

City of Gainesville

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



Meeting Minutes

Thursday, December 1, 2011

1:00 PM

City Hall Auditorium

City Commission

*Mayor Craig Lowe (At Large)
Mayor-Commissioner Pro Tem Thomas Hawkins (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Todd Chase (District 2)
Commissioner Susan Bottcher (District 3)
Commissioner Randy Wells (District 4)
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 - 1:06 PM[Play Video](#)**ROLL CALL**

Present: Craig Lowe, Jeanna Mastrodicasa, Scherwin Henry, Thomas Hawkins, Randy Wells, Todd Chase and Susan Bottcher

INVOCATION[Play Video](#)**Prophet George Young**[Play Video](#)**CONSENT AGENDA**[Play Video](#)

MOTION: A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells to adopt the Consent Agenda, as modified.

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

MODIFICATION: File # 110445 - Outside Agencies Using the City Commission Auditorium - (Remove from the Consent Agenda and place on the Regular Agenda for discussion and additional back-up submitted).

Mayor Lowe recognized LPA Group Representative Jerry Depkowski who spoke to items on the Consent Agenda.

Assistant Public Works Director Don Hambidge made comments.

CITY MANAGER, CONSENT AGENDA ITEMS**110453.****Annual Services Contract for Professional Surveying and Mapping Services FY12 (B)**

This is a request for the City Commission to approve staff's recommended ranking of the Surveying and Mapping Services firms .

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking of the Surveying and Mapping firms; and 2) authorize the City Manager to negotiate in accordance with the Consultants' Competitive Negotiations Act (CCNA) and execute a contract and any related documents, subject to

approval from the City Attorney as to form and legality, for the Surveying and Mapping Services.

This Matter was Approved as Recommended on the Consent Agenda.

110453B_Award Notification_20111201.pdf

110502.

Annual Services Contract for Professional Engineering Services FY2012 (B)

This is a request for the City Commission to approve staff's recommended ranking of the Engineering Services firms.

[Play Video](#)

RECOMMENDATION

The City Commission: 1) approve staff's final ranking and recommendations for award; and 2) authorize the City Manager to negotiate in accordance with the Consultants' Competitive Negotiations Act (CCNA) and execute contracts and any related documents, subject to approval from the City Attorney as to form and legality, for Engineering Services.

This Matter was Approved as Recommended on the Consent Agenda.

110502A_Award Recommendation_20111201.pdf

110502B_Award Recommendation_20111201.pdf

110502C_Award Recommendation_20111201.pdf

110503.

Annual Services Contract for Professional Environmental Services FY2012 (B)

This is a request for the City Commission to approve staff's recommended ranking of the Environmental Services firms.

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking of the Environmental Services firms; and 2) authorize the City Manager to negotiate in accordance with the Consultants' Competitive Negotiations Act (CCNA) and execute contracts and any related documents with the top two (2) firms, subject to approval by the City Attorney as to form and legality, for the Environmental Services.

This Matter was Approved as Recommended on the Consent Agenda.

110503_BidTab_20111201.pdf

110519.

Design and Construction of the Gainesville Police Department Headquarters & Physical Training Facility (B)

This is a request for the City Commission to approve staff's recommended ranking of the Design/Build firms for the Design and Construction of the Gainesville Police Department (GPD) Headquarters & Physical Training

Facility.**RECOMMENDATION**

The City Commission approve the final ranking and authorize staff to begin negotiations with the top rank firm, Mills Gilbane/Harvard Jolly, for the negotiated prices of both Option 1 (Renovations/New Construction of the existing 721 Building and Renovations of the 411 Building) and Option 2 (New construction of the 721 Building and Renovations of the 411 Building). Prices for both options are to be presented to the City Commission for their final selection prior to execution of any agreement for this project.

This Matter was Approved as Recommended on the Consent Agenda.

110519_Ranking Recommendation_20111201.pdf

110520.**Human Resources Policies E-3, Code of Conduct/Disciplinary Procedures and G-7, Use of Technology Systems (B)****RECOMMENDATION**

Approve Human Resources Policies E-3, Code of Conduct/Disciplinary Procedures and G-7, Use of Technology Systems.

This Matter was Approved as Recommended on the Consent Agenda.

110520A_E-3 Code of Conduct strikeout version_20111201.pdf

110520B_E-3 Code of Conduct final version_20111201.pdf

110520C_G-7 Use of Technology Policy_20111201.pdf

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**110521.****Contract for Crew Callout System (NB)**

Staff recommends establishing a contract with ARCOS, Inc. for a subscription to an automated system for crew callout notifications.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a contract for a subscription with ARCOS, Inc., a specified source, for an automated crew callout notification system, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not exceeding budgeted amounts for each year of the contract, subject to the final appropriation of funds for these services for each fiscal year.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS**110513. ERIN FRIEDBERG VS. THE CITY OF GAINESVILLE; EEOC CHARGE NO. 15D201200052 (NB)****RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled ERIN FRIEDBERG vs. the City of Gainesville; FCHR No.: 201200259; EEOC Charge No. 15D201200052

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS****COMMITTEE REPORTS, CONSENT AGENDA ITEMS****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE (CONSENT)****110491. Review of General Fund Forecasted Revenues and Other Sources of Funds for the Fiscal Year Ending September 30, 2012 (B)****RECOMMENDATION**

The City Commission accept the City Auditor's report.

This Matter was Approved as Recommended on the Consent Agenda.

110491-Review of General Fund Forecasted Revenues and Other Sources of Funds for the FY I

110473. Review of Miscellaneous Cash Receipts and Expenses (B)**RECOMMENDATION**

The City Commission: 1) Accept the City Auditor's report and the response from the City Manager; and 2) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.

This Matter was Approved as Recommended on the Consent Agenda.

110473-Review of Miscellaneous Cash Receipts and Expenses - AFLC 11-14-11.pdf

110472. Review of GRU Capital Project Contracts (B)

RECOMMENDATION

The City Commission: 1) Accept the City Auditor's report and the response from the General Manager for Utilities; and 2) instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit, Finance and Legislative Committee.

This Matter was Approved as Recommended on the Consent Agenda.

110472-Review of GRU Capital Project Contracts - AFLC 11-14-11.pdf

110333**Report on the Status of Outstanding Audit Recommendations for November 2011 (B)****RECOMMENDATION**

The City Commission accept the City Auditor's report.

This Matter was Approved as Recommended on the Consent Agenda.

110333 - Report on the Status of Outstanding Audit Recommendations for November 2011.pdf

**ECONOMIC DEVELOPMENT/UNIVERSITY COMMUNITY COMMITTEE,
CONSENT****110127.****2002 Town Gown Relations Study - Ten Years Later (B)****RECOMMENDATION**

EDUCC to City Commission: 1) Recommend that the Mayor draft a letter to the University of Florida indicating thanks for actions implemented as a result of the Action Plan specifically related to Code Enforcement and off-campus life; and 2) remove this referral from the Committee's pending referral list.

This Matter was Approved as Recommended on the Consent Agenda.

110127A_Memo from Staff_20110713.pdf

110127B_2002 Town Gown Action Plan_20110713 .pdf

110127A_Memo from Staff_20111201.pdf

110127B_2002 Town Gown Action Plan_20111201 .pdf

Passed The Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Wells, 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, Randy Wells, Todd Chase, Susan Bottcher and Thomas Hawkins

Absent: Jeanna Mastrodicasa and Scherwin Henry

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA**ADOPTION OF THE REGULAR AGENDA**[Play Video](#)

MOTION: A motion was made by Mayor-Commissioner Pro-Tem Hawkins, seconded by Commissioner Bottcher to adopt the Regular Agenda, as presented.

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

CHARTER OFFICER UPDATES**CLERK OF THE COMMISSION****CITY MANAGER****GENERAL MANAGER FOR UTILITIES****CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****110445.****Outside Agencies Using the City Commission Auditorium (B)**[Play Video](#)

AMENDMENT: 1) Include in the policy that fees may not be waived; and 2) add to recommendation "subject to City Attorney review as to form and legality".

Assistant City Manager Paul Folkers made comments.

Mayor Lowe recognized Marjorie Alexander who spoke to the matter.

RECOMMENDATION

The City Commission approve amending the City Commission Meeting Facilities Policy to allow the auditorium and City Hall meeting rooms to be used for "Open candidate forums conducted by 501(c)(3) or 501(c)(4) organizations not endorsing or opposing a candidate or political party," under the conditions set forth in the explanation of this item.

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

Votes: Aye: Craig Lowe, Randy Wells, Todd Chase, Susan Bottcher and Thomas Hawkins

Absent: Jeanna Mastrodicasa and Scherwin Henry

110445 - City Hall-Commission Meeting Room AUTHORIZATION REQUEST Packet (3 pages) -

110445-League of Women Voters doc ref City Commission Rqst for Auditorium.PDF

110445_MOD_REVISIED_BACK-UP_20111201.pdf

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

[Play Video](#)

Commissioner Randy Wells

Annual Tree Lighting Ceremony at the Thomas Center - Saturday, December 3, 2011.

Commissioner Susan Bottcher

1. *Campus Development Agreement - Add to State Legislative Agenda - See following File #110561.*
2. *Citizens Academy Graduation.*
3. *Commissioner Todd Chase's GREC Presentation (Re: Biomass Plant).*

110561.

Support for the Campus Development Agreement (NB)

RECOMMENDATION

The City Commission indicate their support for the Campus Development Agreement by adding this item to the State Legislative Agenda and request that staff bring this back to the City Commission on the December 15, 2011 City Commission Consent Agenda.

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

Votes: Aye: Craig Lowe, Randy Wells, Todd Chase, Susan Bottcher and Thomas Hawkins

Absent: Jeanna Mastrodicasa and Scherwin Henry

Commissioner Todd Chase

GREC Discussion (Biomass Plant) and Committee Procedures.

RECESS - 2:19 PM

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RECONVENE - 5:58 PM

[Play Video](#)

NOTE: Commissioner Mastrodicasa was present when the evening portion of the agenda started, and Commissioner Henry entered the meeting room at 6:06 PM.

PLEDGE OF ALLEGIANCE (5:30pm)

[Play Video](#)

Gator Detachment of the Marine Corp League Bob Gasche

[Play Video](#)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[Play Video](#)

110523.

Pearl Harbor Remembrance Day - December 7, 2011 (B)

[Play Video](#)

RECOMMENDATION

Gator Detachment of the Marine Corp League Bob Gasche and Dick Davis to accept the proclamation.

Heard

110523_PearlHarbor_ 20111201.pdf

110523_PearlHarborDay_20111201.pdf

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

[Play Video](#)

Debbie Martinez

Biomass Plant.

Pat Fitzpatrick

Homeless - Poverty Issues - See following file #110563.

110563.

Pat Fitzpatrick - Citizen Comment - Homeless/Poverty Issues (B)

RECOMMENDATION

The City Commission hear comments from Pat Fitzpatrick and place back-up submitted on file.

Placed on File

110563_citizen fitzpatrick_article_2011201.pdf

John Davies

Political Issues.

Rob Brinkman

Biomass Plant.

Paula Stahmer

Biomass Plant.

Karl Sanders

One Stop Homeless Center - See following File #110564.

110564.

Karl Sanders - Citizen Comment - One-Stop Homeless Center (B)

RECOMMENDATION

The City Commission hear comments from Karl Sanders and place back-up submitted on file.

Placed on File

110564_Karl Sanders_One Stop_20111201.pdf

Gabriel Hillel

Political Issues - See following File #110565.

110565.

Gabriel Hillel - Citizen Comment - Political Issues (B)

RECOMMENDATION

The City Commission hear comments from Gabriel Hillel and place back-up submitted on file.

Placed on File

110565_Hillel_PRR_20111201.pdf

Walter Willard

Various Issues.

Response to Citizen Comment

110566.

Holiday Bus Service (NB)

RTS Chief Transit Planner Doug Robinson made comments.

RECOMMENDATION

The City Commission refer the issue of RTS providing holiday bus service for 2012/2013 to the Recreation, Cultural Affairs and Public Works Committee

A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Bottcher, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on June 1, 2012. The motion carried by the following vote:

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

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110504.

Resolution for a Joint Participation Agreement (JPA) - Bus Rapid Transit (BRT) Alternatives Analysis (B)

This item is a request to adopt a Resolution Repealing Resolution No. 090907 and authorizing the City Manager to execute a Joint Participation Agreement (JPA) between the City of Gainesville and the Florida Department of Transportation (FDOT) to receive \$125,000 in funds for a Bus Rapid Transit (BRT) Alternatives Analysis.

[Play Video](#)

RECOMMENDATION

The City Commission adopt the Resolution.

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase and Thomas Hawkins
Absent: Susan Bottcher

110504_Resolution_20111201.pdf

110504_resolution_20111201.pdf

110469.

Final Amendment to the FY 2010-2011 General Government Financial and Operating Plan (B)

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase and Thomas Hawkins
Absent: Susan Bottcher

110469-Resolution - FY11-Final-AMEND-BGT.PDF

110469-Final Amendment to the FY 2010-2011 General Government Financial & Operating Plan

110469_resolution_20111201.pdf

110469_attachment_20111201.pdf

110335.

Proposed Fiscal Year 2012 Annual Audit Plan (B)

[Play Video](#)

RECOMMENDATION *The City Commission adopt the resolution.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110335-Proposed Fiscal year 2012 Annual Audit Plan - AFLC 11-14-11.pdf

110335_resolution_20111201.pdf

ADOPTION READING-ROLL CALL REQUIRED

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ORDINANCES, 1ST READING- ROLL CALL REQUIRED

[Play Video](#)

110367.

HOURS OF SALE, SERVICE AND CONSUMPTION OF ALCOHOL (B)

Ordinance No. 110367

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances, relating to the hours of sale, service and consumption of alcohol by amending section 4-2 and 4-5(a) to permit sale, service and/or consumption on Sunday commensurate with permissible hours on Monday through Saturday; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110367_jeffrey_meldon20111006.pdf
110367a_WojciechowskiEmail_20111026.pdf
110367b_OrdSectionOnSales_20111026.pdf
110367c_GDOTLtrofSupport_20111026.pdf
110367B_jeffrey_meldon_20111201.pdf
110367A_draft ordinance_20111201.pdf
110367_ordinance_20111215.pdf

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

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110371. AMENDMENT TO PARKING CODE (B)**Ordinance No. 110371**

An Ordinance of the City of Gainesville, Florida, creating and adding a new section 26-102 to the Code of Ordinances, relating to Downtown mid-street parking; providing requirements, conditions and limitations; providing directions to the codifier; providing for severability; providing a repealing clause; and providing an immediate effective date.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110371_Draft Ordinance_20111117.pdf
110371_ordinance_20111201.pdf

110372.**BUTLER PLAZA - TIME EXTENSION FOR PLANNED DEVELOPMENT
REZONING (B)****Ordinance No. 110372**

An ordinance of the City of Gainesville amending Section 4 of Ordinance No. 090537 related to Butler Plaza Planned Use District (PUD); by providing a time extension to obtain Planned Development (PD) zoning; providing directions to the codifier; providing a severability clause; providing a repealing clause; and, providing an immediate effective date.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed ordinance*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110372_Attorney 8-10-11 Letter_20111020.pdf
110372A_draftordinance_20111117.pdf
110372_ordinance_20111201.pdf

110452.**POLICE AND FIREFIGHTERS CONSOLIDATED PENSION PLAN
AMENDMENTS (B)****Ordinance No. 110452**

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 8, of the Code of Ordinances of the City of Gainesville, relating to the City of Gainesville Police Officers and Firefighters Consolidated Retirement Plan; amending Section 2-605 to expressly provide that the corpus and income of the plan are to be used for the exclusive benefit of the plan participants and their beneficiaries; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

[Play Video](#)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Craig Lowe, Randy Wells, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

110452_Consolidated Pension_20111117.pdf
110452_ordinance_20111201.pdf

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

[Play Video](#)

Commissioner Scherwin Henry

1. *UF Eastside Campus - Strategic Ecosystems Ordinance.*
2. *Eastside Regulations.*
2. *Library Award.*

Commissioner Todd Chase

1. *NW 13th Street Corridor Redevelopment.*
2. *Red Light Cameras - December 15, 2011 agenda.*
3. *Dr. Dan Boyd - Car Accident.*
4. *Pearl Harbor Remembrance.*

Commissioner Susan Bottcher

Red Light Camera Issue.

Mayor Craig Lowe

White House Visit - December 14, 2011.

CITIZEN COMMENT

[Play Video](#)

Rob Brinkman

Biomass Plant Contract - Dr. Hansen.

Gerry Dedenbach

RTS Building.

Paula Stahmer

Biomass Plant.

ADJOURNMENT - 7:54 PM

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Kurt M. Lannon, Clerk of the Commission