

City of Gainesville

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



Meeting Minutes

Thursday, September 3, 2009

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Scherwin Henry (District 1)
Commissioner Lauren Poe (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)
Commissioner Thomas Hawkins (At Large)
Commissioner Jeanna Mastrodicasa (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 - 1:04 PM

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ROLL CALL

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

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

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

(VOTE: 7-0, MOTION CARRIED)

MODIFICATION: File #090187 - Grant of a Conservation Easement at Depot Park - (Withdraw from the agenda).

CITY MANAGER, CONSENT AGENDA ITEMS

090186.

Usage Certificates (B)

This item is a request for approval and authorization to execute Usage Certificates.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve and authorize the Mayor to execute, and the Clerk to attest the Usage Certificates, subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager or designee to record the Usage Certificates in the Public Records of Alachua County, Florida.

This Matter was Approved as Recommended on the Consent Agenda.

090186a_UsageCertificate_20090806.pdf

090186b_UsageCertificate_20090806.pdf

090186_usagecertificates_20090903.pdf

090187.

Grant of a Conservation Easement onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (B)

This item is a request for approval and authorization to grant a Conservation Easement onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida over a portion of Depot Park.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the grant of a Conservation Easement onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida over a portion of Depot Park; and 2) authorize the Mayor to execute, and the Clerk to attest, the Conservation Easement onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida over a portion of Depot Park, subject to approval by the City Attorney as to form and legality.

Withdrawn

090187a_ConervationEasement_20090806.pdf

090187b_ImageofEasement_20090806.pdf

090293.

Agreement between the City of Gainesville and Keep Alachua County Beautiful for FY2010 (B)

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

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to execute the contract with Keep Alachua County Beautiful for the period of October 1, 2009 through September 30, 2010, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

090293_Agreement_20090903.pdf

090307.

Tourist Product Development Interlocal Agreement with Alachua County (B)

This is a request to enter into an agreement with Alachua County to administer the Tourist Product Development Grant Program.

RECOMMENDATION

The City Commission: 1) approve the Interlocal Agreement; and 2) authorize the City Manager or designee to sign the Interlocal Agreement on behalf of the City, subject to approval by the City Attorney as to form and legality.

Alternative Recommendation:

The City Commission: 1) reject specific items in the Interlocal Agreement with Alachua County; and 2) request the City Manager to renegotiate terms of the Interlocal Agreement with Alachua County; or 3) elect not to enter into the Interlocal Agreement with Alachua County.

This Matter was Approved as Recommended on the Consent Agenda.

090307_INTERLOCAL AGREEMENT_20090903.PDF

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

090330.

WILLIE WASHINGTON vs. CITY OF GAINESVILLE AND GAINESVILLE POLICE DEPARTMENT, Eighth Judicial Circuit, Alachua County, Case No.: 01-2009-CA-3721 (B)

RECOMMENDATION

The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available, to represent the City of Gainesville and the Gainesville Police Department in the case styled Willie Washington vs. City of Gainesville and Gainesville Police Department, Eighth Judicial Circuit, Alachua County, Case No.: 01-2009-CA-3721

This Matter was Approved as Recommended on the Consent Agenda.

090330_Willie Washington_20090903.pdf

090333.

JOSE CHAVARRIA ET. AL. VS. JLG INDUSTRIES, INC., UNITED RENTALS, INC., AND GAINESVILLE REGIONAL UTILITIES; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 2008-CA-1779 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City of Gainesville in the case Jose Chavarria et. al. vs. JLG Industries, Inc., United Rentals, Inc., and Gainesville Regional Utilities; Eighth Judicial Circuit, Court Case No. 2008-CA-1779

This Matter was Approved as Recommended on the Consent Agenda.

090333_Jose Chavarria_20090903.pdf

090347.

ALBERT FERGUSON VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 2008-CA-3865 (NB)

RECOMMENDATION

The City Commission 1) approve the terms of the mediated settlement; and 2) authorize the City Attorney to settle the claim of Albert Ferguson vs. City of Gainesville, Eighth Judicial Circuit Case No. 2008-CA-3865, on behalf of the City.

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**090308.****City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of July 28, August 6, August 10, August 17, 2009 and August 20, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

090308a_sp_jul 28, 2009_20090903.pdf
090308b_reg_aug 6,2009_20090903.pdf
090308c_sp_aug 10,2009_20090903.pdf
090308d_sp_aug 17, 2009_20090903.pdf
090308e_aug 20, 2009_20090903.pdf

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****090327.****Rail-Trail Lighting Standard (NB)**

This item involves the adoption of a rail-trail lighting standard for lighting fixtures on the rail trail system. This item does not recommend purchase of fixtures at this time, but rather the addition of an additional fixture to GRU's inventory of approved lighting materials.

RECOMMENDATION *CRA Board to the City Commission: 1) approve Lumec Domus Small Series as the lighting standard for implementation on the City's rail trail system; and 2) adopt the Lumec Domus Small Series for inclusion on GRU's inventory of approved lighting fixtures.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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*Commissioner Lowe moved and Mayor-Commissioner Pro Tem Henry seconded to adopt the Regular Agenda, as modified.
(VOTE: 7-0, MOTION CARRIED)*

MODIFICATIONS:

- 1. File #090351 - Financing for Construction (Resolution) - 1) Change language in "explanation" as follows: (2) b, and (3) b, from October 1, 2029 to October 1, 2039; change (3) e, from 5.25% to 5.50%; 2) PPT presentation, resolution and exhibits submitted; and 3) waive the rules to adopt the resolution during the afternoon portion of the agenda.*
- 2. File #090382 - (New Item) - Mayor Pegeen Hanrahan - Interim Appointment of an EO Director; and hear this item immediately following File #090343 Equal Opportunity Director Interviews.*
- 3. File #090274 - (Resolution) - Amended Tentative General Government Budget - Fiscal Year 2009-2010 - 1) Remove reference in the explanation to the "Office of Management and budget (OMB)" and replace with "Budget and Finance Department"; and 2) additional back-up submitted - "Exhibit A" to be attached to the resolution.*
- 4. File #090328 - (Resolution) - Resolution to Enter into a Maintenance Agreement with the State of Florida Department of Transportation- "Fiscal Note" changed to "No fiscal impact at this time".*
- 5. File #090284 - (Ordinance) GRU Electric Rates - Recommendation is amended to read "adopt the proposed ordinance as revised" (Page 1 only is being revised as attached).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

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080393.**Alachua County Long Term Transportation Concurrency Management System Update (B)**

This item provides an update to the City Commission regarding Alachua County's proposed Long Term Concurrency Management System.

[Play Video](#)

Planning and Development Services Director Erik Bredfeldt, Alachua County Transportation Planning/Impact Fee Manager Jonathan Paul, Concurrency Management Planner Onelia Lazzari, Planning Manager Ralph Hilliard, RTS Director Jesus Gomez and Assistant City Manager Paul Folkers gave presentations.

RECOMMENDATION

The City Commission: (1) hear a brief presentation by Alachua County staff on the Comprehensive Plan Amendment; and, 2) provide direction to City staff regarding comments to be forwarded to the Florida Department of Community Affairs (DCA) per the transmittal review process.

Heard

080393a_Plan_20081002.pdf
080393b_Map_20081002.pdf
080393c_Map_20081002.pdf
080393d_Map_20081002.pdf
080393e_Map_20081002.pdf
080393f_Report_20081002.pdf
080393g_County.Presentation_20081002.pdf
080393h_City.Presentation.Planning_20081002.pdf
080393i_City.Presentation.Transit_20081002.pdf
080393A_Letter_20090604.pdf
080393B_CC Minutes 10-2-08_20090604.pdf
080393C_Ala County PPT_20090903.pdf

File #090343 - Equal Opportunity Director Interviews - This item was continued to the evening portion of the agenda.

090382.**Mayor Pegeen Hanrahan - Interim Appointment of the EO Director (NB)**

MOTION: Appoint Gwendolyn Saffo as Interim Equal Opportunity Director until a permanent Equal Opportunity Director can be appointed.

NOTE: The City Commission continued the salary matter of this item to the evening portion of the agenda in order for staff to bring back additional information.

RECOMMENDATION

The City Commission discuss the interim appointment of the EO Director and take action deemed appropriate.

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

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

GENERAL MANAGER FOR UTILITIES

[Play Video](#)

090351. Financing for Construction (B)

This item is related to financing for costs of acquisition and construction.

[Play Video](#)

GRU Chief Financial Officer Jennifer Hunt and GRU Attorney Skip Manasco gave presentations.

RECOMMENDATION

The City Commission:

1. Adopt the attached resolution (Authorizing Resolution), which:

(a) incorporates by reference and adopts, and authorizes the execution and delivery of:

(i) a Twenty-First Supplemental Utilities System Revenue Bond Resolution (Twenty-First Supplemental Resolution) which authorizes the issuance, sale, execution and delivery of not to exceed \$25 million in aggregate principal amount of the City's Utilities System Revenue Bonds, 2009 Series A (Federally Taxable) (2009 Series A Bonds) in order to provide monies needed for payment of (x) Costs of Acquisition and Construction (capital projects) that cannot be financed on a tax-exempt basis and (y) the refunding of the City's taxable Series D Commercial Paper Notes, and delegates the authority to determine certain matters in connection therewith; and

(ii) a Twenty-Second Supplemental Utilities System Revenue Bond Resolution (Twenty-Second Supplemental Resolution) which authorizes the issuance, sale, execution and delivery of not to exceed \$180 million in aggregate principal amount of the City's taxable Build America Bonds as Utilities System Revenue Bonds, 2009 Series B (2009 Series B Bonds) and/or tax-exempt Utilities System Revenue Bonds, 2009 Series C (2009 Series C Bonds) in order to provide monies needed for payment of Costs of Acquisition and Construction that can be financed on a tax-exempt basis, and delegates the authority to determine certain matters in connection therewith; and

(b) in the case of the 2009 Series A, B and C Bonds:

(i) approves the form, and authorizes the execution and delivery, of a contract of purchase between the City and an underwriting group for which J.P. Morgan will serve as senior book-running manager, and delegates the authority to determine certain matters in connection therewith;

(ii) approves the form, and authorizes the execution and delivery, of a continuing disclosure certificate;

(iii) approves the form and use of the preliminary official statement and the official statement relating to the 2009 Series A, B and C Bonds and authorizes the execution and delivery of the official statement;

(iv) authorizes the authentication and delivery of the 2009 Series A, B and C Bonds;

(v) authorizes the registration or qualification of the 2009 Series A, B and C Bonds under the blue sky laws of various states; and

(vi) authorizes certain City officials to take other actions in connection with the issuance, sale and delivery of the 2009 Series A, B and C Bonds; and 2) Authorize the Clerk of the Commission, the General Manager and other Authorized Officers to execute such documents as may be necessary to proceed with the transactions authorized above and to take such other actions as may be necessary or advisable to proceed with the issuance of the 2009 Series A, B and C Bonds in accordance with this City Commission authorization.

A motion was made by Commissioner Donovan, seconded by Commissioner Mastrodicasa, that this matter be Approved as Recommended and Adopted (Resolution). The motion carried by the following vote:

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

090351_MOD_21st Supplemental Resolution_20090903.pdf

090351_MOD_22nd Supplemental Resolution_20090903.pdf

090351_MOD_Authorizing Resolution_20090903.pdf

090351_MOD_Contract Form of Purchase_20090903.pdf

090351_MOD_PFM Letter Exhibit A_20090903.pdf

090351_MOD_Preliminary Official Statement Item_20090903.pdf

090351_resolution_20090903.pdf

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES**[Play Video](#)**090352. 2010 Census (NB)**[Play Video](#)

United States Census Bureau Representative Karen Kagalis and Concurrency Planning Manager Onelia Lazzari gave a presentations.

RECOMMENDATION *The City Commission receive a presentation.*

Heard

CITY ATTORNEY UPDATE**090390. Update on Underage Drinking Lawsuit (B)**

City Litigation Attorney Elizabeth Waratuke gave a presentation.

RECOMMENDATION *The City Commission hear an update regarding the lawsuit regarding the Underage Drinking Ordinance.*

Heard

MEMBERS OF THE CITY COMMISSION**COMMISSION COMMENTS (if time available)**[Play Video](#)**Mayor-Commissioner Pro Tem Scherwin Henry**

Vision/Transformation for East University Avenue to Hawthorne Corridor - 5 Points Area. See following referral item #090392.

090392. Transformation of the Area of East University Avenue to Hawthorne Rd.

Corridor (5 Points Area) (NB)

RECOMMENDATION *The City Commission refer the issue of transforming the area of East University Avenue to Hawthorne Rd. Corridor (5 Points Area) to the Community Development Committee.*

A motion was made by Mayor-Commissioner Pro Tem Henry, seconded by Commissioner Lowe, that this matter be Referred to the Community Development Committee, due back on March 3, 2010. The motion carried by the following vote:

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

Absent: Thomas Hawkins

090392_Referral_20090914.pdf

RECESS - 4:39 PM

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RECONVENE - 5:33 PM

[Play Video](#)

PLEDGE OF ALLEGIANCE (5:30pm)

[Play Video](#)

PROCLAMATIONS/SPECIAL RECOGNITIONS

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090301. United States Constitution Month - September 2009 (B)

[Play Video](#)

RECOMMENDATION *Gainesville Chapter Daughters of the American Revolution Chapter Regent Janet Messer to accept the proclamation.*

Heard

090301_Proc_20080820.pdf

090334. Hispanic/Latino Film Festival Weeks - September 15 - October 24, 2009 (B)

[Play Video](#)

RECOMMENDATION *Latina Women's League President Victoria Condor-Williams, Vice-President Pilar Paz, Latino Film Festival Coordinator*

Grace Altamirano, and Parliamentarian Janet Todd to accept the proclamation.

Heard

090334_Proc_20090903.pdf

090335.

Job Corps Day - September 23, 2009 (B)

[Play Video](#)

RECOMMENDATION

Gainesville Job Corps Center Director Sam Kolapo to accept the proclamation.

Heard

090335_Proc_20090903.pdf

090338.

Green The Block Day - September 11, 2009 (B)

[Play Video](#)

RECOMMENDATION

Horizon Center Principal James Spears, Assistant Principal Diva McPhearson, Cultural Arts Coalition Executive Director NKwanda Jah, and Board President Anthony Greene to accept the proclamation.

Heard

090338_proclamation_20090903.pdf

WAIVER OF RULES

The rules were waived by consensus in order to hear this item before Citizen Comment.

090343.

Equal Opportunity Director Interviews (B)

City Commission select final candidates to interview for the Equal Opportunity Director position.

[Play Video](#)

Human Resources Manager Cheryl McBride and Administrative Services Director Becky Rountree gave presentations.

MOTION (Main Motion): Mayor-Commissioner Pro Tem Henry moved and Commissioner Lowe seconded to invite the following six applicants for on-site interviews:

- 1. Irving Forestier*
- 2. Norma Jones*

3. Vaughn Lewis
 4. Cheryl Seals-Gonzalez
 5. Yara Cull
 6. Cecil Howard
- (VOTE: 7-0, MOTION CARRIED)

ADDITIONAL MOTION: Commissioner Lowe moved and Commissioner Mastrodicasa seconded to offer Ms. Gwendolyn Saffo a 5% salary increase for the extent of her acting appointment as Interim Equal Opportunity Director.
(VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION *City Commission select the top five candidates to be invited for on-site interviews.*

Approved, as shown above (Motions)

090343_Candidates List_20090903.pdf
090343_MOD_BALLOT_20090903.pdf

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

[Play Video](#)

Ishmael Khaldi - UF Islam On Campus

Fastathon and Dinner September 16, 2009.

Ron Carpenter

Requested that the City Commission reconsider their decision regarding the Hatchet Creek Project.

Edward Berry

Five Star Pizza driver hit Mr. Berry's leg.

Walter Willard

Various Issues.

PUBLIC HEARINGS

[Play Video](#)

090273.

PROPOSED MILLAGE RATE FISCAL YEAR 2009-2010 (B)

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL**

MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 2009-2010 FISCAL YEAR; ESTABLISHING PROPOSED MILLAGE RATE; SETTING A PUBLIC HEARING; PROVIDING FOR THE PUBLICATION OF NOTICE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Play Video](#)

Administrative Services Director Becky Rountree gave a presentation.

Chair Hanrahan recognized Arthur Stockwell, Andy Hogshead and Beau Beery who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

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

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

090273_draft Millage Resolution_20090903.pdf
090273_resolution_20090903.pdf

[090274.](#)

AMENDED TENTATIVE GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2009-2010 (B)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; ADOPTING AN AMENDED TENTATIVE GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Play Video](#)

Administrative Services Director Becky Rountree and Deputy Fire Chief Tim Hayes gave presentations.

Chair Hanrahan recognized Jessica Pastore with Crime Prevention Security Systems who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

090274_draft Budget Resolution_20090903.pdf
090274_resolution_20090903.pdf

090256.**GAINESVILLE REGIONAL UTILITIES - TENTATIVE BUDGET - FISCAL YEAR 2009-2010 (B)****RESOLUTION NO. 090256**

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, 2009 AND ENDING SEPTEMBER 30, 2010; 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.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

090256_gru tentative budget_20090903.pdf
090256_resolution_20090903.pdf

RESOLUTIONS- ROLL CALL REQUIRED

[Play Video](#)

090328.

Resolution to Enter into a Maintenance Agreement with the State of Florida Department of Transportation for Landscape/Streetscape amenities on SR 25 (13th Street) from SW 16th Ave to NW 7th Ave (B)

This item involves a Resolution authorizing the City Manager to execute a Landscape/Streetscape Maintenance Agreement between the City of Gainesville and the Florida Department of Transportation (FDOT) for phased landscaping and streetscaping projects on SR 25 (13th Street) from SW 16th Avenue to NW 8th Avenue.

[Play Video](#)

RECOMMENDATION *The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute a Landscape/Streetscape Maintenance Agreement with the State of Florida Department of Transportation for both Phase I and Phase II of SR 25 enhancements, subject to approval by the City Attorney as to form and legality.*

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

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

090328_Resolution_20090903.pdf

090328_Map_20090903.pdf

090328_resolution_20090903.pdf

090329.

Amendment to the Local Housing Assistance Plan (LHAP) - State Fiscal Years 2009-2011 (B)

This item requests the City Commission adopt a resolution approving an amendment to the 2009-2011 Local Housing Assistance Plan as required by State of Florida to implement and allocate FY 2009-2010 funds for the Florida Homebuyer Opportunity Program (FHOP).

[Play Video](#)

Housing and Community Development Manager Jacquelin Richardson gave a presentation.

RECOMMENDATION

The City Commission: 1) adopt the attached Resolution, as required by State law; 2) authorize the submission of the Resolution and amendment to the 2009-2011 Local Housing Assistance Program for review and approval by the Florida Housing Finance Corporation; and 3) authorize the reallocation of funds to on-going SHIP housing programs after expiration of the Florida Homebuyer Opportunity Program as required by State law.

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

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

090329_PPT_20090903.pdf

090329_LHAP FHOP Strategy_20090903.pdf

090329_Resolution_20090903.pdf

090329_resolution_20090903.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[Play Video](#)

090228.

SB 360 DEVELOPMENT ORDER AND BUILDING PERMIT EXTENSIONS (B)

Ordinance No. 0-09-54

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 360, now known as Chapter Law No. 2009-96; providing a severability clause; and providing an immediate effective date.

[Play Video](#)

Senior Assistant City Attorney Nicolle Shalley, Planning and Development Services Director Erik Bredfeldt, Assistant General Manager for Water/Wastewater Utilities David Richardson and GRU Attorney Skip Manasco gave presentations.

*MOTION (REFERRAL): Commissioner Lowe moved and Commissioner Poe seconded to refer utility permits in relation to Senate Bill 360 to the Regional Utilities Committee. - (NOTE: See following referral #090405).
(VOTE: 7-0, MOTION CARRIED)*

Chair Hanrahan recognized Mitch Glaeser and Ed Jennings, Jr. who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090228_SB360 Ordinance_20090903.pdf

090228_ordinance_20090917.pdf

090405.**Utility Permits in Relation to Senate Bill 360 (NB)**

RECOMMENDATION *The City Commission refer utility permit extensions in relation to SB 360 to the Regional Utilities Committee for discussion and a report back.*

A motion was made by Commissioner Lowe, seconded by Commissioner Poe, that this matter be Referred to the Regional Utilities Committee, due back on March 3, 2010. The motion carried by the following vote:

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

090284.**GRU ELECTRIC RATES (B)****Ordinance No. 0-09-46**

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY OF THE GAINESVILLE CODE OF ORDINANCES BY

INCREASING ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES; ADDING A RENTAL LIGHT CATEGORY AND RATE FOR LED LIGHTING; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

[Play Video](#)

Chair Hanrahan recognized an unidentified female, Tara Parker Warren and Edward Berry who spoke to the matter.

REVISION: Revised first page of ordinance regarding utility rates (Electricity).

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090284_GRU RATE INCREASE_20090903.pdf

090284_ordinance_20090917.pdf

090285

GRU - WATER RATES (B)

Ordinance No. 0-09-47

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (3) WATER, OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING INSPECTION FEES AND TAPPING CHARGES; INCREASING METER INSTALLATION CHARGES; INCREASING BASE RATES FOR SERVICE; INCREASING WATER TRANSMISSION, DISTRIBUTION AND PLANT CONNECTION CHARGES; INCREASING STANDBY FIRE SPRINKLER LINE CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

[Play Video](#)

Chair Hanrahan recognized Ed Jennings, Jr. who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090285_GRU RATE INCREASE_20090903.pdf

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090286.**GRU - WASTEWATER BASE RATES (B)****Ordinance No. 0-09-48**

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING WASTEWATER BASE RATES; INCREASING CONNECTION AND INSPECTION CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

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RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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090287.**GRU - SERVICE CHARGES (B)****Ordinance No. 0-09-49**

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (7) IN GENERAL OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING SERVICE CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

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Chair Hanrahan recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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090288.**GRU - UTILITY SERVICES (B)**

Ordinance No. 0-09-50

AN ORDINANCE AMENDING CHAPTER 27 UTILITIES, GAINESVILLE CODE OF ORDINANCES; AMENDING SECTION 27-6, TERMS OF WITHHOLDING SERVICE; AMENDING SECTION 27-7, FREQUENCY OF CREDITS FOR UTILITY DEPOSITS; AMENDING SUBSECTION 27-15(d), AMENDING THE NORMAL BUSINESS HOURS; REPEALING SECTIONS 27-17 AND 27-18 RELATING TO ALACHUA COUNTY PRIVILEGE FEE; AMENDING SECTION 27-21, DEFINITIONS, BY ADDING AND MODIFYING DEFINITIONS; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

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Mayor Hanrahan left the meeting room during this item and Mayor-Commissioner Pro Tem Henry assumed the gavel.

Chair Henry recognized Walter Willard who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

090288_GRU RATE INCREASES_20090903.pdf

090288_ordinance_20090917.pdf

090325.**APPENDIX A - SCHEDULE OF FEES, RATES AND CHARGES (B)****Ordinance No. 0-09-45**

An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges by increasing fees and charges for Adult Performance Establishments, Escort Services, and Escort Licenses; Alcoholic Beverage bottle club licenses; Cable Franchises; Cemetery; Controlled Vehicular Parking Area Decals/Permits; Fire/Rescue false alarm, Prohibited devices, Fire alarm monitoring companies, Fire alarm system contractors and Fire inspections; Home Occupation Permits; Land Development Code petitions, applications, development services and zoning permits; Annual Spring Arts Festival permits; Burglar alarm operators, monitoring companies, systems, and systems contractors; Roam towing; Registered Domestic Partners; Secondhand Goods Dealers; Permits for use of and work in streets, sidewalks and other public places; Business tax receipt transfers; Traffic and Motor Vehicle parking violations and delinquency; Stormwater Management; Vehicles for Hire; and Vending booth and Itinerant food vendor permits; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

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Administrative Services Director Becky Rountree gave a presentation.

NOTE: Mayor Hanrahan re-entered the meeting room during this item and re-assumed the gavel.

MODIFICATION: Approve the alternative recommendation as presented by staff as follows: Increase in the false fire alarm fees to: 1) \$117.50 for the 2nd, 3rd and 4th tier; 2) \$270.00 for the 5th, 6th and 7th tier; and \$680.00 for the 8th tier and above.

ADDITIONAL MOTION (Referral): Commissioner Hawkins moved and Commissioner Poe seconded to refer the proposed 2nd and 3rd tiers of the fire alarm fees to the Audit, Finance and Legislative Committee prior to next year's budget session and to be scheduled after May, 2010.

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

Chair Hanrahan recognized Walter Willard who spoke to the matter.

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, as modified (Ordinance). The motion carried by the following vote:

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

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090411.**False Fire Alarm Rates Referral (NB)**

RECOMMENDATION *The City Commission refer the proposed fire alarm fees for the 2nd and 3rd tiers to the Audit, Finance and Legislative Committee for review prior to next year's budget session and to be scheduled after May, 2010.*

A motion was made by Commissioner Hawkins, seconded by Commissioner Poe, that this matter be Referred to the Audit, Finance and Legislative Committee, due back on March 3, 2010. The motion carried by the following vote:

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

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090201. REZONING - 39 N.W. 39TH AVENUE (THE VILLAS) (B)

Ordinance No. 0-09-42, Petition No. PZ-09-44ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from the City of Gainesville zoning category of "MH: 12 units/acre mobile home residential district" to the City of Gainesville zoning category of "BUS: General business district"; consisting of approximately 7.5 acres, located in the vicinity of the Southwest corner of Northeast 2nd Street and 39th Avenue, a/k/a 39 N.W. 39th Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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090201B_zoning appl_workshop_20090820.pdf
090201C_cpb minutes_20090820.pdf
090201_draft ordinance_20090820.pdf
090201D_staff ppt_20090820.PDF
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081040. DEPOT PARK REZONING (B)

Ordinance No. 0-09-18, Petition No. PZ-09-37 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning certain property located generally south of Depot Avenue, east of South Main Street, north of Southeast Veitch Street and west of Southeast 4th Street, commonly known as "Depot Park", from "PS: Public services and operations district," "I-1: Limited industrial district" and "I-2: General industrial district" to "PS: Public services and operations district"; specifying permitted uses; specifying dimensional requirements; providing a severability clause; providing a repealing clause; and providing an effective date.

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RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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081040B_concept site plan_renderings_20090820.pdf
081040B_concept site plan_renderings_20090820.pdf
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081040D_cpb minutes_20090820.pdf
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PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

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080128.

Update on the Wild Spaces Public Places One-Half Cent Sales Tax Initiative's Implementation Plan for Capital Improvement Projects and Sensitive Lands Acquisition (B)

This item involves an update on the Wild Spaces Public Places One-Half Cent Sales Tax Initiative's implementation. It includes information on referral discussions at the July 9, 2009 Recreation, Cultural Affairs and Public Works Committee meeting, and requests approval of projects and creation of set-aside funding to cover operating costs.

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Assistant City Manager Paul Folkers, Parks, Recreation and Cultural Affairs Director Steve Phillips, Wild Spaces/Public Places Oversight Committee Representative Pamela Hightower, Engineer Rory Causseaux, Dr. Thomas Hawkins and Parks Recreation and Cultural Affairs Assistant Director Michelle Park gave presentations.

Chair Hanrahan recognized Roney Jones, Brandon Jones, Mike Oransky, Ron Farb, Anne Koterba, Helen Warren, Walter Willard, Ed Jennings, Jr., and Dave Porter who spoke to the matter.

MOTION: Commissioner Poe moved and Commissioner Mastrodicasa seconded to approve Option 1, with the addition that any additional revenues would be designated to Cone Park improvements specifically.

(VOTE: 3-4; Commissioner Poe, Commissioner Mastrodicasa and Mayor Hanrahan - Yes; and Commissioners Lowe, Hawkins, Henry and Donovan - No; MOTION FAILED)

NOTE: Finance Director Mark Benton made comments.

WAIVER OF RULES: Commissioner Lowe moved and Mayor-Commissioner Pro Tem Henry seconded to waive the rules to extend the meeting to 11:15 if needed. (VOTE: 7-0, MOTION CARRIED)

ADDITIONAL MOTION: Commissioner Lowe moved and Commissioner Poe seconded to continue this item to the next available City Commission meeting. (VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION

RCAPW to City Commission: The City Commission: 1) review and approve the preferred project prioritization option for WSPP funding, the RCAPW Committee identified preferences for options 1 and 3; and 2) approve creation of an operating cost set-aside from WSPP funding to address recurring operating expenses for new surtax-funded capital projects for a 5-year period.

Staff to City Commission: The City Commission: 1) review and approve the preferred project prioritization option for WSPP funding, City staff recommends options 4 or 1 and 2) approve creation of an operating cost set-aside from WSPP funding to address recurring operating expenses for new surtax-funded capital projects for a 5-year period.

Alternative Recommendation: The City Commission provide other direction as appropriate.

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

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

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UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:08 PM

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Kurt M. Lannon, Clerk of the Commission