nielsen (At Large)
Commissioner Rick Bryant (At Large)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER - 6:08 PM

ADOPTION OF THE AGENDA

MOTION: Commissioner Chestnut moved and Commissioner Lowe seconded to adopt the agenda with the following modification.

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

MODIFICATION: File #050753 - Settlement Agreement and Release - (New back-up submitted).

ROLL CALL

Present: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

CITY MANAGER

050753

Settlement of Interest and Additional Principal Payments with Arthur J. Gallagher & Company (B)

This item involves the final settlement related to the over-retention of commissions by the City's former insurance broker Arthur J. Gallagher & Company.

Finance Director Mark Benton gave a presentation.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION

The City Commission: 1) accept the settlement for principal and interest of \$514,272 from Arthur J. Gallagher & Company, and 2) authorize the City Manager or his designee to negotiate and execute the necessary documents required to complete the settlement, subject to approval from the City Attorney as to form and legality.

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

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050757**Acceptance of the Voluntary Settlement Agreements from Arthur J. Gallagher & Company (B)**

This item involves the acceptance of the Voluntary Settlement Agreements related to the Fund established in Illinois to repay portions of contingent commissions received by Arthur J. Gallagher & Company.

Risk Management Director Steve Varvel gave a presentation.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION

The City Commission: 1) accept the Voluntary Settlement Agreements totaling \$48,277.28 from Arthur J. Gallagher & Company, and 2) authorize the City Manager or his designee to negotiate and execute the necessary documents required to complete the settlement, subject to approval from the City Attorney as to form and legality.

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

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ORDINANCES, 1ST READINGS - ROLL CALL REQUIRED041138**HOGTOWN CREEK CHARTER AMENDMENT (B)****Ordinance No. 0-06-12**

An ordinance of the City of Gainesville, Florida; approving an amendment to the Charter Laws of the City of Gainesville; amending Article V of the Charter Laws, entitled "Special Provisions" to allow paving for parking and recreational facilities on Recreation areas while continuing to prohibit paving for trails or transportation corridors on City-owned land in Conservation areas; providing a map of the Hogtown Creek Watershed area (1998); providing for submission of the charter amendment to the voters for approval or disapproval at the March 7, 2006 regular municipal election; approving the ballot title and summary to be placed on the ballot; providing that this charter amendment shall become effective immediately; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Assistant Recreation and Parks Director Steve Phillips gave a presentation.

Chair Hanrahan recognized Walter Willard, Francine Robinson and Jack Hughes

who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

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ORDINANCES, 2ND READINGS - ROLL CALL REQUIRED

050716

ANNEXATION - SANTA FE COMMUNITY COLLEGE AND SURROUNDING AREA (B)

Ordinance No. 0-06-13

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended, 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 generally described as follows: generally located South of State Road 222 (NW 39th Avenue), with an Eastern boundary at the western side of section 33, township 09, range 19 and section 28, township 09, range 19 and the City limits; North of the City Limits and East of Fort Clarke Boulevard and Interstate 75, as more specifically described in this ordinance; providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the City Manager and Clerk of the Commission; providing ballot language; providing for land use plan and zoning regulations; providing for persons engaged in any occupation, business, trade or profession; providing a severability clause; and providing effective dates.

Chair Hanrahan recognized Fraternal Order of Police (FOP) President Jeff McAdams who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

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050718**BOUNDARY FOR COLLEGE PARK/UNIVERSITY HEIGHTS
REDEVELOPMENT AREA AND TRUST FUND (B)****Ordinance 0-06-04**

An ordinance of the City of Gainesville, Florida, amending Division 9 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to Community Redevelopment, amending Section 2-410.2 by expanding the boundaries of the College Park/University Heights Community Redevelopment Area; amending Section 2-413 relating to the trust fund for the College Park/University Heights Community Redevelopment Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Rick Bryant, Craig Lowe and Jack Donovan

Absent: Edward Braddy

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ADJOURNMENT - 6:36 PM

Kurt M. Lannon, Clerk of the Commission