

City of Gainesville

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



Meeting Minutes

Monday, August 28, 2006

1:00 PM

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 - 1:08 PM

ROLL CALL

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

INVOCATION

CONSENT AGENDA

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

MODIFICATIONS:

- 1. File #060337 - Spring Hills Development of Regional Impact (DRI) - Transportation Impacts - (Withdraw from the agenda).*
- 2. File #060378 - Discussion of the Enterprise Zone and the Green Building Program - (Modification to Agenda Language).*

CITY MANAGER, CONSENT AGENDA ITEMS

060196.

First Amendment to the Agreement Between the City of Gainesville and Mansfield Oil Company (B)

This item involves a First Amendment to the Agreement with Mansfield Oil Company for #2 Ultra Low Sulfur Diesel Fuel with Red Dye for Regional Transit System (RTS) diesel fuel purchases. The proposed First Amendment is to correct language in the original Agreement to match the language in the original bid document with regards to the renewal term.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the First Amendment to the Agreement with Mansfield Oil Company.

Alternative Recommendation A: The City Commission deny authorization for the City Manager to execute the First Amendment to the Agreement with Mansfield Oil Company which will result in an automatic renewal for a 4-year period.

This Matter was Approved as Recommended on the Consent Agenda.

060196_200608281300.PDF

060308.**Quit-Claim Deed for Tax Parcel 6695-000-000 (B)**

This item involves a request to authorize the City Mayor to execute a Quit-claim deed on Tax Parcel 6695-000-000.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Mayor to execute a Quit-claim Deed, thereby releasing any interest the City of Gainesville may have in Tax Parcel 6695-000-000, subject to approval of the City Attorney as to form and legality.

Alternative Recommendation A: The City Commission deny the request and inform the property owner to file suit to Quiet Title.

This Matter was Approved as Recommended on the Consent Agenda.

060308_200608281300.PDF

060312.**Traffic Engineering Services Agreement Between the City of Gainesville and Alachua County for FY 2007 (B)**

This item involves an agreement between the City of Gainesville and Alachua County for traffic engineering services in the amount of \$141,854.70 in revenue to the City during FY 2007.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for the period of October 1, 2006 to September 30, 2007.

Alternative Recommendation A: The City Commission deny the authorization for the City Manager to execute the Agreement with the County, resulting in thirty-nine traffic signals and forty safety beacons being left unmaintained throughout Alachua County and the loss of at least \$141,854.70 in revenue for the City for FY 2007.

This Matter was Approved as Recommended on the Consent Agenda.

060312_200608281300.PDF

060313.**Third Extension to the Contract for Professional Water Resource Engineering Services for FY 2007 (B)**

This item involves an extension to the Contract for Professional Water Resource Engineering Services with Johnson, Mirmiran & Thompson, Inc.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Third Extension to the Contract with Johnson, Mirmiran & Thompson, Inc., for Professional Water Resource Engineering Services, extending the term of the contract from October 1, 2005 to September 30, 2006, subject to the final appropriation of funds for FY 2007.

Alternative Recommendation A: The City Commission deny the recommendation for the Third Extension and direct the City Manager to secure the services of individual firms on a project-by-project basis. This would result in project delays and additional administrative costs for both projects and routine tasks that require these services.

This Matter was Approved as Recommended on the Consent Agenda.

060313_200608281300.PDF

060314.**First Extension to the Contracts for Professional Surveying and Mapping Services for FY 2007 (B)**

This item involves an extension to the Contracts for Professional Surveying and Mapping Services with Terrence Brannan Land Surveyor, Inc. and George F. Young, Inc.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the First Extensions to the contracts with George F. Young, Inc., and Terrence Brannan Land Surveyor, Inc., for Professional Surveying and Mapping Services, extending the term of the contract from October 1, 2006 to September 30, 2007, subject to final appropriation of funds for FY 2007.

Alternative Recommendation A: The City Commission deny the recommendation for the First Extensions and direct the City Manager to secure the services of individual firms on a project-by-project basis. This would result in project delays and additional administrative costs for both projects and routine tasks that require these services.

This Matter was Approved as Recommended on the Consent Agenda.

060314_200608281300a.PDF

060314_200608281300b.PDF

060321.**Florida Recreation Development Assistant Program Grant Application for Possum Creek Park Development (B)**

This item requests the City Commission to authorize staff to submit a grant

application to the Florida Department of Environmental Protection, Florida Recreation Development Program for the development of recreational amenities at Possum Creek Park.

RECOMMENDATION *The City Commission authorize the City Manager to: 1) apply to the State of Florida, Department of Environmental Protection, Florida Recreation Development Assistant program for up to \$200,000 in grant funds for park amenities at Possum Creek Park, and 2) authorize the City Manager to execute all documents associated with this grant, if awarded, 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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060322.

Florida Recreation Development Assistant Program Grant Application for Multipurpose Pavilion/Open Air Classroom (B)

This item requests the City Commission to authorize staff to submit a grant application to the Florida Department of Environmental Protection, Florida Recreation Development Program for the development of a multipurpose pavilion/open air classroom for the picnic area at Morningside Nature Center.

RECOMMENDATION *The City Commission authorize the City Manager to: 1) apply to the State of Florida, Department of Environmental Protection, Florida Recreation Development Assistant program for \$75,000 in grant funds for the multipurpose pavilion/open air classroom project at Morningside Nature Center; and 2) authorize the City Manager to execute all documents associated with this grant, if awarded, 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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060322b_200608281300.pdf

060322c_200608281300.pdf

060335.

Transportation Regional Incentive Program (TRIP) Agreement (B)

This item involves a request for the City Commission to enter into an interlocal agreement between the Gainesville Area Metropolitan Transportation Planning Organization (MTPO) and the Ocala / Marion Transportation Planning Organization (TPO).

RECOMMENDATION *Recommended Motion: The City Commission: 1) authorize the Mayor to execute the Transportation Regional Incentive Program (TRIP) Agreement, subject to City Attorney approval as to form and legality.*

Alternative Recommendation: The City Commission deny the request for this Agreement which would result in the regional partnership not being formed and transportation projects not being eligible for TRIP funding.

This Matter was Approved as Recommended on the Consent Agenda.

060335_200608281300.PDF

060337. SpringHills Development of Regional Impact (DRI) - Transportation Impacts (B)

This item involves a recommendation to the City Commission to adopt the staff recommended position with respect to transportation impacts created by the SpringHills development on NW 39 Avenue (State Road 222) inside the city limits.

RECOMMENDATION

Recommended Motion: The City Commission: 1) adopt the staff-recommended position with respect to transportation impacts on NW 39 Avenue (State Road 222) created by the SpringHills development inside the city limits; and 2) transmit this position to the Alachua County Commission prior to August 30, 2006.

Alternative Recommendation: The City Commission develop an alternate position with respect to transportation impacts on NW 39 Avenue created by the SpringHills development.

Withdrawn

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060337_200608281300b.pdf

060337_200608281300c.pdf

060343. 2006 City Commission Strategic Objectives - Status Update (B)

This item provides a progress update on the City Commission's adopted goals and objectives.

RECOMMENDATION

The City Commission receive a report from the City Manager on the current progress towards the City Commission Strategic Goals for 2006.

This Matter was Approved as Recommended on the Consent Agenda.

060343_200608281300.pdf

060375. Gainesville Clean and Green Program (B)

The Gainesville Clean and Green Program is a comprehensive effort by City staff to focus the resources of the City, private sector, Alachua County, and the State of Florida to improve the overall appearance of the City's gateway corridors.

RECOMMENDATION *The City Commission approve staff's effort to target the cleanliness and overall appearance of the City's gateway corridors.*

This Matter was Approved as Recommended on the Consent Agenda.

060375_200608281300.PDF

060383.

Request to Amend the Stormwater Management Utility Fund Fees Found in Appendix A of the Code of Ordinances (B)

This item involves a request from the Public Works Department to increase the Stormwater Management Utility Fund (SMUF) fees in Appendix A of the Code of Ordinances.

RECOMMENDATION *Recommended Motion: The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the Code of Ordinances amending the Stormwater Management Utility fees in Appendix A.*

Alternative Recommendation A: The City Commission deny authorization for the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the Code of Ordinances amending the Stormwater Management Utility fees in Appendix A.

This Matter was Approved as Recommended on the Consent Agenda.

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060378.

Discussion of the Enterprise Zone and the Green Building Program (NB)

This agenda item provides a discussion of the impact of new State legislation on the Enterprise Zone and Green Building Programs. It also recommends temporarily discontinuing the use of discounts for buildings in the Enterprise Zone effective October 1, 2006, other than for those having already filed for site plan approval, and requests authorization for staff and the Community Development Committee and the Gainesville Enterprise Zone Development Agency (GEZDA) to explore funding sources for reinstating the Enterprise Zone discount if a future funding source can be determined.

RECOMMENDATION *Staff to the City Commission: Refer the issue to the Community Development Committee and GEZDA for further*

exploration of ways to fund this in the future and to then (if a future funding source is located) consider reactivating such discounts.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

060389. Marketing and Communications Consultant (NB)

Staff recommends establishing a contract to perform marketing and communications consulting services.

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or her designee, to negotiate and execute a contract with Strategists, Inc., a specified source, to perform marketing and communications consulting and related services for a two year-term in amounts not to exceed \$96,000 each year, subject to approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders to Strategists, Inc. in amounts not to exceeding \$96,000 per year, subject to the final appropriation of funds for these services for the FY 2007 and FY 2008 budgets.*

This Matter was Approved as Recommended on the Consent Agenda.

060390. Contract for Uniform Rental, Laundering and Maintenance (B)

Staff recommends establishing a contract for rental uniforms for various GRU and General Government departments.

RECOMMENDATION *The City Commission: 1) authorize the Interim General Manager, or her designee, to execute a three year contract with Riverside Uniform Rentals for rental uniforms for various GRU and General Government departments, subject to approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders for rental uniforms to Riverside Uniform Rentals not exceeding budgeted amounts for each year of the contract, subject to the final appropriation of funds for each fiscal year.*

This Matter was Approved as Recommended on the Consent Agenda.

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060391. Communication Consulting and Graphic Design Services Agreement (NB)

Staff recommends establishing a strategic alliance contract with PRO INK Corporation to provide communications consulting, graphic design and related services.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to negotiate a strategic alliance agreement with PRO INK Corporation for as-needed communication consulting and graphic design services for a three year-term subject to approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders to PRO INK Corporation in amounts not to exceed \$250,000 per year subject to the final appropriation of funds for these services in each fiscal year of the agreement.

This Matter was Approved as Recommended on the Consent Agenda.

060392. Amendment to Contract for GRU Customer Bulletin (NB)

Staff recommends extending the contract for printing the GRU Customer Bulletin.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or her designee, to negotiate and execute an amendment to the contract with Beechler Waters Commercial Printers and Mailers for printing the GRU Customer Bulletin, subject to approval of the City attorney as to form and legality; and 2) approve the issuance of a purchase order to Beechler Waters Commercial Printers and Mailers in an amount not-to-exceed \$72,000 subject to the final appropriation of funds for these services for FY 2007.

This Matter was Approved as Recommended on the Consent Agenda.

060393. Lease Space (NB)

Staff is requesting authorization from the City Commission to execute a Lease Agreement for office space.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager or her designee, upon successful negotiation of terms, to execute a Lease Agreement for approximately 6885 square feet of office space at Union Street Station, subject to

approval as to form and legality by the City Attorney.

This Matter was Approved as Recommended on the Consent Agenda.

060395. Amendment to the Contract for Management Performance Consulting Services (NB)

Staff recommends extending the contract for management performance consulting services.

RECOMMENDATION *The City Commission: 1) authorize the Interim General Manager, or her designee, to negotiate and execute an amendment to the Contract for one year with Organizational Excellence International, P.C., a specified source, for management and employee development consulting and training services, subject to the approval of the City Attorney as to form and legality, and 2) approve the issuance of a purchase order to Organizational Excellence International, P.C. in an amount not to exceed \$75,000 for FY 2007, subject to the final appropriation of funds for these services.*

This Matter was Approved as Recommended on the Consent Agenda.

060396. Partial Release of Easement at 4908 NW 15th Place (B)

RECOMMENDATION *The City Commission: 1) Approve the partial release of an easement at 4908 NW 15th Place; and 2) Authorize the Mayor to execute the Partial Release of Easement document subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

060396_20060828.pdf

060405. Contract Amendment for Herbicides (NB)

Staff recommends extending the contract for herbicides for Vegetation Management.

RECOMMENDATION *The City Commission: 1) authorize the Interim General Manager or his designee to execute an amendment to extend the contract with Helena Chemical Company for herbicides for the Vegetation Management Division for a one-year period; and 2) approve the issuance of a purchase order to*

Helena Chemical Company in an amount not to exceed \$50,000, subject to the final appropriation of funds for FY 2007.

This Matter was Approved as Recommended on the Consent Agenda.

060332.

Engineering Proposal Development, Design, Procurement and Construction Services in Support of Proposed Shands Central Utility Plant (B)

Staff recommends approval of the final ranking of the engineering firms and authorization to negotiate a contract in accordance with the Consultants' Competitive Negotiations Act (CCNA) for Engineer, Procure, and Construct (EPC) services for the proposed Shands Central Utility Plant for Phase 1 Services.

RECOMMENDATION

The City Commission: 1) approve the final ranking of the EPC firms; 2) authorize the Interim General Manager for Utilities, or her designee, to negotiate contracts in accordance with the Consultants' Competitive Negotiations Act (CCNA) for EPC Services for the proposed Shands Central Utility Plant; and 3) authorize the Interim General Manager or her designee, upon successful negotiations, to execute a contract subject to approval of the City Attorney as to form and legality, in an amount not to exceed \$250,000 for Phase 1 Services.

This Matter was Approved as Recommended on the Consent Agenda.

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060397.

Advanced Utility Services Gainesville Greens Project (B)

Staff is proposing to provide chilled water, emergency electrical generation, and communications services including Internet, high speed data, telephone, and possibly video to Gainesville Greens on a contractual basis. The terms and conditions for these services have been broadly defined in a Memorandum of Understanding and staff needs authorization to negotiate the required final agreement(s).

RECOMMENDATION

The City Commission authorize the interim General Manager or her designee to negotiate and execute final agreement(s) pursuant to the attached Memorandum of Understanding with GG DEVELOPMENT ASSOCIATES, LLC. (Gainesville Greens), for Gainesville Regional Utilities to provide advanced utility services to the University Corners Development, including chilled water for air conditioning, emergency generation, and a broadband network for the

delivery and distribution of advanced communication services, subject to approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

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060398.

Engineering Proposal Development, Design, Procurement and Construction Services (EPC Services) in Support of Gainesville Greens and University Corners Chilled Water Facilities (B)

Staff recommends approval of the final ranking of the engineering firms and authorization to negotiate a contract in accordance with the Consultants' Competitive Negotiations Act (CCNA) for EPC services for the proposed Gainesville Greens and University Corners chilled water facilities.

RECOMMENDATION

The City Commission: 1) approve the final ranking of the EPC firms; 2) authorize the Interim General Manager for Utilities, or her designee, to negotiate contracts in accordance with the Consultants' Competitive Negotiations Act (CCNA) for EPC Services for the proposed Gainesville Greens and University Corners chilled water facilities; 3) authorize the Interim General Manager or her designee, upon successful negotiations, to execute a contract subject to approval of the City Attorney as to form and legality, in an amount not to exceed \$100,000 for Phase 1 Services for Gainesville Greens, and 4) authorize the Interim General Manager or her designee, upon successful negotiations, to execute a contract subject to approval of the City Attorney as to form and legality, in an amount not to exceed \$100,000 for Phase 1 Services for University Corners.

This Matter was Approved as Recommended on the Consent Agenda.

060398_200608281300.pdf

CITY ATTORNEY, CONSENT AGENDA ITEMS

060401.

WATSON CONSTRUCTION CO. V. CITY OF GAINESVILLE (NB)

RECOMMENDATION

The City Commission authorize the City Attorney and Special Counsel to represent the City in the appeal in this lawsuit.

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

060379. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of July 27, 2006 and August 14, 2006; as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

060400. Resignation of Advisory Board/Committee Member Gloria Lopez (B)

RECOMMENDATION *The City Commission accept the resignation of Gloria Lopez from the Gainesville/Alachua County Cultural Affairs Board effective July 25, 2006.*

This Matter was Approved as Recommended on the Consent Agenda.

060402. Joint Meeting between the City and School Board of Alachua County (B)

RECOMMENDATION *The City Commission schedule a joint meeting with the School Board of Alachua County on October 2 at 5:00 PM at the School Board to discuss issues included, but not limited to:*

- 1. The Academic and Physical Plant Health of Schools*
- 2. Standardized Test Scores*
- 3. Graduation Rates*
- 4. Capital Status of Schools located within the City of Gainesville*
- 5. Workforce Preparation*

This Matter was Approved as Recommended on the Consent Agenda.

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EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PUBLIC SAFETY COMMITTEE, CONSENT****060310.** Joint Aviation Unit Funding for FY 2006-07 (NB)

This item requests the City Commission approve funding for the Joint Aviation

**Unit for FY 2006-07 operating expenses from the Federal Law Enforcement
Contraband Forfeiture Trust Fund.**

RECOMMENDATION

Recommended Motion: The City Commission approve the appropriation of \$90,971 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Joint Aviation Unit.

Alternative Recommendation A: The City Commission approve an amount less than the \$90,971 requested.

Alternative Recommendation B: None.

This Matter was Approved as Recommended on the Consent Agenda.

060311.

**Mounted Patrol Unit Funding from Federal Law Enforcement Contraband
Forfeiture Trust Fund for FY 2006-07 (NB)**

RECOMMENDATION

Recommended Motion: The City Commission approve the appropriation of \$51,040 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Mounted Patrol Unit.

Alternative Recommendation A: The City Commission approve an amount less than the \$51,040 requested.

Alternative Recommendation B: None.

This Matter was Approved as Recommended on the Consent Agenda.

AUDIT, FINANCE and LEGISLATIVE COMMITTEE, CONSENT

060301.

Living Wage Review (B)

RECOMMENDATION

The City Commission: 1) Accept the City Auditor's report and the response from the City Manager and Interim General Manager for Utilities; and 2) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.

This Matter was Approved as Recommended on the Consent Agenda.

060301AFLC_20060815.pdf

060302.**Review of Travel Expenses (B)****RECOMMENDATION**

The City Commission: 1) Accept the City Auditor's report and the response from the City Manager and Interim General Manager for Utilities; and 2) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.

This Matter was Approved as Recommended on the Consent Agenda.

060302AFLC_20060815.pdf

060334.**Fiscal Year 2006 Operating Funds Quarterly Monitoring Report - Quarter Ending June 30, 2006 (B)****RECOMMENDATION**

The City Commission receive the General Government Quarterly Budget Monitoring Report for the quarter ended June 30, 2006.

This Matter was Approved as Recommended on the Consent Agenda.

060334AFLC_20060815.pdf

060349.**Gainesville Regional Utilities (GRU) - Quarterly Financial Report (B)****RECOMMENDATION**

The City Commission receive the GRU Quarterly Financial Report as of June 30, 2006.

This Matter was Approved as Recommended on the Consent Agenda.

060349AFLC_20060815.pdf

EQUAL OPPORTUNITY COMMITTEE, CONSENT**060169.****Neighbors Building Neighborhoods Program - Rochester NY (B)****RECOMMENDATION**

The City Commission encourage consideration of similar programs as potential outcomes of Race Relations Summit on September 6-7, 2006.

This Matter was Approved as Recommended on the Consent Agenda.

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Commissioner Bryant moved and Commissioner Donovan seconded to adopt the Regular Agenda with the following modifications.

(VOTE: 5-0, Commissions Braddy and Henry - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File #060341 - Presentation on the City's Performance Measurement and Benchmarking Program - (Withdraw from the agenda and place on the September 25, 2006 agenda).*
- 2. File #050910 - Planned Development Amendment - Kingswood Court - (Request for continuance to the September 11, 2006 meeting).*
- 3. File #060094 - Interlocal Agreement for Public School Facility Planning - (Add to the recommendation "and adopt the interlocal agreement and the resolution").*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

060341. Presentation on the City's Performance Measurement and Benchmarking Program (NB)

Staff from the City's Strategic Planning Division will provide information on the City's Performance Measurement and Benchmarking efforts.

This item was withdrawn from the agenda and will be placed on the September 25, 2006 agenda.

RECOMMENDATION

The City Commission hear the presentation and take any appropriate action, if necessary.

Withdrawn

060345.

Landlord Permit Fee Increases to Address the Impacts of Rentals in Single-Family Neighborhoods through Program Enhancements (B)

This item involves a request for the City Commission to raise the fee for landlord permits to partially reflect the cost of enforcement and to fund program enhancements needed to address the negative impacts of rentals in single-family neighborhoods.

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

Chair Hanrahan recognized Sylvia Mc Intyre-Crook who spoke to the matter.

MOTION: Commissioner Lowe moved and Commissioner Donovan seconded that the City Commission adopt the landlord permit fee of \$177.00 and that staff bring back updates regarding the suite of changes that are funded by the \$177.00 landlord permit fee.

(VOTE: 5-0, Commissioners Braddy and Henry - Absent, MOTION CARRIED)

RECOMMENDATION *The City Commission hear a presentation from staff and provide direction.*

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

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

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060347.

Request to Amend the Building Inspection Fees Found in Appendix A of the Code of Ordinances (B)

This item is a request from the Building Inspection Department to increase certain fees in Appendix A of the Code of Ordinances to implement full cost recovery for services delivered to the public.

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

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the Code of Ordinances amending the Building Inspection Department fees in Appendix A.*

Alternative Recommendation A:

The City Commission leave fees as they are, which may not cover costs including needed positions.

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

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

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060348.

Discussion of Proposed Tentative Financial and Operating Plan for FY 2006-2007 (NB)

Staff will present proposed cuts to previously proposed FY 2007 budget to accommodate City Commission's request to reduce the proposed millage rate to 4.9000.

City of Gainesville Administrative Services Director Becky Rountree gave a presentation.

NOTE: Commissioner Braddy entered the meeting room at 1:52 PM.

MOTION: Commissioner Bryant moved and Commissioner Lowe seconded to adopt the City Manager's recommendation for a millage rate of 4.8509 with no further reduction of expenditures.

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

RECOMMENDATION *The City Commission hear staff's presentation and take appropriate action.*

A motion was made by Commissioner Bryant, 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: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan and Jeanna Mastrodicasa

Absent: Scherwin Henry

GENERAL MANAGER FOR UTILITIES

060399.

All Source Solicitation for Energy Supply (B)

Independent reviews of the proposed Integrated Resource Plan were performed last winter and were concluded in March of 2006. One of the conclusions reached was that additional generation capacity would be needed even if the maximum cost-effective energy conservation were achieved. On April 12, 2006, in addition to developing a plan to achieve the maximum cost-effective energy

conservation, the City Commission requested staff to conduct an all source solicitation to meet the balance of Gainesville's energy and demand needs. The results of the all source solicitation were to be compared to the options of a self built, biomass fired or an integrated gasification combined cycle (IGCC) facility (preferably able to use biomass as well). Staff has identified a number of opportunities and has designed a process to assemble an energy supply plan to meet the Community's need for efficient, clean, economical, reliable and low carbon intensity sources of electrical supply.

GRU Assistant General Manager for Strategic Planning Ed Regan gave a presentation.

RECOMMENDATION

The City Commission receive a presentation from staff on possible biomass and IGCC power supply opportunities, and the process that has been designed to develop an all source solicitation to meet the balance of Gainesville energy and demand needs.

No Action Taken

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CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

STAFF UPDATE - GAINESVILLE FIRE CHIEF BILL NORTHCUTT

- 1. Update on Hurricane Ernesto*
- 2. Firefighter Combat Challenge*

COMMISSION COMMENTS (if time available)

MAYOR PEGEEN HANRAHAN

Oak Hammock - Residents concern regarding the need for a traffic light at the Williston Road entrance to Oak Hammock.

See following referral item #060440.

060440. Oak Hammock Residents - Traffic Light Request (NB)

The City Commission referred this item to the City Manager without objection.

RECOMMENDATION *The City Commission refer to the City Manager the issue of contacting the Department of Transportation regarding the Oak Hammock resident's request of placing a traffic light at the Williston Road entrance of the Oak Hammock Neighborhood.*

Referred to City Manager

RECESS -3:12 PM

RECONVENE - 5:47 PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

060327. Wayne Castello Day - August 28, 2006 (B)

RECOMMENDATION *Reichert House volunteer and local attorney Wayne Castello to accept the proclamation.*

Heard

City Attorney Marion J. Radson

Recognition of 25 years of service.

Marketing and Communications Office Recognition

Recognizing Bill Taylor, Thomas Tripp and James Scott for Excellence in Broadcasting.

CITIZEN COMMENT**Doris Edwards**

Lincoln Estates

Bahar Armaghani

Sister Cities Resolution

Steve Kalishman

Sister Cities Resolution

060441. Gainesville-Duhok Sister City Program Resolution (B)

RECOMMENDATION *The City Commission refer the Gainesville-Duhok Sister City Program Resolution to the City Attorney for review and bring back to the City Commission at a future meeting.*

A motion was made by Commissioner Braddy, seconded by Commissioner Bryant, that this matter be Referred to the City Attorney, due back on February 28, 2007. The motion carried by the following vote:

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

Absent: Scherwin Henry

Russel Roy

Sister Cities Resolution

Pat Fitzpatrick

- 1. City Garage, Commerce Building and other downtown developments.*
- 2. Homeless Issues.*

Kali Blount

CRA staff coordinating the 5th Avenue/Pleasant Street Advisory Board.

Richard Selwach

Airport Issues

PUBLIC HEARINGS

060359.

Adoption of the Eastside Community Redevelopment Plan (B)

City of Gainesville Community Development Director Tom Saunders and Asset Property Disposition, Inc. (APD) Representative Jesse Wiles gave presentations.

Chair Hanrahan recognized Maureen Rushlee and David Schwartz who spoke to the matter.

RECOMMENDATION

The City Commission adopt the resolution.

Alternative Recommendation A: Adopt the resolution with modifications.

Alternative Recommendation B: Do not adopt the resolution.

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

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

Absent: Scherwin Henry

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ORDINANCES, 1ST READING- ROLL CALL REQUIRED

060336.

EASTSIDE COMMUNITY REDEVELOPMENT AREA (B)

Ordinance No. 0-06-80

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 2-410.3 by expanding the boundaries of the Eastside Community Redevelopment Area; amending Section 2-415 relating to the trust fund for the Eastside Community Redevelopment Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

RECOMMENDATION

The City Commission adopt the proposed ordinance.

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

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan and Jeanna Mastrodicasa
 Absent: Scherwin Henry
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060103.

SPECIAL REGULATIONS FOR OFF-STREET PARKING AND ESTABLISHING A RESIDENTIAL PARKING OVERLAY DISTRICT (B)

Ordinance No. 0-06-62; Petition 70TCH-06 PB

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Development Code, Chapter 30; amending section 30-23 by defining the term “context area;” amending section 30-56, providing special regulations for off-street parking in the context area or any residential regulated parking overlay district; creating and adding a new section 30-56.1, providing for a new overlay district to be known as “Residential Parking Overlay District;” establishing the procedure and criteria for rezoning and imposing the overlay district; providing administrative remedy; amending section 30-330, making conforming changes; amending the City of Gainesville Code of Ordinances, relating to fees; amending Appendix A, Land Development Code, section (2), Planning, by creating a fee for verifying signatures on a petition requesting imposition of a Residential Parking Overlay District; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Neighborhood Planning Coordinator John Wachtel gave a presentation.

Chair Hanrahan recognized Melody Marshall 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 Lowe, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward Braddy, Rick Bryant, Craig Lowe, Jack Donovan and Jeanna Mastrodicasa
 Absent: Scherwin Henry
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060352.

AMENDMENT TO NOISE ORDINANCE (B)

Ordinance No. 0-06-75

An ordinance of the City of Gainesville, Florida, relating to noise; amending section 15-6 of the Code of Ordinances increasing the duration of warnings for all prohibited sounds; providing directions to the codifier; providing a severability clause; providing a repealing clause; providing for penalties; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

050158.

DEVELOPMENT REVIEW PROCESS (B)

Ordinance No. 0-06-16; Petition 107TCH-05 PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to development review plans; amending section 30-23; adding a definition for developed industrial area; amending section 30-159; creating a new level of review for minor plans before the development review board; amending paragraph 30-350(b)(3); amending the neighborhood meeting requirements, adding an architectural/design consultant procedure for development located in community redevelopment districts and special Area Plan districts; amending paragraph 30-351(d)(1); providing for notice of development plan review for certain minor development plans; amending paragraph 30-352(b)(1); revising the background and professional requirements of the persons who may serve as development review board members; providing directions to the codifier; providing a severability clause; providing a repealing clause; providing a schedule for implementation; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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050586.**AMENDED LIST OF CONTRIBUTING STRUCTURES IN THE PLEASANT STREET HISTORIC DISTRICT (B)****Ordinance No. 0-06-45; Petition 161MSC-06 PB**

An ordinance of the City of Gainesville, Florida, amending the list of contributing buildings and structures in the Pleasant Street Historic District, as more specifically described in this ordinance; finding these additional buildings and structures as contributing structures subject to the regulations of the City's historic preservation/conservation ordinance; finding one building and structure as a non-contributing structure; 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 Donovan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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050910.**PLANNED DEVELOPMENT AMENDMENT - KINGSWOOD COURT (B)****Ordinance No. 0-06-48, Petition No. 10PDA-06PB**

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Kingswood Court"; located at 5240 Northwest 8th Avenue; adopting an additional planned development report; and additional development plan maps; amending the conditions adopted by Ordinance No. 2989; 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 Donovan, that this matter be Continued (2nd Reading) for September 11, 2006. The motion carried by the following vote:

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

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050911.

PLANNED DEVELOPMENT AMENDMENT - BUCK BAY (B)

Ordinance No. 0-06-60, Petition No. 12PDA-06PB

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as “Buck Bay Planned Development”; located in the vicinity of the 7700 block of Northwest 22nd Avenue; amending the terms, conditions and requirements of the planned development as originally adopted by Alachua County Resolution No. Z-82-43; 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 Donovan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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060002.

TOWING ADMINISTRATIVE FEE (B)

Ordinance No. 0-06-70

An ordinance of the City of Gainesville amending section 14.5-26(a) of the Gainesville Code of Ordinances relating to trespass towing; providing for pro-rated administrative fees; providing requirements for pro-rated administrative fees; amending the Police section of Appendix A, Schedule of Fees, Rates and Charges by delineating pro-rated fee categories; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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RESOLUTIONS- ROLL CALL REQUIRED

060338.

Resolution for a Joint Participation Agreement - State Block Grant Funds for RTS Operating Assistance for FY 2006-2007 (B)

This item involves adoption of a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to accept the allocation for Gainesville of \$1,356,306 from the State Block Grant Funds for FY 2006-2007.

RECOMMENDATION

Recommended Motion: The City Commission adopt the Resolution.

Alternative Recommendation A: The City Commission reject the motion to adopt the Resolution authorizing execution of the Joint Participation Agreement for RTS. The resulting fiscal impact is the loss of the FDOT State Block Grant Funds allocation of \$1,356,306 for FY 2006-2007.

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

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

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060333.

Third Amendment to FY 2006 General Financial and Operating Plan Budget Resolution (B)

RECOMMENDATION

The City Commission adopt the third amendatory budget resolution to the FY2006 General Government Financial and Operating Plan budget.

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

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

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060094.**Interlocal Agreement for Public School Facility Planning (B)**

The purpose of this item is to update the City Commission and the general public on the required school concurrency-related Interlocal Agreement for Public School Facility Planning, and for the City Commission to approve the updated agreement by resolution for submission to the Department of Community Affairs.

City of Gainesville Chief of Comprehensive Planning Dean Mimms and Community Development Director Tom Saunders gave presentations.

PLACE ON THE TABLE MOTION: Commissioner Bryant moved and Commissioner Braddy seconded to place this item on the table.

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

TAKE FROM THE TABLE MOTION: Commissoin Bryant moved and Commissioner Braddy seconded to take this item from the table.

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

Chair Hanrahan recognized Alachua County School Board Director of Community Planning and Zoning Terry Tougow who spoke to the matter.

RECOMMENDATION

The City Commission: 1) Approve the proposed updated Interlocal Agreement for Public School Facility Planning, and revisit the issue of representation on the School Planning Advisory Committee prior to adoption of the comprehensive plan amendments that are required for the implementation of school concurrency by July 1, 2008; and 2) adopt the interlocal agreement and adopt the resolution.

Alternative Recommendation A: The City Commission not approve the proposed updated Interlocal Agreement for Public School Facility Planning until such time as the representation issue is resolved.

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

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

Absent: Scherwin Henry

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060183.**Florida Gas Utility and Gas Supply Agreement #2 (B)**

Staff recommends the City join Florida Gas Utility (FGU) and enter into Gas Supply Agreement #2 with FGU for a portion of the City's future natural gas supply needs.

GRU Assistant General Manager for Strategic Planning Ed Regan gave a presentation.

RECOMMENDATION

The City Commission: 1) Adopt a Resolution incorporating by reference, approving the form and authorizing the execution of the Assumption Agreement for membership in Florida Gas Utility (FGU); Gas Supply Agreement #2 for the purchase and sale of gas and other gas supply related services; authorizing FGU to negotiate the terms of related financial products and financial instruments on behalf of the City as provided in said agreement and at the direction of the City's authorized representatives; authorizing the execution and delivery of such instruments; authorizing FGU to pledge the City's payment obligations thereunder to secure the payment of costs as provided in the gas supply agreement, or other obligations required under such agreements and bonds or other obligation issued by FGU; providing for the making of payments pursuant to said gas supply agreement and making certain covenants in conjunction with said payments; providing for the making of payments pursuant to said financial instruments and making certain covenants in conjunction with said payments; providing for the appointment of the project participant representatives; providing certain other authorization and details with respect thereto and providing an effective date; and 2) Authorize the Interim General Manager, Clerk of the Commission and other Authorized Officers to execute such documents as may be necessary to proceed with the transactions authorized above and to take such other actions as may be necessary or advisable to proceed with the Gas Supply Agreement #2 in accordance with this City Commission authorization.

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

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

Absent: Scherwin Henry

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PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS**SCHEDULED EVENING AGENDA ITEMS****060331. Commissioner Rick Bryant - Alachua County Housing Authority's Homeless Housing Assistance Grant Application to the State with the NW 13th St. Site (NB)**

Gainesville Housing Authority Representative Gail Monahan, Community Development Director Tom Saunders and John DeCarmine gave presentations.

MOTION (REFERRAL): Commissioner Donovan moved and Commissioner Mastrodicasa seconded to refer the issue of the homeless substance abusers on the Downtown Community Plaza to the City Manager for alternatives and recommendations and bring back to the City Commission.

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

Chair Hanrahan recognized Ken McGurn, Linda McGurn and Pat Fitzpatrick who spoke to the matter.

RECOMMENDATION *The City Commission hear an update from staff on the proposed site location and what will be the City's role.*

A motion was made by Commissioner Donovan, seconded by Commissioner Mastrodicasa, that this matter be Referred to the City Manager, due back on February 28, 2007. The motion carried by the following vote:

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

UNFINISHED BUSINESS**COMMISSION COMMENT****CITIZEN COMMENT (If time available)****ADJOURNMENT 9:51 PM**

Kurt M. Lannon, Clerk of the Commission