

City of Gainesville

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



Meeting Minutes

Monday, February 12, 2007

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 - 1:07 PM

ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

*Mayor-Commissioner Pro Tem Lowe moved and Commissioner Mastrodicasa seconded to adopt the Consent Agenda with the following modifications.
(VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)*

MODIFICATIONS:

- 1. File #060930 - Underground Electric Distribution Installation Services Contract - (Revised Fiscal Note).*
- 2. File #060711 - Proposed FY 2007 Youth Summer Camp Registration Fee - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

CITY MANAGER, CONSENT AGENDA ITEMS

060630.

Standards for Installation and Maintenance of Fencing (NB)

This item requests that the City Commission refer to the Community Development Committee the issue of revising Chapter 13 of the Gainesville Code of Ordinances to establish standards for fencing.

RECOMMENDATION

The City Commission refer to the Community Development Committee the issue of revisions to both the housing and commercial property sections of Chapter 13 to require fences to be maintained in good condition.

This Matter was Approved as Recommended on the Consent Agenda.

060899.

Annexation of City-owned Parcels Adjacent to the Gainesville Regional Airport (B)

This is the submission of petition for voluntary annexation of City-owned property in the area of the Gainesville Regional Airport.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinance relating to the annexation of the area, if appropriate.

This Matter was Approved as Recommended on the Consent Agenda.

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060909.**Memorandum of Understanding Between the Florida Division of Emergency Management and the City of Gainesville to Support and Use Baseline Specifications for LiDAR & Orthophotography (B)**

This item involves a request for the City Manager to be authorized to sign the Memorandum of Understanding with the Florida Department of Emergency Management that endorses the standards for data gathering via remote sensing technologies.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to sign the attached MOU to support the development, maintenance and use of baseline specifications regarding LiDAR and orthophotography acquisition in the City of Gainesville.

This Matter was Approved as Recommended on the Consent Agenda.

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060912.**Authorization for the Mayor to execute a Release of Easement onto Wal-Mart (B)**

This item involves Mayor authorization to execute a Release of Easement onto Wal-Mart for an abandoned lateral ditch.

RECOMMENDATION

The City Commission: 1) approve the release of easement for the abandoned lateral ditch; and 2) authorize the Mayor to execute the Release of Easement onto Wal-Mart.

This Matter was Approved as Recommended on the Consent Agenda.

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060913.**Annexation of Parcel Number 07176-020-000 and City-owned Parcel Number 07176-020-001 (B)**

This is the submission of petitions for voluntary annexation in the area of Williston Road and SW 20th Terrace.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

This Matter was Approved as Recommended on the Consent Agenda.

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060919.

Emergency Management, Preparedness, and Assistance (EMPA) Trust Fund (Part A): Emergency Management Competitive Grant Program - FY08 (NB)

This item requests that the Commission permit Gainesville Fire Rescue to apply for an EMPA Trust Fund Competitive Grant through its Risk Reduction Bureau for a Combination Fire Sprinkler/Emergency Preparedness Mobile Training Vehicle. There is no match requirement for this grant.

RECOMMENDATION

The City Commission authorize the City Manager to: 1) apply for the Emergency Management, Preparedness, and Assistance (EMPA) Trust Fund (Part A): Emergency Management Competitive Grant; and if awarded 2) execute the grant award contract and other necessary documents, pending approval by the City Attorney as to form and legality; and 3) approve the required payments process for expending the grant funds.

Alternate Recommendation A: The City decline to authorize GFR's application for the EMPA Trust Fund Grant and maintain its current program service level, which does not currently include community-wide emergency preparedness training and residential fire sprinkler advocacy.

This Matter was Approved as Recommended on the Consent Agenda.

060946.

Request for City Co-Sponsorship (B)

Organizers of the Five Points of Life Marathon are requesting that the City be a Co-Sponsor of this event.

RECOMMENDATION

Recommended Motion: The City Commission approve

LifeSouth and GSC's request for the City of Gainesville to Co-Sponsor this event, thus allowing for reduced rates for City services.

Alternative Recommendation: The City Commission deny City Co-Sponsorship of this event.

This Matter was Approved as Recommended on the Consent Agenda.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

060930.

Underground Electric Distribution Installation Services Contract (NB)

Staff recommends approval of a one-year extension of the contract for the installation of underground electric distribution facilities with Pike Electric Inc.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to execute an amendment to extend the contract with Pike Electric Inc. for installation of underground electric distribution facilities for a one-year period; and 2) approve the issuance of a purchase order to Pike Electric Inc. for these services in amounts not exceeding budgeted amounts.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

060938.

GARY C. RICHARDS V. CITY OF GAINESVILLE; CASE NO.: 01-06-CA-4948 (8TH JUDICIAL CIRCUIT) (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Gary C. Richards v. City of Gainesville; Alachua County Circuit Court; Case No.: 01-06-CA-4948.

This Matter was Approved as Recommended on the Consent Agenda.

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060939.

J.K. "BUDDY" IRBY, AS CLERK OF THE CIRCUIT COURT OF ALACHUA COUNTY, FLORIDA VS. CITY OF GAINESVILLE, ET AL.; ALACHUA COUNTY COURT; CASE NO.: 2007-CC-89 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled J.K. "Buddy" Irby, as Clerk of the Circuit Court of Alachua County, Florida vs. City of Gainesville, et al.; Alachua County Court; Case No.: 2007-CC-89.

This Matter was Approved as Recommended on the Consent Agenda.

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CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**060929. City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of January 20, 2007 (Special Meeting); January 22, 2007 (Regular Meeting); and January 29, & 30, 2007 (Special Meetings); as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

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060942.**Resignation of Advisory Board/Committee Member Cecily McLeod (B)****RECOMMENDATION**

The City Commission accept the resignation of Cecily McLeod from the Citizens Advisory Committee for Community Development effective immediately.

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****RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE,
CONSENT****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****060882.****Reorganization of Budget & Finance Department (B)**

This item details the proposed staff and reporting relationship changes associated with the reorganization of the Budget & Finance Department.

RECOMMENDATION *The Personnel and Organizational Committee approve the proposed reorganization of the Budget & Finance Department and refer the item to the full City Commission for their review.*

This Matter was Approved as Recommended on the Consent Agenda.

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060883.

Reorganization of the General Services Department (B)

This action is required as a result of the restructuring of the recently created General Services Department

RECOMMENDATION *The City Commission: 1) approve the addition of the General Services Support Manager position to the City's Occupational Index at pay grade M9 in the General Services Department; and 2) authorize the City Manager or designee to initiate the hiring process.*

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 Mastrodicasa, 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

Passed The Consent Agenda

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

*Mayor-Commissioner Pro Tem Lowe moved and Commissioner Scherwin Henry seconded to adopt the Regular Agenda with the following modifications.
(VOTE: 7-0, MOTION CARRIED)*

NOTE: Commissioner Braddy entered the meeting room after the adoption of the Consent Agenda.

MODIFICATIONS:

- 1. File #060422 - Planned Development Amendment Greenery Square - (Additional back-up submitted - Copies of power point).*
- 2. File #060731 Voluntary Annexation - Landmar and GRU Deerhaven Properties - (Revised Back-up submitted - Corrected Legal Description and revised recommendation to adopt as amended).*
- 3. File #060941 - Report on Buck Bay Mobile Home Park- (Revised Agenda Language (text file and new recommendation) and additional back-up submitted.*
- 5. File #060931 - Status Report of Plan to Achieve Maximum Energy Efficiency (Additional back-up submitted - Power Point).*
- 6. File #060943 - 2006 Albert " Ray Massey" Citizen Volunteer Award Day - (Postpone).*
- 7. File #060947 - Midtown Gainesville - (Move to the afternoon portion of the agenda under "Members of the City Commission" - Mayor Hanrahan).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

060911.

Presentation on School Readiness and Child Care Programs, Including the Working Poor Child Care Subsidy Program (B)

This item is a presentation on various school readiness and child care programs

in Alachua County and the City of Gainesville.

Assistant City Manager Lee Ann Lowery and Dr. Gordon Tremaine gave presentations.

MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to ask the City Manager to research some of the issues with regard to: 1) How the County is funding the program and focusing funding on City Children for consideration in the next budget; 2) bring back a recommendation on whether the employer match program is worth pursuing for our own employees; and 3) bring back a dollar figure and appropriate parameters if we're interested in covering a gap from July through October from the City Commission Contingency Fund.

(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION *The City Commission receive a presentation on school readiness and child care programs and refer potential funding items to city staff for consideration during the budget process.*

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Mastrodicasa, 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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060449.**City Commission Strategic Planning Workshop Results (B)**

This item addresses the outcome of the City Commission's Strategic Planning Workshop to update the Goals and Objectives for Fiscal Year 2007 and Fiscal Year 2008. The Workshop was held on December 4, 2006.

City of Gainesville Strategic Planning Manager Karen Snyder gave a presentation.

RECOMMENDATION *The City Commission: 1) receive the summary report prepared by Ms. Crotty; 2) reaffirm the modified Goals and Objectives for FY 2007 that are contained in the report; and 3) adopt the additional goals for FY 2008.*

Alternative Recommendation:

The City Commission 1) receive the summary report prepared by Ms. Crotty; 2) discuss the Goals and Objectives for FY 2007 and FY 2008 that are contained in the report and make any agreed upon changes; and 3) adopt the Goals and Objectives for FY 2007 and FY 2008 as modified.

A motion was made by Commissioner Braddy, seconded by Commissioner Henry, 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

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060927.**Legislative Update (B)**

The City Commission will receive a report from staff regarding legislative affairs.

City Legislative and Grants Coordinator Chris Cooper gave a presentation.

See following Referral Item #060986 to the Personnel and Organizational (P&O) Structure Committee.

RECOMMENDATION *The City Commission receive the legislative update and take action as appropriate.*

Heard

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060986.**Merging of the City and GRU Departments (NB)**

RECOMMENDATION *The City Commission refer the issue of merging the Purchasing Departments, PIO and Marketing; and IT/ Information Systems to the Personnel and Organizational Structure Committee.*

A motion was made by Commissioner Braddy, seconded by Commissioner Bryant, that this matter be Referred to the Personnel and Organizational Structure Committee, due back on August 12, 2007. The motion carried by the following vote:

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

GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)**

060711.**Proposed FY 2007 Youth Summer Camp Registration Fee (B)**

This item requests the City Commission to authorize an increase in the 2007 Youth Summer Camp participation registration fee.

City Assistant Recreation and Parks Director Steve Phillips and Recreation Manager Shannon Keleher gave presentations.

MOTION: Commissioner Henry moved and Commissioner Bryant seconded to: 1) Keep the program as recommended raising the rate to \$31.00 instead of 40.00 for fiscal year 2007; 2) raise the rate to \$41.00 for fiscal year 2008 and direct the City Manager to find the funds to make up the difference; and 3) ask staff to come back for FY 2008 with a review of the formula to include higher levels of subsidy for those with the greatest need.

(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION

Recommended Motion: The City Commission authorize staff to increase the FY2007 Summer Youth Camp fees as proposed.

Alternative Recommendation: The City Commission deny this request and provide direction to city staff regarding the FY2007 Summer Youth Camp fees.

A motion was made by Commissioner Henry, seconded by Commissioner Bryant, 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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RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE****PUBLIC SAFETY COMMITTEE****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE****REGIONAL UTILITIES COMMITTEE****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

060945.**Request for Funds for Public Utility Research Center Conference on February 15 and 16 (B)**

The Gainesville Energy Advisory Committee is requesting funds to attend the annual Public Utility Research Center Conference.

Chair Hanrahan recognized Rob Brinkman who spoke to the matter.

RECOMMENDATION

The City Commission allocate City Commission Contingency funds, or other funds deemed appropriate, of \$1,375 (\$275 per person) to enable five (5) members of the Gainesville Energy Advisory Board to attend the Public Utility Research Center on February 15 and 16.

No Action Taken

OUTSIDE AGENCIES**MEMBERS OF THE CITY COMMISSION****060947.****Midtown Gainesville - February 12, 2007 (B)**

Chair Hanrahan recognized Midtown President Robert Packer who spoke to the matter.

RECOMMENDATION

The City Commission discuss the concept of Midtown.

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Referred to the City Manager, due back on August 12, 2007. The motion carried by the following vote:

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

060885.**Crime Rate in Gainesville (NB)**

The City Commission hear the continued presentation on the increased crime rate in Gainesville and approve \$75,000 funding for the operation of the Violent Crimes Task Force from the Federal Law Enforcement Contraband Forfeiture Trust Fund.

City of Gainesville Police Chief Norm Botsford and Captain Lynn Benck gave presentations.

RECOMMENDATION *The City Commission hear the staff presentation and approve the appropriation of \$75,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the creation and funding of the Gainesville Police Department Violent Crimes Task Force.*

A motion was made by Mayor-Commissioner Pro Tem Lowe, 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

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060908.

Annual Performance, Salary, and Benefits Review for the Equal Opportunity Director (B)

*MOTION: Commissioner Bryant moved and Commissioner Henry seconded to approve a 4% salary increase for Equal Opportunity Director Jimmie Williams, retroactive to his anniversary date.
(VOTE: 7-0, MOTION CARRIED)*

See following referral item #060966.

RECOMMENDATION *The City Commission review the salary and benefits of the Equal Opportunity Director and make any changes deemed appropriate.*

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, Edward Braddy, Jack Donovan, Pegeen Hanrahan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa

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060966.

Charter Officer Compensation (NB)

Administrative Services Director Becky Rountree made comments.

RECOMMENDATION *The City Commission refer the issue of Charter Officer Compensation to the Personnel and Organizational (P & O) Structure Committee.*

A motion was made by Commissioner Braddy, seconded by Commissioner Bryant, that this matter be Referred to the Personnel and Organizational Structure Committee, due back on August 12, 2007. The motion carried by the following vote:

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

060935.**Commissioner Edward Braddy - Sprawl and Smart Growth (NB)**

RECOMMENDATION *Request a staff report on Sprawl and Smart Growth.*

A motion was made by Commissioner Braddy, seconded by Commissioner Bryant, that this matter be Referred to the City Manager, due back on August 12, 2007. 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)**Commissioner Scherwin Henry**

East Gainesville Zoning Issues (Old Food Stamp Building).

RECESS - 5:09 PM**RECONVENE - 5:45 PM****PLEDGE OF ALLEGIANCE (5:30pm)****Cub Scout Pack 127****PROCLAMATIONS/SPECIAL RECOGNITIONS****060943.****2006 Albert "Ray" Massey Citizen Volunteer Award Day - February 12, 2007**

(B)

RECOMMENDATION *Joannalyn Delacrus, Jean Lansford and the Dignity Project, Inc. to accept a proclamation.*

Postponed

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060947. Midtown Gainesville - February 12, 2007 (B)

NOTE: This item was withdrawn and was discussed under Members of the City Commission and referred to staff.

RECOMMENDATION *Midtown President Robert Packer and Secretary Chanity Brown to accept the proclamation.*

Withdrawn

CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**Walter Willard**

Various Issues

Reverend Milford Lewis Griner

Kennedy Homes Acquisition

Theodore McCloud

Employment Issues/GPD Issues

Jerry Williamson

GPD Issues

Richard Selwach

- 1. Drinking Water Contamination - Kopper's Site*
- 2. EO Office*
- 3. Homeless 10 year Plan*
- 4. Dept. of Economic Development*

Pat Fitzpatrick

Homeless Issues

Jeff Shapiro

Gainesville Community Band Invitation

060989. Gainesville Community Band Invitation (B)

RECOMMENDATION

The City Commission hear a presentation from Dr. Jeffrey Shapiro, President of the Gainesville Community Band and place back-up submitted on file.

Placed on File

Doris Edwards

1604 SE 3rd Avenue (Old Food Stamp Building) Zoning Issues

East Gainesville 5 Point Special Plan - See following referral #060990.

060990.**5 Point Special Area Plan for East Gainesville (NB)**

City Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION

The City Commission refer the East Gainesville 5 Points Area Plan to the City Manager for consideration for limiting some uses for a report back to the City Commission.

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Referred to the City Manager. The motion carried by the following vote:

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

Harald Kegelmann

Car crash on Archer Road

Jeff Braswell Re: Connie Derway

Grapevine Deli in the City's Southwest Parking Garage

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****060422.****PLANNED DEVELOPMENT AMENDMENT - GREENERY SQUARE (B)****Ordinance No. 0-06-125, Petition No. 104PDA-06PB**

An Ordinance of the City of Gainesville, Florida; amending Ordinance Nos. 2678 and 4064, for the Planned Development commonly known as "Greenery Square"; located in the vicinity of the 5402 N.W. Eighth Avenue; amending the terms, conditions and requirements of the planned development as adopted by Ordinance Nos. 2678 and 4064; adopting revised development plan maps and a revised development report relating to the nursery and garden center; 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 Braddy, that this matter be Adopted on First Reading (Ordinance). 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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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060300.

URBAN SERVICES REPORT - CITY-OWNED PROPERTY - KANAPAHA AREA (B)

Ordinance 0-06-99

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area owned by the City of Gainesville and comprised of Tax Parcels 06909-000-000, 06842-001-000, 06844-000-001, 06846-000-000, 06847-000-000, 06848-000-000, a portion of 06845-000-000, and a portion of 06837-000-000, generally located south of the City Limits, Kanapaha Lake and the vicinity of SW 24th Avenue, west of Kanapaha Lake and the vicinity of Interstate 75, north of the vicinity of SW Archer Road and east of the vicinity of SW 75th Street/Tower Road; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by 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, Edward Braddy, Jack Donovan, Pegeen Hanrahan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa

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060731.

VOLUNTARY ANNEXATION - LANDMAR AND GRU DEERHAVEN PROPERTIES (B)

Ordinance No. 0-06-130

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprising tax parcels 05864-001-000, 05868-001-000, 05868-099-000, 05869-002-000, 05869-001-000, 05882-000-000, 05882-004-000, 05883-000-000, 05884-000-000, 05943-000-000, 05943-001-000, 05946-000-000, 05946-003-000, 05946-004-000, 05973-000-000, 05973-001-000, 05974-000-000, a portion of 07777-000-000, a portion of 07781-000-000, and a portion of 07813-000-000, as more specifically described in this ordinance, generally located south of the vicinity of NW 142nd Avenue, west of the GRU well field, north of the City limits, and east of the City limits, the Deerhaven Power Plant, and NW 59th Drive; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance, as amended.*

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Braddy, that this matter be Adopted on Final Reading, as amended (Ordinance). 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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060663.

URBAN SERVICES REPORT - CHILI'S BAR & GRILL (B)

Ordinance 0-06-127

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services

Report which sets forth the plans to provide urban services to an area comprised of Tax Parcel 06810-001-008, generally located south of Tax Parcels 06810-001-016 and 06810-001-000, west of Tax Parcel 06810-001-017, north of the City Limits and Archer Road, and east of SW 35th Boulevard; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

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, Edward Braddy, Jack Donovan, Pegeen Hanrahan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa

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060730.

VOLUNTARY ANNEXATION - SCHROEDER (B)

Ordinance No. 0-06-129

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area comprising tax parcels 06706-044-000 and 06706-045-000, as more specifically described in this ordinance, generally located south of the City Limits and SW 17th Place, west of the vicinity of SW 34th Street, north of the vicinity of SW 20th Avenue and east of SW 38th Terrace; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Adopted on Final Reading (Ordinance). 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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060493.

STREET VACATION - VICINITY OF NE 12TH AVENUE AND WALDO ROAD (B)

Ordinance No. 0-06-124, Petition 127SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Northeast 12th Avenue located in the vicinity between the east right-of-way line of Waldo road and the west boundary of the Cedar Grove Residential 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.

Chair Hanrahan recognized Attorney for the Petitioner Ron Carpenter 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, Edward Braddy, Jack Donovan, Pegeen Hanrahan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa

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060703.

STREET VACATION – BETWEEN SOUTHEAST 3RD AVENUE AND SOUTHEAST 4TH AVENUE AND SOUTHEAST 14TH STREET AND SOUTHEAST 15TH STREET (B)

Ordinance No. 0-06-135, Petition 19SVA-06PB

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a certain portion of an alley located between Southeast 3rd Avenue and Southeast 4th Avenue and between Southeast 14th Street and Southeast 15th Street, as more specifically described in this Ordinance; reserving a public and private utilities easement; 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 Commissioner Donovan, seconded by Commissioner Henry, that this matter be Adopted on Final Reading (Ordinance). 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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060829.

GENERAL EMPLOYEES PENSION PLAN - MILITARY BUY-BACK (B)

Ordinance No. 0-06-30

An ordinance of the City of Gainesville, Florida, related to prior military service; creating subsection (k) of Section 2-523, to allow purchase of credited service attributable to military service prior to employment; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by 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, Edward Braddy, Jack Donovan, Pegeen Hanrahan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa

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060863.

DISABILITY PENSION PLAN (B)

Ordinance No. 0-06-138

An ordinance of the City of Gainesville, Florida, amending Division 6 of Chapter 2 of the Code of Ordinances relating to the Disability Pension Plan, relating to definitions, penalties for fraud and deceit, administration, eligibility, benefits, amount of and limitations on and termination of payments, and medical examinations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by 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, Edward Braddy, Jack Donovan, Pegeen Hanrahan, Craig Lowe, Scherwin Henry and Jeanna Mastrodicasa

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RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

060941.

REPORT ON BUCK BAY MOBILE HOME PARK (B)

Assistant City Attorney Natalie McKellups and Assistant City Attorney Nicholle Smith gave presentations.

*REFERRAL: Commissioner Bryant moved and Commissioner Donovan seconded to refer to the Community Development Committee the development of transition policies or standards for considering Mobile Home Parks in the future.
(VOTE: 7-0, MOTION CARRIED) See following referral #060987.*

Chair Hanrahan recognized Tom Spain, Real Estate Agent Mike Ryals, Real Estate Agent Edwin Dix, Dave Studebaker, Hazel Studebaker, Jimmy Harnsberger, Annette Kennedy, Kenny Niblett, an unidentified Female, Reverend Milford Lewis Griner, Ned Allman, Tonija Allman, Lisa Evans, Walter Willard, Al Schmidt, Martha Easters, Kimberly Luria, Dorothy Chultan, and an unidentified female speaker who spoke to the matter.

MOTION (ORIGINAL): Commissioner Bryant and Commissioner Lowe seconded to direct the City Attorney's office to continue negotiations with Mr. Dix and initiate a petition to bring back the Buck Bay PD Ordinance.

NOTE: THE QUESTION WAS DIVIDED

*FIRST PART OF THE DIVIDED QUESTION: Commissioner Bryant moved and Commissioner Lowe seconded to direct staff to continue the negotiations with Mr. Dix to find a suitable outcome.
(VOTE: 7-0, MOTION CARRIED)*

*SECOND PART OF THE DIVIDED QUESTION: Commissioner Bryant moved and Commissioner Lowe seconded to initiate the amendments to the Buck Bay PD Ordinance to reflect what was originally represented to the Plan Board and the City Commission (to allow stick built homes and to still allow mobile homes).
(VOTE: 7-0, MOTION CARRIED)*

RECOMMENDATION *Hear the report of the City Attorney.*

Approved, as shown above (Motions)

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060987. Transition Policies for Mobile Home Parks (NB)

RECOMMENDATION *The City Commission refer to Community Development Committee the development of transition policies or standards for considering Mobile Home Parks in the future.*

A motion was made by Commissioner Bryant, seconded by Commissioner Donovan, that this matter be Referred to the Community Development Committee, due back on August 12, 2007. The motion carried by the following vote:

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

GENERAL MANAGER FOR UTILITIES KAREN JOHNSON**060988. Flouride Shortage - Gainesville's Water Supply (NB)**

RECOMMENDATION *The City Commission authorize the Mayor to execute a letter to all of the local dentists regarding the temporary flouride shortage.*

Discussed

060931.**Status Report of Plan to Achieve Maximum Energy Efficiency (B)**

The City Commission has directed staff to achieve maximum energy efficiency. As part of this directive, staff was also asked to provide quarterly updates on progress.

GRU Marketing and Communications Director Kathy Viehe, Action Network Representative Dr. Steve Matchett, Mark van Soesthbergen, Sr. Account Representative Bill Shepherd, and Utility Analyst David Barclay gave presentations.

WAIVER OF RULES TO EXTEND THE MEETING: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Mastrodicasa seconded to waive the rules to extend the meeting to 11:30 PM.

RECOMMENDATION

The City Commission hear a presentation from staff regarding first quarter results of efforts to achieve maximum energy efficiency; hear a presentation from Mr. Mark van Soestbergen regarding Compact Fluorescent Lighting pilot program implemented with the University of Florida and GRU; and hear comments from Pastor Steve Matchett of the Action Network regarding energy efficiency.

Heard

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060849.**General Manager for Utilities Negotiations (NB)**

The City Commission will discuss the results of the negotiations with the selected candidate and the options to fill the position.

MOTION: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Bryant seconded to approve Option 2 - 1) Appoint Karen Johnson to the position of General Manager through September 30, 2008 and authorize the Mayor to negotiate a contract; and 2) authorize staff to initiate recruitment and an accompanying schedule with an anticipated hire date prior to September 30, 2008.

WAIVER OF RULES: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Donovan seconded to waive the rules to extend the meeting until 11:45 PM.

Chair Hanrahan recognized Rob Brinkman, Sally Dickinson, Mark van Soesthbergen, Dian Deevey, Harald Kegelmann, Josh Dickinson and Walter Willard who spoke to

the matter.

RECOMMENDATION *The City Commission discuss the options outlined above and take action as appropriate.*

A motion was made by Mayor-Commissioner Pro Tem Lowe, seconded by Commissioner Bryant, 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: Edward Braddy and Jack Donovan

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UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:44 PM

Kurt M. Lannon, Clerk of the Commission