

City of Gainesville

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



Meeting Minutes

Monday, January 22, 2007

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Craig Lowe (District 4)
Commissioner Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)*

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

CALL TO ORDER - 1:03 PM

ROLL CALL

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

INVOCATION

CONSENT AGENDA

Commissioner Bryant moved and Commissioner Henry seconded to adopt the Consent Agenda with the following modifications.

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

- 1. File #060844 - Bid Award - SW 2nd Avenue from Main Street to 13th Street Construction Project - (Revised language in the Fiscal Note).*
- 2. File #060880 - Resignation of Advisory Board/Committee Member Lauren McDonnell - (Revise effective date in the recommendation to December 15, 2006).*
- 3. File #060240 - Stephen Foster Neighborhood Speed Tables - (Pull from the Consent Agenda and Place on the Regular Agenda for discussion).*

CITY MANAGER, CONSENT AGENDA ITEMS

050196.

Request to offer the 200-acre City-owned Wacahoota property to Alachua County for acquisition through the Alachua County Forever program (B)

This item is a request for the City Commission to direct staff to pursue Alachua County's interest in acquiring the City-owned property on Williston Road (Wacahoota Property) through the Alachua County Forever (ACF) land-buying program.

RECOMMENDATION

The City Commission direct staff to work with Alachua County and the Alachua County Forever program regarding the sale of the entire 200 acre Wacahoota site for the purpose of conservation and authorize the City Manager to execute any related documents subject to review by the City Attorney as to form and legality.

Alternative Recommendation: The City Commission direct staff to advise Alachua County that the City is no longer interested in the sale of the Wacahoota site to Alachua County and continue to retain the property in the City's inventory and managed by Parks, Recreation and Cultural Affairs

Department.

This Matter was Approved as Recommended on the Consent Agenda.

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060841.

East Gainesville SPROUT Project Membership (B)

This item involves correcting an administrative oversight in re-appointing two members of the East Gainesville SPROUT Project Task Force.

RECOMMENDATION

The City Commission: 1) revise the reappointments for members Linda McGurn and Commissioner Mike Byerly to reflect three-year terms; and 2) set Ms. McGurn's membership to expire on March 15, 2009 and Commissioner Byerly's membership to expire on May 10, 2009.

This Matter was Approved as Recommended on the Consent Agenda.

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060842.

FY 2006-07 Community Development Block Grant Allocation for the Helping Hands Clinic Support Project to Serve the Homeless and Other Medically Underserved Residents (NB)

This action will allow the transfer of the Helping Hands Clinic Support Project from the Alachua County Health Department to the Alachua County Medical Society Foundation, Inc.

RECOMMENDATION

The City Commission: 1) approve the reallocation of \$7,000 in FY 2006-07 Community Development Block Grant funds from the Alachua County Health Department to the Alachua County Medical Society Foundation, Inc.; and 2) authorize the City Manager to execute a subrecipient agreement with the Alachua County Medical Society Foundation, Inc. for the Helping Hands Clinic Support Project.

Alternative Recommendation A: The City Commission decline the offer of the Alachua County Medical Society Foundation,

Inc. to take over the Helping Hands Clinic Support Project.

Alternative Recommendation B: The City Commission defer action to a later date.

This Matter was Approved as Recommended on the Consent Agenda.

060844.

Bid Award - SW 2nd Avenue from Main Street to 13th Street Construction Project (B)

This item involves a request for the City Commission to authorize the bid award to John C. Hipp Construction and Equipment Company for the SW 2nd Avenue from Main Street to 13th Street Construction Project for Milling, Resurfacing, Landscaped Median Islands and Roundabouts in the amount of \$ 3,279,382.80.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the bid award to John C. Hipp Construction and Equipment Company for the SW 2nd Avenue from Main Street to 13th Street Construction Project for Milling, Resurfacing, Landscaped Median Islands and Roundabouts; and 2) authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality, and issue a purchase order in an amount not to exceed \$ 3,279,382.80.

This Matter was Approved as Recommended on the Consent Agenda.

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060847.

Certification of Local Government Emergency Shelter Grant Application (B)

This agenda item approves the execution of a certification of local government requested by the Alachua County Coalition for the Homeless and Hungry, Inc. for an application for Emergency Shelter Grant Prevention funding.

RECOMMENDATION

Recommended Motion: The City Commission approve the City Manager's execution of a certification of local government for the Alachua County Coalition for the Homeless and Hungry, Inc. application for Emergency Shelter Grant - Prevention funds through the Florida Department of Children and Families.

Alternative Recommendation A: The City Commission disapprove the execution of the certification of local

government.

This Matter was Approved as Recommended on the Consent Agenda.

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060850.

Contract Between the Amalgamated Transit Union (ATU), Local No. 1579 Bargaining Unit and the City of Gainesville for October 1, 2006 through September 30, 2009 (B)

This item proposes the ratification of the Agreement between the City of Gainesville and the Amalgamated Transit Union, Local No. 1579 Bargaining Unit.

RECOMMENDATION *The City Commission ratify the Agreement between the City of Gainesville and the Amalgamated Transit Union, Local No. 1579 Bargaining Unit extending through September 30, 2009.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

060868.

Approval of Contracts for Grounds Maintenance (B)

Staff recommends award of a contract for grounds maintenance for the Utility facilities located within the 5th Avenue compound and the GRUCom central equipment building.

RECOMMENDATION *The City Commission authorize the Interim General Manager, or her designee, to 1) execute a one year contract with E.W. Reshard, Inc. for grounds maintenance for the Utility facilities located within the 5th Avenue compound and the GRUCom central equipment building and 2) issue purchase orders to E. W. Reshard, Inc. for these services in the amount of \$34,875.*

This Matter was Approved as Recommended on the Consent Agenda.

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060869.

Design Services for Deerhaven Generating Station Maintenance Shop Expansion (B)

Staff recommends approval of the final ranking of the architectural/engineering design firms and authorization to negotiate a contract in accordance with the Consultants' Competitive Negotiations Act (CCNA) for design services for the proposed expansion of the Deerhaven Generating Station Maintenance Shop.

RECOMMENDATION

The City Commission: 1) approve the final ranking of the architectural/engineering design firms; 2) authorize the Interim General Manager, or her designee, to negotiate a contract in accordance with the Consultants' Competitive Negotiations Act (CCNA) for architectural design services for the proposed expansion of the Deerhaven Generating Station maintenance shop; and 3) authorize the Interim General Manager, or her designee, upon successful negotiations, to execute a contract subject to approval of the City Attorney as to form and legality, in an amount not to exceed \$150,000.

This Matter was Approved as Recommended on the Consent Agenda.

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060872**Agreement for GRUCom Telecommunications Consulting Services (NB)**

Staff is requesting a contract amendment with HIKE & Company for telecommunications consulting services.

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager or her designee to negotiate and execute a contract amendment with HIKE & Company, as a specified source, for telecommunications consulting services on an as needed basis for a twelve-month term ending January 13, 2008, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not exceeding \$75,000 for these services.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****060879. City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the Minutes of January 8, 2007, as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

060879_20070122.pdf

060880.**Resignation of Advisory Board/Committee Member Lauren McDonell (B)**

RECOMMENDATION *The City Commission accept the resignation of Lauren McDonell from the City Plan Board effective December 8, 2006.*

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****COMMUNITY DEVELOPMENT COMMITTEE, CONSENT****040186.****Comprehensive Homeless Shelter Facilities (B)**

This item was referred to the Community Development Committee on January 12, 2004 to address the comprehensive homeless shelter facilities and community-wide plan to end homelessness. This item is related to Legislative Item No. 040187 - Community-Wide Plan to End Homelessness.

RECOMMENDATION *Community Development Committee to the City Commission: Remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

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040187.**Community Wide Plan to End Homelessness (NB)**

This item was referred to the Community Development Committee on January 12, 2004 to address the community-wide plan to end homelessness and comprehensive homeless shelter facilities. This item is related to Legislative Item No. 040186 - Comprehensive Homeless Shelter Facilities.

RECOMMENDATION *Community Development Committee to the City Commission: Remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

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PUBLIC SAFETY COMMITTEE, CONSENT

060242.

Roam Towing Safety Issues (B)

The Public Safety Committee discussed the referral multiple times and recommended to remove this item from the referral list.

RECOMMENDATION *The Public Safety Committee is recommending that the City Commission accept staff's report and remove this item from the Committee's referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

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060483.

Single Family Neighborhood Issues - Yard Parking Enforcement (B)

The Public Safety Committee discussed the referral several times and recommended to remove this item from the referral list.

RECOMMENDATION *The Public Safety Committee is recommending that the City Commission accept staff's report and remove this item from the Committee's referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

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Passed The Consent Agenda

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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

(VOTE: 7-0, MOTION CARRIED)

MODIFICATIONS:

1. File #060888 - (New Item) The City of Gainesville's preparation and response to the University of Florida Gator Football Team's winning of the BCS National Championship. Note: This item will not be presented until after 4:00 PM.

2. File #060885 - Crime Rate in Gainesville - (Back-up to be submitted).

3. File #060848 - Springhill's DRI Substantial Deviation - (Additional back-up submitted).

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

060867.

Master Calendar 2007 (B)

MOTION: Approve the Master Calendar scheduling the 2-Day Goal Setting Retreat for Friday and Saturday, November 30 and December 1, 2007.

RECOMMENDATION

The City Commission approve the 2007 Master Calendar with the following recommendations:

- 1) Cancel May 28, 2007 City Commission meeting (Memorial Day)*
- 2) Cancel December 24, 2007 City Commission meeting (Christmas Eve)*
- 3) Consider 2-day Goal Setting Retreat Friday and Saturday in Fall 2007*
 - November 16/November 17*
 - November 30/December 1*
- 4) Approve all budget sessions as listed.*

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

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

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CITY MANAGER**060854.****Healthy City, Healthy Region: An Update - Ten Years Later - January 2007 (B)**

This item involves a presentation by David Rusk, that is an update on his previous report entitled "Healthy City, Healthy Region". The report provides an assessment and recommendations on regional planning and housing policy for the City of Gainesville as relates to Alachua County.

David Rusk gave a presentation.

RECOMMENDATION

Recommended Motion: The City Commission hear a presentation on the update report by David Rusk entitled "Healthy City, Healthy Region, An Update Ten Years Later (January 2007)" and refer this report to the Community Development Committee.

Alternative Recommendation A: The City Commission not hear the report but refer it to the Community Development Committee for consideration.

Alternative Recommendation B: The City Commission receive and file the report.

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Referred to the Community Development Committee, due back on July 22, 2007. The motion carried by the following vote:

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

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060852.**General Government Capital Improvements Program (B)**

This presentation shows the various components of the City's web-based Capital Improvement Program.

Assistant City Manager Barbara Lipscomb gave a presentation.

RECOMMENDATION

Recommended Motion: The City Commission hear a presentation on the new web-based Capital Improvements Program.

Alternative Recommendation: The City Commission not hear the presentation on the new web-based Capital Improvements Program and review the program on the Internet at their leisure.

Heard

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060860.

Interlocal Agreement for the Academy of Business Ownership at Loften High School (B)

This item introduces an Interlocal Agreement designed to institutionalize the relationship between Alachua County, the City of Gainesville, and School Board of Alachua County's implementation of the Academy of Business Ownership at Loften High School. The City's responsibilities are to provide funding for a future business loan fund for graduates of the Academy to establish businesses in Alachua County and for associated mentoring services by a third party provider.

City of Gainesville Economic Development Director Erik Bredfeldt and Alachua County Poverty Reduction Program Director John Skelly gave presentations.

MOTION: Commissioner Henry moved and Commissioner Bryant seconded to allocate \$11,075 from the City Commission Contingency fund to secure mentoring services for the students presently enrolled in the Academy of Business Ownership at Loften High School.

(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION

The City Commission: 1) hear a brief presentation from staff; 2) approve the Inter-Local agreement and the provision of additional funding; and 3) authorize the Mayor to execute the Interlocal Agreement on behalf of the City Commission.

Alternate Recommendation A:

The City Commission: 1) hear a brief presentation from staff; 2) direct staff to approve the agreement with stated modifications; and 3) authorize the Mayor to execute the Interlocal Agreement on behalf of the City Commission.

Alternate Recommendation B:

The City Commission: 1) deny the proposed agreement.

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

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

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060888.

The City of Gainesville's Preparation and Response to the University of Florida Gator Football Team's Winning of the BCS National Championship. (B)

This item acknowledges the Gainesville Police Department and the City of Gainesville's Public Works Department for their actions preparing for and

responding to the City's needs following the University of Florida Gators winning of the BCS National Championship Game on January 8, 2007.

City of Gainesville Police Chief Norm Botsford and Solid Waste Manager Paul Alcantar gave presentations.

RECOMMENDATION *The City Commission acknowledge the successful efforts of GPD and the Public Works Department response to the City's needs during and following the University of Florida Gator Football Team's winning of the BCS National Championship Game.*

Heard

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GENERAL MANAGER FOR UTILITIES

060870.

Central Utility Plant to Support the New Shands Hospital Complex (B)

GRU has been selected by Shands Teaching Hospital and Clinics, Inc. (Shands) to design, finance, construct, own and operate a central utility plant on a portion of the new Shands medical complex. The Central Utility Plant (CUP) will efficiently provide chilled water, process steam, emergency and standby power generation, and medical gases to serve the first hospital tower and will be expanded to serve future phases of the project. Staff recommends approval of a Memorandum of Understanding (MOU) with Shands to allow design and equipment procurement to proceed, authorize funding for GRU's Engineer, Procure, Construct, (EPC) contractor to provide design services, and to authorize the Interim General Manager to negotiate and execute final agreements and procurement contracts to complete the project.

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

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission: 1) receive a presentation from staff summarizing the proposed project; 2) approve a MOU with Shands substantially in the form as attached and subject to approval as to form and legality by the City Attorney; 3) authorize the Interim General Manager or her designee to execute a change order to the existing Shands project development task agreement with Burns & McDonnell, Inc. for an additional amount not to exceed \$300,000 to allow design development to proceed pending the execution of final agreements; 4) authorize the Interim General Manager or her designee to negotiate and execute contracts and/or issue purchase orders for procurement of long lead time items and other GRU direct equipment and services purchases such as electrical switch gear, engine generators, gas turbines,*

structural steel, and pre-cast concrete, subject to approval by the City Attorney as to form and legality; and 5) authorize the Interim General Manager or her designee to negotiate and execute final agreements with Shands and Burns & McDonnell, Inc. for the design, finance, construction, operation, maintenance and future expansion of the CUP required to serve the new medical complex at an initial cost not to exceed \$35 million and for a term of 50 years, subject to approval by the City Attorney as to form and legality.

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

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

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CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

060865.

2007 Affirmative Action Plan (B)

City of Gainesville Equal Opportunity Director Jimmie Williams and Equal Opportunity Specialist Gayla Brown gave presentations.

RECOMMENDATION *Hear a presentation from staff on the 2007 Affirmative Action Plan.*

Heard

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COMMITTEE REPORTS (PULLED FROM CONSENT)

060240.

Stephen Foster Neighborhood Speed Tables (B)

This item involves a request to remove the Stephen Foster Speed Tables referral from the Recreation, Cultural Affairs, and Public Works Committee Active Referral list.

Chair Hanrahan recognized Stephen Foster Neighborhood resident Ron Nichols who spoke to the matter.

NOTE: It was recommended that this item remain on the Recreation, Cultural Affairs and Public Works Committee Referral List.

RECOMMENDATION *The City Commission remove this item from the Recreation, Cultural Affairs, and Public Works Committee Active Referral List.*

No Action Taken

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ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

060885.

Crime Rate in Gainesville (NB)

City of Gainesville Police Chief Norm Botsford, Police Captain Lynne Benck and Police Sergeant Keith Kameg gave presentations.

NOTE: This item was continued to the next regular City Commission Meeting (February 12, 2007).

RECOMMENDATION *The City Commission hear a report on the crime rate in Gainesville, Florida.*

Continued

COMMISSION COMMENTS (if time available)

RECESS - 5:20 PM

RECONVENE - 5:52 PM

PLEDGE OF ALLEGIANCE (5:30pm)

CUB SCOUTS, PACK 127

PROCLAMATIONS/SPECIAL RECOGNITIONS

060871. Nina Cameron Day - January 23, 2007 (B)

RECOMMENDATION *Gainesville's Cultural and Arts contributor Nina Cameron to accept the proclamation.*

Heard

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060874. Gainesville Chamber Orchestra Day - January 23, 2007 (B)

RECOMMENDATION *Gainesville Chamber Orchestra representative Elizabeth Sugalski to accept the proclamation.*

Heard

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060875. School Crossing Guard Appreciation Day - February 2, 2007 (B)

RECOMMENDATION *Gainesville Police Department Chief Normon B. Botsford and Police Service Technician Supervisor Ernestine Fletcher to accept the proclamation.*

Heard

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060876. Separation of Church and State Week - January 21-27, 2007 (B)

RECOMMENDATION *Humanist Society of Gainesville President Louis Clark and Webmaster Mark Mayfield to accept the proclamation.*

Heard

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060877. Non-Native Invasive Plant Awareness Week - January 22-27, 2007 (B)

RECOMMENDATION *UF/IFAS & Alachua County Cooperative Extension Service Environmental Horticulture Agent Wendy L. Wilbur to accept the proclamation.*

Heard

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060881. Hazardous Materials Awareness Week - January 21-27, 2007 (B)

RECOMMENDATION *Local Emergency Planning Committee Director Dwayne Mundy to accept the proclamation.*

Heard

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CITIZEN COMMENT (6:00pm)**Kali Blount**

1. *Youth Violence/Drug Issues*
2. *Neighborhood Petition - (SE Residential Historic District, McCrory Memorial Community Gardens and Park at SE 4th Avenue and 6th Terrace)*

Jennifer Van Bergen*Bush Administration Impeachment Resolution***Bob Ivy***Bush Administration Impeachment Resolution***060915. Impeachment Resolution Regarding the Bush Administration (B)**

RECOMMENDATION *The City Commission hear a presentation from Robert D. Ivey, Jr. and place back-up submitted on file.*

Placed on File**George Elmore***Landlord Permit Fees and Plan Board Issues***Richard Selwach**

1. *Campaign Comments*
2. *GRU Power Plant and General Manager Issues*
2. *Landlord Permit Fees/Notification Issues*

Walter Willard

Various Issues

Pat Fitzpatrick

Homeless Issues

Tara Young

Car Dealership Temporary Signage Issues

See following item #060910.

060910. Temporary Signage at Car Dealerships (NB)

RECOMMENDATION *The City Commission refer the issue of temporary signage at car dealerships to the Community Development Committee.*

A motion was made by Commissioner Braddy, seconded by Commissioner Bryant, that this matter be Referred to the Community Development Committee, due back on July 22, 2007. The motion carried by the following vote:

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

Emily Brown

Separation of Church and State Proclamation

Mark van Soesthbergen

Gainesville Carbon Footprint Assessment Tool

See following item #060914.

060914. Gainesville Carbon Footprint Assessment Tool (B)

RECOMMENDATION *The City Commission hear a presentation regarding a Gainesville Carbon Footprint Assessment Tool and place back-up submitted on file.*

Placed on File

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****060300.****URBAN SERVICES REPORT - CITY-OWNED PROPERTY - KANAPAHA AREA (B)****Ordinance 0-06-99**

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

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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060663.**URBAN SERVICES REPORT - CHILI'S BAR & GRILL (B)****Ordinance 0-06-127**

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

Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

City of Gainesville Strategic Planning Manager Karen Snyder 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 Lowe, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

Absent: Scherwin Henry

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060730.

VOLUNTARY ANNEXATION - SCHROEDER (B)

Ordinance No. 0-06-129

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

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Scherwin Henry

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060731.**VOLUNTARY ANNEXATION - LANDMAR AND GRU DEERHAVEN PROPERTIES (B)****Ordinance No. 0-06-130**

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

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Scherwin Henry

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060493.**STREET VACATION - VICINITY OF NE 12TH AVENUE AND WALDO ROAD (B)****Ordinance No. 0-06-124, Petition 127SVA-06PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close that portion of Northeast 12th Avenue located in the vicinity between the east right-of-way line of Waldo road and the west boundary of the Cedar Grove Residential Subdivision, as more specifically described in this Ordinance; reserving public and private utilities easements; providing conditions and a reversionary interest; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission (1) adopt the proposed ordinance, and (2) approve and authorize the City Manager to execute the Vacation of Right of Way Agreement subject to the approval of the City Attorney.*

A motion was made by Commissioner Bryant, seconded by Commissioner Braddy, that this matter be Adopted on First Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:

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

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060703.

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

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

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a certain portion of an alley located between Southeast 3rd Avenue and Southeast 4th Avenue and between Southeast 14th Street and Southeast 15th Street, as more specifically described in this Ordinance; reserving a public and private utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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060829.

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

Ordinance No. 0-06-30

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

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Scherwin Henry

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060863.

DISABILITY PENSION PLAN (B)

Ordinance No. 0-06-138

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Scherwin Henry

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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

060412.

LAND USE CHANGE - HUNTERS WALK (B)

Ordinance No. 0-06-102; Petition 75LUC-06 PB

An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by overlaying the "Planned Use District" category over certain property, as more specifically described in this ordinance, with the underlying reversionary future land use category of "SF (Single family, up to 8

dwelling units per acre)," located in the vicinity of 5043 Northwest 43rd Street; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Scherwin Henry

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060413.

HUNTERS WALK PLANNED DEVELOPMENT (QUASI-JUDICIAL) (B)

Ordinance No. 0-06-103; Petition 76PVD-06 PB

An Ordinance of the City of Gainesville, Florida; rezoning certain lands in the City, as more specifically described in this Ordinance, and amending the Zoning Map Atlas from the zoning category of "RSF-4: Single family residential district (8 units per acre)" to "PD (Planned Development)" located in the vicinity of 5043 Northwest 43rd Street; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement and penalties; providing a severability clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Scherwin Henry

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060599.

COLLEGE PARK SPECIAL AREA PLAN – 1823 NW 5th AVENUE

(QUASI-JUDICIAL) (B)**Ordinance No. 0-06-131, Petition No. 144ZON-06PB**

An Ordinance of the City of Gainesville, Florida, amending the College Park Special Area Plan as codified in Appendix A, Section 3 of the Land Development Code, by rezoning and incorporating a specific change from Type III (House) to Type IV (Civic) on tax parcel 14931-000-000, located in the vicinity of 1823 Northwest 5th Avenue, and as more specifically described in this Ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Scherwin Henry

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060600.**COLLEGE PARK SPECIAL AREA PLAN – 1726 NW 3RD PLACE
(QUASI-JUDICIAL)(B)****Ordinance No. 0-06-132, Petition No. 145ZON-06PB**

An Ordinance of the City of Gainesville, Florida, amending the College Park Special Area Plan as codified in Appendix A, Section 3 of the Land Development Code, by rezoning and incorporating a specific change from Type III (House) to Type IV (Civic) on tax parcel 14934-000-000, located in the vicinity of 1726 Northwest 3rd Place, and as more specifically described in this Ordinance; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Scherwin Henry

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RESOLUTIONS- ROLL CALL REQUIRED

060820.

Amended Interlocal Agreement - First Florida Governmental Financing Commission (B)

This item involves a proposal to adopt a resolution amending the existing interlocal agreement among the members of the First Florida Governmental Financing Commission.

RECOMMENDATION

The City Commission adopt Resolution No. approving the Amended and Restated Interlocal Agreement and authorizing the Mayor and other appropriate officers of the City to execute and deliver the Member's execution page in substantially the form attached as Exhibit A to the Amended and Restated Interlocal Agreement, with the understanding that the Amendment shall not become effective until after approval by all current Members of the First Florida Governmental Financing Commission, and appointing Ex Officio the Finance Director, Treasurer and Controller as Representative, Alternate Representative and Second Alternate Representative.

A motion was made by Commissioner Donovan, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: Scherwin Henry

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060837.

Resolution for a Landscape/Streetscape Maintenance Agreement for the Landscaping on SR 329 (South Main Street) from SR 331 (Williston Road) to SR 226 (SW 16th Avenue) (B)

This item involves a Resolution authorizing the City Manager to execute a Landscape/Streetscape Maintenance Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) for a landscaping project on SR 329 (South Main Street) from SR 331 (Williston Road) to SR 226 (SW 16th Avenue).

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute a Landscape/Streetscape Maintenance Agreement for the

landscaping on SR 329 from SR 331 to SR 226.

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: Scherwin Henry

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060838. Resolution for a Local Agency Program (LAP) Agreement for the design and construction of NE 19th Street / NE 19th Terrace from NE 3rd Avenue to NE 8th Avenue (B)

This item involves a Resolution authorizing the City Manager to execute a LAP Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) for the design and construction of NE 19th Street / NE 19th Terrace from NE 3rd Avenue to NE 8th Avenue in the amount of \$705,000.

RECOMMENDATION *The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute a LAP Agreement for the design and construction of NE 19th Street / NE 19th Terrace from NE 3rd Avenue to NE 8th Avenue.*

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: Scherwin Henry

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060839. Resolution for a Local Agency Program (LAP) Agreement for the design and construction of NE 25th Street and NE 19th Drive from State Road 26 / University Avenue to NE 8th Avenue (B)

This item involves a Resolution authorizing the City Manager to execute a LAP Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) for the design and construction of NE 25th Street and NE 19th Drive from State Road 26 / University Avenue to NE 8th Avenue project in the amount of \$1,410,000.

RECOMMENDATION *The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute a LAP Agreement for*

the design and construction of NE 25th Street and NE 19th Drive from State Road 26 / University Avenue to NE 8th Avenue.

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: Scherwin Henry

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RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize staff to submit copies of the Resolution to the Governor, President of the Senate, Speaker of the House, and members of the Alachua County Legislative Delegation.

A motion was made by Commissioner Bryant, seconded by Mayor-Commissioner Pro Tem Lowe, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: Scherwin Henry

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PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

060848.

SpringHills Development of Regional Impact (DRI) Substantial Deviation - Impacts on City of Gainesville (B)

This item includes an assessment of impacts on the City of the proposed Substantial Deviation of the SpringHills DRI, located in unincorporated Alachua County, and a recommendation to the City Commission as to comments the City may wish to provide to the County with respect to the proposed Substantial Deviation of this DRI.

City of Gainesville Community Development Director Tom Saunders, Chief of Comprehensive Planning Dean Mimms, Public Works Transportation Manager Brian Kanely, RTS Director Jesus Gomez and Alachua County Growth Management Director Rick Drummond gave presentations.

Chair Hanrahan recognized Coalition of Responsible Growth members Dr. Kim

Davidson and John Joplin who spoke to the matter.

MOTION: Mayor-Commissioner Pro Tem Lowe moved and Commissioner Bryant seconded that the Gainesville City Commission strongly opposes the proposed substantial deviation to Springhills DRI and recommends that it and related Comprehensive Plan amendments be denied.

(VOTE: 7-0, MOTION CARRIED)

Chair Hanrahan recognized Walter Willard, John Schert, Rob Brinkman, Dr. David Auth, Bill Wrighton and Betsy Hurst who spoke to the matter.

RECOMMENDATION

The City Commission: 1) adopt the aforementioned position regarding transportation impacts (inside the City limits) on Northwest 39th Avenue (State Road 222) created by the proposed Substantial Deviation of the SpringHills DRI and transmit this position to the Alachua County Commission; and 2) if the Alachua County Commission approves the proposed Substantial Deviation of the SpringHills DRI, transmit the City Commission position that transportation mitigation inside of Gainesville's City limits include the following: (a) contributions to the Traffic Management System; (b) intersection modifications to Northwest 39th Avenue at the Northwest 34th Street and Northwest 43rd Street intersections; and (c) funding for additional transit service.

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

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

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060849.

General Manager for Utilities Selection Process (NB)

The City Commission will discuss the results of the interview process for the General Manager held on January 19 -20, 2007 and make a final selection.

Chair Hanrahan recognized Dr. Joshua Dickinson, Harald Kegelmann, Dr. Kendra Siler-Marsiglio, Rob Brinkman, Dian Deevey, Ed Brown and Paula Stahmer who spoke to the matter.

MOTION: Commissioner Braddy moved and Commissioner Mastrodicasa seconded that the City Commission offer the position of General Manager of Utilities to Andy Ramirez and authorize the Mayor to enter into contract negotiations subject to approval of the full City Commission.

(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION

The City Commission make a final selection for the position of General Manager for Utilities and take any other appropriate action.

Alternative Recommendation A:

The City Commission direct Mycoff & Associates to continue the search for the position of General Manager and come back with a new list of finalists at a later date.

A motion was made by Commissioner Braddy, seconded by Commissioner Mastrodicasa, that this matter be Approved as shown above (See Motion). The motion carried by the following vote:

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

UNFINISHED BUSINESS**COMMISSION COMMENT****CITIZEN COMMENT (If time available)****ADJOURNMENT - 10:49 PM**

Kurt M. Lannon, Clerk of the Commission