

City of Gainesville

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



Meeting Minutes

Thursday, June 17, 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 Jack Donovan (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 - 1:02 PM

ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

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

MODIFICATIONS:

- 1. File #100007 - Change Order to the Construction Contract for the SW 6th St. and SW 2nd Ave Roundabout (B) - (Revised back-up submitted).*
- 2. File #100082 - (New Item) - GPD Aggressive Driving Project (NB) - (Add to the Consent Agenda).*
- 3. File #090163 - Request to Surplus an Unimproved Segment of Northeast 14th Street - (Continue to the July 1st, 2010 agenda).*

CITY MANAGER, CONSENT AGENDA ITEMS

070790.

**Land Conservation and Acquisition Program - Jurecko Property
Intergovernmental Agreement between Alachua County and City of Gainesville
(B)**

This item involves a proposal to work cooperatively with Alachua County to acquire the Jurecko property, parcel numbers 07901-000-000 and 07902-001-000.

RECOMMENDATION

The City Commission: 1) approve the Intergovernmental Agreement, and 2) authorize the City Manager to execute the Agreement, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

070790a_20080114130.pdf
 070790b_20080114130.pdf
 070790_CORRESPONDENCE_20081120.pdf
 070790_MAP_20081120.pdf
 070790_Interagency Agreement_20090618.PDF
 070790a_Evaluation-AlachuaCo_20100107.pdf
 070790b_Evaluation-COG_20100107.PDF
 070790c_Priority Table_20100107.PDF
 070790d_LA Summary 01_20100107.PDF
 070790e_LA Summary 02_20100107.PDF
 070790f_LA Summary 03natcomm_20100107.PDF
 070790_agreement_20100617.pdf
 070790a_agreement_20100617.pdf

071118.**Land Surplus for Alachua County Historic Trust Matheson Museum, Inc. (B)**

This item is a request for the surplus of additional property for the Alachua County Historic Trust Matheson Museum, Inc.

RECOMMENDATION

Recommended Motion: The City Commission: 1) declare the additional 2 feet of Sweetwater Park as surplus; 2) accept the conveyance of the original portion from the Alachua County Historic Trust Matheson Museum, Inc; and 3) authorize the Mayor to execute, and the Clerk to attest the Special Warranty Deed, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation A

The City Commission: 1) deny this request, and 2) provide staff with further direction as appropriate.

This Matter was Approved as Recommended on the Consent Agenda.

071118a_200804281300.pdf
 071118b_200804281300.pdf
 071118c_200804281300.PDF
 071118a_PHOTO_20080728.pdf
 071118b_APPRAISAL_20080728.pdf
 071118_Map_20091105.PDF
 071118A_Matheson Property Map_20100617.PDF
 071118B_Boundary Survey_20100617.pdf
 071118_deed_20100617.pdf

091062.**Proposed Amendment to Airport Industrial Park Restated Declaration of Protective Covenants and Restrictions (B)**

This item proposes deletion of Article XII, Right of Repurchase, of the Airport Industrial Park Restated Declaration of Protective Covenants and Restrictions.

RECOMMENDATION

The City Commission: 1) approve the First Amendment to Second Amended and Restated Declaration of Protective

Covenants and Restrictions for the Airport Industrial Park, Unit I, Unit II and Unit III located in the City of Gainesville, Alachua County, Florida; 2) authorize the Mayor to execute and the Clerk of the Commission to attest the First Amendment; 3) authorize the Mayor to execute and the Clerk of the Commission to attest a Quit-Claim Deed expressly releasing the reverter rights in and to Lot 22, Airport Industrial Park, Unit III owned by J.A. Beguiristain Holdings, Inc.; and 4) direct City Staff to record the fully executed First Amendment and Quit-Claim Deed in the Public Records of Alachua County, Florida.

This Matter was Approved as Recommended on the Consent Agenda.

091062a_1ST Amendment to Restrictions_20100617.pdf
 091062b_Resolution 10-016_20100617.pdf
 091062c_Quit Claim Deed_20100617.pdf
 091062d_Deed Restrictions_20100617.pdf
 091062_quitclaimdeed_20100617.pdf

091063.

Request to Surplus an Unimproved Segment of Northeast 14th Street (B)

This item is a request for the City Commission to declare an unimproved segment of Northeast 14th Street as surplus property.

RECOMMENDATION

The City Commission: 1) approve the request to declare this portion of Northeast 14th Street as surplus; 2) authorize the sale of this portion of Northeast 14th Street to Mount Olive Primitive Baptist Church for a sales price of \$4,800; 3) authorize the City Manager to execute a Purchase and Sale Contract for this portion of Northeast 14th Street, subject to approval by the City Attorney as to form and legality; and 4) authorize the Mayor to execute, and the Clerk to attest the Special Warranty Deed, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation

The City Commission deny the request to declare this portion of Northeast 14th Street as surplus and retain this portion of property for future right-of-way connectivity.

Continued

091063_Maps_20100617.pdf
 091063_Photos_20100617.pdf

091064.

Ratification of Agreement between the Communications Workers of America Local No. 3170 (Non-supervisory) Bargaining Unit and the City of Gainesville for January 1, 2010 through December 31, 2012 (B)

This item proposes the ratification of the Agreement between the

Communications Workers of America Local No. 3170 (Non-supervisory) Bargaining Unit and the City of Gainesville.

RECOMMENDATION *The City Commission ratify the Agreement between the Communications Workers of America Local No. 3170 (Non-supervisory) Bargaining Unit and the City of Gainesville extending the Agreement through December 31, 2012.*

This Matter was Approved as Recommended on the Consent Agenda.

091064_Agreement Changes Non-supervisory_20100617 1.PDF

091065.

Ratification of Agreement between the Communications Workers of America Local No. 3170 (Supervisory) Bargaining Unit and the City of Gainesville for January 1, 2010 through December 31, 2012 (B)

This item proposes the ratification of the Agreement between the Communications Workers of America Local No. 3170 (Supervisory) Bargaining Unit and the City of Gainesville.

RECOMMENDATION *The City Commission ratify the Agreement between the Communications Workers of America Local No. 3170 (Supervisory) Bargaining Unit and the City of Gainesville extending the Agreement through December 31, 2012.*

This Matter was Approved as Recommended on the Consent Agenda.

091065_Agreement Changes-Supervisory_20100617.PDF

100005.

Request for Qualifications for Architectural and Engineering Services for Wild Spaces, Public Places (WSPP) Projects (B)

This item involves a request for the City Commission to approve staff's ranking of Architectural and Engineering firms for development of the approved WSPP Cone Park project.

RECOMMENDATION *The City Commission: 1) approve staff's recommended ranking of the firms; and 2) authorize the City Manager or designee to negotiate and execute a contract and any related documents, subject to approval from the City Attorney as to form and legality, for design and construction oversight of the Cone Park development.*

Alternative Recommendation

The City Commission not accept the recommended ranking of firms and direct staff to review and initiate a different ranking.

This Matter was Approved as Recommended on the Consent Agenda.

100005_Bid Tab_20100617.pdf

100006.

Interlocal Agreement with the University of Florida Board of Trustees and the City of Gainesville Regional Transit System (B)

This is a request for the City Commission to authorize the City Manager to execute a new Interlocal Agreement with the University of Florida Board of Trustees (UF) and the City of Gainesville Regional Transit System (RTS) to provide unlimited access to public transit to UF students.

RECOMMENDATION

The City Commission: 1) approve the Interlocal Agreement between the University of Florida Board of Trustees (UF) and the City of Gainesville Regional Transit System (RTS) for the period of August 20, 2010 through August 19, 2013; and 2) authorize the City Manager to execute the Interlocal Agreement and related documents, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

100006_Agreement_2010.0617.pdf

100007.

Change Order to the Construction Contract for the SW 6th Street and SW 2nd Avenue Roundabout Project (B)

This item is a request to approve a change order on the construction contract for the SW 6th Street and SW 2nd Avenue Project Roundabout.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute Change Order Number One for the construction of a roundabout at the intersection of SW 6th Street and SW 2nd Avenue; and 2) modify to increase the current purchase order by an amount not to exceed \$80,888.70.

This Matter was Approved as Recommended on the Consent Agenda.

100007_Change Order_20100603.pdf

100007_Spreadsheet_20100603.pdf

100007_MOD Spreadsheet_20100617.pdf

100014.

Fourth Extension to the Contract for Professional Environmental Engineering Services for FY 2010 (B)

This item is a request to extend the Contract for Professional Environmental Engineering Services with Water & Air Research, Inc.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the Fourth Extension to the contract with Water & Air Research, Inc. for Professional

Environmental Engineering Services, extending the term of the contract from October 1, 2009 to September 30, 2010.

This Matter was Approved as Recommended on the Consent Agenda.

100014_Extention Contract_20100617.pdf

10024.

U.S. Department of Justice Bulletproof Vest Partnership (NB)

RECOMMENDATION

The City Commission authorize the City Manager to: 1) accept the \$19,008 in grant funds and the match of \$19,008 from forfeiture; and 2) execute any other necessary documents, pending review by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

100034.

Human Resources: Policy E-8, Hours of Work, Overtime and Timekeeping (B)

RECOMMENDATION

Approve Human Resources Policy E-8, Hours of Work, Overtime and Timekeeping

This Matter was Approved as Recommended on the Consent Agenda.

100034_Policy E-8_20100617.pdf

10034_Policy 15_20100617.pdf

100082.

GPD Aggressive Driving Project (NB)

RECOMMENDATION

The City Commission authorize the City Manager to apply for the GPD Aggressive Driving Project and authorize the City Manager to execute the grant application, grant award, and any other necessary documents, pending review 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

100046.

Contract for Customer Satisfaction Research Services (NB)

Staff recommends award of a contract with RKS Research and Consulting for customer satisfaction research services.

RECOMMENDATION

The City Commission 1) authorize the General Manager, or

his designee, to negotiate and execute a three-year contract with RKS Research and Consulting, a specified source, for customer satisfaction research services, in an amount not-to-exceed \$140,000 per year, subject to the approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders to RKS Research and Consulting for these services in amounts not exceeding \$140,000 per year, pending final appropriation of funds.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

100028.

JOSE RODOLFO RAMIREZ AND LUISANA RAMIREZ VS. CITY OF GAINESVILLE D/B/A/ GAINESVILLE REGIONAL UTILITIES; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 2010-CA-2640 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City of Gainesville in the case Jose Rodolfo Ramirez and Luisana Ramirez vs. City of Gainesville, d/b/a Gainesville Regional Utilities; Eighth Judicial Circuit, Court Case No. 2010-CA-2640.

This Matter was Approved as Recommended on the Consent Agenda.

100028_Jose Ramirez_20100617.pdf

Passed The Consent Agenda

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, 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, Jeanna Mastrodicasa, Lauren Poe, Scherwin Henry and Craig Lowe
Absent: Thomas Hawkins and Jack Donovan

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

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

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

(VOTE: 5-0, Commissioners Donovan and Hawkins - Absent, MOTION CARRIED)

- 1. File #100068 - (New Item) Amendment to the General Government and Gainesville Regional Utilities Budget Hearing Schedule (NB).*
- 2. File #091046 - (New Item) - Amendment 4 Information Presentation (NB).*
- 3. File #100096 - (New Item) Cabot-Koppers Superfund Site - EPA Citizen Participation Process (NB).*
- 4. File #100095 - (New Item) Promise Neighborhoods Grant Initiative (B).*
- 5. File #100051 - Proposed Regulations and the Potential Impact on Customer Rates - (back-up submitted, ppt.).*
- 6. File #090741 - Land Use Change - 4700 Block of Archer Road - (back-up submitted, ppt.)*

CHARTER OFFICER UPDATES

WAIVER OF RULES

The rules were waived by consensus to hear the following item file #091046 first on the agenda.

091046.

Amendment 4 Informational Presentation (NB)

This item involves an informational presentation on the proposed Florida Constitutional Amendment 4 which will appear on the ballot in November, 2010.

Planning and Development Services Director Erik Bredfeldt and Joyce Tarnow gave presentations.

RECOMMENDATION

The City Commission: 1) hear a presentation regarding Amendment 4; and, 2) direct questions as deemed appropriate.

Heard

CLERK OF THE COMMISSION

100037. **School Board Joint Meeting (NB)**

MOTION: Set the next joint meeting with the School Board for August 3, 2010 @ 1:00 PM.

RECOMMENDATION *The City Commission discuss setting the next joint meeting with the Alachua County School Board.*

A motion was made by Commissioner Donovan, 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, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe
Absent: Thomas Hawkins

100050 **Appointments to City Commission Advisory Boards and Committees (B)**

FIRST MOTION: Commissioner Wells moved and Commissioner Poe seconded to approve the appointments to advisory boards as follows.

(VOTE: 6-0, Commissioner Hawkins - Absent, MOTION CARRIED)

APPOINTMENTS:

- 1. CITIZENS ADVISORY COMMITTEE FOR COMMUNITY DEVELOPMENT - Walter O. Barry and Juanita Miles Hamilton.*
- 2. HISTORIC PRESERVATION BOARD - Charlotte L. Winters.*
- 3. STUDENT COMMUNITY RELATIONS ADVISORY BOARD - Tom Rider.*

SECOND MOTION: Commissioner Poe moved and Commissioner Donovan seconded to appoint John David Curtis Feldman to the RTS ADVISORY BOARD.

(VOTE: 6-0, Commissioner Hawkins - Absent, MOTION CARRIED)

RECOMMENDATION *The City Commission consider making an appointment to the Historic Preservation Board, appointments to the Citizens' Advisory Committee for Community Development, and a non-student appointment to the Student Community Relations Advisory Board.*

Approved, as shown above (Motions)

100050_appointments_20100617.pdf

CITY MANAGER**100029.** **Ranking of Firms for Construction of the City of Gainesville Fire Station 8 and NW 42nd Ave Roadway (B)**

This is a request for the City Commission to approve staff's ranking of the firms as listed below for construction of the City of Gainesville Fire Station 8 and NW 42nd Avenue Road and direct the City Manager to negotiate and execute a contract and any subsequent amendments with the first ranked firm. If a contract cannot be executed with the first ranked firm negotiations will continue with the next ranked firm until a contract can be executed.

Finance Director Mark Benton gave a presentation.

Mayor Lowe recognized Mandese White Construction, Inc. Representatives Joseph White and Stephen Bender who spoke to the matter.

FIRST MOTION (MAIN MOTION): Commissioner Poe moved and Mayor-Commissioner Pro Tem Mastrodicasa seconded to approve the recommendation.

(VOTE: 6-0, Commissioner Hawkins - Absent, MOTION CARRIED)

SECOND MOTION (REFERRAL): Commissioner Poe moved and Mayor-Commissioner Pro Tem Mastrodicasa seconded to refer to the Audit, Finance and Legislative Committee a review of the competitive bidding process including the price matrix and anything that is germane to the process. (See following referral item #100109).

(VOTE: 6-0, Commissioner Hawkins - Absent, MOTION CARRIED)

RECOMMENDATION

The City Commission: 1) deny Mandese White Construction Inc.'s appeal; 2) approve staff's recommended ranking of the firms; and 3) authorize the City Manager to negotiate and execute a contract and any subsequent amendments with the first ranked firm. If a contract cannot be executed with the first ranked firm negotiations will continue with the next ranked firm until a contract can be executed.

Alternative Recommendation: The City Commission not approve staff's recommended ranking.

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

100029_Attachments_20100617.pdf

100029_Bid Docs_20100617.pdf

100109.

Competitive Bidding Process Referral (NB)

RECOMMENDATION

The City Commission refer the issue of the Competitive Bidding Process to the Audit, Finance and Legislative Committee for their review.

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on December 17, 2010. The motion carried by the following vote:

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe
Absent: Thomas Hawkins
100109_competitive_bid_referral_20100920.PDF

100068.

Amendment to the General Government and Gainesville Regional Utilities Budget Hearing Schedule (NB)

This item involves a request for the City Commission to amend the current schedule for the General Government and Gainesville Regional Utilities FY11 budget hearings.

RECOMMENDATION

The City Commission: 1) review the budget schedule and determine if adjustments are necessary to ensure full participation of the members of the City Commission, 2) adopt the amended budget schedule starting the budget review process on July 13th and July 29th at 1:00 p.m. and ending at or before 9:00 p.m., and 3) make other revisions to the schedule as deemed necessary by the City Commission.

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

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

100096.

Cabot-Koppers Superfund Site - EPA Citizen Participation Process (NB)

This item involves requesting the City Commission to authorize the Mayor to discuss and/or write the US Environmental Protection Agency on behalf of the City Commission expressing the City's concerns about the Citizen Participation Process and request that no decision be made on the Proposed Plan for the Cabot-Koppers Superfund site until an adequate Citizen Participation Process has been implemented.

GRU Supervising Utility Design Engineer Rick Hutton gave a presentation.

AMENDMENT: Include in the letter: 1) That the EPA make every effort to disseminate information in advance to the citizens for which there is contact information; and 2) emphasize that the remediation is to be to the highest possible standard, including residential.

RECOMMENDATION

The City Commission: 1) authorize the Mayor to send a letter to the US EPA and Federal Delegation on behalf of the City of Gainesville requesting a better coordination of Citizen input and to defer or delay the final Proposed Plan; and 2) authorize the Mayor to negotiate on behalf of the City Commission to facilitate more effective public input into the development of the Proposed Plan.

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

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

100095. Promise Neighborhoods Grant Initiative (B)

This item is a request to hear a presentation from Mr. Rajeeb Das of the University of Florida on behalf of a Community Consortium requesting that the City of Gainesville participate in a community initiative to end poverty in local distressed neighborhoods in zip codes 32607 and 32609. The Consortium is asking the City to participate in a Community Initiative by agreeing to provide in-kind services and staff in the implementation of the grant. The Consortium is applying for a grant in the amount of \$400,000 to \$500,000.

Dr. Nancy Hardt and Rajeeb Das at the University of Florida gave presentations.

RECOMMENDATION

The City Commission: 1) authorize the approval of staff participation in the Promise Neighborhoods Grant Initiative; and 2) authorize the Mayor to execute the Memorandum of Understanding, subject to approval by the City Attorney as to form and legality.

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

100095_MOD Grant Info_20100617.pdf

100095_MOD MOU_20100617.pdf

GENERAL MANAGER FOR UTILITIES**100048.****Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)**

A presentation will be made of 30% design plans for the Public Use Facilities at the Paynes Prairie Sheetflow Restoration Project in accordance with Vertical Capital Projects procedure. A proposal to explore the feasibility of privatization of the operation of the public use facilities will be discussed.

GRU Utility Design Engineer Alice Rankeillor and Nature Operations Program Coordinator Stephanie Nagib gave presentations.

RECOMMENDATION *The City Commission: 1) hear a presentation from staff; and 2) authorize advertisement for Request Letters of Interest to provide operation of the public use facilities at the Paynes Prairie Sheetflow Restoration site.*

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, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

Absent: Thomas Hawkins

100048presentation_20100520.pdf

100051.

Proposed Regulations and the Potential Impact on Customer Rates (B)

This will be a presentation from staff on proposed regulations and potential impacts to customer rates.

GRU Assistant General Manager (AGM) for Strategic Planning Ed Regan, Utility Design Engineer Robert Klemans, AGM for Energy Supply John Stanton, AGM for Water/Wastewater Administration David Richardson, Supervising Utility Design Engineer Rick Hutton and Project Engineer Patty Hart gave presentations.

RECOMMENDATION *The City Commission hear a presentation on the potential impacts of proposed regulations. No City Commission action is required at this time.*

Heard

100051_MOD Potential Impacts_GRU RATES.pdf

CITY ATTORNEY

090657.

PROHIBITING SMOKING AT RTS BUS STOPS AND BUS SHELTERS (B)

City Attorney Marion Radson, City Attorney's Office Legal Extern Niklas Stubbendorff, T.J. Harrington from Tobacco Free Alachua and RTS Director Jesus Gomez gave presentations.

RECOMMENDATION *The City Commission: 1) hear a presentation that includes the recommendation of four members of the RTS Advisory*

Board; and 2) authorize the City Attorney to prepare, and the Clerk of the Commission to advertise, an ordinance amending Article IV, Chapter 11.5, Code of Ordinances prohibiting smoking at all RTS bus stops and bus shelters.

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, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

Absent: Thomas Hawkins

090657_bus stop smoking ban_20100617.pdf

090657_draft ordinance_20100715.pdf

090657_ordinance_20100805.pdf

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 5:23 PM

RECONVENE - 6:04 PM

NOTE: Commissioner Henry did not attend the evening session.

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

100027. Parks and Recreation Month - July 2010 (B)

RECOMMENDATION

Public Recreation and Parks Board Vice Chair Todd Chase

and Nature Centers Commission Chair Amy Carpus to accept the proclamation.

Heard

100027_Parks&Rec_20100617.pdf

CITIZEN COMMENT

John-David Curtis Feldman

Downtown Club Closing Times - Referred to staff.

Julia Reiskind

Cell Tower Construction at Westside Park.

100110.

Citizen Comment - Julia Reiskind - Cell Tower at Westside Park (B)

RECOMMENDATION

The City Commission hear comments from Julia Reiskind and place back-up submitted on file.

Placed on File

Rob Brinkman

130 Limit for Feeding Homeless at the St. Francis House.

PUBLIC HEARINGS

091005.

Restricted Decal Parking Area Zone 1 Expansion (B)

This item is a request to expand the existing Zone 1 restricted decal parking area to the east along SW 5th Avenue to cover the area in the 900 block. The existing Zone 1 Decal Parking Area is bounded by West University Avenue, SW 8th Avenue, SW 10th Street and SW 13th Street.

Traffic Operations Supervisor Trish Everitt gave a presentation.

RECOMMENDATION

The City Commission: 1) hold a public hearing; 2) consider the findings of the study, the recommendation of the City Manager, the results of the vote of the property owners, and any other information the Commission deems relevant; and 3) decide whether to approve the expansion of Zone 1.

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

091005_Spreadsheet_20100617.pdf
091005_Map_20100617.pdf
091005_Public Hearing AD_20100617.pdf
091005_Affidavit_20100617.pdf

TRANSMITTAL HEARING

090741.

LAND USE CHANGE – 4700 BLOCK OF ARCHER ROAD (B)

Ordinance No. 0-10-07, Petition PB-09-143LUC

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Plan and Map; changing the land use categories of certain property from the Alachua County land use category of “Low Density Residential (1-4 DU/acre)” to the City of Gainesville land use categories of “Conservation”, and “Residential Low-Density (up to 12 units per acre)” and by overlaying the “Planned Use District” category over certain portions of the property, as more specifically described and shown in this ordinance, consisting of approximately 28.98 acres located in the vicinity of the 4700 block of Archer Road, north side; providing for conditions; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Chief of Current Planning Lawrence Calderon, Concurrency Management Planner Onelia Lazzari and Agent for the Petitioner Jerry Dedenbach gave presentations.

RECOMMENDATION *The City Commission adopt the proposed ordinance on first reading.*

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, that this matter be Adopted (Ordinance) on Transmittal Hearing. The motion carried by the following vote:

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

090741_cpb recommended conditions modified_20100218.pdf
 090741A_staff report_20100218.pdf
 090741B_map#1_land use_20100218.pdf
 090741C_g'ville council on aging cpa report_20100218.pdf
 090741D_legal description_petitioner application_20100218.pdf
 090741E_map_proposed villiages of kanapha cpa rezoning_20100218.pdf
 090741F_neighborhood wkshop info_20100218.pdf
 090741G_neighborhood meeting minutes_20100218.pdf
 090741H_cpb minutes_20100218.pdf
 090741J_petitioner ppt_20100218.pdf
 090741I_staff ppt_20100218.PDF
 090741_MOD_PPT_20100218.PDF
 090741_draft ordinance_20100617.pdf
 090741_MOD_PPT_20100617.PDF

RESOLUTIONS- ROLL CALL REQUIRED

091058.

Resolution Amending the VantageCare Retirement Health Savings Plan Program (B)

Risk Management Director Steve Varvel gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed 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, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe and Craig Lowe
 Absent: Thomas Hawkins and Scherwin Henry

091058_Resolution_20100617.pdf
 091058A_Adoption Agreement_20100617.pdf

100026

Resolution for a Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Route 25 Demonstration Project (B)

This item is a request for a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive Service Development Funds for the operation of new Route 25 Demonstration Project.

RTS Director Jesus Gomez gave a presentation.

NOTE: Mayor-Commissioner Pro Tem Mastrodicasa disclosed that she sits as a non-voting member on the University of Florida Transportation Advisory Committee where students discuss where funding might go for busses.

RECOMMENDATION *The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute a Joint Participation Agreement between the City of Gainesville and the Florida*

Department of Transportation (FDOT) to accept the allocation for the operation of Route 25 Demonstration Project, subject to approval by the City Attorney as to form and legality.

A motion was made by Commissioner Donovan, 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, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

Absent: Thomas Hawkins

100026_Map_20100617.pdf

100026_Resolution_20100617.pdf

100026_resolution_20100617.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

091014.

AMENDMENT OF PS ZONING - ALACHUA COUNTY OPERATIONS AND ADMINISTRATION FACILITIES SITE (B)

Ordinance No. 0-10-18, Petition No. PB-10-17 PSZ

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas on certain property with the zoning category of "PS: Public services and operations district" within the City, as more specifically described in this ordinance, commonly known as the Alachua County Operations and Administration Facilities site located in the vicinity of 913 Southeast 5th Street; providing for uses permitted by right; providing for dimensional requirements and other development regulations; providing for the expansion of the Supervisor of Elections Operations and Storage Facility; approving a preliminary development plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City Planner Bedez Massey gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe and Craig Lowe

Absent: Thomas Hawkins and Scherwin Henry

091014_staff report_20100617.pdf
091014A_comp plan GOP_20100617.pdf
091014B_land development code_20100617.pdf
091014C_supplement doc_20100617.pdf
091014D_application and neighbhd workshp_20100617.pdf
091014E_technical review committe_20100617.pdf
091014F_100422 cpb minutes draft_20100617.pdf
091014G_staff ppt_2010617.PDF
091014H_petitioner ppt_20100617.PDF
091014_draftordinance_20100617.pdf
091014_ordinance_20100701.pdf
091014_20100701.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

080579.

LANDLORD PERMIT APPLICATION FEES (B)

Ordinance No. 0-10-50

An ordinance of the City of Gainesville, Florida, amending Appendix A, City of Gainesville Code of Ordinances, relating to late fees for landlord permit initial applications; 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 Wells, seconded by Commissioner Poe, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

080579_Late LLP Memo_20090326.pdf
080579_Ordinance Excerpt_20090326.pdf
080579_Memo_20100112.PDF
080579_CDC Minutes_20100415.pdf
080579_Draft Ordinance_20100603.pdf
080579_ordinance_20100617.pdf

090743.

FOOD DISTRIBUTION CENTERS FOR THE NEEDY (B)

Ordinance No. 0-10-04, Petition PB-09-153-TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-111 of the Land Development Code relating to food distribution centers for the needy; by allowing food distribution centers for the needy to exceed the daily meal limitations on the federal holidays designated as Thanksgiving Day and Christmas Day and on one additional day to be selected by the food distribution center; by imposing a permit fee, requirements and conditions on the holiday meal service; by adding a reference to the permit in Appendix A of the City Code of Ordinances; providing directions to the codifier; providing a severability

clause; providing a repealing clause; and providing an immediate effective date.

Planning Manager Ralph Hilliard gave a presentation.

MODIFICATION: Page 2, line 15 and 16, Remove the language "and the fee is paid as specified in appendix A".

Mayor Lowe recognized Father John Gillespie, Joseph Hall, Miriam Willey Elliott, Rubin Cortez, Sister Betty Rogers, Christine Gillespie, Jessica Butcher, Pat Fitzpatrick, Kent Vann, Rob Brinkman, Mary Anderson and Robert Dukonovitz who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090743_staff report_20100218.pdf
090743A_US office of pers mgmt oper status schd_20100218.pdf
090743B_sec 30-111 food dist ctrs_20100218.pdf
090743C_cpb mintues_20100218.pdf
090743_HENRY_20100218.pdf
090743_JACKSON_20100218.pdf
090743_draft ordinance_20100603.pdf
090743_ordinance_20100617.pdf

091041.

2011 CITY COMMISSION ELECTION DATES (B)

Ordinance No. 0-10-17

An ordinance of the City of Gainesville, Florida, setting March 15, 2011 as the date for the 2011 regular city election and April 12, 2011 as the date for the 2011 run-off election, if necessary; setting the dates for qualifying for the 2011 regular election; providing a severability clause; providing a repealing clause; and providing an immediate effective date. (B)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

091041_2011 Election Dates Ordinance_20100603.pdf
091041_ordinance_20100617.pdf

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

100039. **Historic Preservation Board Appeal Regarding Roof Associated With COA For Property Located At 310 N.W. 7th Avenue (B)**

This is an appeal of a Certificate of Appropriateness for a roof in the Pleasant Street Historic District.

Historic Preservation Planner Dee Henrichs and the appellant Jason Straw gave presentations.

FIRST MOTION: (MAIN MOTION): Commissioner Wells moved and Commissioner Donovan seconded to amend the decision of the Historic Preservation Board to allow the rib panel metal roofing as requested by the appellant.

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

Mayor Lowe recognized Rob Brinkman, Miriam Willey Elliott and Mary Anderson who spoke to the matter.

SECOND MOTION: (REFERRAL: Mayor-Commissioner Pro Tem Mastrodicasa moved and Commissioner Wells seconded to refer the issue of metal roof standards in the Historic Districts to staff to review the process. - See following File #100111.

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

RECOMMENDATION *The City Commission: 1) hear the appeal of the decision of the Historic Preservation Board; and 2) affirm, amend, or reverse the decision of the Historic Preservation Board.*

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

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

Absent: Thomas Hawkins

100039_HP_B_20100617.pdf

100039a_HP_B_Staff_Rpt_20100617.pdf

100039b_HP_B_Minutes_5-4_20100617.pdf

100111. **Metal Roof Standards in the Historic Districts (NB)**

RECOMMENDATION *The City Commission refer the issue of metal roof standards in Historic Districts to staff to review the process.*

A motion was made by Mayor-Commissioner Pro Tem Mastrodicasa, seconded by Commissioner Wells, that this matter be Referred to the City Manager, due back on December 17, 2010. The motion carried by the following vote:

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

UNFINISHED BUSINESS

100031. Commissioner Jack Donovan - Resignation (B)

RECOMMENDATION *The City Commission accept Commissioner Donovan's resignation and discuss replacement process.*

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

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

100031_resignation_20100617.pdf

COMMISSION COMMENT

Commissioner Lauren Poe

Citizen Complaint - Tension between apartment residents and single family residents - Referral to Student Community Relations Advisory Board (SCRAB) - (See following referral item #100112).

100112. Commissioner Lauren Poe - Citizen Complaint - Tension Between Apartment Residents and Single Family Residents (NB)

RECOMMENDATION *The City Commission refer the citizen complaint regarding tension between apartment residents and single family residents to the Student Community Relations Advisory Board (SCRAB) for possible mediation and discussion.*

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, that this matter be Referred to the Student Community Relations Advisory Board, due back on December 17, 2010. The motion carried by the following vote:

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

Mayor-Commissioner Pro Tem Jeanna Mastrodicasa

Update from the Tourist Development Council Meeting.

Commissioner Jack Donovan

1. Commissioner Donovan requested that he temporarily stay on the Poverty Reduction Advisory Board in place of appointee Commissioner Randy Wells in order to conclude the GIS mapping project that he is involved with.
2. Climate Showcase Grant.
3. Referral CDC - Landlord Permit Fee - Pro-rating monthly instead of quarterly.
4. Stephen Foster Neighborhood - Barrels buried on the Koppers site.
5. Law enforcement near St. Francis House - refer to the City Manager regarding increasing patrols around St. Francis House - (See following referral item #100113).

100113.

Commissioner Jack Donovan - St. Francis House Police Patrols (NB)

RECOMMENDATION

The City Commission refer the issue of increasing patrols at the St. Francis House to the City Manager.

Referred to City Manager

Marion Radson

Senate Bill - Mandatory Collective Bargaining Bill in Public Safety Personnel.

Mayor Craig Lowe

Amendment to the City Commission Rules dealing with disruptive behavior in the City Commission Auditorium - (See following referral item #100114).

100114.

Mayor Craig Lowe - City Commission Rules Amendment - Re: Meeting Disturbances (NB)

Mayor Lowe recognized Rob Brinkman who spoke to the matter.

RECOMMENDATION

The City Commission direct the City Attorney to draft an amendment to the Rules of the City Commission that would streamline the method dealing with disruptive individuals in the City Commission Auditorium.

A motion was made by Commissioner Poe, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, that this matter be Referred to the City Attorney, due back on December 17, 2010. The motion carried by the following vote:

Votes: Aye: Randy Wells, Jeanna Mastrodicasa, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

Absent: Thomas Hawkins

CITIZEN COMMENT

Mary Anderson

Access to water for homeless people.

Miriam Willey Elliott

Access to water for homeless people.

ADJOURNMENT 9:38 PM

Kurt M. Lannon, Clerk of the Commission