

City of Gainesville

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



Meeting Minutes

Monday, March 13, 2006

1:00 PM

City Hall Auditorium

City Commission

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

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

CALL TO ORDER - 1:07 PM

ROLL CALL

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

INVOCATION

CONSENT AGENDA

MOTION: Commissioner Bryant moved and Commissioner Nielsen seconded to adopt the Consent Agenda with the following modifications.

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

MODIFICATIONS:

- 1. File #050998 - Gainesville Police Department's Electrical Performance Contracting Program - (Pull From the Consent Agenda and place on the Regular Agenda for discussion with new explanation and new recommendation).*
- 2. File #050920 - (New Item) Petition for Voluntary Annexation - (Add to the Consent Agenda under City Manager).*
- 3. File #050882 - (New Item) Petition for Voluntary Annexation (Add to the Consent Agenda under City Manager).*

CITY MANAGER, CONSENT AGENDA ITEMS

050908

2005 Technology Grant Program, Federal Earmark (B)

This item requests the City Commission approval for the proposed use of the \$123,330 2005 Technology Grant Program, Federal Earmark funds.

RECOMMENDATION

The City Commission: 1) Approve the issuance of a purchase order to Prosys Information Systems, Inc., in an amount not to exceed \$106,200 for the purchase of 225 HP 460cb mobile printers and related mobile printer equipment and 285 Cisco 802.11a/b/g high speed wireless access network interface cards to be installed in the police vehicles. (Prosys Information Systems, Inc. is an approved state contract vendor for the purchase of computer related equipment, pursuant to State Contract Number 250-000-03-1. In addition, this vendor has offered a volume discount for this order, a savings of 7,305 off the state contract price.); and 2) approve the remaining funds of \$17,130 to be used to

purchase mounting equipment and related installation costs to secure the printers in the vehicles as approved by the Fleet Operations Manager and the Chief of Police/designee.

This Matter was Approved as Recommended on the Consent Agenda.

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050927

Settlement of Worker's Compensation Claim - James Long (NB)

This item involves the full and final settlement of James Long's worker's compensation claim, which will include all future medical and indemnity payments as well as all set aside amounts. The total settlement amount is \$111,000 and represents a significant cost advantage to the City.

RECOMMENDATION *The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Long, in the amount of \$111,000.*

This Matter was Approved as Recommended on the Consent Agenda.

050995

Interlocal Agreement on Urban Reserve Areas and Extra -territorial Areas (B)

This is the Interlocal Agreement between the City of Gainesville and Alachua County on the purpose and nature of extra-territorial areas.

RECOMMENDATION *The City Commission: 1) authorize the Mayor, as agent for the City, to sign the Interlocal Agreement on Urban Reserve and Extra-territorial Areas.*

*Alternative Recommendation A:
The City Commission: 1) discuss the Interlocal Agreement; 2) make modifications; and 3) authorize the City Manager to communicate these suggested modifications to County Staff for the County Commission's consideration.*

*Alternative Recommendation B:
The City Commission decline the option of entering into the Interlocal Agreement with the County.*

This Matter was Approved as Recommended on the Consent Agenda.

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050997

Change Order # 1 to the Renovation of Fire Station # 4 adding ADA Accessible Restroom (B)

This item will increase the Purchase Order to Sandpiper Builders, LLC by \$3,573.50 for renovations to Fire Station #4 and extend the completion date to April 8, 2006.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the increase in the purchase order to Sandpiper Builders, LLC in the amount of \$3,537.50; 2) authorize the City Manager to issue a change order to Sandpiper Builders, LLC for \$3,537.50; and 3) change the completion date on the purchase order to April 8, 2006.

Alternative Recommendation A: The City Commission deny the requested increase in the purchase order. The impact would be that the work would not be completed as desired for ADA compliance and for the additional restroom for female staff.

This Matter was Approved as Recommended on the Consent Agenda.

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050999

Grant Application for Recreational Trail Program Grant Funds for Depot Park (B)

This item involves a request to submit a grant application to the Florida Department of Environmental Protection (FDEP) for Recreational Trail Program Grant Funds for Depot Park.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to submit the grant application to FDEP for the Recreational Trail Program Grant Funds; 2) authorize the City Manager to allocate \$500,000 to the trail project from sources dedicated to Depot Park recreation development to cover the funding gap and provide grant matching funds; and 3) 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.

Alternative Recommendation A: The City Commission decline applying for the Recreational Trail Program Grant Funds. The resulting fiscal impact is the forfeiture of up to \$200,000 in grant assistance.

This Matter was Approved as Recommended on the Consent Agenda.

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051000

Purchase of Cast Iron Manhole Rings and Covers (B)

This item involves a purchase of Cast Iron Manhole Rings and Covers from Hughes Water & Sewer, LTD, in the amount of \$25,509.48.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the purchase of the Cast Iron Manhole Rings and Covers from Hughes Water & Sewer, LTD.; and 2) authorize the City Manager to issue a purchase order not to exceed \$25,509.48.

Alternative Recommendation A: The City Commission reject this request for purchase and ask for the Public Works Department to re-solicit for quotes using a lesser quantity of materials for a shorter inventory period. The resulting fiscal impact would be a possible decrease in the total cost of the purchase thereby reducing the amount of funds expended from the SMUF Closed Water Course operating budget.

This Matter was Approved as Recommended on the Consent Agenda.

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051001

Request the City Attorney to Revise Floodplain Ordinance (B)

This item involves a request to revise the Floodplain Ordinance based on the completion of a new Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for the City of Gainesville. In order to assure participation in the National Flood Insurance Program, Gainesville must adopt the FIS and FIRM in accordance with 44 Code of Federal Regulations Section 60.3.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Attorney to work with the Public Works Department staff to draft the required revisions to the Floodplain Ordinance; and 2) authorize the Clerk of the Commission to advertise the Floodplain Ordinance.

Alternative Recommendation A: The City Commission refer the proposed Floodplain Ordinance revision to the Public Works and Environment Committee for review and direction.

This Matter was Approved as Recommended on the Consent Agenda.

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

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051003

Vacate Alley Running from Southeast 14th Street to Southeast 15th Street, North of Southeast 4th Avenue (B)

This item involves a request for the City Commission to approve a petition to the Planning Department to vacate an alley at the request of the Public Works

Department.**RECOMMENDATION**

Recommended Motion: The City Commission: 1) approve the request of the Public Works Department to vacate a fifteen foot wide alley running from Southeast 14th Street to Southeast 15th Street, north of Southeast 4th Avenue while retaining an overall utility easement; and 2) authorize the Planning Department to circulate a petition to the City Plan Board to vacate a fifteen foot alley running from Southeast 14th Street to Southeast 15th Street, north of Southeast 4th Avenue while retaining an overall utility easement.

Alternative Recommendation A: The City Commission deny this request and the City retains maintenance and other associated liabilities.

This Matter was Approved as Recommended on the Consent Agenda.

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051004**Vacate the Abandoned Northerly Portion of Southeast 23rd Street (B)**

This item involves a request for the City Commission to approve a petition to the Planning Department to vacate the abandoned northerly portion of Southeast 23rd Street right-of-way at the request of the Public Works Department.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the request of the Public Works Department to vacate a thirty foot wide street, the abandoned northerly portion of Southeast 23rd Street, running north from the new north right-of-way line of Southeast 23rd Street to the east right-of-way line of Southeast 8th Avenue while retaining an overall utility easement; and 2) authorize the Planning Department to circulate a petition to the City Plan Board to vacate a thirty foot wide street, the abandoned northerly portion of Southeast 23rd Street, running north from the new north right-of-way line of Southeast 23rd Street to the east right-of-way line of Southeast 8th Avenue while retaining an overall utility easement.

Alternative Recommendation A: The City Commission deny the request for vacation of the alley and the City retains the associated liabilities.

This Matter was Approved as Recommended on the Consent Agenda.

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051005**Authorization to Request Voluntary Annexation of Kanapaha Lake and Gardens (NB)**

This is a request to authorize the Mayor to submit a letter to the County Commission requesting the voluntary annexation of Kanapaha Lake and Gardens, which is contiguous to the City limits and City-owned property, and support the voluntary petition for the annexation of the University of Florida Center for Training, Research, and Education for Environmental Occupations.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation of city-owned property in the SW area of Split Rock Park; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) authorize the Mayor to send a letter to the County requesting the County sign a voluntary petition for annexation; 4) authorize the Mayor to send a letter to the County asking for support of the TREEO Center voluntary annexation; 5) to direct the City Manager to analyze the area; and 6) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area.

Alternative Recommendation A:

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation of city-owned property in the SW area of Split Rock Park; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) authorize the Mayor to send a letter to the County asking for support of the TREEO Center voluntary annexation; 4) to direct the City Manager to analyze the area; and 5) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area.

Alternative Recommendation B:

The City Commission: 1) authorize the Mayor, as agent for the City, to sign the petition for voluntary annexation of city-owned property in the SW area of Split Rock Park; 2) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agent; 3) to 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.

Alternative Recommendation C:

City Commission take no action at this time.

This Matter was Approved as Recommended on the Consent Agenda.

051006

Replacement of Sand Filtration Units and Circulation Pump at Andrew R. Mickle, Sr. Pool (B)

This is a request for the City Commission to award the bid for provision of labor and materials for a sand filter system replacement at the Andrew R. Mickle, Sr. swimming pool, located at 1717 SE 15th Street.

RECOMMENDATION

The City Commission: 1) approve award of the bid for the replacement of existing filtration and circulation equipment at the Andrew R. Mickle, Sr. Pool to Galaxy Chemical Corporation, d.b.a. Galaxy Pools; and 2) authorize the City Manager or designee to execute all contract documents and issue a purchase order in an amount not to exceed \$55,583.

Alternative Recommendation A: The City Commission not authorize the expenditures for a new filtration tank and circulation pump and require staff to continue to make repairs to the current tanks as needed or until the filtration system fails completely and the facility must be closed.

This Matter was Approved as Recommended on the Consent Agenda.

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051008

Consultant Services - Compensation Study (B)

This item involves a request for the City Commission to authorize contract negotiations with Wachovia Employer Solutions Group to perform the City's Compensation Review for CWA and MAP employees.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to initiate contract negotiations with Wachovia Employer Solutions Group and execute the contract and any related documents including contract amendments and extensions.

Alternative Recommendation A:

The City Commission: 1) reject the proposals and authorize to staff to re-advertise for a Compensation Consultant.

This Matter was Approved as Recommended on the Consent Agenda.

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050920

Annexation of City-owned Parcel Number 06745-002-001 in the SW 20th Avenue Area (B)

This is the submission of petition for voluntary annexation in the area of SW 20th Avenue for a City-owned parcel of land less than one acre.

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 ordinances relating to the annexation of the area.

Alternative Recommendation:

The City deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

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050882

Annexation of Parcel Number 06680-001-000 and Parcel Number 06745-002-000 (B)

This is the submission of petitions for voluntary annexation in the area of SW 20th Avenue covering approximately 38 acres.

RECOMMENDATION

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

Alternative Recommendation:

The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

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GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

051031

Release of Easement at 7705 SW 24th Avenue (B)

Executive Summary: Staff is requesting that an easement granted to the City in 1991 at 7705 SW 24th Avenue, on Tax Parcel No. 06850-028-002, for the installation, operation and maintenance of electric utility facilities be released to facilitate new development.

RECOMMENDATION *The City Commission: 1) approve the release of an easement located at 7705 SW 24th Avenue, Tax Parcel No. 06850-028-002; and 2) authorize the Mayor to execute the 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.

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051032

Release of Electric Easement at 2708 SW Archer Road (B)

Executive Summary: Staff is requesting that an easement granted to Florida Power Corporation in 1959, subsequently transferred to the City in 1974, be released to facilitate new development.

RECOMMENDATION *The City Commission: 1) approve the release of a Florida Power Corporation easement assigned to the City of Gainesville over Tax Parcel Number 06757-003-000, located at 2708 SW Archer Road; and 2) authorize the Mayor to execute the 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.

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051033

Release of Easement at 3423 SW Williston Road (B)

Executive Summary: Staff is requesting that an easement granted to the City of Gainesville for the installation of electric utility facilities be released due to the relocation of the lines to facilitate a new development on the site.

RECOMMENDATION *The City Commission: 1) approve the release of an easement at 3423 SW Williston Road; and 2) authorize the Mayor to execute the 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.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

051028

**BRANDON S. REEB VS. JOAN MILLER AND CITY OF GAINESVILLE
CODE ENFORCEMENT DIVISION, ET AL.; ALACHUA COUNTY CIRCUIT
COURT; CASE NO.:**

01-06-CA-0565 (B)**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Brandon S. Reeb vs. Joan Miller and City of Gainesville Code Enforcement Division, et al.; Alachua County Circuit Court; Case No.: 01-06-CA-0565.

This Matter was Approved as Recommended on the Consent Agenda.

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CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**051025****City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of February 21, 2006 and February 27, 2006 as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

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051034**Rules of the City Commission (NB)****RECOMMENDATION**

The City Commission authorize a change to move the Pledge of Allegiance and Proclamations/Special Recognitions to 5:30 pm and Citizen Comment to 6:00 pm.

In addition, it is recommended that the prohibition of signs in the auditorium or where the City Commission meets also be included.

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 WORKS COMMITTEE, CONSENT****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****PUBLIC SAFETY COMMITTEE, CONSENT**

050752 Supplemental Homeless Shelter and Services (NB)

This item is a referral related to file #050709.

RECOMMENDATION *The City Commission accept the Public Safety Committee's report out with no action recommended and remove this item from the pending referral list. NOTE: This item is being forwarded as the recommendation of one member of the Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

HISTORIC PRESERVATION BOARD, CONSENT**051009 Appeal of a Certificate of Appropriateness for a Fence in the Southeast Historic District (B)**

This is an appeal of a Certificate of Appropriateness for a fence in the Southeast Historic District, in which the approval was conditioned on the height not exceeding six feet.

RECOMMENDATION *Staff recommends the item be deferred to the March 27, 2006 City Commission meeting at the request of the petitioner.*

This Matter was Approved as Recommended on the Consent Agenda.

051009_20060410.pdf

Passed The Consent Agenda

A motion was made by Commissioner Bryant, seconded by Commissioner Nielsen, 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, Warren Nielsen, Chuck Chestnut, Rick Bryant and Jack Donovan
Absent: Edward Braddy and Craig Lowe

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

MOTION: Commissioner Nielsen moved and Commissioner Bryant seconded to

adopt the Regular Agenda with the following modification.

(VOTE: 5-0, Commissioner Braddy and Commissioner Lowe, MOTION CARRIED)

MODIFICATIONS:

- 1. New Item under City Manager - File - Update on the Plaza and City Hall Security.*
- 2. File #051050 - House Bill 1199 - Consumer Choice Act of 2006 aka Traviesa Bill (Add to the Regular Agenda under City Manager).*
- 3. New Item under Members of the City Commission from Jack Donovan - Re: General Manager for Utilities Contract.*
- 4. Waive the Rules to hear the Pledge of Allegiance and the Proclamations at 5:30 instead of 6:00 PM (if possible).*
- 5. File # 051027 - Board of Canvasser's Report - (New back-up submitted).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

WAIVER OF RULES

The rules were waived without objection to hear File #051023 Traffic Management System Funding Partnerships before File #051022 Contracts for Supplemental Cold Weather Shelter and Services.

051023

Traffic Management System Funding Partnerships (B)

This item is to authorize staff to request Alachua County include funding assistance for the Traffic Management System within the County's FY 07 Capital Improvement Program as well as through the Florida Department of Transportation's Transportation Regional Incentive Program.

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

RECOMMENDATION

Recommended Motion: The City Commission : 1) authorize the Mayor to execute letters of support for funding for the Traffic Management System to Alachua County and the Florida Department of Transportation; 2) authorize the City Manager to pursue funding partnerships with other entities including Alachua County, Florida Department of Transportation; and 3) authorize the City Manager to pursue the designation of a Regional Transportation Area to qualify for the Transportation Regional Incentive Program.

Alternative Recommendation A: The City Commission take no action.

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

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

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051022

Contracts for Supplemental Cold Weather Shelter and Services (B)

On December 12, 2005, the City Commission approved three contracts with local providers for supplemental cold weather shelter and services. A representative of one of the providers has requested an amendment to allow funds to be shifted from one contract to another.

Community Development Block Grant Director Jim Hencin gave a presentation.

Chair Hanrahan recognized Holy Trinity Parrish Rector Reverend Gordon Tremaine who spoke to the matter.

MOTION: Ask Holy Trinity and The Alachua County Housing Authority to provide staff with a bill for their review and come back to the City Commission with a recommendation for re-allocation of funding for the Supplemental Cold Weather Homeless Shelter and Services.

RECOMMENDATION *Recommended Motion: The City Commission not approve amendments to the contracts with the Alachua County Housing Authority.*

Alternative Recommendation A: The City Commission approve amendments that would shift a portion of the funds for the Alachua County Housing Authority hotel/motel voucher program to the cold weather shelter at Holy Trinity Episcopal Church program.

Alternative Recommendation B: The City Commission defer action on the request to amend the contracts.

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

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

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051053 Update on the Plaza and City Hall Security (NB)

City Manager Russ Blackburn gave a Power Point Presentation.

RECOMMENDATION *The City Commission hear a presentation from the City Manager and take appropriate action.*

Heard

051015 Digital Camera Acquisition, Installation, and Five (5)-year Maintenance Agreement for the Downtown Plaza and Clock Tower (NB)

This item involves the appropriation and expenditure of \$29,808 from the Federal Law Enforcement Contraband Forfeiture Trust Funds for the purchase of digital cameras and related equipment.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *Recommended Motion: The City Commission approve the appropriation and expenditure of \$29,808 from Federal Law Enforcement Contraband Trust Forfeiture Fund for the purchase of a security camera system and five-year maintenance agreement and authorize the City Manager to execute any necessary documents, subject to the approval of the City Attorney as to form and legality.*

Alternative Recommendation A: The City Commission decline approval of proposal.

Alternative Recommendation B: The City Commission modify the proposal prior to approval.

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

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

WAIVER OF RULES

The rules were waived without objection to hear File # 050985 Adoption of a Compensation Philosophy at this time.

PUBLIC SAFETY COMMITTEE

050985**Adoption of Compensation Philosophy (B)**

The City of Gainesville's Compensation Philosophy has been established to provide City-wide guiding principles for the establishment and implementation of all aspects of compensation.

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

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The Personnel & Organizational Structure Committee requests the City Commission: 1) adopt the Compensation Philosophy as developed by the Charter Officers; and 2) accept the process for inclusion of Charter Officers in the pay plan review process.*

NOTE: This item is being forwarded as the recommendation of one member of the Committee.

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

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

The City of Gainesville's-Compensation Philosophy (revisions KJ).PDF

CITY MANAGER - (CONTINUED)**050998****Gainesville Police Department's Electrical Performance Contracting Program (B)**

This item will install an energy management system plus replace the existing HVAC system and convert to more efficient lighting at the Gainesville Police Headquarters building.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *Recommended Motion: The City Commission: 1) Approve the signing of an agreement with Siemens Building Technologies, Inc., subject to review and approval by the City Attorney; and 2) authorize the City Manager or his designee to sign an agreement with Siemens Financial Services, Inc. in the amount of \$1,362,812.*

*Alternative Recommendation A:
The City Commission: 1) Deny the requested energy management systems approval and approve payment of*

\$15,000 to Siemens Building Technologies for engineering services in developing this proposal.

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

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

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051050

House Bill 1199 - Consumer Choice Act of 2006 aka Traviesa Bill (B)

The Florida Legislature has before it a bill which would eliminate local governments' rights to franchise cable video providers, would eliminate all buildout requirements for new entrants, would eliminate PEG access in virtually all markets in Florida, and would endanger all existing franchises by treating new entrants preferentially.

City of Gainesville Revenue Recovery Specialist Audrey Lewis gave a presentation.

RECOMMENDATION

Staff recommends that the City Commission oppose the concept of state-wide cable franchising and authorize the mayor to communicate this to members of the local legislative delegation and to Senator Tom Lee and Representative Traviesa in essentially the form attached.

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

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

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GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC WORKS COMMITTEE**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****051054****Commissioner Jack Donovan - Gainesville Regional Utility (GRU) General Manager's Employment Contract (B)**

NOTE: This item was continued to the next Regular City Commission Meeting, March 27, 2006.

RECOMMENDATION

The City Commission discuss the contract negotiations between the City Commission and the General Manager for Utilities.

Postponed

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COMMISSION COMMENTS (if time available)**Commissioner Warren Nielsen**

CRA and Downtown Issues - Slide Presentation.

WAIVER OF RULES

The rules were waived without objection to take one Citizen Comment.

John DeZinski

Collegiant Living Co-Op

RECESS - 4:35 PM**RECONVENE - 5:36 PM**

WAIVER OF RULES**PLEDGE OF ALLEGIANCE (6:00pm)****CITIZEN COMMENT****Richard Selwach**

Airport Issues

Dr. Thomas Fay

President of Evergreen Cemetery Association.

050916**Citizen Comment - Dr. Thomas Fay Re: Evergreen Cemetery (NB)**

NOTE: Dr. Thomas Fay came before the City Commission on March 13, 2006 and the Commission revisited this issue.

Chair Hanrahan recognized Dr. Thomas Fay who spoke to the matter.

MOTION: 1) Adjust the acreage desired for Evergreen Cemetery from 2.2 Acres to 3 Acres and ask the City Manager to bring back options to cover those costs; and 2) authorize the City Manager to execute all of the necessary documents with approval by the City Attorney as to form and legality.

RECOMMENDATION *The City Commission hear a presentation from Dr. Thomas Fay and take appropriate action.*

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

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

COMMISSION COMMENTS (if time available)**Rick Bryant**

Thanks to City Staff Re: Recreation Initiative

PROCLAMATIONS/SPECIAL RECOGNITIONS

051029**Susan Wright Day - March 21, 2006 (B)**

RECOMMENDATION *Gainesville Civic Activist Susan Wright to accept the proclamation.*

Heard

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051030**Suicide Prevention Day - March 21, 2006 (B)**

NOTE: There was a document submitted to be placed on file.

RECOMMENDATION *Florida Suicide Prevention Coalition Representative Judy Bousquet and Alachua Crisis Center Representative Marshall Knudson to accept the proclamation.*

Heard

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PUBLIC HEARINGS**ADOPTION READING-ROLL CALL REQUIRED**050486**LAND USE CHANGE - SHOPPES AT PINWOOD (B)****Ordinance No. 0-06-24, Petition 136LUC-05PB**

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by overlaying the land use category of "Planned Use District" on certain property with the underlying land use category of "Conservation"; located in the 6600 block of Northwest 23rd Terrace (Southwest corner of U.S. 441 and Northwest 23rd Terrace); providing conditions; providing a severability clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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ORDINANCES, 1ST READING- ROLL CALL REQUIRED

050487**PLANNED DEVELOPMENT - SHOPPES AT PINEWOOD (B)**

Ordinance No. 0-06-25, Petition No. 128ZON-05PB

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "CON: Conservation district" to "Planned Development District"; located in the 6600 block of Northwest 23rd Terrace (Southwest corner of US 441 and Northwest 23rd Terrace); adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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050888**LAND USE CHANGE – COFRIN PARK (B)**

Ordinance No. 0-06-31, Petition 51LUC-05PB

An Ordinance repealing Ordinance No. 041189 and adopting a new Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use categories of certain property from "Single-Family (up to 8 units per acre)" to "Conservation" and "Public Facilities"; consisting of approximately 30 acres, located in the vicinity of the north side of Northwest 8th Avenue, at 4810 and 4910 N.W. 8th Avenue; repealing ordinance 041189; providing a severability clause; providing a repealing clause; and providing an effective date.

Chair Hanrahan recognized David Cornwell who spoke to the matter.

City of Gainesville Recreation and Parks Director David Flaherty made comments.

RECOMMENDATION *The City Commission adopt the proposed ordinance on first reading.*

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

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

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050764**COLLEGE PARK SPECIAL AREA PLAN AMENDMENT (B)****Ordinance No. 0-06-34; Petition 170TCH-05 PB**

An ordinance of the City of Gainesville, Florida, amending Appendix A, Section 3 of the Land Development Code, College Park Special Area Plan; stating prohibited uses in the College Park Special Area Plan; amending building use to allow those permitted in the Urban Mixed Use-1 (UMU-1) zoning district; amending the graphic associated with business use; amending height limits to be consistent with those in the Urban Mixed Use-1 (UMU-1) zoning district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission (1) approve Petition 170TCH-05 PB, and (2) adopt the proposed ordinance.*

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

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

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050823**BUILDING CODE CROSS-REFERENCES - APPENDIX A (B)****Ordinance No. 0-06-28**

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Land Code of Ordinances, relating to fees; amending and updating cross-references to the Florida Building Code (2004) in the Building and Building Regulation section of Appendix A; 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 Chestnut, seconded by Commissioner Donovan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

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050896**LOCAL PREFERENCE IN PURCHASING (B)****Ordinance No. 0-06-33**

An ordinance of the City of Gainesville, Florida, amending Ordinance 001261 of the City of Gainesville relating to local preference in purchasing; repealing the

review and sunset clause so that the ordinance remains in force and effect; 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 Chestnut, seconded by Commissioner Bryant, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

050803

URBAN SERVICES REPORT – LOWE & BOYKIN/WARREN (B)

Ordinance No. 0-06-32

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 Parcels 06712-001-0001 and 06712-002-000, generally located south of Tax Parcel 06711-000-000 and the City limits, west of SW 35th Terrace and SW 19th Avenue, north of the vicinity of SW 20th Avenue, and east of the vicinity of SW 38th Terrace; 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 Chestnut, seconded by Commissioner Nielsen, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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RESOLUTIONS- ROLL CALL REQUIRED

051002

Resolution for a Joint Participation Agreement between the City of Gainesville

and the Florida Department of Transportation for Service Development Grant Marketing Funds for FY 2005-2006 (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 Gainesville's allocation of \$60,000 from the Service Development Grant Marketing Funds for FY 2005-2006.

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 and RTS. The resulting fiscal impact is the loss of FDOT's \$60,000 allocation for FY 2005-2006.

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

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

Absent: Edward Braddy and Craig Lowe

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051027

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 7, 2006; and providing an immediate effective date. (B)

RECOMMENDATION

The City Commission adopt the proposed resolution.

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

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

Absent: Edward Braddy and Craig Lowe

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PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT

There were no citizens who wished to speak during Citizen Comment.

ADJOURNMENT - 6:38 PM

Kurt M. Lannon, Clerk of the Commission