

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, November 26, 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 - 1:07 PM****AGENDA STATEMENT****ROLL CALL**

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

**INVOCATION****CONSENT AGENDA**

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

**CITY MANAGER, CONSENT AGENDA ITEMS****070629. 2002/2008 NW 3rd Avenue Project - Status Report (B)**

**This item seeks to provide a status report to the City Commission on the project currently being constructed at 2002/2008 NW 3rd Avenue and recommends referral of the matter to the Community Development Committee.**

**RECOMMENDATION**      *The City Commission: 1) refer review of the project and issues regarding remedial action to the Community Development Committee.*

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

**070663. Application for Disability Retirement for Darryl Lindsey (B)**

**Retirement application for Darryl Lindsey, Power Plant Mechanic, with Gainesville Regional Utilities - Deerhaven Power Plant for 9.75 years who has been under the care of a physician for medical reasons.**

**RECOMMENDATION**      *The City Commission approve the submitted application for disability retirement for Darryl Lindsey, Power Plant Mechanic with Gainesville Regional Utilities - Deerhaven Power Plant.*

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

**070664. Application for Disability Retirement for Warndella Johnson (B)**

**Retirement application for Warndella Johnson, Transit Operation with Regional Transit System, for 5.083 years who has been under the care of a physician for medical reasons.**

**RECOMMENDATION**      *The City Commission deny the submitted application for disability retirement for Warndella Johnson, Transit Operator with Regional Transit System.*

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

**070687. Property Tax Reform Amendment Public Education Program (B)**

**At the direction of the City Commission, the City of Gainesville Communications and Marketing Office will coordinate and distribute a property tax reform proposed constitutional amendment public education materials as a source of information for the citizens of Gainesville.**

**RECOMMENDATION**      *The City Commission: approve the proposed information program outlined above and direct staff to begin the program immediately.*

*Alternative Recommendation A*

*The City Commission: 1) review and discuss a public education program regarding the property tax reform proposed constitutional amendment; 2) provide direction to staff as to what should be included in the program; and 3) direct staff to begin the revised public education Program immediately.*

*Alternative Recommendation B*

*The City Commission: deny staff's request to develop and promote a public education program regarding the property tax reform proposed constitutional amendment.*

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

**070702. Withdraw Petition 42ZON-06PB (NB)**

**Petition 42ZON-06PB City of Gainesville, to overlay the Significant Ecological Communities District on property zoned AGR(Agriculture district), I-1 (Limited industrial district) and I-2 (General industrial district) and RSF-1 (3.5 unit/acre single-family residential district) on approximately 787 acres. Generally located at 1300 and 920 Northwest 53rd Avenue, 4555 Northwest 6th Street, 5300 North Main Street, and 3464 Northwest 21st Place.**

**RECOMMENDATION**      *City Staff to the City Commission - Approve the Withdrawal*

*of Petition 42ZON-06 PB*

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

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

### **070680. Amendment to Agreement for Security Guard Services at GRU Facilities (NB)**

**Staff recommends extending the term of the contract with Fox Protective Services for the provision of security guard services at specified GRU facilities.**

**RECOMMENDATION**      *The City Commission 1) authorize the General Manager, or her designee, to negotiate and execute a three year amendment to extend the term of the agreement with Fox Protective Services, Inc. for the provision of security guard services at specified GRU facilities, subject to the approval of the City Attorney as to form and legality in an amount not exceeding budgeted funds for these services; and 2) approve the issuance of purchase orders to Fox Protective Services, Inc. for these services, in amounts not exceeding budgeted amounts for each year of the contract amendment, subject to the final approval of funds for each year.*

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

### **070681. Contract for Electric Distribution Line Clearance (B)**

**Staff recommends award of a contract to Asplundh Tree Expert Company for electric distribution line clearance.**

**RECOMMENDATION**      *The City Commission: 1) authorize the General Manager, or her designee, to execute a three-year contract with Asplundh Tree Expert Company, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in not-to-exceed budgeted amounts for these services for each year of the contract, subject to the final appropriation of funds for each year.*

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

### **070682. Temporary Personnel Services (NB)**

**Staff recommends extending the contract for temporary personnel services with Temp Force for one year.**

**RECOMMENDATION**      *The City Commission 1) authorize the General Manager, or her designee, to execute a one year amendment to the contract*

*with Career Center Inc. d/b/a Temp Force, subject to approval of the City attorney as to form and legality; and 2) approve the issuance of purchase orders to Career Center Inc. d/b/a Temp Force for these services on an as needed basis through December 2008 in amounts not exceeding budgeted amounts.*

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

**070683. Amendment to Agreements for Cellular Phone Services (NB)**

**Staff recommends extending the term of the contracts for cellular phone services and associated equipment with Alltel Communications and Sprint.**

**RECOMMENDATION** *The City Commission authorize the General Manager, or her designee, to negotiate and execute two year amendments to extend the term of the agreements for cellular phone services and equipment with Alltel Communications and Sprint, subject to the approval of the City Attorney as to form and legality, in an amount not exceeding budgeted funds for these services.*

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**070657. MARILYN PATRICK vs. CITY OF GAINESVILLE, A POLITICAL SUBDIVISION OF FLORIDA; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 01-2007-CA-3041 (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to represent the City of Gainesville in the case Marilyn Patrick vs. City of Gainesville, a Political Subdivision of Florida; Eighth Judicial Circuit, Court Case; No. 01-2007-CA-3041*

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

**070658. KEVIN DALY AND CAROL DALY vs. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 01-2007-CA-4328 (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City of Gainesville in the case of Kevin Daly and Carol Daly vs. City of Gainesville; Eighth Judicial Circuit, Court Case No. 01-2007-CA-4328.*

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

**060016. SETTING ASIDE ORDER APPROVING PETITION 42ZON-06 PB  
(SIGNIFICANT ECOLOGICAL COMMUNITIES DISTRICT) (B)**

**RECOMMENDATION**      *The City Commission waive the City Commission rules with respect to Petition 42ZON-06 PB, set aside the Order approving Petition 42ZON-06 PB, and authorize the Mayor to execute an Order setting aside the Order approving Petition 42ZON-06 PB.*

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

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

**070679. Gainesville Housing Authority (B)**

**RECOMMENDATION**      *The City Commission require the Gainesville Housing Authority members to file an annual financial statement as allowed with the recent amendment by the Florida Commission on Ethics (City Attorney to draft Resolution).*

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

**070689. Resignation of Danika Randolph and Tricia Otto from the City Beautification Board (B)**

**RECOMMENDATION**      *The City Commission accept the resignations of Danika Randolph and Tricia Otto from the City Beautification Board effective immediately with appreciation for their service.*

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

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**070668. Downtown Hampton Inn/Lot 9 Redevelopment (B)**

**RECOMMENDATION**      *CRA to City Commission: 1) Allow the CRA to defer two annual debt service payments to the City related to the Downtown parking garage, and authorize the amendment of*

*the interlocal agreement governing this debt service to accommodate the postponement by extending the payment period an additional two years; 2) Allow the CRA to defer one annual debt service payment to the City related to the Commerce project, and authorize the amendment of the interlocal agreement governing this debt service to accommodate the postponement by extending the payment period an additional one year; 3) Request that the City Commission transfer without consideration the proceeds from the sale of Lot 9 to the CRA for the purpose of redevelopment; and 4) Authorize the City Manager to execute any and all necessary documents.*

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

**070555. Porters Oaks Fence (NB)**

**RECOMMENDATION**

*CRA to the City Commission: 1) Obtain an easement along the north side of Depot Avenue, between Southwest 3rd Street and Southwest 2nd Terrace, and along the western side Southwest 2nd Street running north approximately 404 feet from the intersection with Depot Avenue*

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

**070321. Bethel Garage (B)**

**RECOMMENDATION**

*CRA to City Commission: 1) Reserve the use of funding from account 332-790-M660-5190 for redevelopment at the Bethel Station and at the Plaza, and authorize CRA staff to commence improvements to remove the bus shelter and stabilize the Bethel building.*

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

**Passed The Consent Agenda**

**A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Bryant, 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, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan  
Absent: Jeanna Mastrodicasa and Scherwin Henry

**END OF CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

*Commissioner Lowe moved and Mayor-Commissioner Bryant seconded to adopt the Regular Agenda with the following modifications.*

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

### *MODIFICATIONS:*

*1. File #070661 - Urban Services Report of portion of Butler Plaza Southwest Area - (Additional back-up submitted).*

*2. File #070619 - Religious Land Use and Institutionalized Persons Act Changes - (Additional back-up submitted).*

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

### **070678. City Commission Meetings/Workshops (B)**

*Planning and Development Services Director Erik Bredfeldt made comments.*

*MOTION: 1) Schedule a special meeting with the University of Florida Student Senate for Tuesday, January 15, 2008 @ 7:00 PM at the Reitz Union; 2) schedule a special meeting for the General Manager for Utilities selection process for Monday, December 17, 2007 from 1:00 to 3:00 PM; 3) schedule a workshop for Monday, February 4, 2007 for the Electronic Signs issue; and 4) schedule a special meeting for Monday, February 18, 2007 for the Fleet Garage issue. (NOTE: Approved by consensus).*

*NOTE: Commissioner Henry entered the meeting room @ 1:10 PM.*

**RECOMMENDATION**      *The City Commission: 1) Schedule a meeting with the University of Florida; 2) Schedule meetings and workshops regarding General Manager for Utilities Final Selection (if needed); Plum Creek Petition 28 LUC-07 PB; Electronic sign and fleet garage in December, January and/or February.*

**Approved, as shown above**

## CITY MANAGER

### **070625. Gainesville Public Building Design Review Presentation for the GPD Training Facility with Community Meeting Rooms (B)**

**This item involves a request for the City Commission to authorize and provide**



**input regarding the proposed building design of the new community training facility.**

*Police Chief Norm Botsford; Jerry Muldowny and Ian Reeves of Architects Design Group; and Police Sergeant Art Adkins gave presentations.*

**RECOMMENDATION**      *The City Commission: 1) hear a presentation from staff and 2) approve and forward the design review preliminary site plan approval and the public services zoning request for the New GPD Training Facility to the City Plan Board.*

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

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

## **GENERAL MANAGER FOR UTILITIES**

### **070684.            Climate Protection Strategies (B)**

**Staff will give an update on General Government and GRU current and proposed climate change strategies. A list of climate change strategies has been developed by staff to improve the carbon position in relation to the Kyoto protocol standards. Staff will give examples of the impacts of potential future policy decisions on carbon in the utility service area.**

*GRU Assistant General Manager for Strategic Planning Ed Regan, Public Works Director Teresa Scott, GRU Administrative Services Director Kathy Viehe and Utility Design Engineer Rob Klemans gave presentations.*

*MOTION: 1) Endorse the 1605 B Program for the purposes intended; 2) refer to staff to work with Alachua County government to develop a broader carbon analysis program that might have implications for transportation, waste management, fleet management, land conservation and other issues; 3) ask staff when appropriate, to bring back other actions that the City Commission could consider that would further reduce carbon emissions.*

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

**RECOMMENDATION**      *The City Commission a) hear a presentation from staff on climate protection strategies; and, b) hear a presentation of the status of the GRU service area under the 1605B carbon registration program, in comparison with examples of other options; and, c) adopt the proposed climate change strategies.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Approved as shown above and Referred to the Staff, due back on May 26, 2008. The motion carried by the following vote:**

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

**070704. Financing for Construction (B)**

**This item is related to financing for costs of acquisition and construction.**

*GRU Chief Financial Officer Jennifer Hunt gave a presentation.*

**RECOMMENDATION**

*The City Commission: 1) Authorize the financing of up to \$205 million of new money for payment of Costs of Acquisition and Construction (capital projects) through the issuance of fixed-rate bonds; 2) Authorize the termination of the JPMorgan Chase, N.A., \$31,500,000 swap whose effective date is February 1, 2008; 3) Authorize the termination of the Bear Stearns Financial Products Inc., \$58,500,000 swap whose effective date is February 1, 2008; 4) Approve the selection of Goldman Sachs as Senior Manager for the bonds referenced in 1 above and authorize the appointment of additional Co-Managers if, upon the advice of Public Financial Management (PFM), our Financial Advisor, doing so would enhance the distribution of the bonds; 5) Authorize the Clerk of the Commission, the General Manager and other Authorized Officers to execute such documents as may be necessary to proceed with the transactions authorized in 1-4 above, subject to approval of the Office of the City Attorney as to form and legality, and to take such other actions as may be necessary or advisable to proceed with these transactions in accordance with this City Commission authorization.*

**A motion was made by Commissioner Lowe, 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, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan  
Absent: Jeanna Mastrodicasa

**070686. Financial Management Information System (B)**

**Staff recommends awarding a contract to Axon Solutions, Inc. for a Financial Management Information System.**

*GRU Chief Financial Officer Jennifer Hunt, GRU Systems Integration Manager Dorothy Green and Edwin Crowe Managing Partner of AAC Utility Partners gave presentations.*

*AMENDMENT: Approve the recommendation with the condition that the deliverables are outlined in the contract and that there will be "pay for performance"*

language.

*NOTE: Commissioner Mastrodicasa entered the meeting room at 4:41 PM.*

**RECOMMENDATION**

*The City Commission:*

- 1) authorize the General Manager, or her designee, to negotiate and execute a contract with Axon Solutions, Inc. to implement a new Financial Management Information System, subject to the approval of the City Attorney as to form and legality and*
- 2) authorize the General Manager, or her designee, to negotiate and execute a software license and maintenance agreement with SAP, subject to the approval of the City Attorney as to form and legality; and*
- 3) approve the issuance of purchase orders to Axon Solution, Inc. and SAP in not to exceed amounts of \$6,380,000 and \$1,200,000, respectively; for the Financial Management Information System; and*
- 4) authorize staff to procure various services, equipment and materials, as required, to implement the FMIS replacement project as budgeted, subject to the appropriation of funds in each fiscal year.*

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

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

**WAIVER OF RULES**

*The rules were waived by consensus to hear File #070677 Arbitrator Decision in Fraternal Order of Police Gator Lodge 67 vs. City of Gainesville and move File #070685 Alachua Wholesale Power Contract to the evening portion of the agenda to be heard before File #070447 Plum Creek Petition.*

**070677.**

**ARBITRATOR DECISION IN FRATERNAL ORDER OF POLICE, GATOR LODGE 67 v. CITY OF GAINESVILLE (B)**

*City Litigation Attorney Elizabeth Waratuke, Employee Relations Manager Lynn McClary, and Police Chief Norm Botsford gave presentations.*

*AMENDMENT: Approve the recommendation and continue the negotiations.*

*Chair Hanrahan recognized Kim Popejoy who spoke to the matter.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney and/or special counsel to file a Motion to Vacate Award.*

**A motion was made by Commissioner Lowe, 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, Craig Lowe, Rick Bryant and Pegeen Hanrahan  
Nay: Edward Braddy

## **CITY ATTORNEY**

## **CITY AUDITOR**

## **EQUAL OPPORTUNITY DIRECTOR**

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

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

## **OUTSIDE AGENCIES**

### **070695. "State of the Matheson Museum" (NB)**

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

**Continued**

## **MEMBERS OF THE CITY COMMISSION**

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

## **RECESS - 5:11 PM**

## **RECONVENE - 5:48 PM**

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

## **Gator Detachment of the Marine Corp League**

## **PROCLAMATIONS/SPECIAL RECOGNITIONS**

**070690. Pearl Harbor Remembrance Day - December 7, 2007 (B)**

RECOMMENDATION *Gator Detachment of the Marine Corp League to accept the proclamation.*

**Heard**

**070691. Annual CROP Walk Day - December 2, 2007 (B)**

RECOMMENDATION *CROP Walk Coordinator Rev. Fred Depenbrock to accept the proclamation.*

**Placed on File**

**070692. ASTD Employee Learning Week - December 3-7, 2007 (B)**

RECOMMENDATION *American Society for Training and Development Gator Chapter President Gerald F. Zagaiki and Vice President of Public Relations Bruce Gordon to accept the proclamation.*

**Heard**

**070693. Rosa Parks Day - December 1, 2007 (B)**

RECOMMENDATION *Rosa Parks Quiet Courage Committee Chair Rev. Milford Lewis Griner to accept the proclamation.*

**Heard**

**070694. World AIDS Day - December 1, 2007 (B)**

RECOMMENDATION *Alachua County Health Department Regional Minority AIDS Coordinator and Florida Latino Leaders Advisory Committee on HIV/AIDS Member David Joseph Ruiz to accept the proclamation*

**Heard**

**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet****Frank Darabi - New River Landfill Research Project**

*New River Landfill - See following File #070729.*

**070729. New River Landfill Research Project - Frank Darabi - Citizen Comment (B)****RECOMMENDATION**

*The City Commission: 1) Hear a presentation from Frank Darabi Engineer of Record for the New River Solid Waste Association; 2) request the City of Gainesville support the request for CBIR Grant funding to continue the New River Landfill Research Project; and 3) authorize the Mayor to sign a letter to the Alachua County Legislative Delegation in support of this request.*

**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, Edward Braddy, Rick Bryant and Pegeen Hanrahan

**Doris Edwards**

*Lincoln Estates Neighborhood - Thanks to GPD, Alachua County and State Attorney's Office for Sexual Predator/Offender Program.*

**Rob Brinkman**

*Nuclear Power*

**Vivian Filer**

*Cotton Club Progress*

**Walter Willard**

*Various Issues*

**Armando Grundy**

*Hatchett Creek*

**Kim Popejoy**

*Climate Change*

**Tom Bussing**

*Solar Panels at the Gainesville Airport*

*See following referral item #070718.*

**Janet Woods**

*Solar Panels at the Gainesville Airport.*

*See following referral item #070718.*

**070718. Residential Solar Panels (NB)****RECOMMENDATION**

*The City Commission: 1) Refer the issue of possibly amortizing the purchase of residential solar panels or issuing bonds to the Regional Utilities Committee; and 2) roll this item in with the referral that is currently pending in RUC regarding photovoltaic policies (File #061214).*

**A motion was made by Commissioner Donovan, seconded by Commissioner Braddy, that this matter be Referred to the Regional Utilities Committee, due back on May 26, 2008. The motion carried by the following vote:**

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

**Pat Fitzpatrick**

*Homeless and hungry issues.*

**PUBLIC HEARINGS****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****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.**

*Strategic Planning Manager Karen Billings gave a presentation.*

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

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

**A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Bryant, 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

**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 Commissioner Lowe, seconded by Commissioner Mastrodicasa, 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

**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 Commissioner Donovan, seconded by Commissioner Lowe, 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 Peegen Hanrahan

**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 Commissioner Lowe, seconded by Commissioner Mastrodicasa, 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 Peegen Hanrahan

**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 Commissioner Donovan, seconded by Commissioner Lowe, 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 Peegen Hanrahan

**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 Commissioner Henry, seconded by Commissioner Donovan, 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

**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.**

*Police Lieutenant Pete Backhaus gave a presentation.*

*Chair Hanrahan recognized Deneace Joshua, Wiley Wood of Gainesville Limousine and Walter Willard who spoke to the matter.*

*See following referral item # 070726 regarding fees.*

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

**A motion was made by Commissioner Donovan, seconded by Commissioner Lowe, 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

**070726. Vehicles for Hire - Fee Issue Referral (NB)**

**RECOMMENDATION**      *The City Commission refer the issue of fees for Vehicles for Hire to the Public Safety Committee.*

**A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Referred to the Public Safety Committee, due back on May 26, 2008. The motion carried by the following vote:**

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

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED****070215. VOLUNTARY ANNEXATION - TOWNHOMES AT WESTWOOD, L.L.C. & T. LANE PROPERTIES (B)****Ordinance No. 0-07-76**

**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 06687-000-000, 06687-003-000, 06687-004-000, 06687-005-000, 06687-006-000, 06687-007-000, and 06686-000-000, as more specifically described in this ordinance, generally located south of the vicinity of SW 20th Avenue, west of SW 43rd Street, north of SW 24th Avenue, and east of the City limits and the vicinity of Interstate 75; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.**

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

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

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

**070457. VOLUNTARY ANNEXATION - CITY-OWNED PROPERTY - ADJACENT TO LAKE KANAPAHA (B)****Ordinance No. 0-07-84**

**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 City-owned Tax Parcels 06909-001-001, 06909-001-002, 06909-001-003, 06909-001-004, 06909-001-005, and 06909-001-006, as more specifically described in this ordinance, generally located south of the City Limits and Tax Parcel 06909-000-000, west of Tax Parcels 06911-025-000 and 06911-026-000, north of SW 46th Place and east of Tax Parcel 06909-002-000; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

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

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

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

**070458.**

**VOLUNTARY ANNEXATION - PROPERTIES OWNED BY GAIN DEVELOP INDUSTRIAL, L.L.C., AND THE CITY OF GAINESVILLE LOCATED IN THE VICINITY OF THE AIRPORT INDUSTRIAL PARK AND NE WALDO ROAD (B)**

**Ordinance No. 0-07-85**

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 07872-003-001, 07872-014-002, 07872-014-003, and 07872-009-000, as more specifically described in this ordinance, generally located south of the vicinity of NE 63rd Avenue, west of the vicinity of L. Brown Solid Waste Transfer Station, north of the City Limits and the vicinity of NE 54th Place, and east of NE Waldo Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

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

**A motion was made by Commissioner Lowe, 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

**070333. URBAN SERVICES REPORT - BUTLER PLAZA (B)**

**Ordinance No. 0-07-78**

**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 the vicinity of SW 20th Avenue, west of SW 34th Street and the City limits, north of SW Archer Road and the City limits, and east of the vicinity of Interstate 75; 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 Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Bryant, 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

**070414. URBAN SERVICES REPORT - PRAIRIE VIEW TRUST (B)**

**Ordinance No. 0-07-86**

**An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area comprised of Tax Parcel 07240-000-000, generally located south of the vicinity of Archer Road and Interstate 75, west of Interstate 75, north of Williston Road, and east of SW 62nd Avenue and the vicinity of SW 63rd Boulevard; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, Special Acts, Laws of Florida, as amended, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.**

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

**A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Mastrodicasa, 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****PLAN BOARD PETITIONS****070619. Religious Land Use and Institutionalized Persons Act Changes (B)**

**Petition 103TCH-07PB. City Plan Board. Amend Chapter 30, the Land Development Code (LDC), of the City of Gainesville as follows: change the list of permitted uses in all zoning districts, except CCD, CON and MD; change the dimensional requirements for public educational facilities in Section 30-77; change the requirements and conditions for places of religious assembly in Section 30-91 and for private schools in Section 30-103; insert a clarifying reference in Section 30-110. Residences for destitute people; and change the requirements for landscaping, parking, gateway street district, and nature park district as it relates to places of religious assembly.**

*Assistant City Attorney Stephanie Marchman and Planning Manager Ralph Hilliard gave a presentation.*

*Chair Hanrahan recognized Attorney David Cornell representing the Association of Business and Citizens of North Main who spoke to the matter.*

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve Petition 103TCH-07PB. Plan Board vote 6-0.*

*Staff to City Commission - Approve Plan Board's recommendation and direct the City Attorney to prepare and the Clerk of the Commission to advertise an Ordinance.*

*Staff to the Plan Board - Approve 103TCH-07PB*

**A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, that this matter be Approved (Petition). The motion carried by the following vote:**

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

**WAIVER OF RULES**

*Commissioner Lowe moved and Commissioner Donovan seconded to waive the rules to hear File #070685 Alachua Wholesale Power Contract before the Plum Creek Petition.*

*(VOTE: 7-0, MOTION CARRIED)*

**070685. Alachua Wholesale Power Contract (B)**

**This item involves the City of Alachua contract.**

*GRU Electric Planning Director Richard Bachmeier and Assistant General Manager for Strategic Planning Ed Regan gave presentations.*

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

**RECOMMENDATION**      *The City Commission authorize the General Manager or her designee to provide the City of Alachua with notification that the existing wholesale power contract will terminate at midnight, December 31, 2008.*

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

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

## **PLAN BOARD PETITIONS (CONTINUED)**

**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.**

*City Planning Manager Ralph Hilliard gave a presentation.*

*Chair Hanrahan recognized Agent for the Petitioner David Coffey who spoke to the matter.*

*CITY STAFF PRESENTATION: Chief of Comprehensive Planning Dean Mimms gave a presentation.*

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

*CITY STAFF PRESENTATION: Public Works Environmental Coordinator Mark Garland gave a presentation.*

*PETITIONER PRESENTATION: Agents for the Petitioner David Coffey, Carl Salifrio, and Clay Henderson gave presentations.*

*CITIZEN COMMENT: Chair Hanrahan recognized the following citizens who spoke to the matter.*

- 1. Carol Higman*
- 2. John Switzer*

3. Basil Benjamin
4. Pat Logan
5. Carolyn McCuen Smith
6. Mike Drummond, Alachua County Environmental Protection

*MOTION: Continue the meeting until the next Regular City Commission Meeting (December 10, 2007) after 6:30 PM.*

**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 Henry, seconded by Commissioner Lowe, that this matter be Continued (Petition) for December 10, 2007. The motion carried by the following vote:**

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

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

### **Commissioner Jeanna Mastrodicasa**

*Alachua County Tourist Development Council Meeting - Wednesday at 1:30 at the Thomas Center - Discussing Tourism, Climate Change - Presentation by Penny Wheat.*

### **Commissioner Scherwin Henry**

1. Bartley Temple
2. Citizen Comment Request - Business in the Plaza at NE 16th St.

### **Mayor-Commissioner Pro Tem Rick Bryant**

*Cut-Off Policy at GRU.*



**070731. Gainesville Regional Utilities Cut-Off Policies (NB)**

*NOTE: This item was referred to the General Manager for Utilities by consensus.*

**RECOMMENDATION**      *The City Commission refer the issue of the new GRU cut-off policies and changes to GRU's "Budget Pay Program" to the General Manager for Utilities.*

**Referred to General Manager for Utilities**

**WAIVER OF RULES**

*Commissioner Donovan moved and Commissioner Bryant seconded to waive the rules to extend the meeting to 11:05 PM.  
(VOTE: 7-0, MOTION CARRIED)*

**WAIVER OF RULES**

*Commissioner Henry moved and Commissioner Bryant seconded to waive the rules to extend the meeting to 11:15 PM.  
(VOTE: 7-0, MOTION CARRIED)*

**CITIZEN COMMENT****Lillie Brewer McGee**

*Lillie Brewer McGee - Business at NE 16th Street Plaza - Gaming Room.*

**Rob Brinkman**

*E-Mails regarding the General Manager selection process.*

**ADJOURNMENT - 11:14 PM**

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Kurt M. Lannon, Clerk of the Commission