

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, September 2, 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 - 1:03 PM

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## ROLL CALL

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

## INVOCATION

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*The City Commission observed a moment of silence.*

## CONSENT AGENDA

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

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

### *MODIFICATION:*

- 1. File #100315 - (New Item) Cabot-Koppers Superfund Site US EPA Proposed Plan (NB) - (Add to the Consent Agenda).*

## CITY MANAGER, CONSENT AGENDA ITEMS

### **100241.**

#### **Fourth Extension to Contracts for Professional Civil Engineering Services for FY 2011 (B)**

**This item is a request for an extension to the Contract for Professional Civil Engineering Services with Causseaux, Hewett and Walpole, Inc.**

#### **RECOMMENDATION**

*The City Commission authorize the City Manager to execute the Fourth Extension to the contract with Causseaux, Hewett and Walpole, Inc., extending the term of the contract from October 1, 2010 to September 30, 2011.*

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

100241\_DraftAgreement\_20100902.pdf

### **100245.**

#### **Contract for Inmate Work Crew for the Solid Waste Division (B)**

**This item is a request for the City Commission to approve a contract between the City of Gainesville (City) and Florida Department of Corrections (FDOC) for Inmate Work Crew for Litter Clean-up for the term of December 16, 2010 through December 15, 2011.**

**RECOMMENDATION**      *The City Commission authorize the City Manager to execute the contract with Florida Department of Corrections for a contractual inmate work crew through December 15, 2011, subject to approval by the City Attorney as to form and legality.*

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

100245\_Contract\_20100902.pdf

**100246.**

**Agreement between the City of Gainesville and Keep Alachua County Beautiful for FY2011 (B)**

**This item is a request for the City Commission to approve the execution of an agreement with Keep Alachua County Beautiful (KACB) in the amount of \$55,000.**

**RECOMMENDATION**      *The City Commission authorize the City Manager to execute the contract with Keep Alachua County Beautiful for the period of October 1, 2010 through 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.**

100246\_AgreementAmendment\_20100902.PDF

**100247.**

**Second Amendment to the License Agreement for Use of the SW Downtown Parking Garage (B)**

**This item is a request to amend the License Agreement for use of parking spaces at the SW Downtown Parking Garage.**

**RECOMMENDATION**      *The City Commission: 1) approve the Second Amendment to the License Agreement for use of the SW Downtown Parking Garage; and 2) authorize the City Manager to execute the Second Amendment to the License Agreement for use of the SW Downtown Parking Garage between Southwest Second Avenue, LLC., the Developer of the Palms, and the City of Gainesville, subject to approval by the City Attorney as to form and legality.*

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

100247\_SecondAmendment\_20100902.PDF

**100248.****Purchase of Equipment Related to the Traffic Management System (B)**

**This item is a request to purchase equipment and services that will comprise the video wall of the Traffic Management Center from Technomedia Solutions LLC for the Traffic Operations Division of Public Works in the amount of \$86,206.**

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) approve the purchase of the equipment and services from Technomedia Solutions LLC; and 2) authorize the City Manager to execute all necessary documents, subject to approval by the City Attorney as to form and legality.*

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

100248\_Quotes\_20100902.pdf

**100249.****Legal Office Expenses from State Law Enforcement Contraband Forfeiture Trust Fund for FY 2011 (B)****RECOMMENDATION**

*The City Commission authorize the Gainesville Police Department to appropriate \$15,000 from the State Forfeiture Fund balance account (108-2710) into line item 108 810 H105 5210 3910.*

*Alternative Recommendation A:*

*The City Commission appropriate funds from the General Fund for these expenses. The fiscal impact is \$15,000.*

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

100249\_FeesforLegalOfc\_20100902.pdf

**100250.****Purchase of Stormwater Pipe Inspection Camera Equipment (B)**

**This item is a request to purchase camera equipment from Environmental Products of Florida for conducting pipe inspections of all stormwater infrastructure systems installed and maintained by the Public Works Department Operations Division. This vendor has been selected from competitively bid State of Florida contracts which the City of Gainesville will piggyback.**

**RECOMMENDATION**

*The City Commission: 1) approve the purchase of the stormwater pipe inspection camera equipment from Environmental Products of Florida; and 2) authorize the City Manager to execute all necessary documents for this purchase.*

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

100250a\_Contract\_20100902.pdf  
100250b\_CameraQuote\_20100902.pdf

**100283.****Bid Award for Open-Close-Clean Services at City of Gainesville Parks (B)**

**This item is a request for the City Commission to authorize the bid award to Superglo Cleaning Services for the opening, closing, and cleaning of City of Gainesville parks in the amount of \$58,872.**

**RECOMMENDATION**

*The City Commission: 1) award the contract for park opening, closing, and cleaning to Superglo Cleaning Services for a one-year period from October 1, 2010 through September 30, 2011 with the option to execute two (2) one-year extensions; 2) authorize the City Manager or his designee to execute the contract; subject to approval by the City Attorney as to form and legality; and 3) approve the issuance of a purchase order in an amount not to exceed \$58,872 per fiscal year, subject to funding availability (for the initial term and any subsequent extensions).*

*...Alternative Recommendation*

*The City Commission not award the contract for park opening, closing, and cleaning to Superglo Cleaning Services and direct staff to rebid the contract.*

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

100283\_Bid Tab\_20100902.pdf

**100315.****Cabot-Koppers Superfund Site US EPA Proposed Plan (NB)**

**This item involves a request to schedule a Special City Commission meeting to hear a presentation from the Local Intergovernmental Team (LIT) and receive the final comments to be submitted to the US Environmental Protection Agency on the Proposed Plan for the Cabot-Koppers Superfund site.**

**RECOMMENDATION**

*The City Commission: 1) authorize the Clerk of the Commission to schedule a Special City Commission meeting on September 27, 2010, for the City Commission to hear a presentation from the Local Intergovernmental Team and receive the final comments on the US EPA Proposed Plan for the Cabot-Koppers Superfund site to be submitted to the US EPA by the Mayor on behalf of the City of Gainesville prior to October 15, 2010.*

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

100315\_LIT PPT\_20100830.pdf  
100315A\_EPA Plan\_20100830.pdf  
100315\_Pearce Citizen PPT\_20100830.pdf  
100315\_Cline Citizen PPT\_20100830.pdf  
100315\_Citizen Pais Comments\_20100830.pdf  
100315\_LIT Comments\_20100927.pdf  
100315\_LIT PPT\_20100927.pdf  
100315\_new\_recommendation\_20100927.pdf  
100315\_Pearce\_Letter\_20100927.pdf  
100315\_Sosnow\_Letter\_20100927.pdf  
100315\_Pearce\_revisedppt\_20100830.PDF

## GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

### 100314.

#### **Reclaimed Water for the Gainesville Renewable Energy Center (GREC) (B)**

Associated with the Water Consumptive Use Permit for GREC, a four way Memorandum of Understanding ("MOU") has been negotiated among GRU, the City of Alachua; GREC, LLC and the Suwannee River Water Management District which will enable reclaimed water from the City of Alachua's wastewater system to be used by the proposed biomass power plant to reduce groundwater use. The Utilities Attorney has approved the MOU for form and legality and the General Manager has executed the agreement subject to the approval of the Gainesville City Commission.

#### **RECOMMENDATION**

*The City Commission approve the attached Memorandum of Understanding ("MOU") between the City of Gainesville, the Suwannee River Water Management District, the City of Alachua, and Gainesville Renewable Energy Center LLC ("GREC LLC") and authorize the General Manager or his designee to negotiate and execute the final agreement(s) necessary to implement the MOU, subject to approval by the City Attorney as to form and legality.*

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

100314\_presentation\_20100902 .pdf

## CITY ATTORNEY, CONSENT AGENDA ITEMS

### 100285.

#### **STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 2010-CC-3094 (B)**

#### **RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City of Gainesville in the State Farm Mutual Automobile Insurance Company vs. City Of Gainesville; Eighth Judicial Circuit, Court Case No. 2010-CC-3094.*

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

100285\_State Farm (Coleman)\_20100902.pdf

**100289.**

**DARREN MACKEY vs. CITY OF GAINESVILLE; CASE NO.: 09-CA-5202  
(B)**

**RECOMMENDATION**      *The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the case styled Darren Mackey v. City of Gainesville, Case No. 09-CA-5202.*

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

100289\_Darren Mackey Settlement\_20100902.pdf

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

**100284.**

**Resignation - Citizens' Advisory Committee for Community Development and Regional Transit System Advisory Board (B)**

**RECOMMENDATION**      *The City Commission accept the resignation of Armando Grundy, Dianna Kish and Sherry Wetzel from the Citizens' Advisory Committee for Community Development and the resignation of Armando Grundy from the Regional Transit System Advisory Board effective immediately.*

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

100284\_resignation\_20100902.pdf

100284\_resignation\_20100902.pdf

**100290.**

**Resignation - Bicycle Pedestrian Advisory Board (B)**

**RECOMMENDATION**      *The City Commission accept the resignation of Justin Runac from the Bicycle Pedestrian Advisory Board effective July 22, 2010.*

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

100284\_resignation\_20100902.pdf

## **Passed The Consent Agenda**

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

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

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

### *MODIFICATIONS:*

- 1. File #100266 - Appoint District III Seat - (New back-up submitted).*
- 2. File #100052 - Sister Cities Presentation - (New back-up submitted - ppt.)*
- 3. File #100332 - Authorization to Schedule an amended FAA Grant Resolution for the September 8, 2010 City Commission Special Meeting - (Add to the agenda).*
- 4. File #100318 - (Proclamation) Interfaith Solidarity Day - (Back-Up Submitted).*

## **CHARTER OFFICER UPDATES**

## **CLERK OF THE COMMISSION**

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### **100266.**

#### **Appoint District III Seat (B)**

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*MODIFICATION: Approve the process and application with the following modifications: 1) Add to #4 "for the 2011 cycle for the City Commission race"; 2) indicate that the application deadline also be the qualifying date; and 3) include questions submitted by Commissioner Henry in the application packet.*



*NOTE: Commissioner Henry entered the meeting room at 1:08 PM.*

**RECOMMENDATION**      *The City Commission adopt application and process.*

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

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

100266\_appointment\_20100819.pdf

100266\_appointment\_20100902.pdf

100266\_MOD\_20100902.pdf

## CITY MANAGER

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### **100052.**      **Sister Cities Presentation (NB)**

[Play Video](#)

*Steve Kalishman gave a presentation.*

**RECOMMENDATION**      *The City Commission receive the presentation.*

**Heard**

100052-MOD\_PPT\_20100902.pdf

### **100282.**      **Home Rule Dual Vote Charter Amendment (NB)**

**The Alachua County Charter Review Commission approved placement of a Home Rule Dual Vote Charter Amendment on the November ballot for consideration by County voters. The Board of County Commissioners has taken formal action to place this charter amendment on the ballot. Staff is seeking guidance from the City Commission on efforts the City should undertake to inform residents about the proposed charter amendment.**

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*Assistant City Manager Paul Folkers gave a presentation.*

**RECOMMENDATION**      *The City Commission approve efforts to inform residents about the Home Rule Dual Vote Charter Amendment by : 1) identifying the Mayor or a member of the Commission as a point person, 2) providing direction to the City Attorney to prepare a resolution for Commission adoption expressing the Commission's support for the Home Rule Dual Vote Charter Amendment, and 3) direct the City Manager to prepare information that can be shared with residents to inform them*

*about the proposed Home Rule Dual Vote Charter Amendment.*

*Alternative Recommendation:*

*The City Commission do not approve efforts to inform residents about the Home Rule Dual Vote Charter Amendment.*

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

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

### **100281.**

#### **Progress Report on Comprehensive Plan Evaluation and Appraisal Report (B)**

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*Planning and Development Services Erik Bredfeldt, Senior Planner Susan Niemann, Chief of Comprehensive Planning Dean Mimms, Concurrency Management Planner Onelia Lazzari, Public Works Director Teresa Scott, RTS Director Jesus Gomez and Assistant City Attorney Nicolle Shalley gave presentations.*

#### **RECOMMENDATION**

*Staff to City Commission - the Commission hear a presentation by Planning staff on the draft EAR Report chapters on the following Elements: Urban Design, Future Land Use, Concurrency Management, and Transportation Mobility.*

#### **Heard**

100281\_urban design element\_20100902.pdf  
100281A\_future land use element\_20100902.pdf  
100281B\_staff ppt\_20100902.pdf  
100281C\_concurrency mgmt element\_20100902.pdf  
100281E\_transportation mobility element\_20100902.pdf  
100281D\_Staff PPT Concurrency\_20100902.pdf  
100281F\_Staff PPT TransMobile\_20100902.pdf

### **100332.**

#### **Authorization to schedule an Amended FAA Grant Resolution for the September 8, 2010 City Commission Special Meeting (NB)**

**This item seeks to schedule an amended FAA Grant Resolution for the September 8, 2010 City Commission Special Meeting.**

*Planning and Development Services Director Erik Bredfeldt gave a presentation.*

#### **RECOMMENDATION**

*The City Commission: 1) authorize staff to submit an amended FAA Grant Resolution for the September 8, 2010 City Commission Special Meeting.*

**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, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

100332\_Amended Resolution 100182\_20100908.pdf  
100332A\_Allan Penksa Ltr\_20100908.pdf  
100332B\_Grant Application\_20100908.pdf  
100332C\_Assurances\_20100908pdf.pdf  
100332D\_Resolution 10-030 GACRAA\_20100908.pdf  
100332E\_City Resolution 100182 Passed\_20100908.pdf  
100332F\_D Stringer Ltr 9-8-10\_20100908.pdf  
100332G\_Grant Agreement\_20100908.pdf  
100332G\_Continued Grant Agreement\_20100908.pdf

## GENERAL MANAGER FOR UTILITIES

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### **100313.**

#### **Memorandum of Understanding for a Central Utility Plant to Support Innovation Square and UF Innovation Hub (B)**

**GRU has been selected by the University of Florida (“UF”)and Shands Teaching Hospital and Clinics, Inc. (“Shands”) to be the exclusive provider of utility services including electricity, gas, water, wastewater, reclaimed water, fiber optic connectivity, chilled water for space conditioning, and back-up power (“Utility Services”) to the proposed Innovation Square development project. This will require GRU to design, finance, construct, own and operate a central utility plant system to serve the entire Innovation Square site, which is located on the site of the former Alachua General Hospital (AGH). The central utility plant will be designed to incrementally serve the future phases of Innovation Square and adjoining properties as they are developed. The City Commission is being requested to authorize the General Manager to negotiate and execute the agreements necessary to allow design and equipment acquisition to proceed immediately for all phases of the project. It is anticipated that several contracts will be required in anticipation of project phasing and the different interests of UF and Shands.**

[Play Video](#)

*GRU Utility Design Engineer Chuck Heidt gave a presentation.*

#### **RECOMMENDATION**

*The City Commission: 1) Receive a presentation from staff summarizing the proposed project; 2) Authorize the General Manager or his designee to negotiate and execute agreements between the City of Gainesville d/b/a Gainesville Regional Utilities (“GRU”) and the University of Florida (“UF”), and between GRU and Shands Teaching Hospital and Clinics, Inc. (“Shands”) to provide Utility Services to the Innovation*

*Square on an enterprise basis to earn reasonable and customary rates of return on capital investment in accordance with GRU Purchasing Procedures and subject to approval as to form and legality by the City Attorney; and 3) Authorize the General Manager or his designee to negotiate and execute Contracts and Purchase Orders for the design, finance, equipment acquisition, construction, operation, maintenance and future expansion of the Central Utility Plant and associated infrastructure required to provide utility services to the Innovation Hub and Innovation Square complex at an initial cost not to exceed \$5,500,000 in accordance with GRU Purchasing Procedures and subject to approval by the City Attorney as to form and legality.*

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

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

100313\_presentation\_20100902.pdf

**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**

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**100312. Commissioner Thomas Hawkins - Community Development Review Committee (B)**

[Play Video](#)

*MOTION: Implement the Community Development Review Committee as described.*

**RECOMMENDATION**      *The City Commission hear a presentation on the Community Development Review Committee.*

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

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

100312\_presentation\_20100902.pdf

**COMMISSION COMMENTS (if time available)**

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**Commissioner Jack Donovan**

*Equal Opportunity Committee Referral regarding: 1) Mission Statement; 3) Report on Low Socio-Economic Families; and 3) Dismantling Racism. (See following referral item #100340.*

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

**RECOMMENDATION**      *The City Commission refer the issues of the 1) EO Mission Statement, 2) Report on Low Socio-Economic Families; and 3) Dismantling Racism, to the Equal Opportunity Committee.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Referred to the Equal Opportunity Committee, due back on March 2, 2011. The motion carried by the following vote:**

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

**Commissioner Randy Wells**

1. *Sanyo Corporation - Electric Bicycles.*
2. *Alternative transportation/alternative energy.*

**RECESS - 5:08 PM**[Play Video](#)**RECONVENE - 5:55 PM**[Play Video](#)**PLEDGE OF ALLEGIANCE (5:30pm)**[Play Video](#)**PROCLAMATIONS/SPECIAL RECOGNITIONS**[Play Video](#)**100308. Hispanic/Latino Film Festival Weeks (B)**[Play Video](#)

**RECOMMENDATION** *Latina Women's League President Victoria Condor-Williams, Vice President Pilar Paz, Treasurer Carmen Cuenca and Latino Film Festival Finance Coordinator Maria Quintana to accept the proclamation.*

**Heard**

100308\_proclamation\_20100902.pdf

**100318. Interfaith Solidarity Day (B)**[Play Video](#)

**RECOMMENDATION** *Dr. Humeraa Qamar to accept the proclamation.*

**Heard**

100318\_Interfaith\_20100902.pdf

**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**[Play Video](#)**Kali Blount**

1. St. Francis House 130 meal limit.
2. Dove World Outreach - Quran Burning on September 11, 2010.

**John Davies**

*General Complaints.*

**Bill Richards**

1. *Dove World Outreach - Quran Burning on September 11, 2010.*
2. *St. Francis House 130 meal limit.*

**Bill Tuskin**

*9/11 Issues.*

**Harold Saive**

*9/11 Issues.*

**Ed Rohas**

*9/11 Issues.*

**Benita Stanley**

*Thank you for Interfaith Solidarity Day Proclamation.*

**PUBLIC HEARINGS**

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**100201.****TENTATIVE GRU BUDGET RESOLUTION FY 2011-2012 (B)**

**A resolution of the City Commission of the City of Gainesville, Florida, Relating to the Tentative Budget for the City of Gainesville Regional Utilities for the Fiscal Year Beginning October 1, 2010 and Ending September 30, 2011; Projecting Revenues and Adopting a Tentative Budget to Pay for Personal Services Expenses, Operating and Maintenance Expenses and Other Expenses, for Capital Outlay, and for Debt Service Requirements; and Providing an Immediate Effective Date.**

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

**A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, that this matter be Adopted (Resolution). The motion carried by the following vote:**

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

100201\_Proposed GRU Budget\_20100902.pdf

100201\_resolution\_20100902.pdf

## RESOLUTIONS- ROLL CALL REQUIRED

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### **100242.**

**Resolution for a Joint Participation Agreement - State Block Grant Funds for RTS Operating Assistance for FY 2010-2011 (B)**

**This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to accept the allocation for Gainesville of \$1,420,646 from the State Block Grant Funds for FY 2010-2011.**

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

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

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

100242\_Resolution20100902.PDF

100242\_resolution\_20100904.pdf

## TRANSMITTAL HEARING

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### **100189.**

**LAND USE CHANGE - COMMONLY KNOWN AS PLUM CREEK (B)**

**Ordinance No. 100189, Petition PB-10-25CPA**

**An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Future Land Use Element; amending Ordinance No. 070447 that adopted Policy 4.3.4 relating to the LandMar Development; generally located north of U.S. 441 and Northwest 74th Place lying east and west of SR 121 and CR 231, and south of Northwest 121st Avenue and consisting of approximately 1778 acres; providing for extension of rezoning time limitations; amending Policy 4.3.4; by renaming the Development; amending and revising certain environmental and transportation policies; providing directions to the City Manager and the codifier; providing a severability clause; and providing an effective date.**

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*Chief of Comprehensive Planning Dean Mimms gave a presentation.*

**RECOMMENDATION**      *To be submitted as a modification to the agenda.*

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

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

100189\_staff letter\_20100805.pdf  
100189A\_FLU element policy 4.1.1\_20100805.pdf  
100189B\_applicant's proposed rev to policy 4.3.4 FLU\_20100805.pdf  
100189C\_explanation porposed text admend\_20100805.pdf  
100189D\_plum creek SR 121 site map\_20100805.pdf  
100189E\_application for text admend\_20100805.pdf  
100189F\_extension request\_20100805.pdf  
100189G\_staff ppt\_20100805.PDF  
100189\_Final\_ Plum Creek\_MOD\_20100805(revised).pdf  
100189\_draft ordinance\_20100902.pdf

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

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### **100023.      ELECTRIC GOLF CARTS (B)**

**Ordinance No. 100023; Petition No. PB-10-22TCH**

**An ordinance of the City of Gainesville, Florida, amending Section 30-23 of the Land Development Code of the City of Gainesville, by defining "electric golf cart"; amending Section 30-61(c) of the Land Development Code, by adding "Retail sales of electric golf carts" to the list of permitted uses by special use permit in the General Business District (BUS); creating and adding Section 30-119 to the Land Development Code, by adding "Retail sales of electric golf carts" to the list of specially regulated uses and imposing conditions on the use; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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*Chief of Comprehensive Planning Dean Mimms gave a presentation.*

**RECOMMENDATION**      *The City Commission (1) approve Petition PB-10-22 TCH and (2) adopt the proposed ordinance.*

**A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Mastrodicasa, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

100023\_draft ordinance\_20100902.pdf  
100023\_staff report\_20100902.pdf  
100023A\_proposed text changes\_20100902.pdf  
100023B\_application and related info\_20100902.pdf  
100023C\_100422 cpb minutes\_20100902.pdf  
100023D\_staff ppt\_20100902.PDF  
100023\_ordinance\_20100916.pdf

**100244.**                   **HARDSHIP ASSISTANCE PROGRAM (B)**

**Ordinance No. 100244**

**An Ordinance of the City of Gainesville, Florida, relating to the Fire Services Special Assessment; creating Section 11-39.1 by establishing a Hardship Assistance Program; authorizing the City Manager to establish guidelines and administer the Program; providing a severability clause; providing directions to the codifier; and providing an immediate effective date.**

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*Administrative Services Director Becky Rountree gave a presentation.*

*Mayor Lowe recognized Mary Anderson who spoke to the matter.*

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

**A motion was made by Commissioner Henry, 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, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Craig Lowe

100244\_Hardship Assistance Program\_20100902.pdf  
100244\_ordinance\_20100916.pdf

**100097.**                   **DEVELOPMENT ORDER AND BUILDING PERMIT EXTENSIONS (B)**

**Ordinance No. 100097**

**An Ordinance of the City of Gainesville, Florida, establishing administrative procedures, fees, requirements and limitations to carry out the development order and building permit extensions authorized by Senate Bill 1752, now known as Chapter Law No. 2010-147, Laws of Florida; providing a severability clause; and providing an immediate effective date.**

[Play Video](#)

*Assistant City Attorney Nicolle Shalley 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, Thomas Hawkins, Jack Donovan, Lauren Poe and Craig Lowe

Absent: Scherwin Henry

100097\_Ch 2010-147 Laws of Florida\_20100701.pdf

100097\_draftordinance\_20100902.pdf

100097\_ordinance\_20100916.pdf

### **100162.**

#### **ELECTRIC RATES AND CHARGES (B)**

##### **ORDINANCE NO. 100162**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES; ADDING AND REMOVING PUBLIC STREETLIGHT AND RENTAL LIGHTING TYPES; CREATING A PROVISION FOR UNAPPROVED POLES AND LIGHTING FIXTURES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

[Play Video](#)

*Mayor Lowe recognized Mary Anderson who spoke to the matter.*

**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, Thomas Hawkins, Lauren Poe, Scherwin Henry and Craig Lowe

Absent: Jack Donovan

100162\_electric base rate ordinance\_20100902.pdf

100162\_ordinance\_20100916.pdf

### **100104.**

#### **FEED-IN TARIFF RATES AND CHARGES B)**

##### **ORDINANCE NO. 100104**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY SUBSECTION i. OF THE GAINESVILLE CODE OF ORDINANCES BY DEFINING CLASSES OF FEED-IN TARIFF (FIT) SOLAR PHOTOVOLTAIC DISTRIBUTED RESOURCES (SPDR); AMENDING THE RATE SCHEDULE FOR FIT SPDR; AMENDING CUSTOMER CHARGES FOR FIT SPDR; ESTABLISHING PROCESSING FEES FOR FIT SPDR; ESTABLISHING CAPACITY**

**RESERVATION FEES FOR FIT SPDR; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

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

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

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

Absent: Jack Donovan

100104\_solarfeedtariff\_20100701.pdf

100104\_feed-in tariff ordinance\_20100902.pdf

100104\_ordinance\_20100916.pdf

### **100163.**

#### **WATER SERVICE RATES AND CHARGES (B)**

##### **ORDINANCE NO. 100163**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (3) WATER, OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING CUSTOMER SERVICE CHARGES; INCREASING INSPECTION FEES AND TAPPING CHARGES; INCREASING METER INSTALLATION CHARGES; INCREASING BASE RATES FOR WATER SERVICE; DECREASING THE UNIVERSITY OF FLORIDA BASE RATE FOR WATER SERVICE; INCREASING WATER TRANSMISSION, DISTRIBUTION AND PLANT CONNECTION CHARGES; INCREASING STANDBY FIRE SPRINKLER LINE CHARGES; INCREASING INSTALLATION, REMOVAL, AND DEPOSIT FEES FOR TEMPORARY SERVICE AND FIRE HYDRANT METERS; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

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

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

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

100163\_water service rate ordinance\_20100902.pdf

100163\_ordinance\_20100916.pdf

**100164.****WASTEWATER RATES AND CHARGES (B)****ORDINANCE NO. 100164**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING WASTEWATER BASE RATES; INCREASING CONNECTION AND INSPECTION CHARGES; ADDING CLARIFYING LANGUAGE FOR METERED WASTEWATER SERVICE; REMOVING TACACHALE-SPECIFIC RATES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

[Play Video](#)

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

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

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

100164\_wastewater rate ordinance\_20100902.pdf

100164\_ordinance\_20100916.pdf

**100165.****NATURAL GAS RATES AND CHARGES (B)****ORDINANCE NO. 100165**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (5) NATURAL GAS OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING NATURAL GAS BASE RATES AND CUSTOMER SERVICE CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

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

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

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

100165\_natural gas rate ordinance\_20100902.pdf  
100165\_ordinance\_20100916.pdf

**100223.**                    **STORMWATER MANAGEMENT UTILITY FEES (B)**

**Ordinance No. 100223**

**An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to fees; amending the stormwater management section of Appendix A by increasing the fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date in accordance with the schedule provided herein.**

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

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

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

100223\_Draft\_Ordinance\_20100902.pdf  
100223\_ordinance\_20100916.pdf

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

**PLAN BOARD PETITIONS**

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**100243.**                    **Street Vacation Southwest 2nd Place Innovation Square at AGH (B)**

**Petition PB-10-69SVA, City Plan Board, agent for City of Gainesville. Quasi-Judicial. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that 158 foot portion of Southwest 2nd Place right-of-way lying between lots 6, 7, and 8 of Block 7, as shown on the plat of University Place. Located along Southwest 2nd Place between Southwest 10th Street and Southwest 7th Terrace.**

[Play Video](#)

*Chief of Current Planning Lawrence Calderon gave a presentation.*

**RECOMMENDATION**            *City Plan Board to City Commission - The City Commission approve Petition PB-10-69SVA, with the PUE condition. The Plan Board voted approval 5-0.*

*Alternative Recommendation A: The City Commission deny  
Petition PB-10-69SVA.*

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

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

100243\_staff report\_20100902.pdf  
100243A\_agenda item\_maps\_20100902.pdf  
100243B\_100722 cpb draft minutes.pdf  
100243C\_staff ppt\_20100902.PDF

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

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### **Commissioner Lauren Poe**

*Gators.*

### **Commissioner Randy Wells**

*Gators.*

### **Commissioner Jack Donovan**

- 1. Airport Appointment.*
- 2. City Commission Workshop - On Hiring Commission staff.*

### **Mayor Craig Lowe**

- 1. Conservation Strategies Referral to the Regional Utilities Committee - (See following referral item #100339).*
- 2. Dream Act Resolution on upcoming agenda.*

### **100339.**

### **Energy Conservation Strategies Referral (NB)**

#### **RECOMMENDATION**

*The City Commission refer the issue of energy conservation*

*strategies to the Regional Utilities Committee.*

**A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this matter be Referred to the Regional Utilities Committee, due back on March 2, 2011. The motion carried by the following vote:**

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

## **CITIZEN COMMENT**

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**Mary Anderson**

*Waste Management Issues.*

**Commissioner Scherwin Henry**

*New Senior Center Meeting.*

## **ADJOURNMENT - 7:38 PM**

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Kurt M. Lannon, Clerk of the Commission