

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, December 10, 2007**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Pegeen Hanrahan (At Large)  
Mayor-Commissioner Pro Tem Rick Bryant (At Large)  
Commissioner Jeanna Mastrodicasa (At Large)  
Commissioner Scherwin Henry (District 1)  
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 Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.*

## CALL TO ORDER - 1:12 PM

## ROLL CALL

Present: Edward Braddy, Pegeen Hanrahan, 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 Bryant moved and Commissioner Mastrodicasa seconded to adopt the Consent with the following modifications.  
(VOTE: 4-0, Commissioners Braddy, Henry and Lowe - Absent, MOTION CARRIED)*

### *MODIFICATIONS:*

- 1. File #070739 (New Item) - Annexation of Parcel Number 06810-001-005 - (Windmeadows vicinity) - (Add to the Consent Agenda under City Manager).*
- 2. File #070740 - (New Item) - Annexation of Parcel Numbers 06083-001-000 and 06803-001-001 (Windmeadows vicinity) - (Add to the Consent Agenda under City Manager).*
- 3. File #070727 - (New Item) - Transit Fleet Supervisor - (Add to the Consent Agenda under P & O Committee).*
- 4. File #070738 - (New Item) The Addition of (4) Four Customer Service Representative II Positions in GRU Customer Service Department - (Add to the Consent Agenda under P & O Committee).*
- 5. File #040711 - 2007 Orange Creek Basin Management Action Plan - Letter of Commitment.*

*Chair Hanrahan recognized Pat Fitzpatrick who spoke to the matter.*

## CITY MANAGER, CONSENT AGENDA ITEMS

### **070674. Bellsouth (AT&T) Easement Exchange at Depot Park (B)**

**This item involves the exchange of utility easements with AT&T, formerly known as Bell South.**

#### **RECOMMENDATION**

*The City Commission: 1) approve the request to exchange an*

*equal easement area for AT&T's, formerly known as Bell South, current utility easement; 2) authorize the Mayor to execute, and the Clerk to attest, the utility easement document for conveyance to AT&T, upon receipt of their Release of Easement for the exchange parcel.*

*Alternative Recommendation: The City Commission deny the request and retain the utility easement in its present location.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**070703.**

**Request to Name a Tot Lot (B)**

**This item involves a request to name the Tot Lot located at the corner of NE 4th Avenue and NE 15th Street C. F. Franklin Memorial Park.**

**RECOMMENDATION**

*Recommended Motion: The City Commission approve the request to name the tot lot located at the corner of NE 4th Avenue and NE 15th Street, C. F. Franklin Memorial Park.*

*Alternative Recommendation: The City Commission decline the request to name the tot lot located at the corner of NE 4th Avenue and NE 15th Street, C. F. Franklin Memorial Park.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**070730.**

**Second Extension to the Contract for Inmate Work Crew for the Solid Waste Division (B)**

**This item involves a renewal of the agreement between the City of Gainesville (City) and Florida Department of Corrections (FDOC) for Inmate Work Crew for Litter Clean-up for the term of December 16, 2007 through December 15, 2008.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) authorize the City Manager to execute the second extension to extend the termination date of the contract with Florida Department of Corrections for a contractual inmate work crew for Litter Clean-up for the term of December 16, 2007 through December 15, 2008; 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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**070732. Fire Grant Application Operation Safe Club (B)**

**This item requests permission for the City Manager or designee to submit an application to the FEMA Assistance to Firefighters Grant Program (AFG) for Fire Prevention and Safety Grants (FP&S) for 2008.**

**RECOMMENDATION**

*The City Commission authorize the City Manager or designee to submit the grant application.*

*Alternate Recommendation A: The City Commission not authorize the City Manager or designee to submit the grant application.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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## **GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

**070735. HVAC Maintenance, Repair Services and Replacement for GRU Facilities (NB)**

**Staff recommends extending the contract with Johnson Controls, Inc. for HVAC maintenance and repair services.**

**RECOMMENDATION**

*The City Commission: 1) authorize the General Manager, or her designee, to execute an amendment to the contract for HVAC maintenance and repair services with Johnson Controls, Inc. to extend the term of the contract through September 30, 2009, subject to approval of the City attorney as to form and legality; and 2) approve the issuance of purchase orders to Johnson Controls, Inc. for these services through September 2009 in amounts not exceeding budgeted amounts.*

**This Matter was Approved as Recommended on the Consent Agenda.**

## **CITY ATTORNEY, CONSENT AGENDA ITEMS**

## **CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

**070736. City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of November 19, November 26, and November 27, 2007; as circulated.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**070733. Resignation of City Beautification Board Member Rocky Lee (B)**

**RECOMMENDATION**      *The City Commission accept the resignation of Rocky Lee from the City Beautification Board effective immediately and extends its appreciation for his services.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**070734. Resignation of Gainesville Energy Advisory Committee Member Wendell A. Porter (B)**

**RECOMMENDATION**      *The City Commission accept the resignation of Wendell A. Porter from the Gainesville Energy Advisory Committee effective immediately and extends its appreciation for his services.*

**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****PUBLIC SAFETY COMMITTEE, CONSENT****070632. Gainesville Police Department Video Production Unit Equipment Upgrade (B)**

**RECOMMENDATION**      *The City Commission approve the appropriation of \$24,000*

*from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the upgrade of GPD's Video Production Unit equipment.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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## **AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**

### **060213. GRU Financial and Debt Service Issues (NB)**

**RECOMMENDATION**      *The City Commission remove this item from the Audit, Finance and Legislative Committee referral list.*

**This Matter was Approved as Recommended on the Consent Agenda.**

### **070696. Review of Gainesville Police Department (GPD) Overtime (B)**

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

**This Matter was Approved as Recommended on the Consent Agenda.**

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### **070698. Review of General Fund Forecasted Revenues and Other Sources of Funds for the Fiscal Year Ending September 30, 2008 (B)**

**RECOMMENDATION**      *The Audit, Finance and Legislative Committee recommend that the City Commission accept the City Auditor's report.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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### **070699. Payroll Verification Procedures for Fiscal Year 2007 (B)**

**RECOMMENDATION**      *The City Commission: 1) Accept the City Auditor's report and*

*the response from the City Manager; and 2) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.*

**This Matter was Approved as Recommended on the Consent Agenda.**

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**070700. Review of General Government Cash Receipts for Fiscal Year 2007 (B)**

**RECOMMENDATION**      *The Audit, Finance and Legislative Committee recommend that the City Commission accept the City Auditor's report.*

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

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

*Mayor-Commissioner Pro Tem Bryant moved and Commissioner Donovan seconded to adopt the Regular Agenda with the following modifications.  
(VOTE: 4-0, Commissioners Braddy, Henry and Lowe - Absent, MOTION CARRIED)*

**MODIFICATIONS:**

*1. File #070398 - Security for the One Stop Center at 3335 N. Main Terrace (Revised language in the explanation).*

*2. File #070741 - (New Item) Amendment to the City of Gainesville's 2008 Legislative Agenda - (Add to the Regular Agenda under City Manager).*

*3. File #070116 - (Ord) - Voluntary Annexation - Barnes and Olive Branch Home*

*Buyers - (Addition of letter requesting withdrawal of the Voluntary Annexation Petition).*

*4. File #070706 - Auto-Town Center Petition 69PDV-07PB - (Additional back-up submitted and hear this item after Plum Creek).*

## **CHARTER OFFICER UPDATES**

## **CLERK OF THE COMMISSION**

## **CITY MANAGER**

### **070707. Presentation on Public School Concurrency (B)**

**The purpose of this item is to update the City Commission and the general public on the proposed countywide public school concurrency strategy and the status of the required implementation by July 1, 2008 of public school concurrency.**

*City Chief of Comprehensive Planning Dean Mimms, University of Florida Dept. of Urban and Regional Planning Operations Professional Gene Boles, and Alachua County Public Schools Director of Community Planning and Zoning Terry Tougaw gave presentations.*

*NOTE: Commissioner Henry entered the meeting room at 1:19 PM.*

*MOTION (REFERRAL): Refer this report and school concurrency issues to the Community Development Committee for analysis and report back to the City Commission.*

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

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, that this matter be Referred to the Community Development Committee, due back on June 10, 2008. The motion carried by the following vote:**

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

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### **070398. Security for the One-Stop Center at 3335 North Main Terrace (B)**

**This item responds to the August 27, 2007, City Commission referral concerning security for the proposed one-stop homeless assistance center.**



*Assistant City Manager Fred Murry, Executive Director of the Office of Homelessness Jon DeCarmine, Block Grant Manager Jim Hencin and RTS Director Jesus Gomez gave presentations.*

*Chair Hanrahan recognized Mark Herman, Pat Fitzpatrick, Jim Wright, Mary Anderson and Walter Willard who spoke to the matter.*

*AMENDMENT: 1) Approve the recommendation with the understanding that staff would be exempt from the policy requiring that all persons leave the one-stop center after it closes each day; and 2) that staff would be trained to assist clients leaving the site.*

**RECOMMENDATION**

*The City Commission receive a report on addressing security at the proposed one-stop homeless assistance center, including a report from the Implementation Committee of the 10-Year Plan to End Homelessness, and take the following actions based on recommendations from the Implementation Committee: Request that the GRACE Marketplace collaborative partners institute a policy that requires all persons to leave the one-stop center after it closes each day; request GPD to increase patrols in the vicinity of the one-stop center after it closes each day; and the Implementation Committee further remind the City and County Commissions that there is a need for shelter during evening and night hours in a facility that provides a roof, cots and toilets. The Implementation Committee will continue to work on a solution to that issue and bring recommendations to both Commissions at a future time.*

*Alternative Recommendation A: The City Commission receive a report on addressing security at the proposed one-stop homeless assistance center, including a report from the Implementation Committee, and defer action.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Mastrodicasa, that this matter be Approved as Amended. The motion carried by the following vote:**

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

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**070631.**

**Responses to RFP for Supplemental Shelter and Services (B)**

**Purchasing staff has issued a Request for Proposals (RFP) to solicit proposals from local agencies to provide additional shelter and services to address the needs of the homeless during the upcoming winter months. The single response**

to the RFP received on November 19, 2007, will be presented to the City Commission for its consideration.

*Block Grant Manager Jim Hencin gave a presentation.*

*AMENDMENT: Two separate contracts with a December 1, 2007 effective date.*

**RECOMMENDATION**

*The City Commission 1) receive a staff report on responses to the City's RFP for supplemental shelter and services and award a contract or contracts for these services as deemed appropriate, and 2) authorize the City Manager to contact the Alachua County Board of County Commissioners and County Manager to inquire about additional funding for supplemental shelter and services.*

*Alternate Recommendation A: The City Commission receive a staff report on responses to the City's RFP for supplemental shelter and services and award a contract or contracts for these services as deemed appropriate.*

*Alternate Recommendation B: The City Commission receive a staff report on responses to the City's RFP for supplemental shelter and services and defer action.*

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

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

Absent: Craig Lowe and Edward Braddy

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## **GENERAL MANAGER FOR UTILITIES**

## **CITY ATTORNEY**

## **CITY AUDITOR**

## **EQUAL OPPORTUNITY DIRECTOR**

## **COMMITTEE REPORTS (PULLED FROM CONSENT)**

## **REGIONAL UTILITIES COMMITTEE**

**070744.**

**GRU's Delinquency Policy (NB)**

**RECOMMENDATION**      *The City Commission refer the issue of GRU's delinquency policy to the Regional Utilities Committee.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, that this matter be Referred to the Regional Utilities Committee, due back on June 10, 2008. The motion carried by the following vote:**

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

Backup for #070744 Delinquent Policy Review Jan 8 081.pdf

**070528.      Committee Referral Status Report Item #070528 - Nuclear Energy Option and Recommendation (NB)**

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

*NOTE: Commissioner Lowe entered the meeting room at 3:41PM.*

*Chair Hanrahan recognized Kali Blount and Walter Willard who spoke to the matter.*

**RECOMMENDATION**      *The City Commission a receive a brief summary on: 1) the nuclear issues workshop; 2) changes in the timing proposed by Progress Energy, Florida for the nuclear capacity option; and 3) preparation of a summary comparison matrix of the options for energy supply currently being considered, including nuclear, biomass, and expanded DSM and solar energy deployment.*

**Discussed**

## **RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**

**040711      2007 Orange Creek Basin Management Action Plan - Letter of Commitment (B)**

**This item involves a request for the City Commission to authorize the City Manager to execute a letter of commitment on behalf of the City of Gainesville to participate in the planning and implementation of the 2007 Orange Creek Basin Management Action Plan (BMAP).**

*GRU Engineer Alice Rankeillor gave a presentation.*

*Chair Hanrahan recognized Walter Willard who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: 1) authorize the City Manager or*

*designee to execute the Orange Creek Basin Letter of Commitment and forward same to FDEP, subject to approval by the City Attorney as to form and legality; and 2) remove this item from the Recreation, Cultural Affairs and Public Works Committee active referral list.*

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

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

Absent: Edward Braddy

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## **ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

## **OUTSIDE AGENCIES**

## **MEMBERS OF THE CITY COMMISSION**

## **COMMISSION COMMENTS (if time available)**

### **Commissioner Rick Bryant**

*GRU Expansion of Services to Archer - See following referral # 070746.*

### **070746. Expansion of GRU Services to the City of Archer (NB)**

*NOTE: This item was also placed on the General Manager's referral list.*

#### **RECOMMENDATION**

*The City Commission refer the item of cooperation with the City of Archer regarding wastewater to the City Manager and the General Manager of Utilities for review and a report back.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Donovan, that this matter be Referred to the City Manager, due back on June 10, 2008. The motion carried by the following vote:**

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

Absent: Edward Braddy

### **Commissioner Jack Donovan**

*Senior Recreational Center - See following referral # 070747.*

**070747. Senior Recreation Facility (NB)**

**RECOMMENDATION**

*The City Commission: 1) Refer the issue of a Senior Recreation Facility to the Recreation, Cultural Affairs and Public Works Committee for evaluation of possible citing at Northside Park, or other possible locations; and 2) bring back recommendations to the City Commission by the end of January.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Lowe, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on January 28, 2008. The motion carried by the following vote:**

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

**CITY MANAGER ITEM**

**070741. Amendment to the City of Gainesville's 2008 State Legislative Agenda (B)**

**RECOMMENDATION**

*The City Commission: 1) Approve the inclusion of the policy initiative titled, "Annexation of Enclaves Through Interlocal Service Boundary Agreements," in the City of Gainesville's 2008 State Legislative Agenda; 2) Direct City staff to consult with Alachua County and the municipalities within Alachua County regarding an agreeable amendment to the BAA following provisions set forth in 171.20 - 171.212 F.S.; and 3) Work with the Alachua County State Legislative Delegation to gain sponsorship and support for legislation to amend the BAA to include a provision for Interlocal Service Boundary Agreements.*

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

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

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**Commissioner Scherwin Henry**

*Assistance for Bartley Temple.*

**RECESS - 5:01 PM**

**RECONVENE - 5:58 PM**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**070656. Modern Shoe Repair Shop Month - December 2007 (B)**

**RECOMMENDATION**      *Modern Shoe Repair Shop owners Ron and June Balsamo and long-time employee Amos Lewis to accept the proclamation.*

**Heard**

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

*NOTE: Commissioner Braddy entered the meeting room at the beginning of Citizen Comment.*

**Theodore McCloud**

*GPD Issues.*

**Jerry Williamson**

*GPD Issues.*

**Harald Kegelmann**

*Wal-Mart Solar Project.*

**PUBLIC HEARINGS**

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

**070514. VOLUNTARY ANNEXATION - CITY-OWNED & STATE OF FLORIDA**

**TREEO (B)****Ordinance No. 0-07-93**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, 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 comprised of Tax Parcels 06837-001-000, a portion of 06845-000-000, and a portion of 06837-000-000, as more specifically described in this Ordinance, generally located south of the vicinity of SW 20th Avenue, west of the City limits and SW 63rd Boulevard, north of the City limits and SW 41st Place, and east of the City limits and the vicinity of SW 75th Street; 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.

*Strategic Planning Manager Karen Snyder gave a presentation.*

**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 First Reading (Ordinance). The motion carried by the following vote:**

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

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**ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

**070116.**

**VOLUNTARY ANNEXATION - BARNES AND OLIVE BRANCH HOME BUYERS (B)****Ordinance No. 0-07-73**

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area pursuant to Chapter 90-496, Special Act, 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 comprised of Tax Parcels 06684-000-000, 06828-000-000, 06820-000-000, 06830-000-000, and 06832-000-000, as more specifically described in this ordinance, generally located in the vicinity of SW 20th Avenue, west of the vicinity of Interstate 75, north of the vicinity of SW Archer Road, and east of Kanapaha Lake, also identified as Tax Parcel 06836-004-000; 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**      *Hear the request of the Owner to withdraw her petition for voluntary annexation, and either: 1) grant the request of the owner and strike the ordinance from the agenda; or 2) deny the request and adopt the ordinance.*

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, that this matter be Striken From the Agenda (Ordinance). The motion carried by the following vote:**

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

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**070661.**

**URBAN SERVICES REPORT OF PORTION OF BUTLER PLAZA  
SOUTHWEST AREA (B)**

**Ordinance No. 0-07-104**

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 generally located south of SW 33rd Place and Windmeadows Boulevard, west of SW 35th Boulevard, north of SW Archer Road and the City limits, and east of the vicinity of SW 40th Boulevard and Interstate 75, as more specifically described in this ordinance; 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 Bryant, seconded by Commissioner Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

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**070633. HISTORIC PROPERTY EXEMPT FROM CERTAIN AD VALOREM TAXATION; 205 SE 7th STREET (B)**

**ORDINANCE NO. 0-07-99**

An ordinance of the City of Gainesville, Florida, finding that property located at 205 SE 7th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 2008, and continuing for 10 years; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the applicant and the City; 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 Bryant, seconded by Commissioner Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

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**070635. HISTORIC PROPERTY EXEMPT FROM CERTAIN AD VALOREM TAXATION; 105 SE 7th STREET (B)**

**ORDINANCE NO. 0-07-100**

An ordinance of the City of Gainesville, Florida, finding that property located at 105 SE 7th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 2008, and continuing for 10 years; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the applicant and the City; 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 Bryant, seconded by Commissioner Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

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**070636. HISTORIC PROPERTY EXEMPT FROM CERTAIN AD VALOREM**

**TAXATION; 725 NE 1st STREET (B)****ORDINANCE NO. 0-07-101**

**An ordinance of the City of Gainesville, Florida, finding that property located at 725 NE 1st Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 2008, and continuing for 10 years; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the applicant and the City; 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 Bryant, seconded by Commissioner Donovan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

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**070637.                    HISTORIC PROPERTY EXEMPT FROM CERTAIN AD VALOREM  
TAXATION; 303 NE 8th AVENUE (B)**

**ORDINANCE NO. 0-07-102**

**An ordinance of the City of Gainesville, Florida, finding that property located at 303 NE 8th Avenue, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 2008, and continuing for 10 years; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the applicant and the City; 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 Bryant, seconded by Commissioner Donovan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

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**070640.                    ADDITION OF PRECINCT TO ELECTION DISTRICT NO. 3 (B)**

**Ordinance No. 0-07-105**

**An ordinance of the City of Gainesville, Florida, Chapter 9, Elections; amending Section 9-1.1 of the Code of Ordinances to add Precinct Number 48 to Election District No. 3; 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 Bryant, seconded by Commissioner Henry, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

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**070676.**

**VEHICLES FOR HIRE (B)****Ordinance No. 0-07-95**

**An ordinance of the City of Gainesville amending Chapter 28 Vehicles for Hire regulating vehicle-for-hire service within the City of Gainesville; amending the definition of vehicle-for-hire in Section 28-2; amending Section 28-3 to correct a scrivener's error and eliminate the requirement for audited financial statements, eliminating minimum number of vehicles requirement and clarifying criminal history requirements; amending Subsection (d) of Section 28-8 to consolidate medallion provisions; amending Section 28-8.5 by removing medallion language and redefining driver permit requirements; amending Section 28-11 related to liability insurance requirements; amending Section 28-21 related to city manager's right of inspection; 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 Bryant, seconded by Commissioner Braddy, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

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**RESOLUTIONS- ROLL CALL REQUIRED**

**070330.**

**Resolution and Housing Program Establishing the General Fund Displaced**

**Mobile Home Owner/Tenant Assistance Program (B)**

**This item proposes to create a program for displaced mobile home owners/tenants, of low and moderate incomes, who are relocating outside of the corporate limits of the City of Gainesville but within Alachua County.**

*City Housing Manager Jacquelin Richardson and Assistant City Manager Fred Murry gave a presentation.*

*AMENDMENT: 1) Approve the program as presented by staff and adopt the resolution; 2) that there be a determination of need; 3) that this program be limited to Buck Bay; and 4) if the \$10,000 from the City Commission Contingency Fund is needed, that staff bring back a report on the Consent Agenda in order to notify the City Commission.*

*Chair Hanrahan recognized Kenny Niblet, Martie Easters, Ms. Hill, Dave Studebaker and Sarah Humphrey who spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) adopt a resolution approving the General Fund Displaced Mobile Home Owner/Tenant Assistance Program, stating the purpose of the program, making certain findings of fact, directing the City Manager to implement the program, and providing an immediate effective date; 2) authorize the use of \$30,000 of Cedar Grove II foreclosure acquisition reserve funds to fund the program; 3) upon exhaustion of Cedar Grove II foreclosure acquisition reserve funds, authorize use of City Commission contingency funds in an amount to be determined by the City Commission; 4) authorize the Housing Division to use its standard financing agreements to effect the transactions subject to City Attorney approval as to form and legality; and 5) authorize the reimbursement of General Fund Displaced Mobile Home Owner/Tenant Assistance Program eligible expenses for Buck Bay Mobile Home Park owners/tenants of low and moderate incomes who resided in the park on January 12, 2007, the date the owner of the park issued eviction notices, and who relocated within Alachua County prior to this program's approval.*

*Alternative Recommendation A: The City Commission could choose to not approve the recommendation and the Buck Bay residents who are moving outside of the corporate City limits of the City of Gainesville would have to seek funding from another source.*

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

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

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**070660. TOWING FEES (B)**

**A resolution of the City Commission of the City of Gainesville, Florida, amending and establishing the maximum trespass towing fees in accordance with section 14.5-30 of the Code of Ordinances of the City of Gainesville, Florida; and providing an effective date.**

*Police Lieutenant Pete Backhaus and Assistant City Attorney Ron Combs gave a presentation.*

*Chair Hanrahan recognized Kali Blount, Stan Foron of Elite Towing and Kevin Whitesides of Ultimate Towing who spoke to the matter.*

**RECOMMENDATION**      *The City Commission: (1) determine whether to increase the maximum towing fees; and (2) adopt the proposed resolution setting rates if changes are approved.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Referred to the Public Safety Committee, due back on July 1, 2008. The motion carried by the following vote:**

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

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**070679. GAINESVILLE HOUSING AUTHORITY MEMBERS - FINANCIAL DISCLOSURE (B)**

**A resolution of the City Commission of the City of Gainesville, Florida, requiring members of the Gainesville Housing Authority to file annual statements of financial interest; providing directions to the Clerk of the Commission; and providing an immediate effective date.**

*Chair Hanrahan recognized Kali Blount who spoke to the matter.*

**RECOMMENDATION**      *The City Commission adopt the proposed resolution.*

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

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

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**070697. Fourth Amendment to FY 2007 General Financial and Operating Plan Budget Resolution (B)**

**RECOMMENDATION**      *The City Commission adopt the fourth amendatory budget resolution to the FY 2007 General Government Financial and Operating Plan budget.*

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

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

Absent: Edward Braddy

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**070701. Proposed Fiscal Year 2008 Annual Audit Plan (B)**

**RECOMMENDATION**      *The Audit, Finance and Legislative Committee submit the City Auditor's Proposed Fiscal Year 2008 Annual Audit Plan to the City Commission for approval by resolution.*

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

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

Absent: Edward Braddy

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## **PLAN BOARD PETITIONS**

## **WAIVER OF RULES**

*The rules were waived by consensus to hear File #070447 Plum Creek before File #070706 Auto-Town Center Petition.*

## **Citizen Comment to Auto-Town Center Petition 69PDV-07PB**

*Chair Hanrahan recognized Joseph Freck who spoke to the matter.*

**070447. Petition 28LUC-07 PB. David Coffey, P.A., agent for Plum Creek Timberlands, LP (B)**

**Amend the City of Gainesville 2000-2010 Future Land Use Map from Alachua County Rural/Agricultural and City of Gainesville A (Agriculture) to City of Gainesville PUD (Planned Use District), SF (Single-family, up to 8 units per acre) and CON (Conservation) on approximately 1,754 acres.**

*INTRODUCTIONS: City Planning Manager Ralph Hilliard gave introductions.*

*ALACHUA COUNTY PRESENTATION: Alachua County Environmental Protection Representative Steve Hostetter gave a presentation.*

*STAFF PRESENTATION: City Planning Manager Ralph Hilliard, Senior Planner Onelia Lazzari, Chief of Comprehensive Planning Dean Mimms, Public Works Environmental Coordinator Mark Garland, Planning and Development Services Director Erik Bredfeldt gave presentations.*

*PETITIONER PRESENTATION: Agents for the Petitioner David Coffey, Clay Anderson and Linda Portal gave presentations.*

*CITIZEN COMMENT: Chair Hanrahan recognized Linda Fry, Stacy Waldrop, Rob Brinkman, Bill Bryan and Pat Logan who spoke to the matter.*

*AMENDMENT: That specific language be worked out regarding affordable housing.*

**RECOMMENDATION**

*City Plan Board to City Commission: The City Commission deny Petition 28LUC-07 PB. Plan Board vote 6-0.*

*Staff to City Commission: Approve Petition 28LUC-07 PB as recommended by staff, subject to approval of proposed Future Land Use Element Policy 4.3.4.*

*Alternative Recommendation -Deny Petition 28LUC-07 PB.*

*Staff to Plan Board - Approve Petition 28LUC-07 PB.*

**A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Approved (Petition), as recommended by staff, as amended. The motion carried by the following vote:**

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

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**070706. Auto-Town Center Petition 69PDV-07PB (B)**

**(Quasi-Judicial) Petition 69PDV-07PB Arcadis, Agent for Gloria and Maria Henderson. Rezone property from BUS (General Business District) to PD (Planned Development) to allow an Automotive Sales Center and associated development. Located in the 3900 Block of North Main Street, west side.**

*STAFF PRESENTATION: Planning Manager Ralph Hilliard, Chief of Current Planning Lawrence Calderon and Public Works Environmental Coordinator Mark Garland gave presentations.*

*WAIVER OF RULES: Commissioner Henry moved and Commissioner Donovan seconded to waive the rules to extend the meeting to 11:30 PM.  
(VOTE: 7-0, MOTION CARRIED)*

*PETITIONER PRESENTATION: Agent for the Petitioner Mac McCuller, Planner Mark Shelton, Architect Richard Hartman, Rhodes Robinson and Alachua County Conservation Trust Representative Robert Hutchinson gave presentations.*

*WAIVER OF RULES: Commissioner Henry moved and Commissioner Bryant seconded to waive the rules to extend the meeting to 11:45 PM.  
(VOTE: 7-0, MOTION CARRIED)*

*MOTION: 1) Approve Alternative Recommendation (A); and 2) request that the applicant make the effort to minimize noise intrusion.*

*WAIVER OF RULES: Commissioner Henry moved and Commissioner Bryant seconded to waive the rules to extend the meeting to 11:50 PM.  
(VOTE: 7-0, MOTION CARRIED)*

*CITIZEN COMMENT: Chair Hanrahan recognized Rob Brinkman who spoke to the matter.*

*NOTE: Mayor Hanrahan requested to include as a staff condition, that the applicant will have a wetland mitigation plan by first reading of the ordinance.*

**RECOMMENDATION** City Plan Board to City Commission - approve the petition with staff conditions as modified. 4-0 vote



*Staff to City Plan Board - approve the petition with staff conditions.*

*Alternative Recommendation (A) - Approve the petition with staff conditions as modified allowing for wetland mitigation proposed by the Petitioner and accept the Petitioner's site plan as submitted.*

*Alternative Recommendation (B) - Deny the petition.*

**A motion was made by Commissioner Braddy, seconded by Commissioner Henry, that this matter be Approved (Petition) with Staff Conditions as Modified. The motion carried by the following vote:**

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

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## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

## **CITIZEN COMMENT (If time available)**

## **ADJOURNMENT - 11:49 PM**

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Kurt M. Lannon, Clerk of the Commission