

City of Gainesville

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



Meeting Minutes

Thursday, March 4, 2010

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 - 1:03 PM

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ROLL CALL

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

INVOCATION

[Play Video](#)

The City Commission observed a moment of silence.

CONSENT AGENDA

[Play Video](#)

Mayor-Commissioner Pro Tem Henry moved and Commissioner Poe seconded to adopt the Consent Agenda, as modified.

(VOTE: 4-0, Commissioners Donovan, Lowe and Mastrodicasa - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File #090780 - State of Florida Department of Transportation Concept Paper on Aggressive Driving - (Revised fiscal note: "The amount of the award is \$30,100").*
- 2. File #090808 - Purchase of Fork Lift - (Add the following language to the explanation: " The requested purchase amount of \$72,691 includes equipment options for side view mirrors, Plexiglas overhead shield, a lifting boom and an extra set of forks which total \$1268".)*

CITY MANAGER, CONSENT AGENDA ITEMS

090725.

Department of Energy - Energy Efficiency and Conservation Block Grants (EECBG) Funded Projects (NB)

This item is a request to authorize the City Manager to award equipment bids, execute purchase orders, award construction bids and to execute construction contracts and related documents.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize the City Manager to award the bids for the two (2) EECBG funded projects (the LED Traffic Signal replacement and the LED street light pilot) to the lowest responsive, responsible bidder, provided the bid awards are within the approved and

available funding for each project; and 2) execute the purchase orders, construction contracts 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.

090749.

Booker T. Washington Neighborhood Area Roadway Improvements (NB)

This item is a request to authorize the City Manager to award construction bids and to execute construction contracts and related documents.

RECOMMENDATION

Recommended Motion: The City Commission authorize the City Manager to: 1) award the bids for the Booker T. Washington Neighborhood Area Roadway Improvements to the lowest responsive, responsible bidder, provided the bid awards are within the approved and available funding; and 2) execute the construction contract 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.

090760.

In Car Camera System for the Gainesville Police Department - Request for Purchase Order Issued to CDW-G Government (B)

This item requests the City Commission to authorize the issuance of a Purchase Order to upgrade the in-car camera system.

RECOMMENDATION

The City Commission authorize the City Manager to execute a Purchase Order to CDW-G Government, a specified source, in an amount not to exceed \$183,223 for the purchase of this system.

Alternative Recommendation A: The City Commission authorizes less than \$183,223 for the digital in-car camera system understanding that this will impact the police department's ability to maintain an operable system.

Alternative Recommendation B: The City Commission denies funding.

This Matter was Approved as Recommended on the Consent Agenda.

090760a_QuoteCarCams_20100304.pdf

090760b_CarCamSolSor_20100304.pdf

090775.**Surplus Property Sale (NB)**

Staff recommends all items at Surplus Lot to be declared surplus and disposed of through contract methods.

RECOMMENDATION *The City Commission declare all materials, equipment and vehicles stored at the Surplus Lot as surplus property and authorize the sale of such property for the time period covering FY2010.*

This Matter was Approved as Recommended on the Consent Agenda.

090779.**Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF)
Funding for Black on Black Crime Task Force (NB)**

This item requests that the City Commission appropriate and expend funds from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Black on Black Crime Task Force for miscellaneous mutual projects at the Reichert House.

RECOMMENDATION *The City Commission authorize the appropriation of \$5,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the Black on Black Crime Task Force to offset their cost of assisting with the maintenance of the facility.*

Alternative Recommendation A: The City Commission declines the appropriation and directs staff to seek alternative maintenance options and not implement new programs designed to curb youth violence. There is no fiscal impact.

This Matter was Approved as Recommended on the Consent Agenda.

090780.**State of Florida Department of Transportation Concept Paper on Aggressive Driving (B)**

RECOMMENDATION *The City Commission approve the expenditures outlined in the grant award and authorize the City Manager or designee to sign and execute any documents associated with the award pending approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

090780_ConceptPaper_20100304.pdf

090781.**The FY 2010 Statewide Safety Belt Enforcement Grant (B)****RECOMMENDATION**

The City Commission authorize the City Manager to apply for, accept, and execute the grant award subject to approval by the City Attorney as to form and legality and approve the expenditures as outlined in the approved grant award.

Alternative Recommendation: The City Commission declines the proposal in the amount of \$20,000 and advice staff not to apply for and accept these funds.

This Matter was Approved as Recommended on the Consent Agenda.

090781_SubgrantAppl_20100304.pdf

090782.**Update City Commission Strategic Initiative Referrals for Fiscal Years 2009 - 2010 (B)**

This item is to refer the two new City Commission strategic initiatives adopted into the updated City of Gainesville Strategic Plan for Fiscal Years 2009 - 2010 on September 19, 2009 to the Community Development Committee and the Regional Utilities Committee. This item is also a request to remove Strategic Initiative 4.4 - "Develop a strategy for e-commerce" from the Audit Finance and Legislative Committee referral list.

RECOMMENDATION

The City Commission: 1) refer Strategic Initiative 6.1 - "Develop creative ways to measure progress in code enforcement" to the Community Development Committee; 2) refer Strategic Initiative 7.4 - "Improve the energy efficiency of modest-income homes through weatherization" to the Regional Utilities Committee; and 3) remove Strategic Initiative 4.4 - "Develop a strategy for e-commerce" from the Audit, Finance and Legislative Committee referral list.

This Matter was Approved as Recommended on the Consent Agenda.

090782_Update Strategic Initiative Referrals FY10_20100304.pdf

090792.**Budget Calendar (NB)**

The City Commission approve dates for discussion of the FY2011/2012 budget.

RECOMMENDATION

The City Commission: 1) approve the dates requested by staff, and 2) waive the City Commission Rules to hear the Resolutions to approve the Proposed Budget and Set the Proposed Millage Rate before 5:00pm on July 29, 2010.

This Matter was Approved as Recommended on the Consent Agenda.

090796.**The Effects of High Visibility Enforcement (HVE) on Driver Compliance to Pedestrian Yield Right of Way Laws (NB)**

RECOMMENDATION *The City Commission approve the Gainesville Police Departments participation in the Driver Compliance study and authorize the City Manager to sign and execute documents related to the award with approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**090808.****Purchase of Fork Lift (B)**

Staff recommends issuing a purchase order to Lift Power, Inc. for a new replacement fork lift for the Stores Division.

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to issue a purchase order to Lift Power Inc. for a new fork lift for the Stores Division in the amount of \$72,691.*

This Matter was Approved as Recommended on the Consent Agenda.

090808_purchase_20100304.pdf

CITY ATTORNEY, CONSENT AGENDA ITEMS**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****REGIONAL UTILITIES COMMITTEE, CONSENT****080696.****Broadband Internet Referral Item #080696 (NB)**

This item is related to the extension of broadband internet.

RECOMMENDATION

The Regional Utilities Committee (RUC) recommends that the City Commission: 1) refer to the CRA a request to consider developing incentives for the use of broadband and other desirable utility services; 2) refer to the CRA a request to consider developing a program for utilizing CRA funds for extending GRUCom within CRA districts. This would include the consideration of special assessment districts; and 3) remove this item from the RUC referral list.

This Matter was Approved as Recommended on the Consent Agenda.

090698.**Update on Strategic Initiative 7.1 - Monitor the Progress of the Clean-up of Cabot/Koppers Superfund Site (B)**

The Regional Utilities Committee recommends the City Commission adopt modifications to the City Commission Strategic Initiative to clean-up and redevelop the Cabot/Koppers Superfund site.

RECOMMENDATION

Regional Utilities Committee to the City Commission: 1) adopt the proposed modifications to Strategic Initiative 7.1; 2) authorize the City Manager to update the City of Gainesville Strategic Plan for Fiscal Years 2009 - 2010; and 3) remove this item from the Regional Utilities Committee referral list.

This Matter was Approved as Recommended on the Consent Agenda.

090698_Strategic Initiative_20100121.pdf
090698_Ltr from Beazer_20100121.pdf
090698_Beazer PPT_20100121.pdf
090698_MOD EPA PPT_20100121.pdf
Backup for 090698 RUC 2 11 10.pdf
090698_updateKoppers_20100304.pdf

Passed The Consent Agenda

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

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**END OF CONSENT AGENDA**

ADOPTION OF THE REGULAR AGENDA

[Play Video](#)

Commissioner Poe moved and Mayor-Commissioner Pro Tem Henry seconded to adopt the Regular Agenda, as modified.

(VOTE: 4-0, Commissioners Donovan, Lowe and Mastrodicasa - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File #090805 - GRU Wastewater Service to Waldo - (Mayor Hanrahan requested that this item to be heard first in the afternoon).*
- 2. File #090794 - Potential Merger of Metcalfe and Rawlings Elementary Schools Update - (Back-up submitted).*
- 3. File #090819 - Ropen Nalbandian - Alternative Site for the One-Stop Homeless Center - (Back-up submitted to the CMO on Thursday 2/25/2010 for Leg. #090819 by Mr. Ropen Nalbandian and his representatives).*
- 4. File #090805 - GRU wastewater Service to Waldo - (Maps submitted).*
- 5. File #090747 - Update on the School Board's Nonpayment of the City's Stormwater Utility Fee - (Add to the Regular Agenda).*
- 6. File #060294 - General Fund Transfer from GRU-RUC Referral Item #060294 - (Add to the Regular Agenda).*
- 7. File #090763 - One Stop Residential Homeless Center and Food Distribution Center for the Needy - (Request for Formal Quasi-Judicial Hearing and "Affected Party Status" for Petition PB-09-161PDV).*
- 8. File #090818 Mayor Pegeen Hanrahan - Green Capital Global Challenge - (Back-up submitted).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

WAIVER OF RULES

The rules were waived by consensus to hear File # 090805 - GRU Wastewater Service to Waldo first on the agenda.

GENERAL MANAGER FOR UTILITIES

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090805. GRU Wastewater Service to Waldo (B)

This item involves extending wastewater service to the City of Waldo via a wastewater force main extension along SR 24

[Play Video](#)

GRU Assistant General Manager for Utilities David Richardson gave a presentation.

Mayor Hanrahan recognized City of Waldo City Commissioner Rodney Estes, Waldo City Engineer Tim Norman, Alachua County Principal Planner Ken Zeichner and UF Assistant Director of Facilities Planning and Construction Linda Dixon who spoke to the matter.

NOTE: Commissioner Donovan entered the meeting room at 1:07 PM and Commissioners Lowe and Mastrodicasa entered the meeting room at 1:09 PM.

RECOMMENDATION *The City Commission authorize the following: 1)the Mayor to send letter(s) of support on behalf of Waldo indicating that the City of Gainesville supports the extension of wastewater service to the City of Waldo and intends to provide such service; and 2)the General Manager or his designee to begin negotiating the required Interlocal Agreement for future consideration by the City Commission; and 3)the General Manager or his designee to negotiate and execute a Service Agreement with the City of Waldo.*

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

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

090805_agreement_20100304.pdf

090805_MOD_MAP_WALDO_20100304.pdf

090805_MOD_MAP_WALDORD_20100304.pdf

CITY MANAGER

[Play Video](#)

090750. Proposal Award - Design/Build of Traffic Signal System Reconstruction at Three Intersections (B)

This is a request for the City Commission to authorize the bid award in the amount of \$800,972 to James D. Hinson Electrical Contracting Company for the Design/Build of traffic signal system reconstruction at three intersections in the

City of Gainesville; NW 8th Ave at 18th Terrace, NW 6th Street at 5th Avenue, and SW 6th Street at 4th Avenue.

[Play Video](#)

Assistant Public Works Director Donald Hambidge, Public Works Engineer David Sowell and Public Works Director Teresa Scott gave presentations.

Mayor Hanrahan recognized American Lighting and Signalization (ALS) Attorney Brian Kerwin, James Hinson of Hinson Electrical Contracting Company and Volkert Engineering Representative David Glenn who spoke to the matter.

RECOMMENDATION *Recommended Motion: The City Commission: 1) award the proposal to James D. Hinson Electrical Contracting Company for the Design/Build for traffic signal system reconstruction for three intersections in the City of Gainesville; NW 8th Ave at 18th Terrace, NW 6th Street at 5th Avenue, and SW 6th Street at 4th Avenue; 2) authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality; and 3) issue a purchase order in an amount not to exceed \$800,972.*

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

Votes: Aye: Jeanna Mastrodicasa, Thomas Hawkins, Lauren Poe and Pegeen Hanrahan

Nay: Jack Donovan and Scherwin Henry

Absent: Craig Lowe

090750_Bid Tab_20100304.PDF

090750_Letter_20100304.pdf

090750_revisedcalc_20100304.pdf

090750_HinsonChart_20100304.pdf

090753.

Proposed Typical Section of SW 16th Avenue from Archer Road to SW 13th Street (B)

This item is a request for the City Commission to approve the proposed typical section for SW 16th Avenue from Archer Road to SW 13th Street.

[Play Video](#)

Assistant Public Works Director Donald Hambidge, Fred Burkette of Kimley-Horne Engineering and UF Assistant Director of Facilities and Construction Linda Dixon gave presentations.

RECOMMENDATION *Recommended Motion: The City Commission approve the proposed typical section for SW 16th Avenue.*

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

Votes: Aye: Jeanna Mastrodicasa, Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Pegeen Hanrahan
Absent: Craig Lowe
090753_Map_20100304.pdf

090783.**Bus Rapid Transit (BRT) Feasibility Study Final Draft Report (B)**

This item is a request to receive the BRT Feasibility Study final draft report from RTS staff and the Center for Urban Development (CUTR).

RTS Director Jesus Gomez, (CUTR) Representatives Rob Gregg, Bill Morris and Ryan Suarez gave presentations.

AMENDMENT: Include direction to staff to bring back other actions for the Consent Agenda within the next month or so.

RECOMMENDATION *Recommended Motion: The City Commission: 1) authorize RTS to initiate an Alternatives Analysis for the BRT selected corridor; and 2) authorize RTS to seek funds to conduct an Alternatives Analysis.*

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

Votes: Aye: Thomas Hawkins, Jack Donovan, Lauren Poe, Scherwin Henry and Pegeen Hanrahan
Absent: Jeanna Mastrodicasa and Craig Lowe
090783_Report_20100304.pdf
090783_PPT_20100304.PDF

090819.**Ropen Nalbandian - Alternative Site for the One Stop Homeless Assistance Center (B)**

This item involves a request from Mr. Ropen Nalbandian and his agents to consider the Gains Property as an alternative site for the One Stop Homeless Assistance Center.

[Play Video](#)

Attorney for Ropen Nalbandian Karl Sanders, Assistant City Manager Fred Murry, and Senior Assistant City Attorney Nicole Shalley gave presentations.

RECOMMENDATION *The City Commission hear a presentation from Mr. Ropen Nalbandian and his agents on the Gains property as an alternative site for the One Stop Homeless Assistance Center.*

Filed With No Action Taken

090819_MOD Citizen Docs_20100304.pdf

GENERAL MANAGER FOR UTILITIES**090806. Google Ultra High-Speed Broadband Networks Trial (NB)**

Staff recommends submitting an application to become a Google High-Speed Broadband Network test city.

[Play Video](#)

GRU-COM Director Ted Kellerman gave a presentation.

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to submit an application on behalf of the City of Gainesville to become a Google test site.*

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

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

090807. American Renewable and Reinvestment Action (ARRA) Broadband Technology Grant (NB)

Staff has been monitoring ARRA funding and based on the criteria in the grant for the second round of funding recommends applying for the Broadband Technology Opportunities Program grant as outlined below.

[Play Video](#)

GRU-COM Director Ted Kellerman gave a presentation.

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to apply for the ARRA Broadband Technology Opportunities Program funding.*

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

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

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 5:07 PM

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RECONVENE - 5:50 PM

[Play Video](#)

PLEDGE OF ALLEGIANCE (5:30pm)

[Play Video](#)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[Play Video](#)

090798 Developmental Disabilities Awareness Month - March 2010 (B)

[Play Video](#)

RECOMMENDATION *The Arc of Alachua County Associate Director Steve Drago to accept the proclamation.*

Heard

090798_Proc_20100304.pdf

090799. Social Work Month - March 2010 (B)

[Play Video](#)

RECOMMENDATION

Veterans Health Administration Social Work Acting Chief of Social Work Anita Mitchell and Spinal Cord Injury Coordinator Warren McCluney to accept the proclamation.

Heard

090799_SocialWork_20100304.DOC.pdf

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

[Play Video](#)

John Stinson

Request to name the basketball courts at Westside Park the Sidney Davis Martin, Jr., Memorial Basketball Courts. See following referral item #090855.

090855.

John Stinson - Citizen Comment - Request to Name the Basketball Courts at Westside Park the Sidney Davis Martin, Jr. Memorial Basketball Courts (NB)

RECOMMENDATION

The City Commission refer the request to name the basketball courts at Westside Park the Sidney Davis Martin, Jr. Memorial Basketball Courts to the Recreation, Cultural Affairs and Public Works Committee.

A motion was made by Commissioner Poe, seconded by Commissioner Lowe, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee. The motion carried by the following vote:

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

090855A_Policy_20100408.pdf

090855B_Petition_20100408.pdf

Sarah Maurer

Mothers Against Drive Driving (MADD) See following File # 090856.

090856.

Sarah Maurer - Citizen Comment - Mothers Against Drunk Driving (MADD) (B)

RECOMMENDATION

The City Commission hear comments regarding MADD and place back-up submitted on file.

Placed on File

090856_Citizen_Comment_20100304.pdf

Pat Fitzpatrick

130 Meal Limit at St. Francis House.

Nkwanda Jah

Police Incident at Wilhelmina Johnson Center Party.

090857.

Nkwanda Jah - Citizen Comment - Incident at Wilhelmina Johnson Center Party (B)

RECOMMENDATION *The City Commission hear comments from Nkwanda Jah and place back-up submitted on file.*

Placed on File

090857_CIT_COMMENT_20100304.pdf

Xavier Holmes

Police Incident at Wilhelmina Johnson Center Party.

Jeff McAdams

*GRU Utility Bills.
Party at the Wilhelmina Johnson Center.*

Jote' Thompson

GRU Utility Bill.

Stafford Jones

GRU Utility Bill.

Blake Griffin

GRU Utility Bill.

Carol Daly

GRU Utility Bill.

Allen Berkelhammer

GRU Utility Bill.

Rob Gonzales

GRU Utility Bill.

090858.**Citizen Comment - Utility Bills (B)****RECOMMENDATION**

The City Commission hear comments from several citizens regarding their GRU Utility Bills and place back-up submitted on file.

Placed on File

090858_CIT_COMMENT_20100304.pdf
090858A_CIT_COMMENT20100304pdf.pdf
090858B_CIT_COMMENT_20100304.pdf

Walter Willard

Various issues.

Paula Stahmer

Biomass Plant.

Dian Deevey

Biomass Plant - See following File #090859.

090859.**Dian Deevey - Citizen Comment - Biomass Plant (B)****RECOMMENDATION**

The City Commission hear comments from Dian Deevey and place back-up submitted on file.

Placed on File

090859_DIAN_DEEVEY_20100304.pdf

Adam Pierce

GRU Utility Bill.

RESPONSE TO CITIZEN COMMENT

GRU General Manager for Utilities Bob Hunzinger gave a presentation.

PUBLIC HEARINGS

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RESOLUTIONS- ROLL CALL REQUIRED

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090751.

Resolution to Enter into a Maintenance Agreement with the State of Florida Department of Transportation (B)

This item is a Resolution for approval and authorization to enter into a Maintenance Agreement with the State of Florida Department of Transportation (FDOT), allowing the City of Gainesville to provide maintenance to the proposed sidewalk on the east side of Northeast 15th Street from State Road(SR) 222 to the 4400 block, and authorizing execution of same by the City Manager.

[Play Video](#)

RECOMMENDATION *Recommended Motion: The City Commission adopt the 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, Jack Donovan, Lauren Poe, Scherwin Henry and Pegeen Hanrahan

090751_Resolution_20100304.pdf

090751_resolution_20100304.pdf

090754.

Resolution for a Joint Participation Agreement - Service Development Funds for Regional Transit Service (RTS) Biodiesel Project (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 the Florida Department of Transportation (FDOT) to receive Service Development Funds for implementation of the Biodiesel Project.

[Play Video](#)

RECOMMENDATION *Recommended Motion: The City Commission: 1) adopt the Resolution.*

A motion was made by Commissioner Lowe, seconded by Mayor-Commissioner Pro Tem Henry, 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

090754_Agreement_20100304.pdf

090754_Memo_20100304.pdf

090754_Resolution_20100304.pdf

090754_resolution_20100304.pdf

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[Play Video](#)

090624.

AUTHORIZATION TO SERVE BEER AND WINE AT THE BETHEL STATION LEASED AREA ON THE DOWNTOWN COMMUNITY PLAZA (B)

Ordinance No. 0-10-01

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances of the City of Gainesville, Florida, related to the sale, possession, and consumption of alcoholic beverages at the Downtown Community Plaza; by amending section 4-4 (a), to allow the sale, possession, and consumption of beer and wine on the Bethel Station leased premises; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

[Play Video](#)

CRA Project Coordinator Kelly Huard Fisher gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Poe, 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

090624_Bethel Lease Survey_20100107.pdf

090624_draftordinance_201034.pdf

090624_presentation_20100304.pdf

090624_Bethel Alcohol Ord_20100304.pdf

090624_draftordinance_201034.pdf

090624_ordinance_20100318.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

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090763.

One Stop Residential Homeless Center and Food Distribution Center for the Needy (B)

Petition PB-09-161 PDV. Causseaux, Hewett, and Walpole, Inc., agent for ADC Development and Investment Group, LLC. Rezone property from I-2 (General industrial district) to PD (Planned development district) to allow construction of a one-stop homeless assessment center with residences, health care, and food distribution facilities. Located at 820 Northwest 53rd Ave.

[Play Video](#)

REQUEST FOR FORMAL QUASI-JUDICIAL HEARING AND AFFECTED PARTY STATUS - City Attorney Marion Radson introduced the item.

Mayor Hanrahan recognized Attorney Karl Sanders representing Mr. Ropen Nalbandian who spoke to the matter.

The City Commission did not grant the request for a formal hearing and did not grant affected party status to Mr. Ropen Nalbandian.

Commissioner Lowe moved and Commissioner Poe seconded to allow Karl Sanders to ask questions of the witnesses regarding this zoning petition.

(VOTE: 6-0, Commissioners Mastrodicasa - Absent, MOTION CARRIED)

STAFF PRESENTATION: Chief of Current Planning Lawrence Calderon, Agent for the Petitioner (City) Gerry Dedenbach of Causseaux, Hewett and Walpole, Inc., Planning Manager Ralph Hilliard and Assistant City Manager Fred Murry gave presentations.

DISCLOSURE OF EX-PARTE COMMUNICATIONS: Attorney Karl Sanders requested that the City Commissioners disclose any ex-parte communication specific to the rezoning.

- 1. Commissioner Hawkins disclosed his participation in all of the public meetings concerning the petition.*
- 2. Commissioner Lowe disclosed that he had met with Mr. Nalbandian and 2 of his representatives regarding an alternative location, but did not discuss rezoning.*
- 3. Commissioner Mastrodicasa disclosed that she met with a representative of Mr. Nalbandian, but did not discuss rezoning.*
- 4. Commissioner Poe disclosed that he met with representatives of Mr. Nalbandian, but did not discuss zoning of this property.*
- 5. Mayor Hanrahan disclosed that she met with representatives of Mr. Nalbandian, but did not discuss rezoning.*
- 6. Commissioner Donovan disclosed that he had not discussed zoning issues with anyone.*
- 7. Mayor-Commissioner Pro Tem Henry disclosed that he had not discussed zoning issues with anyone.*

The Commissioners disclosed that they were able to make an independent and impartial decision regarding this zoning petition.

Commissioner Mastrodicasa disclosed that she was married to a representative of Mr. Nalbandian, that she had no conflict of interest in this matter, and would be

voting on this petition.

Attorney Karl Sanders gave a presentation.

Planning Manager Ralph Hilliard gave a presentation.

Attorney Karl Sanders cross examined Agent for the Petitioner (City) Gerry Dedenbach.

Professional Planner Clay Sweiger representing Mr. Nalbandian gave a presentation.

CITIZEN COMMENT: Mayor Hanrahan recognized Director of the Office on Homelessness of Gainesville and Alachua County Jayne Morasky and Armando Grundy who spoke to the matter.

AMENDMENT TO THE MAIN MOTION: If the Land Development Code time limits would prohibit the consideration of this application for rezoning as a petition at this time, that those time limits be waived.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve petition PB-09-161PDV with conditions as revised by the Plan Board. Plan Board vote 4 - 1.

Staff to City Commission - the City Commission approve Plan Board's recommendation as included in the report.

Staff to City Plan Board - Approve petition with conditions.

A motion was made by Commissioner Hawkins, seconded by Mayor-Commissioner Pro Tem Henry, that this matter be Approved (Petition) as revised by the City Plan Board, as amended. The motion carried by the following vote:

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

090763_cpb recommended conditions_20100304.pdf

090763A_staff report_20100304.pdf

090763B_map 1_minor subdivision_20100304.pdf

090763C_trc comments_20100304.pdf

090763D_grace marketplace pd report_20100304.pdf

090763E_aerial photo map_20100304.pdf

090763F_petitioner application_workshop info_20100304.pdf

090763G_cpb minutes draft_20100304.pdf

090763_presentation_20100304.pdf

090763_Nalbandian_20100304.pdf

090763_Nalbandian2_20100304.pdf

090763_mod_ppt_20100304.pdf

090763_MOD_RESUME'S_20100304pdf.pdf

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

[Play Video](#)

090556. **Flooding in Older Neighborhoods and Process for Road Repair (B)**

This item is offered as an update on the status of Public Works' residential roadway pavement program.

RECOMMENDATION *The City Commission hear the presentation on the Pavement Management Program.*

A motion was made by Commissioner Poe, seconded by Commissioner Donovan, that this matter be Continued for March 18, 2010. The motion carried by the following vote:

Votes: Aye: Thomas Hawkins, Craig Lowe, Jack Donovan, Lauren Poe and Pegeen Hanrahan

Absent: Jeanna Mastrodicasa and Scherwin Henry

090556_PPT_20100114.pdf

090556_Updated Presentation_20100318.pdf

090794. **Potential Merger of Metcalfe and Rawlings Elementary Schools Update (NB)**

This item is offered as an update to the City Commission regarding the status of the potential merger of Metcalfe and Rawlings Elementary Schools.

[Play Video](#)

Assistant City Manager Paul Folkers gave a presentation.

NOTE: Commissioner Lowe left the meeting room at 9:30 PM.

MOTION: Authorize the Mayor to write a letter to the School Board and the Superintendent indicating that this decision would have a great impact on Gainesville and that the City Commission would like for the School Board to slow down the process so that the City Commission and the School Board might have a chance to explore options together.

Mayor Hanrahan recognized Armando Grundy who spoke to the matter.

RECOMMENDATION *The City Commission hear an update from staff and determine if the Commission would like to take a position or share any comments or concerns with the School Board of Alachua County.*

Alternative Recommendation

The City Commission decline to hear an update from staff.

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

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

Absent: Craig Lowe

090794A_MOD-Memo_20100304.pdf

090794B_MOD-Proposal_20100304.pdf

090794C_MOD-Memo_20100304.pdf

090747.

Joint Public meeting between the City of Gainesville and the School Board of Alachua County to resolve a conflict pertaining to the School Board's nonpayment of the City's Stormwater Utility fee. (B)

City Attorney Marion Radson gave the City Commission an update.

MOTION: 1) Does not wish to go to litigation, agrees to go to mediation; 2) prefers to use a least cost mediator that is acceptable to both parties; and 3) that we would like a full cost accounting from both the City and the School System as to what this has cost so far and to be regularly updated on that amount (itemized).

RECOMMENDATION

The City Commission and School Board: 1) Consider the statement of issues in conflict; 2) Hear presentations; 3) Seek an agreement; 4) If necessary, schedule additional meetings to continue to seek resolution of the conflict; and 5) If no agreement is reached, agree to select a mediator and schedule mediation.

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

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

Absent: Craig Lowe

090747_stormwater backup_20100208.pdf

090747_stormwater backup_20100304.pdf

090747_Letter_Dell_Graham_20100304.pdf

060294.

General Fund Transfer from GRU - RUC Referral Item #060294 (NB)

This is a recommendation from the Regional Utilities Committee to approve changes to the General Fund Transfer.

GRU General Manager Bob Hunzinger gave a presentation.

RECOMMENDATION

The City Commission: 1) suspend the 2000 GFT formula until FY2015; 2) adopt the fixed transfer amounts for FY2011 through FY2014 as provided above; 3) adopt the gain and loss sharing component described above; 4) direct staff to commence discussions no later than September 1, 2013 in

preparation for establishing a GFT formula to be effective for FY2015; and 5) remove this item from the RUC referral list.

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

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

GFT RUC Presentation Oct 20 08.pdf
Backup for RUC Item #060294 GFT 11 12 09.pdf
GFT Presentation RUC 02 11 10.ppt
GFT Resolution 2010 RUC 2 11 10.pdf

090818.

Mayor Pegeen Hanrahan - Green Capital Global Challenge (B)

Mayor Hanrahan gave a presentation.

NOTE: Commissioner Mastrodicasa left the meeting room at 10:52 PM.

WAIVER OF RULES: Commissioner Poe moved and Commissioner Hawkins seconded to waive the rules to extend the meeting to 11:05 PM.

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

MOTION: Authorize staff to submit a letter in order for the City of Gainesville to be included in the "First Wave" of the "Green Capital - Global Challenge" Project. (See page 9 of the Mayor's handout).

RECOMMENDATION *The City Commission hear an update from the Mayor on her recent trip to Vancouver.*

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

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

090818_globalchallengeMOD_20100304.pdf

COMMISSION COMMENT

Commissioner Lauren Poe

Referral to EDUCC Re: Regarding Economic Development and Infrastructure challenges.

090872.

Infrastructure Needs and Economic Development Referral to the EDUCC (NB)

RECOMMENDATION *The City Commission refer the issue of infrastructure needs*

and economic development to the EDUCC.

A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this matter be Referred to the Economic Development/University Community Com, due back on September 4, 2010. The motion carried by the following vote:

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

WAIVER OF RULES

Commissioner Poe moved and Commissioner Hawkins seconded to waive the rules to extend the meeting until 11:10 PM.

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

Commissioner Scherwin Henry

1. Flooding in Older Neighborhoods item - Continued to the March 18, 2009 City Commission Meeting.

2. Debra Butler - Road funding request, transportation issues.

Commissioner Jack Donovan

1. Dismantling Racism Meetings and Films.

2. Xavier Holmes, concerns.

NOTE: Commissioner Poe left the meeting room at 11:09 PM.

WAIVER OF RULES

Mayor-Commissioner Poe Tem Henry moved and Commissioner Donovan seconded to waive the rules to extend the meeting 11:15 PM.

(VOTE: 4-0, Commissioners Lowe, Poe and Mastrodicasa - Absent, MOTION CARRIED)

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:13 PM

Kurt M. Lannon, Clerk of the Commission