

City of Gainesville

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



Meeting Minutes

Monday, January 8, 2007

9:00 AM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Craig Lowe (District 4)
Commissioner Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)*

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

CALL TO ORDER - 9:03 AM**ROLL CALL**

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

INVOCATION**Reverend Canon Kerry Robb****CONSENT AGENDA**

Commissioner Lowe moved and Commissioner Donovan seconded to adopt the Consent Agenda with the following modification.

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

MODIFICATION: File #060756 - Southeast Gainesville Renaissance Initiative Planning/Financial Consultant - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).

CITY MANAGER, CONSENT AGENDA ITEMS**051115.****Contract with Alachua Conservation Trust (B)**

This item involves the City contracting with Alachua Conservation Trust to provide land acquisition services for the Hogtown Creek Headwaters project.

RECOMMENDATION

The City Commission authorize the City Manager to contract with ACT for the land acquisition services for the Hogtown Creek Headwaters project. This contract is subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A): The City Commission decline the contract with ACT for the Hogtown Creek Headwaters project and direct staff to negotiate the terms of the FCT Grant Award Agreement and land acquisition.

This Matter was Approved as Recommended on the Consent Agenda.

051115_200603271300.pdf

051115_200701081300.pdf

060729.

Contract Between the Communications Workers of America (CWA), Local No. 3170 Supervisory Unit and the City of Gainesville for January 1, 2007 through December 31, 2009 (B)

This item proposes the ratification of the Agreement between the City of Gainesville and the Communications Workers of America, Local 3170 Supervisory Bargaining Unit.

RECOMMENDATION *The City Commission ratify the Agreement between City of Gainesville and the Communications Workers of America, Local No. 3170 Supervisory Bargaining Unit extending through December 31, 2009.*

This Matter was Approved as Recommended on the Consent Agenda.

060828.

Contract Between the Communications Workers of America (CWA), Local No. 3170 Non-Supervisory Unit and the City of Gainesville for January 1, 2007 through December 31, 2009 (B)

This item proposes the ratification of the Agreement between the City of Gainesville and the Communications Workers of America, Local 3170 Non-Supervisory Bargaining Unit.

RECOMMENDATION *The City Commission ratify the Agreement between the City of Gainesville and the Communications Workers of America, Local No. 3170, and Non-Supervisory Bargaining Unit through December 31, 2009.*

This Matter was Approved as Recommended on the Consent Agenda.

060829.

Request to Amend the General Pension Plan Ordinance and the Disability Pension Plan Ordinance (NB)

This item requests the City Commission to authorize the City Attorney to draft and the Clerk of the Commission to advertise ordinances amending the General Pension Plan and the Disability Pension Plan to conform to the changes agreed to with the Communications Workers of America (CWA), Local 3170 Supervisory and Non-Supervisory Bargaining Units.

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise ordinances amending the General Pension Plan and the Disability Pension Plan.*

This Matter was Approved as Recommended on the Consent Agenda.

060829_200701221300.pdf

060760.

Amendment to Interlocal Agreement with Alachua County and the Alachua

**County Housing Authority for Operation of the local Office on Homelessness
(B)**

This agenda item requests the City Commission to approve the execution of an amendment to the interlocal agreement for operation of the local Office on Homelessness to include the one-stop homeless assistance center as a responsibility of the Office on Homelessness.

RECOMMENDATION *The City Commission approve an amendment to the interlocal agreement between the City of Gainesville, Alachua County, and the Alachua County Housing Authority for operation of the Office on Homelessness and authorize the Mayor to execute the agreement on behalf of the City, subject to review by the City Attorney as to form and legality.*

Alternative Recommendation A: The City Commission defer action on the amendment to the interlocal agreement.

This Matter was Approved as Recommended on the Consent Agenda.

060760_200701081300.pdf

060770.

State Homeland Security Grant Program Sub-recipient Agreement (NB)

This item requests that the City Commission authorize the City Manager to enter into a contract with the State of Florida, Department of Financial Services, to support equipment maintenance and training for Gainesville Fire Rescue's Hazardous Materials Team.

RECOMMENDATION *The City Commission authorize the City Manager or designee to enter into a contract with the State of Florida, Department of Financial Services, subject to approval of the City Attorney as to form and legality.*

Alternative Recommendation A: The City not enter into a contract resulting in a loss of up to \$38,412.00 of available reimbursement funds for equipment maintenance and training and requiring expenditures from the general fund.

This Matter was Approved as Recommended on the Consent Agenda.

060808.

Annual Contract for Grounds and Landscape Maintenance Services for the Thomas Center Gardens (B)

This item involves a request for the City Commission to authorize a bid award to Oasis Landscaping Services, Inc, for the annual contract for grounds and landscape maintenance services for the Thomas Center Gardens.

RECOMMENDATION

The City Commission authorize the City Manager or his designee to approve the annual contract for grounds and landscape maintenance services for the Thomas Center Gardens, and enter into a three-year contract with the option of two annual extensions to Oasis Landscaping Services, Inc.

Alternative Recommendation A: The City Commission deny this request.

This Matter was Approved as Recommended on the Consent Agenda.

060808_200701081300.pdf

060817.**Domestic Violence Grant Application (NB)**

This item requests City Commission authorization for the Gainesville Police Department to pursue a grant from the Office on Violence Against Women to fund a domestic violence project.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager to: 1) apply to the Office of Justice Programs, Office on Violence Against Women for the grant in an amount up to \$400,000; and if awarded, 2) execute any other necessary documents, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

060819.**Application for Disability Retirement for Juanita Fort (B)**

Retirement application for Juanita Fort, Custodial Worker with the City of Gainesville - General Services Department for 7.75 years who has been under the care of physicians for several medical reasons.

RECOMMENDATION

The City Commission approve the submitted application for disability retirement for Juanita Fort, Custodial Worker, General Services Department.

This Matter was Approved as Recommended on the Consent Agenda.

060819_20070108071300.pdf

060821.**Continuation of Employee Bus Pass Programs (B)**

This item involves a request for the City Commission to authorize the City Manager to execute interlocal agreements with the University of Florida (UF), Alachua County, Alachua/Bradford Regional Workforce Board, North

Florida/South Georgia Veterans Administration Health System (VA), and Shands Teaching Hospital and Clinics, Inc. (Shands), for continuation of these employee bus pass programs.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the annual contract for continuation of the Employee Bus Pass Program for City employees through January 2008; and 2) authorize the City Manager to execute interlocal agreements with the University of Florida, Alachua County, Alachua/Bradford Regional Workforce Board, North Florida/South Georgia Veterans Administration Health System, and Shands Teaching Hospital and Clinics, Inc., for continuation of these employee bus pass programs.

Alternative Recommendation A: The City Commission can deny continuation of the annual contracts and the resulting fiscal impact is that the Regional Transit System will lose the \$115,807.50 generated by the employee bus pass program.

This Matter was Approved as Recommended on the Consent Agenda.

060821a_200701081300.PDF
060821b_200701081300.pdf

060824.

Bid Award - Installation and Replacement of Circulation Pumps and Filtration System at the Northeast Pool (B)

This item involves a request for the City Commission to authorize the bid award to Galaxy Pools for the installation and replacement of the circulation pumps and filtration system at the Northeast Pool.

RECOMMENDATION

Recommended Motion: The City Commission approve the bid award to Galaxy Pools and issuance of a purchase order in an amount not to exceed \$273,500 for the installation and replacement of circulation pumps and filtration system at Northeast Pool.

Alternative Recommendation: The City Commission deny the request for the bid award to Galaxy Pools.

This Matter was Approved as Recommended on the Consent Agenda.

060824_200701081300.pdf

060825.

Bid Award - Installation of a PVC Membrane Liner at the Northeast and Westside Pools and Installation of a Bulkhead System at the Northeast Pool (B)

This item involves a request for the City Commission to authorize the bid award to Natare Corporation for the installation of a PVC membrane liner at the Northeast and Westside Pools and installation of a bulkhead system at the

Northeast Pool.**RECOMMENDATION**

Recommended Motion: The City Commission approve the bid award to Natare Corporation and the issuance of a purchase order in an amount not to exceed \$334,105.00 for the installation of a PVC membrane liner at the Northeast and Westside Pools and installation of a bulkhead system at the Northeast Pool.

Alternative Recommendation: The City Commission deny the request for the bid award to Natare Corporation.

This Matter was Approved as Recommended on the Consent Agenda.

060825_200701081300.pdf

060826.**Florida Food Service, Inc. - Amendment to Contract for Purchase and Sale of Real Property (B)**

This item involves a proposed amendment to the Florida Food Service, Inc. contract for purchase and sale of un-platted property extending the City's indemnity regarding the pre-existing environmental condition to other parties.

RECOMMENDATION

The City Commission: 1) approve the attached Amendment to Contract for Purchase and Sale of Real Property with Florida Food Service, Inc.; 2) authorize the City Manager to sign the Amendment following approval by the City Attorney as to form and legality; and, 3) authorize the Mayor and Clerk of the Commission to execute the closing documents.

This Matter was Approved as Recommended on the Consent Agenda.

060826_200701081300.pdf

060836.**Alachua County Legislative Day (B)**

The Alachua County Legislative Day planning committee is requesting the City of Gainesville's participation and sponsorship contribution for the April 25, 2007 event.

RECOMMENDATION

The City Commission approve the request for the \$750.00 sponsor contribution to be used for Alachua County Legislative Day activities.

This Matter was Approved as Recommended on the Consent Agenda.

060836_200701081300.pdf

060827.**Grant to the Charles R. Perry Construction Institute at Santa Fe Community College (NB)**

This item proposes to award a \$46,500 grant from the Infill Housing Program to the Charles R. Perry Construction Institute at Santa Fe Community College to construct a 1000-square-foot residence that will be owned by the City, and resold to an income-eligible homeowner.

RECOMMENDATION

The City Commission :1) approve awarding a \$46,500 grant to Charles R. Perry Construction Institute at Santa Fe Community College to construct a 1000-square-foot residential structure that will be owned by the City; 2) authorize the City Manager to (a) advance the funds to the Santa Fe Endowment Corporation (SFEC) by January 15, 2007 from the General Fund, (b) reimburse the General Fund from federal HOME funds as SFEC expends the monies, (c) identify a site to relocate the completed structure, (d) prepare the site including building a masonry foundation and other related costs for the structure, (e) relocate the completed structure to the identified site, (f) authorize the sale of the newly constructed home at market value to an eligible homebuyer that will be identified at a future date, (g) provide the grants and /or subsidies required to make the purchase of the properties affordable for an income-eligible homebuyer, and (h) execute the required purchase and sale agreement, grant or subsidy agreement and any other certifications or assurances required to transfer ownership to the homebuyer that will be identified at a later date; 3)authorize the Mayor and Clerk of the Commission to execute the warranty deed required to transfer title to the identified homebuyer, and other related documents to consummate the sale; 4) authorize the City Manager or designee to execute a contract and any other certifications and documents associated with the SFCC program; 5) authorize the Housing Division to use the standard program subsidy, and purchase and sale documents to consummate the transaction, subject to approval by the City Attorney as to form and legality; and 6) authorize the City Manager or designee to use the net sale proceeds from the sale of the property for affordable housing purposes.

Alternative Recommendation A: The City Commission could choose to not approve the recommendation and the Charles R. Perry Construction Institute at Santa Fe Community College would have to locate another source of funding for their project.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

060845.**Wood Pole Inspection and Groundline Treatment (B)**

Staff recommends approval to enter into a contract with Utility Pole Technologies, Inc. for wood pole inspection and groundline treatment services for treated wood utility poles.

RECOMMENDATION

The City Commission 1) authorize the Interim General Manager, or her designee to execute a two year contract with Utility Pole Technologies, Inc. for wood pole inspection and groundline treatment services for treated wood utility poles, subject to approval by the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not to exceed budgeted amounts for each year of the contract, subject to the final appropriation of funds for each year of the contract.

This Matter was Approved as Recommended on the Consent Agenda.

060845_20070108.pdf

CITY ATTORNEY, CONSENT AGENDA ITEMS**060818.**

AIG'S DECLINATION OF COVERAGE IN WATSON CONSTRUCTION V. CITY OF GAINESVILLE EIGHTH JUDICIAL CIRCUIT, ALACHUA COUNTY, CASE NO: 2001-CA-1356, DIVISION "K" (B)

RECOMMENDATION

Authorize the City Attorneys office to retain special counsel on a contingency fee basis to file a damage suit against National American Fire Insurance Company of Pittsburgh PA (AIG) for wrongfully denying insurance coverage to the City of Gainesville.

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**060833.****City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of December 11, 2006, as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

060833_20070108.pdf

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

060037.

Development Process Review Team Interim Report (NB)

This item involved review of reports from the Development Process Review Team that had met to review various issues related to the City of Gainesville Development Review Process.

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

This Matter was Approved as Recommended on the Consent Agenda.

060037_20066121300.pdf

060167.

City of San Francisco and the US Interagency Council on Homelessness (B)

The City Commission referred the issue of the City of San Francisco and the US Interagency Council on Homelessness to the Community Development Committee. This item is related to File 060135, Mayor's Report of the New Cities Project.

RECOMMENDATION *Community Development Committee to the City Commission:
1) approve the recommendations from staff, except find out how many homeless people would be benefited by the Advocacy for Social Security Benefits; and 2) remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

060167_11141730.pdf

060187.

Mayor Pegeen Hanrahan - Charitable Landlords (NB)

The City Commission referred the issue of landlord licenses for charitable landlords to the Community Development Committee.

RECOMMENDATION *Community Development Committee to the City Commission:
1) staff to make a report; 2) staff is to contact Pastor Nelson to try to work out the best situation with regard to the*

landlord license permit; and 3) remove this item from the referral list.

This Matter was Approved as Recommended on the Consent Agenda.

060187_20060626.pdf
060187_200609181730.pdf
060187_200611141730.pdf

060243.

Student Involvement in Landlord/Tenant Issues (NB)

The City Commission referred the issue of student involvement in landlord/tenant issues to the Community Development Committee.

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

This Matter was Approved as Recommended on the Consent Agenda.

060243_200609181730.pdf

060470.

Referral on the Number of Travel Lanes (NB)

The City Commission referred the issue of the number of travel lanes to the Community Development Committee. The Community Development Committee has discussed the item and recommends it be removed from the referral list.

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

This Matter was Approved as Recommended on the Consent Agenda.

060470_200611141730.pdf

060676.

Over-Occupancy in Single Family Neighborhoods (NB)

The City Commission referred to the Community Development Committee the issue of over-occupancy in single-family neighborhoods. The Committee discussed the referral multiple times, and recommended to remove this item from the referral list.

RECOMMENDATION *Community Development Committee to the City Commission:
1) approve the recommendations from staff; and 2) remove
this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

060676_200611141730.pdf

060285.

Student Behavior Tracking (NB)

The City Commission referred the issue of student behavior tracking to the Community Development Committee.

RECOMMENDATION *Community Development Committee to the City Commission: the City Commission authorize the Mayor to send a letter requesting the University of Florida and Santa Fe Community College to amend their codes of student conduct as other universities have done so that students can be held accountable for their misbehavior in the community.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

060814. Sorority Woods Feasibility Study (B)

The CRA discussed this item on December 18, 2006 and recommended it be forwarded to the City Commission to direct staff to review the request and make recommendations to the City Commission.

RECOMMENDATION *CRA to the City Commission: 1) Refer the matter to the City Commission since all the conditions and issues are within the purview of the City Commission and not the CRA; and 2) request the City Commission direct staff to review the request of the University and provide recommendations to the City Commission.*

This Matter was Approved as Recommended on the Consent Agenda.

060814_20061218cra.pdf

Passed The Consent Agenda

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

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

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Commissioner Lowe moved and Commissioner Bryant seconded to adopt the Regular

Agenda with the following modifications.

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

MODIFICATIONS:

1. *File #060834 - Local Option Fuel Tax - (Additional back-up submitted (Power Point)).*

2. *File #060861 - Commissioner Jack Donovan - GRU Manager Selection Process - (Add to the agenda under "Members of the City Commission").*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

060830.

Removing Property from Liens in Certain Circumstances: Removal of Lien Affecting 222 Southeast 9th Street (B)

This item requests that the City Commission establish a policy regarding the removal of a property from a lien involving multiple properties, under certain limited circumstances and remove the lien as it affects 222 Southeast 9th Street.

City of Gainesville Code Enforcement Manager Jim Garrett gave a presentation.

Chair Hanrahan recognized Todd Osborn and B.J. Bukota who spoke to the matter.

MOTION: Commissioner Bryant moved and Commissioner Henry seconded that the City Commission: 1) Remove the lien from 222 Southeast 9th Street; 2) transfer the lien to Mr. Eddie Deal Willis's other property; and 3) adopt a generalized policy regarding Code Enforcement Board liens in the future.

(VOTE: 5-0, Commissioner Braddy - Absent, Commissioner Donovan - No, MOTION CARRIED)

RECOMMENDATION

The City Commission consider establishing a narrow policy to provide a procedure for staff to identify properties the City Commission may choose to remove from CEB liens when the lien interest is protected by recordation against other properties, and authorize removing the lien from 222 Southeast 9th Street subject to recorded terms consistent with the draft policy.

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

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

060832.**Proposed East Gainesville Development Corporation Agreement for Economic Development Services (B)**

This item involves a proposed agreement with East Gainesville Development Corporation for the provision of entrepreneurial training and technical assistance to potential entrepreneurs in East Gainesville.

City of Gainesville Economic Development Director Erik Bredfeldt, Patricia Lee and Odetta MacCleish-White gave presentations.

NOTE: Commissioner Braddy entered the meeting room at 10:24 AM.

RECOMMENDATION

The City Commission: 1) hear a brief presentation from staff; 2) direct staff on the implementation of the agreement; and 3) authorize the City Manager to execute the agreement with EGDC pending approval of said agreement by the City Attorney.

Alternate Recommendation A

The City Commission: 1) direct staff to implement the agreement with stated modifications; and 2) authorize the City Manager to execute the agreement with EGDC pending approval of said agreement by the City Attorney.

Alternate Recommendation B

The City Commission: 1) deny the proposed agreement.

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

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

060832A_200701081300.pdf

060832B_200701081300.pdf

060834.**Local Option Fuel Tax (B)**

The Alachua County Commission is considering the implementation of an additional 5-cent local option fuel tax. Staff has been requested to bring this matter to the City Commission for discussion.

City of Gainesville Public Works Director Teresa Scott gave a presentation.

RECOMMENDATION

The City Commission discuss the local option fuel tax.

Discussed

060834_200701081300.pdf

060756.

Southeast Gainesville Renaissance Initiative Planning/Financial Consultant (B)

This item proposes to authorize the City Manager or his designee to negotiate a contract price and execute a contract with Wilson Miller, Inc. to prepare a master/financial plan for the Southeast Gainesville Renaissance Initiative (SEGRI) area.

At the March 27, 2006 City Commission meeting, the City Commission approved funding up to \$200,000 from the bond funds for a master planning and financial consultant for the SEGRI area, and authorized staff to issue a request for proposal for a master planning and financial consultant for the SEGRI project, rank the proposals and return to the City Commission with a recommendation on a top-ranked consultant or consultants.

On August 22, 2006, the Purchasing Division issued a Request for Statement of Qualifications for a planning/financial consultant to prepare a master plan for the SEGRI area. Four firms attended the pre-bid meeting and four firms responded. After reviewing the four bids submitted, and meeting with two of the bidders on November 3, 2006 and the remaining two bidders on November 7, 2006, the evaluation team has ranked the four bidders as follows:

- 1. Wilson Miller, Inc.**
- 2. APD, Inc.**
- 3. PBS&J**
- 4. Renaissance Planning Group**

As a result of this ranking, the evaluation team is recommending that the City negotiate a contract price and execute a contract with Wilson Miller, Inc. to prepare a master/financial plan for the SEGRI area. The four proposals are on file in the Clerk's office.

City of Gainesville Community Development Director Tom Saunders gave a presentation.

Chair Hanrahan recognized Vice President of Wilson Miller, Inc., Michael English and Bruce Lyons of Swan Development who gave presentations.

RECOMMENDATION

The City Commission: 1) approve Wilson Miller, Inc., as the top-ranked proposer; 2) authorize the City Manager or his designee to negotiate a contract price with Wilson Miller, Inc. to prepare a planning/financial study for the SEGRI area, and execute a contract with Wilson Miller, Inc., subject to approval by the City Attorney as to form and legality; and 3) authorize the City Manager or his designee to negotiate with the second-ranked firm and execute a contract with that firm if an appropriate price cannot be negotiated with the top-ranked firm.

Alternative Recommendation A: The City Commission not approve the recommendation and approve a different firm for this work.

Alternative Recommendation B: The City Commission not move forward with the SEGRI master plan and provide alternative direction to staff.

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

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

Absent: Edward Braddy

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GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

COMMUNITY DEVELOPMENT COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

060643. Annual Performance, Salary, and Benefits Review for the City Manager (B)

MOTION: Commissioner Lowe moved and Commissioner Henry seconded to approve a salary increase for the City Manager of 4.5%, retroactive to his anniversary date.

(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION *The City Commission review the salary and benefits of the*

City Manager and make any changes deemed appropriate.

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

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

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060861.

Commissioner Jack Donovan - GRU Manager Selection Process (NB)

*MOTION: Commissioner Donovan moved and Mayor-Commissioner Pro Tem Lowe seconded that the City Commission 1) Cancel the Special City Commission Meeting for Friday, January 19, 2006 for the GRU General Manager Candidates public interviews; 2) reschedule the Friday Meeting for Saturday, January 20, at 9:00 AM; and 3) cancel the Special Meeting for Saturday, January 20, at 3:00 PM.
(VOTE: 7-0, MOTION CARRIED)*

RECOMMENDATION *The City Commission discuss the GRU Manager selection process.*

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

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

COMMISSION COMMENTS (if time available)

RECESS - 12:05 PM

RECONVENE - 1:00 PM

PLEDGE OF ALLEGIANCE (1:00 pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

060843.

Arbor Day - January 19, 2007 (B)

RECOMMENDATION *Meg Niederhofer, Earline Luhrman, Anita Spring (Chair) and Tom Fay to accept the proclamation.*

Heard

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CITIZEN COMMENT (1:15 pm) - Please sign on sign-up sheet

Darlene Pifalo

Development Issues and Ideas

Tom Kennedy

Landlord Permit Fees

Kali Blount

1. *GRU Vacating Land Downtown*
2. *Pictures of teenagers with automatic rifles in Sugar Hill Neighborhood*
3. *Black History and Black Education*

Moses Reese

Drug Activity and Noise in the 819 SE 5th Avenue Neighborhood

Walter Willard

Various Issues

Pat Fitzpatrick

Political and Homeless Issues

REFERRAL TO PUBLIC SAFETY COMMITTEE

060864. Drug Activity & Noise in the SE 5th Avenue Neighborhood (NB)

RECOMMENDATION

The City Commission refer the issue of drug activity and late night noise in the SE 5th Avenue Neighborhood and also the issue of teenage boys carrying automatic weapons in the Sugar Hill Neighborhood to the Public Safety Committee.

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Referred to the Public Safety Committee, due back on July 8, 2007. The motion carried by the following vote:

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

PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

060599.

COLLEGE PARK SPECIAL AREA PLAN – 1823 NW 5TH AVENUE (QUASI-JUDICIAL) (B)

Ordinance No. 0-06-131, Petition No. 144ZON-06PB

An Ordinance of the City of Gainesville, Florida, amending the College Park Special Area Plan as codified in Appendix A, Section 3 of the Land Development Code, by rezoning and incorporating a specific change from Type III (House) to Type IV (Civic) on tax parcel 14931-000-000, located in the vicinity of 1823 Northwest 5th Avenue, and as more specifically described in this Ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Planner Bedez Massey gave a presentation.

Chair Hanrahan recognized Fifth Avenue Lutheran Church of Gainesville Representative Larry Begnell who spoke to the matter.

RECOMMENDATION

The City Commission: 1) approve petition no. 144ZON-06PB; and 2) adopt the proposed ordinance.

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

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

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060600.

COLLEGE PARK SPECIAL AREA PLAN – 1726 NW 3RD PLACE (QUASI-JUDICIAL)(B)

Ordinance No. 0-06-132, Petition No. 145ZON-06PB

An Ordinance of the City of Gainesville, Florida, amending the College Park Special Area Plan as codified in Appendix A, Section 3 of the Land Development Code, by rezoning and incorporating a specific change from Type III (House) to Type IV (Civic) on tax parcel 14934-000-000, located in the vicinity of 1726 Northwest 3rd Place, and as more specifically described in this Ordinance;

providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Planner Bedez Massey gave a presentation.

Chair Hanrahan recognized Fifth Avenue Lutheran Church of Gainesville Representative Larry Begnell who spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve petition no. 145ZON-06PB; and 2) adopt the proposed ordinance.*

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

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

Absent: Edward Braddy

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060378.

ENTERPRISE ZONE AND GREEN BUILDING PROGRAM DISCOUNTS (B)

Ordinance No. 0-06-133

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, amending section 6-12 relating to Incentives for Green Building Projects; amending the Buildings and Building Regulation section of Appendix A eliminating the reduction in permit fees in the Enterprise Zone; amending the Land Development Code section of Appendix A relating to development plan review fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date in accordance with the schedule provided herein.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Edward Braddy

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060773.**LIST OF CONTRIBUTING STRUCTURES IN THE SOUTHEAST HISTORIC DISTRICT (QUASI-JUDICIAL) (B)****Ordinance No. 0-06-44; Petition 160MSC-06 PB**

An ordinance of the City of Gainesville, Florida, amending the list of contributing buildings and structures in the Southeast Residential Historic District, as more specifically described in this ordinance; finding these additional buildings and structures to be contributing structures subject to the regulations of the City's historic preservation/conservation ordinance; 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 Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: Edward Braddy

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060416.**STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)****Ordinance No. 0-06-111, Petition 111SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southwest 14th Terrace located in the vicinity between the south right-of-way line of Railroad Street, north of the south property line of Lot 3 of Block 7 of Little Gandy Subdivision, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: Edward Braddy

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060417.**STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)****Ordinance No. 0-06-112 Petition 112SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southwest 14th Street located in the vicinity between Southwest 12th Avenue and Southwest 13th Avenue, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Mastrodicasa, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: Edward Braddy

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060418.**STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)****Ordinance No. 0-06-113 Petition 113SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of the alley located between Southwest 13th Avenue and Southwest 14th Avenue between S.W. 13th Street and S.W. 14th Street, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Edward Braddy

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060419.**STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)****Ordinance No. 0-06-114 Petition 114SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of the alley located between Southwest 12th Avenue and Southwest 13th Avenue between Southwest 13th Street and Southwest 14th Terrace, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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060420.**STREET VACATION – SHANDS CANCER HOSPITAL PROJECT (B)****Ordinance No. 0-06-115 Petition 115SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of the alley located between Southwest 12th Avenue and Southwest 13th Avenue between Southwest 13th Street and Southwest 14th Street, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Bryant, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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060421.**STREET VACATION - SHANDS CANCER HOSPITAL PROJECT (B)**

Ordinance No. 0-06-110; Petition 116SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Southwest 12th Avenue located between Southwest 14th Street and the southern right-of-way line of Railroad Street, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; 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 Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Mastrodicasa, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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RESOLUTIONS- ROLL CALL REQUIRED**PLAN BOARD PETITIONS****060733.****PUD Amendment University Corners (B)**

Petition 148LUC-06PB, Kimley-Horn & Associates, Inc., agent for University Development of Gainesville, LLC. Amend the existing PUD (planned use district) ordinance 040656 to allow for an increase in the total number of residential dwelling units from a maximum of 400 units to a maximum of 490 residential dwelling units, and to allow for an increase in the number of stories and building height for the parking garage from eight to nine stories, and increase the allowable garage height from 85 feet to 95 feet to top of guard rail. Located between West University Avenue and Northwest 3rd Avenue and between Northwest 13th Street (US 441) and Northwest 14th Street. Related to Petition 149PDA-06PB.

City of Gainesville Planner Gene Francis, Jay Brawley of Kimley-Horn and Associates, Bill Weeks of Morris Architects, University Corners Partner George Anderson and Community Development Director Tom Saunders gave presentations.

AMENDMENT: Direct staff to negotiate with the Developer the following: 1) A phasing timeline for the project; 2) greater detail regarding the facade treatment; 3) the minimum amount of retail required; and 4) bring this information back at first

reading of the ordinance.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 148LUC-06 PB. Plan Board vote 4-3.*

Staff to Plan Board - Approve petition 148LUC-06PB, with conditions and staff comments.

Alternative Recommendation A: Deny the requested petition.

Alternative Recommendation B: Approve the requested petition but with less than 470 units.

A motion was made by Commissioner Bryant, seconded by Commissioner Donovan, that this matter be Approved (Petition) with Staff Conditions, as Amended. The motion carried by the following vote:

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

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060734.

Planned Development Amendment University Corners (B)

(Quasi-Judicial) Petition 149PDA-06 PB, Kimley-Horn & Associates, Inc., agent for University Development of Gainesville, LLC. Amend the existing mixed-use Planned Development Ordinance 040657, plan report, layout plan and elevations to allow for an increase in the total number of residential dwelling units from a maximum of 400 units to a maximum of 490 units and to allow for an increase in the number of stories and building height for the parking garage from eight to nine stories and increase the allowable garage height from 85 feet to 95 feet to top of guard rail. Located between West University Avenue and Northwest 3rd Avenue and between Northwest 13th Street (US 441) and Northwest 14th Street. Related to Petition 148LUC-06PB.

City of Gainesville Planner Gene Francis, Jay Brawley of Kimley Horne and Bill Weeks of Morris Architects and University Corner's Principal George Anderson gave presentations.

AMENDMENT: Direct staff to negotiate with the Developer the following: 1) A phasing timeline for the project; 2) greater detail regarding the facade treatment; 3) the minimum amount of retail required; and 4) bring this information back at first reading of the ordinance.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 149PDA-06 PB. Plan Board vote 4-3*

Staff to Plan Board - Staff recommends that the proposed Planned Development Amendment with associated PD Plan Report, PD Layout Plan and PD elevations, Petition 149PDA-06PB, be approved with staff conditions.

Alternative Recommendation A: Deny the requested petition.

Alternative Recommendation B: Approve the requested petition but with less than 470 units.

A motion was made by Commissioner Bryant, seconded by Commissioner Donovan, that this matter be Approved (Petition) with Staff Conditions, as Amended. The motion carried by the following vote:

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

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060734e_20070108.pdf

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Mayor Pegeen Hanrahan

- 1. Mayor Coleman from Columbus Ohio - Wager*
- 2. Success by Six - Long List of Children waiting for subsidized day care, early childhood programs. - Request for a formal presentation - referred to staff.*

CITIZEN COMMENT

Walter Willard

Various Issues

Kali Blount

Black History and Education Issues

ADJOURNMENT 3:24 PM

Kurt M. Lannon, Clerk of the Commission