

City of Gainesville

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



Meeting Minutes

Thursday, September 18, 2008

1:00 PM

City Hall Auditorium

City Commission

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

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER - 1:02 PM

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

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

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

MODIFICATIONS:

- 1. File #070445 - Airport Fire Rescue and Police Services - (New item and back-up submitted under City Manager Consent category).*
- 2. File #080134 - Noise Ordinance Compliance and Enforcement under Public Safety Consent category - (Additional Back-up submitted).*
- 3. File #080227 - Final Administrative Order in the matter of the Five Points Special Area Plan - (Revised version of the proposed final order and new recommendation to adopt the Final Administrative Order, as revised under City Attorney Consent category).*
- 4. File #080228 - City Commission Contingency Funds Disbursement Guidelines Referral - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

Administrative Services Director Becky Rountree made comments.

CITY MANAGER, CONSENT AGENDA ITEMS

080207. Design/Build Proposal Award - Northwest 23rd Avenue at Northwest 16th Terrace Traffic Signal Design and Reconstruction (B)

This item is a request for the City Commission to authorize the design/build proposal award to American Lighting and Signalization, Inc., for the Northwest 23rd Avenue at Northwest 16th Terrace intersection traffic signal design and reconstruction in the amount of \$338,898.

RECOMMENDATION

Recommended Motion: The City Commission: 1) authorize

the design/build proposal award to American Lighting and Signalization for the Northwest 23rd Avenue at Northwest 16th Terrace intersection traffic signal design and reconstruction; and 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 \$338,898.

This Matter was Approved as Recommended on the Consent Agenda.

080233. Request for Proposal Award - Removal of Event Debris Contract (B)

This item is a request for the City Commission to authorize the Request for Proposal award to Ashbritt, Inc. as Primary Contractor and Bamaco, Inc. as Secondary Contractor for the removal, reduction and disposal of all eligible storm debris on City rights-of-way and public properties in accordance with FEMA regulations.

RECOMMENDATION *Recommended Motion: The City Commission: 1) authorize the Request for Proposal award to primary contractor Ashbritt, Inc. and secondary contractor Bamaco, Inc.; and 2) authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality, if and when the contract should be activated.*

This Matter was Approved as Recommended on the Consent Agenda.

080255. Ratification of Agreement between the North Central Florida Police Benevolent Association (PBA) Bargaining Unit and the City of Gainesville for October 1, 2008 through September 30, 2011 (B)

This item proposes the ratification of the Agreement between the North Central Florida Police Benevolent Association (PBA) Bargaining Unit and the City of Gainesville.

RECOMMENDATION *The City Commission ratify the Agreement between the North Central Florida Police Benevolent Association (PBA) Bargaining Unit and the City of Gainesville extending the Agreement through September 30, 2011.*

This Matter was Approved as Recommended on the Consent Agenda.

080328. Month to Month Extension to the Contract for ADA Paratransit Service with MV Transportation (B)

This item is a request for the City Commission to authorize a month to month extension with MV Transportation Inc. as the provider of ADA complementary

paratransit service until the pending Request for Proposal (RFP) is completed and a new agreement is executed.

RECOMMENDATION *Recommended Motion: The City Commission authorize the City Manager to execute the month to month extension with MV Transportation, Inc., to provide ADA Complementary Paratransit service, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

080329. Fifth Extension to the Contract for Professional Water Resource Engineering Services for FY 2009 (B)

This item is a request for extensions to the Contract for Professional Water Resource Engineering Services with Johnson, Mirmiran & Thompson, Inc.

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the Fifth Extension to the contract with Johnson, Mirmiran & Thompson, Inc., for Professional Water Resource Engineering Services, extending the term of the contract from October 1, 2008 to September 30, 2009.*

This Matter was Approved as Recommended on the Consent Agenda.

080333. Annexation of Parcel Numbers 06916-000-000, 06929-000-000, 06916-001-000, 06933-000-000 and 06935-001-000 (B)

This is the submission of a petition for voluntary annexation for the above referenced parcel numbers which are located in the vicinity of SW 47th Street, SW Archer Road and Lake Kanapaha.

RECOMMENDATION *The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

080332. Annexation of Parcel Number 06917-000-000 (B)

This is the submission of a petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of SW 47th Street, SW Archer Road and Lake Kanapaha.

RECOMMENDATION *The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area, and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

070445. Airport Fire Rescue and Police Services (B)

This item recommends that the City Commission execute a new agreement for fire rescue and police services between the City and the Gainesville Alachua County Regional Airport Authority (GACRAA).

RECOMMENDATION *The City Commission execute the new agreement subject to approval by the City Attorney as to form and legality.*

Alternative Recommendation A: The City Commission not execute the new agreement and instead provide further guidance to the City Manager.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

080353. Contract to Garney Companies, Inc. (B)

Staff recommends awarding a contract to Garney Companies, Inc. for construction services for installation of a 36-inch water main extension along N.W. 53rd Avenue and N.W. 43rd Street.

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to execute a contract with Garney Companies, Inc. for construction services for the installation of 36 inch water main along N.W. 53rd Avenue and N.W. 43rd Street; and 2) approve the issuance of a purchase order to Garney Companies, Inc. in an amount not to exceed \$813,114.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

- 080227. FINAL ADMINISTRATIVE ORDER IN THE MATTER OF THE FIVE POINTS SPECIAL AREA PLAN, FILED BY THE CITY OF GAINESVILLE, FLORIDA, A MUNICIPAL CORPORATION; PETITION NO. 89TCH-08PB (B)**

RECOMMENDATION *The City Commission authorize the Mayor and Clerk of the Commission to execute the Final Administrative Order, as revised.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

- 080352. City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of August 21, 2008 and September 4, 2008, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

- 080356. Resignation of City Plan Board Member Peter Polshek (B)**

RECOMMENDATION *The City Commission accepts the resignation of Peter Polshek from the City Plan Board effective immediately and extends its appreciation for his services.*

This Matter was Approved as Recommended on the Consent Agenda.

- 071197. Project on Streamlining Gainesville Government (NB)**

RECOMMENDATION *The City Commission refer to the Audit, Finance and Legislative Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

- 080357. City of Gainesville Vision (NB)**

RECOMMENDATION *The City Commission refer to the Community Development Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

080355. Joint Meeting of Gainesville City Commission and Alachua County Commission (NB)

RECOMMENDATION *The City Commission schedule a joint meeting with the Alachua County Commission on September 29 at 3:00 pm to discuss update on orderly annexation team progress and one half cents sales tax (Wild Spaces/Public Places).*

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC SAFETY COMMITTEE, CONSENT

080134. Noise Ordinance Compliance and Enforcement (B)

RECOMMENDATION *The City Commission direct staff to negotiate with Koppers to pay for a noise study as part of their mediation and to share the results with the Public Safety Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

080220. Security Services at Special Events (B)

RECOMMENDATION *The City Commission: 1) include the issue of security funding in the referral regarding contingency funds distribution assigned to the Audit and Finance Committee and 2) instruct the Audit and Finance Committee to examine the issue of support of these events in the current budget and whether to stop providing contingency funds, and instead direct those seeking funding to go through the established process in Parks, Recreation and Cultural Affairs.*

This Matter was Approved as Recommended on the Consent Agenda.

080253. Federal LECFTF Funding to Purchase Twenty (20) Taser International X 26E Advanced Tasers (B)

This item requests that the City Commission appropriate and expend an amount

not to exceed \$22,000 from the Federal Law Enforcement Contraband Forfeiture Fund for the purchase of twenty (20) Taser International X 26E Advanced Tasers and associated holsters, cartridges, and replacement batteries for the Gainesville Police Department.

RECOMMENDATION *The City Commission authorize the appropriation of an amount not to exceed \$22,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the purchase of 20 Tasers and associated equipment.*

Alternative Recommendation A: The City Commission authorize partial funding for 10 Tasers not to exceed \$11,000.

Alternative Recommendation B: The City Commission deny funding.

This Matter was Approved as Recommended on the Consent Agenda.

AUDIT, FINANCE & LEGISLATIVE COMMITTEE, CONSENT

080338. Issuance of Request for Proposals for Professional Auditing Services (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee recommend the City Commission authorize the issuance of a Request for Proposals (RFP) for professional auditing services utilizing the proposed methodology and selection factors.*

This Matter was Approved as Recommended on the Consent Agenda.

080340. GRU Quarterly Financial Report as of June 30, 2008 (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee review and recommend that the City Commission receive the GRU Quarterly Financial Report as of June 30, 2008.*

This Matter was Approved as Recommended on the Consent Agenda.

080341. Fiscal Year 2008 Operating Funds Quarterly Monitoring Report - Quarter Ending June 30, 2008 (B)

RECOMMENDATION *The Audit, Finance and Legislative Committee review and recommend that the City Commission receive the quarterly budget monitoring report for the quarter ended June 30, 2008.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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

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

MODIFICATIONS:

- 1. File #080379 - Funding Policy Discussion for Visits from Elected Officials, Political Candidates or Other Public Dignitaries - (New Item under City Manager category).*
- 2. File #080085 - Ordinance 1st Reading - Update of Appendix 1 of the City Charter - Legal Description of the Municipal Corporate Limits- (Revised legal description and new recommendation to adopt the proposed ordinance, as revised).*
- 3. File #080202 - Ordinance 2nd Reading GRU Water Rates Increase- (Correction of scrivener's error - Page 3 of the Ordinance - and new recommendation to adopt proposed ordinance, as amended).*
- 4. File #080409 - Mayor Pegeen Hanrahan - Mayor requested new item re: Lot split request from Tom Ambrosio.*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

080313. Florida Public Relations Association Golden Image Award and Judges' Award Received by the Communications and Marketing Office (NB)

Communications and Marketing Manager Bob Woods gave a presentation.

RECOMMENDATION *The City Commission accept the Golden Image Award and the Judges' Award.*

Heard

080336. Downtown Festival & Art Show Receives both State and National Awards (NB)

The Cultural Affairs Division of Parks, Recreation and Cultural Affairs Department was recognized with two awards. Florida Festivals & Events Association honors Gainesville with Media and Promotional Awards.

Cultural Affairs Events Coordinator Linda Piper and Marketing and Communications Manager Bob Woods gave presentations.

RECOMMENDATION *The Commission hear a brief presentation by Cultural Affairs Manager Coni Gesualdi and Events Coordinator Linda Piper of the Parks, Recreation and Cultural Affairs Department, and a representative of the Communications and Marketing Department.*

Heard

080228. City Commission Contingency Funds Disbursement Guidelines Referral (B)

Administrative Services Director Becky Rountree and Parks, Recreation and Cultural Affairs Director Steve Phillips gave presentations.

RECOMMENDATION *The Audit, Finance and Legislative Committee is maintaining this referral in committee and will return to the City Commission with a recommendation for a new Contingency Funding Allocation Policy. In the interim, the Committee recommends the City Commission adopt a moratorium for the first six months of fiscal year 2009 on the allocation of City Commission contingency funds.*

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

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

080363. Request for City Commission Contingency Funds from Gainesville Area Rowing, Inc. (B)

This is a request for City Commission Contingency funds from Gainesville Area

Rowing, Inc. to promote the sport of rowing in Gainesville and the surrounding area.

Parks, Recreation and Cultural Affairs Director Steve Phillips gave a presentation.

Chair Hanrahan recognized Gainesville Area Rowing, Inc. Representative Elaine Summers and Lori Schiele who gave presentations.

MOTION: Support the Gainesville Area Rowing event by providing in-kind services including mowing, bleachers and trash collection, without allocation of City Commission contingency funds.

RECOMMENDATION *The City Commission consider the request and take action as appropriate.*

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

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

080379. Funding Policy Discussion for Visits From Elected Officials, Political Candidates or Other Public Dignitaries (NB)

Police Chief Norm Botsford gave a presentation.

NOTE: Commissioner Henry entered the meeting room at 1:55 PM.

NOTE: The City Commission adopted the Recommendation and Alternative Recommendation A.

RECOMMENDATION *The City Commission approve a policy in which the Gainesville Police Department will provide necessary security or assist other law enforcement agencies (such as those mentioned above) in providing security for elected officials, political candidates or other public dignitaries who are travelling through or holding events within the City of Gainesville which are open to the public.*

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

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

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

City Attorney Marion Radson gave the City Commission an update regarding the Florida Supreme Court's decision re: Strand vs. Escambia County - See following informational item #080408.

080408. Update Regarding the Florida Supreme Court's Decision Re: Strand vs. Escambia County (NB)

RECOMMENDATION

The City Commission hear a presentation from City Attorney Marion Radson regarding the withdrawal of the Supreme Court's September, 2007 opinion regarding Strand vs. Escambia County and re-issuing a new opinion upholding the constitutionality of tax increment financing without referendum approval.

Heard

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 2:11 PM

RECONVENE - 5:40 PM

PLEDGE OF ALLEGIANCE (5:30pm)

Gainesville Chapter Sons of the American Revolution Past President Ray M. Davis, Jr. led the Pledge of Allegiance.

PROCLAMATIONS/SPECIAL RECOGNITIONS

080354. Sons of the American Revolution Constitution Week - September 15-21, 2008 (B)

RECOMMENDATION *Gainesville Chapter Sons of the American Revolution Past President Ray M. Davis, Jr. to accept the proclamation.*

Heard

080373. James A. (Jim) Hencin Day - September 30, 2008 (B)

RECOMMENDATION *City of Gainesville Manager of Block Grant Division Jim Hencin to accept the proclamation.*

Heard

080374. National 4-H Week - October 5-11, 2008 (B)

RECOMMENDATION *Alachua County 4-H Council President Mary Boyle, Vice President Amber Yarborough, Reporter Kayleigh Hinson, and Secretary Victoria Banner to accept the proclamation.*

Heard

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

GPD Issues.

Jerry Williamson

GPD Issues.

Nannette Estep

Property on NW 13th Street - CSX Railroad Crossing.

Pat Fitzpatrick

Recognition of Bob Woods and Homeless Issues.

PUBLIC HEARINGS

080278. MILLAGE RATE - FISCAL YEAR 2008-2009 (B)

Administrative Services Director Becky Rountree gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

080279. GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2008-2009 (B)

Administrative Services Director Becky Rountree gave a presentation.

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

080294. GAINESVILLE REGIONAL UTILITIES BUDGET FISCAL YEAR 2008-2009 (B)

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**080085. UPDATE OF APPENDIX I OF THE CITY CHARTER - LEGAL DESCRIPTION OF THE MUNICIPAL CORPORATE LIMITS (B)**

Ordinance No. 0-08-39

An ordinance of the City of Gainesville, Florida, amending Appendix I of the City Charter, by redefining the Legal Description of Municipal Corporate Limits, as more specifically described in this Ordinance; providing directions to

the codifier; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance, as amended.*

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

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

080261. LOBBYIST REGISTRATION - CIVIL CITATIONS (B)

Ordinance No. 0-08-60

An ordinance of the City of Gainesville relating to violations of the City's lobbyist registration ordinance; amending Chapter 2, Article V, Division 6, Section 2-339 by adding the violation of sec. 29-3 of the lobbyist registration ordinance to the list of those violations that can be enforced by civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

060630. STANDARDS FOR INSTALLATION AND MAINTENANCE OF FENCES (B)

Ordinance No. 0-08-41

An ordinance of the City of Gainesville, Florida, amending Chapter 13, Housing and Commercial Building Codes, by creating a new Article I, Division 1, relating to the general requirements for fences and walls; by creating a new section 13-1 to add definitions; by creating a new section 13-2 to provide standards for the construction and maintenance of fences and walls; by creating a new section 13-3 to prohibit certain fences and walls; by creating a new section 13-4 to provide for non-conforming fences and walls; by creating a new section 13-5 to provide for administration and enforcement; by amending sections 13-204 and 13-209 to delete redundant language; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date and enforcement in accordance with the schedule provided herein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

070726. VEHICLES FOR HIRE FEES (B)

Ordinance No. 0-08-61

An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges, for Vehicles for Hire Fees; by eliminating and reducing certain fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Police Lieutenant Ed Posey gave a presentation.

Chair Hanrahan recognized Deneace Joshua who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

080263. STORMWATER MANAGEMENT RATES AND FEES (B)

Ordinance No. 0-08-63

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 effective date in accordance with the schedule provided herein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

080200. GRU - NATURAL GAS BASE RATES AND CUSTOMER SERVICE CHARGES (B)

Ordinance No. 0-08-48

AN ORDINANCE 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 EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

080201. GRU - ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES (B)

Ordinance No. 0-08-49

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 TIME-OF-USE RATES FOR COMMERCIAL CLASSES; AMENDING STREET AND RENTAL LIGHTING RATES; AMENDING DISTRIBUTED RESOURCES CREDIT RATE; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance, as revised.*

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

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

080202. GRU - WATER RATES B)

Ordinance No. 0-08-50

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (3)

WATER, OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING INSPECTION, TAPPING AND BACKFLOW PREVENTER TESTING FEES; INCREASING BASE RATES AND SERVICE CHARGES AND SUPPORTED HYDRANT CHARGES; INCREASING WATER TRANSMISSION, DISTRIBUTION AND PLANT CONNECTION CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance, as amended.*

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

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

080203.

GRU - WASTEWATER BASE RATES AND CUSTOMER SERVICE CHARGES (B)

Ordinance No. 0-08-51

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING WASTEWATER BASE RATES AND CUSTOMER SERVICE CHARGES; IMPLEMENTING RECLAIMED WATER USAGE BILLING; INCREASING CONNECTION AND INSPECTION CHARGES AND TAPPING FEES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

GRU Assistant General Manager for Water/Wastewater Systems David Richardson and Supervising Engineer for Water/Wastewater Systems Rick Hutton gave presentations.

Chair Hanrahan recognized of Cobblefield Residents Fred Palgon, David Arnold, Melody Stokes, Donnie Ellington, Suzanne Cockey, Gary Simons; and Haile Plantation Resident Pam McIntyre who spoke to the matter.

AMENDMENT MOTION: Commissioner Donovan moved and Commissioner Henry seconded to adopt the ordinance removing the issue of implementing reclaimed water usage billing from the ordinance.

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

NOTE: The issue of reclaimed water usage billing was referred to the Regional Utilities Committee (RUC) for further evaluation of the rates. See following referral #080421.

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 Final Reading (Ordinance). The motion carried by the following vote:

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

080421. Evaluation of Rates for Reclaimed Water Usage (NB)

RECOMMENDATION *The City Commission refer the issue of reclaimed water usage billing rates to the Regional Utilities Committee for further evaluation of the rates.*

A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, that this matter be Referred to the Regional Utilities Committee, due back on March 18, 2009. The motion carried by the following vote:

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

080216. GRU - PURCHASED GAS ADJUSTMENT (B)

Ordinance No. 0-08-54

AN ORDINANCE AMENDING CHAPTER 27, SECTION 27-273, PURCHASED GAS ADJUSTMENT, OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING THE COMPUTATION OF THE PURCHASED GAS ADJUSTMENT AND DELETING SECTION 27-274; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

RESOLUTIONS- ROLL CALL REQUIRED

080342. Second Amendment to the FY 2008 General Government Financial and Operating Plan (B)

RECOMMENDATION

The Audit and Finance Committee recommends that the City Commission adopt the proposed resolution.

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

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

PLAN BOARD PETITIONS**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT****Commissioner Lauren Poe**

Happy Birthday to family members.

Commissioner Jack Donovan

- 1. Hunger Summit.*
- 2. Referral to Regional Utilities Committee (RUC) - Regarding GRU 10 Year Energy Plan - See following file #080419.*
- 3. Climate Protection Strategies/Sundance Summit - Referral #070684. Mayor would like to attend next RUC Committee meeting.*

080419. Review of GRU's 10-Year Plan - RUC Referral (NB)**RECOMMENDATION**

The City Commission refer to the Regional Utilities Committee (RUC) to review the GRU 10-Year Plan and the Alachua County energy conservation strategy that has recently been proposed; and report back to the City Commission the issue of energy policy and energy use goals.

A motion was made by Mayor-Commissioner Pro Tem Donovan, seconded by Commissioner Lowe, that this matter be Referred to the Regional Utilities Committee, due back on March 18, 2009. The motion carried by the following vote:

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

Mayor Pegeen Hanrahan

1. *Conservation and Energy Issues.*
2. *Lot Split Request from Tom Ambrosio.*
3. *Energy Conservation competition between the City of Tallahassee and the City of Gainesville.*
4. *Climate Change Strategies - Energy and Environment Block Grant Program.*

080409. Mayor Pegeen Hanrahan - Lot Split Request from Tom Ambrosio (B)

RECOMMENDATION *The City Commission refer the issue of the lot split request from Tom Ambrosio to staff to provide options to the City Plan Board.*

A motion was made by Commissioner Hawkins, seconded by Commissioner Henry, that this matter be Referred to the City Manager, due back on March 18, 2009. The motion carried by the following vote:

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

Commissioner Scherwin Henry

1. *Economic Development Issues.*
2. *Wal-Mart Fountain Issue - Drainage Pond.*

Commissioner Jeanna Mastrodicasa

1. *Economic Development Conference.*
2. *Student Seats on Advisory Boards.*
3. *Reading of a Proclamation at the University of Florida - 50 years of Integration.*

CITIZEN COMMENT (If time available)

There were no citizens who wished to speak.

ADJOURNMENT - 9:38 PM

Kurt M. Lannon, Clerk of the Commission