

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

P.O. Box 2877 • Gainesville, Florida 32602-2877
 Tel. (352) 374-5210 • Fax (352) 338-7363
 1-800-491-4496 (toll free) • Suncom 651-5210
 Commissioners' E-Mail: bocc@co.alachua.fl.us
 Home Page: www.co.alachua.fl.us



Board of County Commissioners

Commission

Penelope Wheat
 Chair

Dave Newport
 Vice Chair

Charles Chestnut, III

Chuck Clemons

Robert Hutchinson

Administration

Randall H. Reid
 County Manager

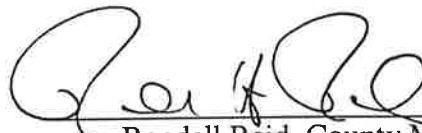
August 3, 2000

Wayne Bowers
 City Manager
 City of Gainesville
 PO Box 490
 Gainesville, FL 32602

Dear Wayne:

I certify that the County has incurred \$14,527.45 in renovation expenses at Collins Court as specified in the Agreement and Release Between Alachua County and the City of Gainesville Regarding Settlement of Metamorphosis House Appeal.

Should you need any further information, please contact me.


 Randall Reid, County Manager

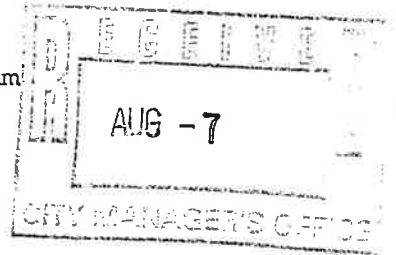
8/3/00
 Date

RHR/as



INVOICE

Alachua County Board of County Comm
P.O. Box 939
Gainesville, FL 32602-0939



(352) 374-3605

TO: City of Gainesville
Attn: Wayne Bowers, City Manager
P O BOX 490
GAINESVILLE, FL 32602

INVOICE NO: 7513
DATE: 8/04/00

CUSTOMER NO: 7 CUSTOMER TYPE: MH/ 1765

QUANTITY DESCRIPTION UNIT PRICE EXTENDED PRICE

META HOUSE RENOVATION EXP 14,527.45
Renovation Expenditures Incurred by County for Collins
Court Metamorphosis House Renovation. Reimbursable by
City per "Agreement and Release Between Alachua County
and the City of Gainesville Regarding Settlement of
Metamorphosis House Appeal" signed 06/24/97 (attached).
Please call April Shuping at 374-3605 for further info.

PLEASE ATTACH A COPY OF THIS INVOICE OR WRITE YOUR
CUSTOMER NUMBER ON YOUR REMITTANCE.

TOTAL DUE: \$14,527.45

REMIT AND MAKE CHECK PAYABLE TO:
Alachua County Board of County Comm
P.O. Box 939
Gainesville FL 32602-0939

City of Gainesville

TERMS: NET 0 DAYS

AGREEMENT AND RELEASE BETWEEN ALACHUA COUNTY
AND THE CITY OF GAINESVILLE REGARDING
SETTLEMENT OF METAMORPHOSIS HOUSE APPEAL

THIS AGREEMENT AND RELEASE, made and entered into this 24th day of June, A.D., 1997, by and between Alachua County, a charter county and political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as the "County", and the City of Gainesville, a municipal corporation of the State of Florida, hereinafter referred to as the "City";

W I T N E S S E T H:

WHEREAS, the County filed an appeal of the City of Gainesville Plan Board's denial of a special use permit to allow improvements to a building located at 306 N.E. 7th Street, Gainesville, Florida, hereinafter referred to as the "property"; and,

WHEREAS, the County and the City wish to resolve and forever discharge any and all claims, issues, duties, rights, or obligations as now exist or may arise as a result of the County's application for and the City's approval of all permits pertaining to the property. The County hereby releases and will bring no other claim against the City relating to the property as a result of any action occurring to that property prior to the date of this settlement agreement. By the execution of this agreement and its participation in the settlement negotiations that led to this agreement, the City does not admit the merit of the County's claim and this

settlement agreement shall in no way constitute or be construed as evidence of any liability or wrongdoing on the part of the City.

NOW, THEREFORE, in consideration of the covenants and agreements as set forth herein, it is agreed as follows:

1. The City will pay the County up to the sum of Sixty Thousand Dollars (\$60,000.00), payable as follows:

a. Forty-five Thousand, Four Hundred Seventy-two and 55/100 Dollars (\$45,472.55) shall be paid to the County within thirty (30) days of the County's purchase of the Collins Court property.

b. The City will contribute up to Fourteen Thousand, Five Hundred Twenty-seven and 45/100 Dollars (\$14,527.45) to the County for reimbursement of renovation expenses at Collins Court on a dollar-for-dollar basis with the County. Said sum shall be paid to the County within thirty (30) days of appropriate documentation and certification by the County Manager that the documented amount has actually been incurred.

2. The County will file a notice of voluntary dismissal of its appeal in City Plan Board Case No. 135 SUP-96PB, H.O. case No. HO-96-001, within fifteen (15) days of the execution of this agreement by the City and the County.

3. The City and the County shall bear their own costs and attorneys' fees incurred in City Plan Board Case No. 135 SUP-96PB.

4. This agreement contains all the terms and conditions agreed upon by the parties.

IN WITNESS WHEREOF, the parties have caused this Agreement and Release between Alachua County and the City of Gainesville to be executed for the uses and purposes therein expressed on the day and year first above-written.

ALACHUA COUNTY, FLORIDA

By: Robert E. Summers
Robert E. Summers, Chairman
Board of County Commissioners

ATTEST:

for Shirley A. Lane
J. K. "Buddy" Irby, Clerk
(SEAL)

APPROVED AS TO FORM

David W. Wayne
Alachua County Attorney

CITY OF GAINESVILLE

By: Wayne Bowers
Wayne Bowers, City Manager

Jimmy Rucker
[Signature]
Witnesses as to Mr. Bowers

APPROVED AS TO FORM

Robert W. Warshaw
Gainesville City Attorney
Subpoena [Signature]

If you have any questions concerning this payment, please call 352/374-3605.

CHECK NO.

DATE	INVOICE	ACCOUNT	DU	AMOUNT
7/05/2000	APPL #1	167-2250-523.62-10	001969	11081.97
7/05/2000	APPL #1R	167-0000-206.25-99		1108.23-
07/05/2000	APPL #1	316-2250-523.62-10	001969	10785.09
07/05/2000	APPL #1R	316-0000-206.25-99		1078.01-

HANSEN CONSTRUCTION COMPANY
Please Detach Here and Retain Top Portion For Your Records

1396

TOTAL \$19,630.25



BOARD OF COUNTY COMMISSIONERS
ALACHUA COUNTY, FLORIDA
c/o J.K. "BUDDY" IRBY, CLERK OF COURTS
P.O. BOX 939
GAINESVILLE, FLORIDA 32602 352/374-3605

H

NO. 2082421

63-4 / 630 FL
950

VENDOR NUMBER	DATE	CHECK NUMBER	NET AMOUNT
1396	07/07/2000	2082421	\$19,630.25

NINETEEN THOUSAND SIX HUNDRED THIRTY AND 65/100 DOLLARS

PAY
TO THE
ORDER
OF

HANSEN CONSTRUCTION COMPANY
PO BOX 12427
GAINESVILLE FL 32604

RIX

Chairman Board of County Commissioners

NON-NEGOTIABLE

Clerk of Courts

Void after 90 days
Two signatures required
Tax I.D. 59-6000501

NationsBank, N.A.
ACH R/T 26300047

⑈ 2082421 ⑈ ⑆063000047⑆ 001500072468⑈

Metamorphosis House (B)

961048 Metamorphosis House

City Manager Wayne Bowers reviewed the recommendation.

FIRST MOTION - WITHDRAWN : Commissioner B. Delaney moved and Commissioner Calkins seconded to approve the City Manager's recommendation to contribute an amount not to exceed \$70,472.55 from the City Commission Contingency fund to the relocation project (later withdrawn).

SECOND MOTION - WITHDRAWN: Commissioner P. DeLaney moved and Commissioner B. Delaney seconded to contribute an amount of \$16,000 to the relocation project (later withdrawn).

THIRD MOTION - WITHDRAWN : Commissioner P. DeLaney moved and Commissioner B. Delaney seconded to contribute an amount of \$13,701.35 to the relocation project (later withdrawn).

FOURTH MOTION - WITHDRAWN: Commissioner Calkins moved and Commissioner Hanrahan seconded to contribute \$60,000 to the relocation project, \$30,000 from the City Commission Contingency fund and \$30,000 from another source to be determined by the City Manager (later withdrawn).

FIFTH MOTION :Commissioner Calkins moved and Commissioner Hanrahan seconded to authorize up to \$60,000, half from the City Commission Contingency fund and half from another source; and further, the second \$30,000 may be coming towards the end of the fiscal year when the City Commission can identify where that money might be left sitting in the City's budget.

Chairman Jennings recognized Citizen J.T. Frankenberger who spoke to the matter.

Commissioner Hanrahan requested an accounting both of last year's and this year's Community Development Department's budget, in terms of what was budgeted and what was spent, relating to long-term vacancies in the department.

Recommendation *If the City Commission determines that the Metamorphosis House program should be moved from its current location, the City Manager's recommendation is to contribute an amount not to exceed \$70,472.55 to the relocation project.*

A motion was made by Commissioner Calkins, seconded by Commissioner Hanrahan, that this matter be Approved, as shown above (Fifth Motion). The motion Carried by the following vote:

- Aye** 4 Commissioner Calkins, Commissioner Hanrahan, Mayor-Commissioner Jennings, Mayor-Commissioner Pro Tem B. Delaney.
- Nay** 1 Commissioner P. DeLaney.