

City of Gainesville

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



Meeting Minutes

Thursday, March 5, 2009

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Jack Donovan (District 3)
Commissioner Thomas Hawkins (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Lauren Poe (District 2)
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 - 1:03 PM

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The meeting was called to order by Mayor-Commissioner Pro Tem Jack Donovan.

ROLL CALL

Present: Craig Lowe, Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Lauren Poe and Thomas Hawkins

Absent: Pegeen Hanrahan

INVOCATION

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CONSENT AGENDA

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Commissioner Lowe moved Commissioner Hawkins seconded to adopt the Consent Agenda, as modified.

(VOTE: 6-0, Mayor Hanrahan - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File #070399 - Site Selection Confirmation for the Fleet Management Garage and Materials Storage Facility - (Remove from the Consent Agenda and place on the Regular Agenda for Discussion).*
- 2. File #080853 - Proposed Florida Department of Corrections Correctional Facility - (Remove from the Agenda).*

CITY MANAGER, CONSENT AGENDA ITEMS

080798.

Interlocal Agreement with Alachua County and Alachua County Housing Authority for Operation of the local Office on Homelessness (B)

This agenda item requests the City Commission to approve the execution of the Interlocal Agreement for operation of the local Office on Homelessness to include the one-stop homeless assistance center as a responsibility of the Office on Homelessness.

RECOMMENDATION

The City Commission approve the Interlocal Agreement between the City of Gainesville, Alachua County, and the Alachua County Housing Authority for operation of the Office on Homelessness and authorize the Mayor to execute the agreement on behalf of the City, subject to review by the City

Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

080798_Interlocal Agrmt_20090305.pdf
080798_interlocalagreement_20090305.pdf

080838.

Execution of Lot 10 Option Agreement (NB)

RECOMMENDATION

CRA to the City Commission: 1) authorize the City Manager to execute the option contract for the purchase and sale of land at Lot 10.

This Matter was Approved as Recommended on the Consent Agenda.

080853.

Proposed Florida Department of Corrections Correctional Facility (B)

The Alachua County Board of County Commissioners requests that the City of Gainesville send a letter in opposition to the proposed Florida Department of Corrections correctional facility along N.E. 39th Avenue.

RECOMMENDATION

The City Commission: 1) authorize the Mayor to send a letter to the Florida Department of Corrections addressing the corrections facility proposed for N.E. 39th Avenue requesting the facility not be built at the site due to the potentially negative impact to the Plan East Gainesville vision and the economic viability of the surrounding area; and 2) send a copy of the letter to the Governor and Cabinet, the Alachua County legislative delegation, the Chair of the House Criminal and Civil Justice Policy Council, and the Chair of the Senate Committee on Criminal Justice.

Withdrawn

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080854.

Regional Transit System Procurement of Buses (Federal Assets) from the Central Florida Regional Transit Authority (LYNX) (B)

This item is a request that the City Commission approve the procurement of buses from the Central Florida Regional Transit Authority (LYNX).

RECOMMENDATION

The City Commission approve the transfer of federal assets from Central Florida Regional Transit Authority (LYNX) to the City of Gainesville Regional Transit System.

This Matter was Approved as Recommended on the Consent Agenda.

080854_Agreement_20090305.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

080858.

General Engineering and Consultation Services (B)

Staff recommends approval of the listing of qualified engineering and consultation firms and authorization to negotiate contracts with those firms in accordance with the Consultants Competitive Negotiations Act for required services.

RECOMMENDATION

The City Commission: 1)approve the listing of qualified, engineering and consultation firms for the provision of design or consultation services associated with Utility System facilities and City Commission approved Capital Improvement Projects or unexpected projects that may emerge from time to time; 2)authorize the General Manager, or his designee, to initiate contract negotiations with the qualified firms in accordance with the Consultants Competitive Negotiations Act (CCNA); 3)authorize the General Manager, or his designee, upon successful negotiations, to execute professional services agreements (PSAs) for a five year period, subject to approval of the City Attorney as to form and legality, in an amount not to exceed budgeted amounts for professional architectural, engineering or consultation services.

This Matter was Approved as Recommended on the Consent Agenda.

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CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

080839.

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of February 9, 2009 and February 19, 2009, as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

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080859.

City Commission Budget Meetings (NB)

RECOMMENDATION *The City Commission approve the meeting dates and times.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry, Jeanna Mastrodicasa and Thomas Hawkins
Absent: Pegeen Hanrahan

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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Commissioner Lowe moved and Commissioner Henry seconded to adopt the Regular Agenda, as modified.

(VOTE: 6-0, Mayor Hanrahan - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File #080867 - New Item - Staff Review of City of Alachua Proposed Large Scale Land Use Plan Amendments - (Add to the Regular Agenda under "City Manager").*
- 2. File #070399 - Site Selection Confirmation for the Fleet Management Garage and Materials Storage Facility - (Remove from the Consent Agenda and place on the Regular Agenda for discussion)*

Chair Pro Tem Donovan recognized Jimmy Harnsberger who requested to hear File #070399 - Site Selection Confirmation for the Fleet Management Garage and Materials Storage Facility first on the agenda. This was approved by consensus.

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

070399.

Site Selection for Fleet Management Garage and Materials Storage Facility (B)

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Assistant City Manager Fred Murry, Land Rights Coordinator Sam Bridges and General Services Director Milton Reid gave presentations.

Chair Pro Tem Donovan recognized Jimmy Harnsberger who spoke to the matter.

MOTION: 1) Direct staff to renegotiate with the seller with the understanding that the City Commission is not comfortable with the level that is being suggested in the current offer and that staff attempt to get something more in line with the appraised value; 2) direct staff look at alternative sites that may have come on the market and report back; and 3) authorize staff to obtain a second appraisal for the Logistics property or alternative sites if necessary.

RECOMMENDATION

The City Commission 1) approve the purchase of the property from J.D.F. Logistics, Inc. for \$1.3 million, and 2) authorize the City Manager to execute the purchase contract and all necessary closing documents, subject to approval by the City Attorney's Office as to form and legality.

Alternate Recommendation:

The City Commission 1) direct staff to discontinue with negotiations for the purchase of the J.D.F. Logistics, Inc. property for \$1.3 million; and 2) give staff specific direction as to how the City Commission wishes to proceed with this project.

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

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry, Jeanna Mastrodicasa and Thomas Hawkins
Absent: Pegeen Hanrahan

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070399_Maps_20090305.pdf
070399_Appraisal Summary_20090305.pdf
070399_Negotiation Correspondance_20090305.pdf
070399_Site Presentation_20090402.pdf
070399_Mr. Scott_20090402.pdf

080711.**Procedure for the Approval of Vertical Capital Projects or Major Renovation to City Buildings (B)**

This item involves the submittal of a proposed procedure for obtaining the various approvals for the construction of vertical capital projects and major renovations to City buildings.

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General Services Construction Manager Amy Raimer gave a presentation.

AMENDMENT: Approve the recommendation with the change that in addition to inviting the district Commissioner to the public meetings, also notify the Mayor and all Commissioners of the public meeting with the understanding that if two or more Commissioners attend, that the meeting will have to be publicly noticed.

Chair Pro Tem Donovan recognized Walter Willard who spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff outlining the proposed procedure; 2) receive input from the City Commission; and 3) approve the procedure, including any suggested changes.

Alternate Recommendation A: The City Commission directs staff to develop a different procedure.

Alternative Recommendation B: The City Commission direct staff to continue using the existing Design Guidelines Manual.

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

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry, Jeanna Mastrodicasa and Thomas Hawkins
Absent: Pegeen Hanrahan
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080840.

Request to Open Wages Articles in Existing Labor Agreements (NB)

This is a request for the Fraternal Order of Police (FOP) Gator Lodge 67, Inc. Bargaining Unit, the International Association of Firefighters - District Chiefs (IAFF - DC) Local 2157 Bargaining Unit, and the North Central Florida Police Benevolent Association (PBA) Bargaining Unit to open their Wages Articles in the existing Labor Agreements.

Play Video

Administrative Services Director Becky Rountree and Human Resources Director Sandy Barnard gave presentations.

Chair Pro Tem Donovan recognized FOP President Jeff McAdams, IAFF President Jeff Lane and PBA President Will Halvosa who spoke to the matter.

RECOMMENDATION

The City Commission direct staff to request the Fraternal Order of Police (FOP) Gator Lodge 67, Inc. Bargaining Unit, the International Association of Firefighters - District Chiefs (IAFF - DC) Local 2157 Bargaining Unit, and the North Central Florida Police Benevolent Association (PBA) Bargaining Unit to open their Wages Articles in the existing Labor Agreements.

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

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry, Jeanna Mastrodicasa and Thomas Hawkins
Absent: Pegeen Hanrahan

080867.

Staff Review of City of Alachua proposed Large Scale Land Use Plan

Amendments (B)

This item involves a staff review and comment regarding City of Alachua proposed large scale land use plan amendments.

Planning and Development Services Director Erik Bredfeldt, Concurrency Management Planner Onelia Lazzari and Planning Manager Ralph Hilliard gave presentations.

RECOMMENDATION

The City Commission direct staff to forward staff attached comments to the City of Alachua, Alachua County Growth Management, the Florida Department of Community Affairs (DCA) and the Florida Department of Transportation (FDOT).

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

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry, Jeanna Mastrodicasa and Thomas Hawkins
Absent: Pegeen Hanrahan

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GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES**

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080621.

Butterfly Education Project Proposed Community Implementation Plan to Promote the Self-Designation of Gainesville, Florida as the "First Butterfly City" (B)

This item is in response to a City Commission request to receive an update at an

appropriate time on "First Butterfly City" activities.

[Play Video](#)

Communications and Marketing Manager Bob Woods, Gabriel Hillel and Peter Johnson gave presentations.

AMENDMENT: 1) Adopt parts 1 and 2 of the recommendation; 2) direct the City Manager to determine if there are savings from Mosquito Control efforts that could be used as seed funding for a matching grant in support of the butterfly plan; and 3) that a mechanism for developing private investments to go toward the seed funding be examined, along the lines of the Mayor's proposal for the Climate Change Cooperative.

RECOMMENDATION *That the City Commission: 1) receive the project's revised Community Implementation Plan to Promote the Self-Designation of Gainesville, Florida as the "First Butterfly City and receive a presentation from Mr. Hillel, of the Butterfly Education Project"; 2) direct the City Manager to identify an appropriate level of in-kind service support for the Community Implementation Plan; and 3) determine what, if any, level of seed funding for a matching grant in support of the Plan is appropriate, and direct the City Manager to identify possible sources of funding.*

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

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry, Jeanna Mastrodicasa and Thomas Hawkins
Absent: Pegeen Hanrahan

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080621A_Power Point_20090305.pdf
080621B_Implementation Plan_20090305.PDF
080621C_White Paper_20090305.pdf
080621_butterflyproj_20090305.pdf

MEMBERS OF THE CITY COMMISSION

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080800.

Commissioner Thomas Hawkins - Form Based Coding (B)

[Play Video](#)

Commissioner Thomas Hawkins and gave a presentation.

Planning and Development Services Director Erik Bredfeldt made comments.

RECOMMENDATION *The City Commission hear a brief presentation on Form Based Coding.*

Heard

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COMMISSION COMMENTS (if time available)

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Commissioner Scherwin Henry

1. *Phoenix Apartments playground funding and request for security lighting.*
2. *Cotton Club Rib Fest - April 4, 2009 - Requesting shuttle from GRU parking lot to the Cotton Club and a dumpster for the event.*
3. *Relay for Life for Cancer in East Gainesville - Request for a dumpster.*

RECESS - 4:41 PM

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RECONVENE - 6:07 PM

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

PLEDGE OF ALLEGIANCE (5:30pm)

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PROCLAMATIONS/SPECIAL RECOGNITIONS**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**

[Play Video](#)

Jim Konish

GRU Rates.

Kristina Torres

Death of John Waldo.

Monica Kraft

Death of John Waldo.

080879.

Multiple Ticketing of an Abandoned/Missing Vehicle in the College Park/University Heights Neighborhood (NB)

RECOMMENDATION

The City Commission refer the issue of multiple ticketing of an assumed abandoned/missing vehicle in the College Park/University Heights Neighborhood to the Public Safety Committee.

A motion was made by Commissioner Lowe, seconded by Commissioner Poe, that this matter be Referred to the Public Safety Committee, due back on September 5, 2009. The motion carried by the following vote:

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry and Thomas Hawkins
Absent: Peegen Hanrahan and Jeanna Mastrodicasa

Viola Moore

Seminary Lane.

Elizabeth Howard

Prostitution Issues.

080884.

Citizen Comment - Elizabeth Howard - GPD Records Request (B)

RECOMMENDATION

The City Commission hear comments from Elizabeth Howard and place back-up submitted on file.

Placed on File

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Pat Fitzpatrick

Homeless Issues.

Mark Minck

Amendment 1 issues.

Melinda Boudah

Ironwood Golf Course.

Walter Willard

Various Issues.

Jo Beatty

Ironwood Golf Course.

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

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071066. PLANNED DEVELOPMENT AMENDMENT - WALNUT CREEK PD PHASE II" (B)

Ordinance No. 0-08-14, Petition No. 83PDA-06PB

An Ordinance of the City of Gainesville, Florida; amending Ordinance Nos. 991267 and 020948, by adopting a new Development Plan for the undeveloped portion of the property, as more specifically described in this ordinance, commonly known as "Walnut Creek Planned Development Phase II"; generally located in the vicinity of the 2500 block of Northwest 39th Avenue; adopting new development plan maps and a planned development report; adopting additional conditions and restrictions; providing for penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

[Play Video](#)

Chief of Current Planning Lawrence Calderon gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry and Thomas Hawkins
Absent: Pegeen Hanrahan and Jeanna Mastrodicasa

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080435.**CREATION OF "BI: BUSINESS INDUSTRIAL ZONING DISTRICT" (B)**

Ordinance No. 0-08-86; Petition No. 104TCH-08 PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code of the City of Gainesville, by creating the "BI: Business Industrial zoning district;" reciting the purpose and objectives; specifying permitted uses; specifying dimensional requirements and additional requirements; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.

[Play Video](#)

Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry and Thomas Hawkins
Absent: Pegeen Hanrahan and Jeanna Mastrodicasa

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080284.**TOWING AND IMMOBILIZATION (BOOTING) OF MOTOR VEHICLES ORDINANCE (B)**

Ordinance No. 0-08-72

An ordinance of the City of Gainesville amending Chapter 14.5, Article III of the Gainesville Code of Ordinances relating to towing and authorizing the immobilization of motor vehicles on private property; amending §14-25 by adding definitions; creating a new division 2 of Article III consisting of §14.5-39 through §14.5-45 related to immobilization of vehicles on private property; providing for immobilization; providing exemptions; providing definitions; setting prerequisites for immobilization; setting criteria for permits; requiring authorization of the real property owner; providing for record keeping; requiring visible identification; requiring operator permits and establishing specifications for the permit; setting criteria for immobilization and removal of the immobilization device; requiring signage and setting signage requirements; setting the maximum immobilization charge and setting permit fees; requiring acceptance of various forms of payment; requiring receipts and specifying required information on the receipt; providing for permit revocation; providing for appeal; providing for civil citations; providing a repealing clause and providing an immediate effective date.

[Play Video](#)

Assistant City Attorney Ron Combs gave a presentation.

AMENDMENT: Amend Page 18, middle of line 12 of the ordinance to read: "measuring four (4) by seven (7) inches, or larger".

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Jack Donovan, Lauren Poe, Scherwin Henry and Thomas Hawkins
Absent: Pegeen Hanrahan and Jeanna Mastrodicasa

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080284a_TampaOrd_20081016.pdf
080284b_NoMiamiOrd_20081016.pdf
080284c_OrlandoOrd_20081016.pdf
080284_BootingEmail_20081028.pdf
080284_BootingOrdDraft_20082808.pdf
080284_BootingDraftOrd2_20081215.pdf
080284_BootingOrdSum_20081215.pdf
080284_BootingDraftOrd3_20090115.pdf
080284_Immobilization ordinance_20080305.pdf
080284_Notice_20090305.pdf
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ORDINANCES, 2ND READING- ROLL CALL REQUIRED

RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

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Commissioner Craig Lowe

Recreation Expenditures - Requested comparisons in data to show what the

expenditures are for recreational facilities/activities such as pools, tennis, nature operations, baseball, softball, basketball and soccer and also the percentage of costs that are recovered within the operation.

Assistant City Manager Paul Folkers made comments.

Commissioner Scherwin Henry

- 1. Ironwood Issues.*
- 2. Black-On -Black Crime Task Force Meeting - Discussion of Juvenile Problem in Alachua County and Gainesville - NOBLE community meetings.*

Commissioner Lauren Poe

4 Megawatt Cap for Solar Program - Economic Impact.

CITIZEN COMMENT

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Frankie Scott

Seminary Lane.

ADJOURNMENT - 8:16 PM

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Kurt M. Lannon, Clerk of the Commission