

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, December 16, 2010**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Craig Lowe (At Large)*

*Mayor-Commissioner Pro Tem Jeanna Mastrodicasa (At Large)*

*Commissioner Scherwin Henry (District 1)*

*Commissioner Lauren Poe (District 2)*

*Commissioner Warren Nielsen (District 3)*

*Commissioner Randy Wells (District 4)*

*Commissioner Thomas Hawkins (At Large)*

*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 - 1:08 PM****ROLL CALL**

Present: Warren Nielsen, Craig Lowe, Jeanna Mastrodicasa, Scherwin Henry, Lauren Poe, Thomas Hawkins and Randy Wells

**INVOCATION**

*The City Commission observed a moment of silence.*

**CONSENT AGENDA**

*Commissioner Poe moved and Commissioner Wells seconded to adopt the Consent Agenda, as modified.*

*(VOTE: 6-0, Mayor-Pro Tem Mastrodicasa - Absent, MOTION CARRIED)*

*MODIFICATIONS:*

*1. File #100598 - (New Item) Amendment to Lease for the Lunch Box Cafe' at Bethel Station - (Add to the Consent Agenda).*

*2. File #100541 - COPS Program Grant - Request to Accept Award - (Request to pull from the Consent Agenda and place on the Regular Agenda for discussion).*

*3. File #080478 - Status Update on the City Commission Strategic Initiative to Support the Reconstruction of Transportation Facilities to Encourage Redevelopment of 6th Street - (Request to pull from the Consent Agenda and place on the Regular Agenda for discussion).*

**CITY MANAGER, CONSENT AGENDA ITEMS****100523. City of Gainesville Registry of Protected Public Places Listing (NB)**

**This item involves a request for referral from the Gainesville City Commission to the Recreation, Cultural Affairs and Public Works (RCAPW) Committee regarding the potential listing of eleven (11) nature parks to the Registry of Protected Public Places.**

**RECOMMENDATION**

*The City Commission refer the Registry of Protected Public Places listing to the Recreation, Cultural Affairs and Public Works Committee in order to receive a presentation from City staff and provide a recommendation back to the City Commission.*

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

**100536. Strategic Plan Quarterly Report - 4th Quarter of Fiscal Year 2010 (B)**

**This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 4th Quarter of Fiscal Year 2010.**

**RECOMMENDATION**      *The City Commission receives a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 4th Quarter of FY 2010.*

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

**100542. State Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Gainesville Police Department portion of the Problem Oriented Policing Unit Equipment and Training Expenses (NB)**

**This item requests that the City Commission appropriate and expend funds from the State Law Enforcement Contraband Forfeiture Trust Fund for the purchase of equipment and materials for enhancement of the narcotics enforcement efforts.**

**RECOMMENDATION**      *The City Commission authorizes the appropriation of \$10,813.95 from the Project Generated Income account of the State Law Enforcement Contraband Forfeiture Trust Fund for the purchase of equipment and training for the Gainesville Police Department's Special Investigation Bureau.*

*Alternative Recommendation A: The City Commission declines the appropriation and allows the funds to be turned over to the State of Florida resulting in the potential loss of \$10,813.95.*

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

**100546. Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for the Gainesville - Alachua County Drug Task Force, Gainesville Police Department Special Investigations Division for Nextel communications equipment for FY2011 (NB)**

**RECOMMENDATION**      *Recommended Motion: The City Commission approve the appropriation of \$7,648.27 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the purchase of appropriate Nextel communications equipment and service expenses related to the equipment for FY2011 for the Gainesville Police Department Special Investigations Division.*

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

**100552. Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for FY 2011 (B)**

**This item is an agreement between the City of Gainesville (City) and Alachua County (County) for traffic engineering services in the amount of \$179,929.08 in revenue to the City during FY 2011.**

**RECOMMENDATION**      *The City Commission authorize the City Manager to execute the renewal for the Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for the period of October 1, 2010 to September 30, 2011, subject to approval by the City Attorney as to form and legality.*

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

**100553. Continuation of Employee Bus Pass Programs (B)**

**This item is a request for the City Commission to authorize the City Manager to execute service agreements with local agencies for employee bus pass programs.**

**RECOMMENDATION**      *The City Commission: 1) approve the annual contract for continuation of the Employee Bus Pass Program for City employees through January 2012; and 2) authorize the City Manager to execute service agreements with local agencies for continuation of the employee bus pass program, subject to approval by the City Attorney as to form and legality.*

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

**100560. Downtown Parking Study (NB)**

**This item is a request to refer the Downtown Parking Study prepared by the Community Redevelopment Agency (CRA) to the Recreation, Cultural Affairs and Public Works Committee (RCAPW).**

**RECOMMENDATION**      *Recommended Motion: The City Commission refer the Downtown Parking Study to the Recreation, Cultural Affairs and Public Works Committee.*

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

**100565. State Housing Initiatives Partnership Program (SHIP) Affordable Housing Advisory Committee (AHAC) Incentives and Recommendations Report (B)**

**This item provides an informational update on the City's SHIP AHAC Incentives and Recommendations Report.**

**RECOMMENDATION**      *The City Commission: 1) accept the continuation of the 2008 AHAC Incentives and Recommendations Report as recommended by the SHIP AHAC; and 2) approve the submittal of the 2008 AHAC Incentives and Recommendations Report to the Florida Housing Finance Corporation by December 31, 2010.*

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

**100588.                      The Gainesville Traffic Safety Enhancement Act (B)**

**This item involves a request for the City Commission to authorize the City Attorney to revise the Gainesville Traffic Safety Enhancement Act in order to be in compliance with House Bill 325, also known as the Mark Wandall Traffic Safety Act, that became effective July 1, 2010.**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to revise Ordinance #070268 generally known as "The Gainesville Traffic Safety Enhancement Act" in order to be in compliance with House Bill 325, also known as the Mark Wandall Traffic Safety Act, that became effective July 1, 2010.*

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

**100598.                      Amendment to Lease for the Lunch Box Café at Bethel Station (B)**

**RECOMMENDATION**      *City Manager to the City Commission: 1) approve amending the Lease to release Robyn T. Mole and Clea K. Lauriault as personal guarantors and to substitute Tate Clair as the personal guarantor for the Lease; and 2) authorize the City Manager to execute the Second Amendment to Lease, subject to approval by the City Attorney as to form and legality.*

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

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**100547.                      IN THE MATTER OF AN APPEAL OF A DECISION OF THE BOARD OF ADJUSTMENT UNDER ADMINISTRATIVE REVIEW, FILED BY PRESSMAN AND ASSOCIATES, INC., AGENT FOR MAIN AND WALDO INVESTMENT, LLC, PETITIONERS. PETITION No. BA-10-6 APP (B)**

**RECOMMENDATION**      *The City Commission authorize the Mayor and Clerk of the Commission to execute the Final Administrative Order.*

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

**100568.                    AMENDMENT TO CHARTER OFFICER'S EMPLOYMENT CONTRACTS (B)**

**RECOMMENDATION**      *The City Commission authorize the Mayor to execute amendments to the Charter Officer employment contracts.*

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

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

**100566.                    City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of November 18, 2010, as circulated.*

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

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

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

**080481.                    Status Update on the City Commission Strategic Initiative to Review the Status of Commercial Recycling Ordinances (B)**

**This item is a request for the City Commission to direct the City Attorney to prepare an ordinance providing for a warning of non-compliance with the commercial recycling ordinance, followed by a surcharge of \$100 for a first offense, \$250 for a second offense, and \$500 for each subsequent offense to be applied to the GRU bill of a non-compliant commercial generator or commercial customer.**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance in accordance with the recommendations made by the Recreation, Cultural Affairs and Public Works Committee.*

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

## **ECONOMIC DEVELOPMENT UNIVERSITY COMMUNITY COMMITTEE, CONSENT**

### **090872. Infrastructure Needs and Economic Development Referral to the EDUCC (B)**

**This item seeks City Commission approval to move the Economic Development University Community Committee's recommendation regarding coordinated provision of Infrastructure to support economic development.**

**RECOMMENDATION**

*The City Commission: 1) endorse the EDUCC's partner summary recommendation as outlined; 2) direct GRU, CRA and Public Works staff to initiate a public infrastructure needs assessment regarding the 2nd Avenue SW Innovation Square District and its immediate periphery and report back to the Commission no later than April 1, 2011; 3) direct RTS staff to analyze short term and long term transit needs to serve this area and report back to the Commission no later than April 1, 2011; 4) direct GRU and GG management to ensure that a leadership team is in place to pro-actively implement the Commission's vision for Innovation Square over time; and, 5) remove this referral from the Committee's pending referral list.*

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

## **COMMUNITY DEVELOPMENT COMMITTEE, CONSENT**

### **080465. Initiative 2.4: Ensure Transparent, Efficient and Consistent Regulation of Land Development in Furtherance of the Comprehensive Plan (B)**

**This item seeks City Commission approval to move the Community Development Committee's recommendation regarding the Planning Works deliverables forward to the Plan Board.**

**RECOMMENDATION**

*The City Commission: 1) endorse the Community Development Committee's recommendation to move the Planning Works deliverables to the Plan Board as a Petition with the aforementioned Committee discussed stipulations and as outlined in staff's November 22nd memo to the Committee.*

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

### **100057. Dog Sitting Business in Single Family Neighborhoods (B)**

**This item seeks City Commission approval to remove Community Development Committee referral # 100057, Dog Sitting Business in Single Family Neighborhoods, from the Committee's pending referral list.**

**RECOMMENDATION**      *The City Commission: 1) remove Community Development Committee pending referral #100057, Dog Sitting Business in Single Family Neighborhoods, from the Committee's pending referral list.*

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

## **PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

## **PUBLIC SAFETY COMMITTEE, CONSENT**

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

### **090601.            City Election Issues - Permanent Election Date Referral (B)**

**RECOMMENDATION**      *The Audit, Finance and Legislative Committee recommended that the City Commission maintain the current process established by ordinance regarding floating City Election dates and retain this item in Committee.*

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

### **100531.            Review of General Fund Forecasted Revenues and Other Sources of Funds for the Fiscal Year Ending September 30, 2011 (B)**

**RECOMMENDATION**      *The City Commission accept the City Auditor's report.*

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

### **100532.            Review of Building Code Enforcement Fund Revenues (B)**

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

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

## **EQUAL OPPORTUNITY COMMITTEE, CONSENT**



**100340. Equal Opportunity Committee Referral (NB)****RECOMMENDATION**

*The City Commission accept the recommendation of the EOC and remove issues 1) EO Mission Statement and 3) Dismantling Racism from this referral.*

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

**DISABILITY REVIEW COMMITTEE, CONSENT****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****100562. Reappropriation of Economic Development Fund (B)****RECOMMENDATION**

*CRA to the City Commission: 1) release the appropriations outlined above; 2) appropriate \$75,000 of the ED Fund fund balance and move it to a separate account, to be used for the capitalization of a future Seed Fund program; and 3) appropriate the balance of funds in the ED Fund for use in GTEC-related programming, and potential future land acquisition and/or tenant transition programs.*

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

**Passed The Consent Agenda**

**A motion was made by Commissioner Poe, seconded by Commissioner Wells, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** Aye: Randy Wells, Lauren Poe, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

Absent: Jeanna Mastrodicasa

**END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

*Commissioner Hawkins moved and Commissioner Poe seconded to adopt the Regular Agenda, as modified.*

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

*NOTE: Mayor-Commissioner Pro Tem Mastrodicasa entered the meeting room at 1:11 PM.*

*Mayor Lowe recognized Pat Fitzpatrick who spoke to the matter.*

## **WAIVER OF RULES**

*The rules were waived by adoption of the agenda to hear the following item #100569 first on the agenda.*

## **GENERAL MANAGER FOR UTILITIES**

### **100569. Presentation on Interlocal Agreement for Wastewater Services to the City of Waldo (B)**

**This will be a presentation to the City Commission regarding the draft Interlocal Agreement for wastewater service to the City of Waldo.**

*GRU Supervising Design Engineer Rick Hutton, GRU Assistant General Manager for Water Wastewater Utilities David Richardson and Alachua County Principal Planner Ken Zeichner gave presentations.*

*MOTION: Commissioner Hawkins moved and Commissioner Wells seconded to ask staff to tighten up the language in the draft interlocal agreement governing the development and connections in the areas between Waldo and the City of Gainesville. (VOTE: 7-0, MOTION CARRIED)*

**RECOMMENDATION**      *The City Commission: 1) Receive a presentation on the Draft Interlocal Agreement between the City of Gainesville, City of Waldo and Alachua County for the provision of wastewater service to the City of Waldo via a force main; and 2) provide feedback as appropriate.*

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

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

## **CHARTER OFFICER UPDATES**

## **CLERK OF THE COMMISSION**

## **CITY MANAGER**

### **100563. Design and Construction of the One-Stop Homeless Assistance Center "GRACE Marketplace" (B)**

**This is a request for the City Commission to approve the Preliminary Site Plan and Floor Plan in the design of the GRACE Marketplace that will be located within the vicinity of 820 NW 53rd Avenue, Gainesville, Florida 32653.**

*City of Gainesville Construction Manager Amy Raimer, Assistant City Manager Fred Murry and Causseaux, Hewett and Walpole Project Engineer Shawn Webber gave presentations.*

*Mayor Lowe recognized Darlene Pifalo, Pat Fitzpatrick, Terrence McDavid and Ozzy Angulo who spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) approve the preliminary design and instruct the Design-Build Team to continue working on construction drawings; 2) waive the 30%, 60% and 100% construction document presentation to the City Commission; and 3) allow the Design-Build Team to submit the site plans to the City of Gainesville Planning Department.*

*Alternative Recommendation A: The City Commission: 1) approve the preliminary design and instruct the Design-Build Team to start construction drawings for review by the City Commission at 30%; and 2) allow the Design-Build Team to submit the site plans to the City of Gainesville Planning Department.*

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

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

**100541. COPS Program Grant - Request to Accept Award (B)**

*Gainesville Police Chief Tony Jones, Captain Lonnie Scott, and Operations Commander Major Rick Hanna gave presentations.*

*Mayor Lowe recognized Jeff McAdams, Darlene Pifalo and Ozzy Angulo who spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager to accept the COPS Hiring Award for up to five (5) sworn officers and direct the City Manager to execute the grant award and any other necessary documents, subject to approval by the City Attorney as to form and legality; and 2) approve the expenditures as outlined in the approved grant award.*

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

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

**100564. Design and Construction of the Centralized Fleet Garage (B)**

**This is a request for the City Commission to approve the preliminary site plan, and floor plan in the design of the Fleet Garage located within the vicinity of NW 65th PL & NW 16th Street, Gainesville, FL 32653.**

*City of Gainesville Construction Manager Amy Raimer and Bentley Architects and Engineers Architect Gary Cranston gave presentations.*

**RECOMMENDATION**      *The City Commission: 1) approve the preliminary design and instruct the architect to start construction drawings for review by the City Commission at 30%; and 2) allow the design team to submit the site plans to the City of Gainesville Planning Department.*

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

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

**080478. Status Update on the City Commission Strategic Initiative to Support the Reconstruction of Transportation Facilities to Encourage Redevelopment of 6th Street (B)**

**This item is an update from the Recreation, Cultural Affairs and Public Works Committee (RCAPW) to the City Commission to address the 6th Street Rail trail location through the Gainesville Police Department (GPD) campus.**

**RECOMMENDATION**      *The Commission approve the RCAPW Committee recommendation that the trail location through the GPD campus to be the Alternate Rail Trail Route.*

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

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

**GENERAL MANAGER FOR UTILITIES - (CONTINUED)**

**100570. Update - Biosolids Land Application Site Purchase (NB)**

**This item is in regard to the Biosolids Land Application Site purchase.**

*GRU Assistant General Manager for Water/Wastewater Utilities David Richardson gave a presentation.*

**RECOMMENDATION**

*The City Commission: 1) Receive a presentation on the status of the Special Exception being sought from Alachua County to allow the continued land application of biosolids at the Whistling Pines Ranch; and 2) take appropriate action.*

**Heard**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

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

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

**Commissioner Scherwin Henry**

*District Commission Seat - At Large Commission Seat*

**Commissioner Randy Wells**

1. General comments regarding modifications to the agenda.
2. Northeast Neighborhood - lack of greenspace.

*Referral to the Recreation, Parks and Public Works Committee - See following referral item #100607.*

**100607. Northeast Neighborhood Veterans Memorial Park (NB)**

**RECOMMENDATION**      *The City Commission refer to the Recreation, Cultural Affairs and Public Works Committee the issue of converting the former Army Reserve location on NE 11th St. to a City park honoring reserve veterans.*

**A motion was made by Commissioner Wells, seconded by Commissioner Hawkins, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on June 16, 2011. The motion carried by the following vote:**

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Scherwin Henry, Thomas Hawkins and Warren Nielsen

**Mayor - Commissioner Pro Tem Jeanna Mastrodicasa**

1. *Take Stock in Children Luncheon.*
2. *Alachua County Delegation in Tallahassee - Legislative Agenda.*

**Mayor Craig Lowe**

*White House visit.*

**RECESS - 4:37 PM**

**RECONVENE - 5:32 PM**

*NOTE: Commissioner Henry did not return for the evening portion of the meeting.*

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**100517. Swearing In/Oath of Office for New Police Officers (NB)**

**RECOMMENDATION**      *The City Commission authorize the Gainesville Police Department to present the oath of office to eight new police officers in the 5:30 p.m. Special Recognition time slot.*

Heard

**100573. Caring and Sharing Learning School Day - December 16, 2010 (B)**

**RECOMMENDATION**

*Caring and Sharing Learning School Co-founders Mr. and Mrs. Simon Johnson and Principal Mr. Curtis Peterson to accept the proclamation.*

Heard

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

**John Davies**

*General complaints regarding Government.*

**Harold Saive**

- 1. Original Tea Party.*
- 2. 9/11 Issues.*

**Bob Tuskin**

*9/11 Issues.*

**Ed Reyes**

*9/11 Issues.*

**100608. Citizen Comment - Ed Reyes - September 11, 2001 Petition (B)**

**RECOMMENDATION**

*The City Commission hear comments from Ed Reyes and place back-up submitted on file.*

**Placed on File**

**Dan Dvorak**

*9/11 Issues.*

**Walter Willard**

*Various Issues.*

**Pat Fitzpatrick**

*Freedom of speech issues.*

**Rob Brinkman**

*Global warming issues.*

## **PUBLIC HEARINGS**

## **RESOLUTIONS- ROLL CALL REQUIRED**

**100534. Fourth and Final Amendment to the FY 2009-2010 General Government Financial and Operating Plan (B)**

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

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

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Thomas Hawkins and Warren Nielsen  
Absent: Scherwin Henry

**100554. Resolution for 5310 Grant Application (B)**

**This item is a request for the City Commission to adopt a Resolution to allow the Regional Transit System (RTS) to apply for a 5310 Grant to purchase a paratransit van to provide ADA service to the disabled citizens of Gainesville.**

**RECOMMENDATION**      *The City Commission adopt the Resolution.*

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

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Thomas Hawkins and Warren Nielsen  
Absent: Scherwin Henry

**100555. Resolution for 5311 Grant Application (B)**

**This item is a request for the City Commission to adopt a Resolution allowing the Regional Transit System (RTS) to apply for a 5311 Grant to purchase Demand Response trips, purchase two (2) to (3) paratransit vans, and to**



continue to provide the Route 23 transportation services to the citizens of Gainesville.

*Mayor Lowe recognized Walter Willard who spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) adopt the Resolution to allow the RTS to apply for a 5311 Grant to purchase Demand Response trips; 2) approve the purchase of two (2) or three (3) paratransit vehicles; and 3) allow RTS to continue to provide Route 23 transportation services to the citizens of Gainesville.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Poe, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:**

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Thomas Hawkins and Warren Nielsen  
Absent: Scherwin Henry

**100556. Resolution for an Extension to 5317 Joint Participation Agreement (JPA) (B)**

**This item is a request for the City Commission to adopt a Resolution allowing the Regional Transit System (RTS) to extend a 5317 Joint Participation Agreement to purchase paratransit trips to provide ADA service to the disabled citizens of Gainesville.**

**RECOMMENDATION**

*The City Commission adopt the Resolution.*

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

Votes: Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Thomas Hawkins and Warren Nielsen  
Absent: Scherwin Henry

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

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

**100142. REZONING – PORTION OF FOREST PARK (B)**

**Ordinance No. 100142, Petition No. PB-10-30ZON**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property, as more specifically described in this Ordinance, from the zoning category of “RMF-6: 8-15 units/acre multiple-family residential district” to “CON: Conservation district”; located in the vicinity of South of S.W. 20th Avenue between I-75 and Forest Park; providing a severability clause; providing a repealing clause; and providing an immediate**

effective date.

*Mayor Lowe recognized Rob Brinkman who spoke to the matter.*

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

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

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Thomas Hawkins and Warren Nielsen  
Absent: Scherwin Henry

**100229.                      PLANNED DEVELOPMENT - FAT TUSCAN (B)**

**Ordinance No. 100229; Petition PB-10-68 PDA**

**An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Fat Tuscan Planned Development" located in the vicinity of 725 Northeast 1st Street; by amending and restating in its entirety City of Gainesville Ordinance No. 070819 to allow additional uses by right, to allow on-site preparation of fried or barbequed foods, to expand the hours of indoor and outdoor operation, to prohibit after hours events and to increase the amount of indoor and outdoor seating; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Thomas Hawkins and Warren Nielsen  
Absent: Scherwin Henry

**PLAN BOARD PETITIONS**

**100520.                      Amendment to the Gainesville Auto Town Center Planned Development Petition 69PDV-07PB (B)**

**Petition PB-10-18 PDA. Causseaux, Hewett, and Walpole, Inc., agent for Duval Motorcars of Gainesville, Inc. Amend the PD (Planned Development district) zoning to modify the allowable uses in Phase 2. Located in the 3900 block of North Main St., west side.**

*Lead Planner Lawrence Calderon and Agent for the Petitioner Gerry Dedenbach gave presentations.*

*NOTE: Staff and applicant to come back regarding the sodding issue.*

**RECOMMENDATION**

*City Plan Board to City Commission -Approve Petition  
PB-10-18PDA with conditions as revised by the Plan Board  
Staff to City Commission- Approve Plan Board's  
recommendation.  
Staff to City Plan Board- Approve petition with conditions.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Wells, that this matter be Approved (Petition) with conditions as revised by the Plan Board. The motion carried by the following vote:**

**Votes:** Aye: Randy Wells, Lauren Poe, Jeanna Mastrodicasa, Craig Lowe, Thomas Hawkins and  
Warren Nielsen  
Absent: Scherwin Henry

**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT****CITIZEN COMMENT****Rob Brinkman**

- 1. Whistling Pines Ranch - sludge issues.*
- 2. Growing energy crops.*

**John Butler**

*Grace Marketplace - transportation issues.*

**ADJOURNMENT - 7:47 PM**

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Kurt M. Lannon, Clerk of the Commission