

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, June 3, 2010**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

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

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

## CALL TO ORDER - 1:04 PM

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## ROLL CALL

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

## INVOCATION

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*The City Commission observed a moment of silence.*

## CONSENT AGENDA

[Play Video](#)

*Commissioner Hawkins moved and Mayor-Commissioner Pro Tem Mastrodicasa seconded to adopt the Consent Agenda, as modified.*

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

### *MODIFICATIONS:*

- 1. File #100032 - Commissioner Lauren Poe - Gainesville Chamber Orchestra's Grant Application (New Item under Members of the City Commission - (Consent)).*
- 2. File #091066 - Conservation Easement for Cone Park - (Remove from the Consent Agenda, and place on the Regular Agenda for discussion).*

## CITY MANAGER, CONSENT AGENDA ITEMS

### **091032.**

#### **Strategic Plan Quarterly Report - 2nd Quarter of Fiscal Year 2010 (B)**

**This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 2nd quarter of Fiscal Year 2010.**

#### **RECOMMENDATION**

*The City Commission receive a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 2nd Quarter of FY 2010.*

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

091032\_Report\_2010060310.pdf

### **091048.**

#### **Grant Applications for Hoggetowne Medieval Faire and Heart of Florida Asian**

**Festival (NB)**

**This item involves a request to authorize submission of two applications by the Parks, Recreation and Cultural Affairs Department for grants from the Alachua County Tourist Product Development Program for funds to provide marketing and promotion for the Hoggetowne Medieval Faire and the Heart of Florida Asian Festival.**

**RECOMMENDATION**

*The City Commission: 1) approve the submission of two grant applications to the Alachua County Tourist Product Development Program; 2) authorize the City Manager to execute the applications; and 3) if awarded, authorize the City Manager to execute the grant agreement(s) and other grant-related documents subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation*

*The City Commission decline the request to submit grant applications to the Alachua County Tourist Product Program.*

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

**091067.****Settlement of Worker's Compensation Claim - William Davis (NB)**

**This item involves the full and final settlement of Mr. Davis' worker's compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$120,420 and represents a significant cost advantage to the city.**

**RECOMMENDATION**

*The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation Claim of Mr. William Davis in the amount of \$120,420.*

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

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS****091060.****RICHARD AYCOX vs CITY OF GAINESVILLE; EEOC No. 510-2010-03561 (B)****RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled Richard Aycox vs. the City of*

*Gainesville; EEOC No.: 510-2010-03561.*

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

091060\_Aycox EEOC Complaint\_20100603.pdf

**091061.**

**WILLIAM R. BILLINGS vs. CITY OF GAINESVILLE; EEOC No. 510-2010-02830 (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to represent the City in the case styled William R. Billings vs. the City of Gainesville; EEOC No.: 510-2010-02830.*

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

091061\_Williams EEOC Complaint\_20100603.pdf

**091068.**

**RAYFIELD RICHARDSON vs. CITY OF GAINESVILLE (B)**

**RECOMMENDATION**      *The City Commission 1) approve the terms of the settlement agreement; and 2) authorize the City Attorney to settle the case styled Rayfield Richardson vs. City of Gainesville.*

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

091068\_Rayfield Richardson Settlement\_20100603.pdf

**091069.**

**CARLOS DIEZ vs. CITY OF GAINESVILLE (B)**

**RECOMMENDATION**      *The City Commission 1) approve the terms of the settlement agreement; and 2) authorize the City Attorney to settle the case styled Carlos Diez vs. City of Gainesville.*

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

091069\_Carlos Diez Settlement\_20100603.pdf

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

**100011.**

**City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of May 17, 2010, May 18, 2010 and May 20, 2010 (2 sets) as circulated.*

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

100011\_spec\_5-17\_20100603.pdf  
100011a\_school bd\_5-18\_20100603.pdf  
100011b\_reg\_20100520.pdf  
100011c\_swearing-in\_may20\_20100603.pdf

## Passed The Consent Agenda

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

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

## EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

## COMMITTEE REPORTS, CONSENT AGENDA ITEMS

## COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

## END OF CONSENT AGENDA

## ADOPTION OF THE REGULAR AGENDA

### [Play Video](#)

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

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

### *MODIFICATIONS:*

- 1. File #100035 - Mayor Craig Lowe - Letter of Support of Resolution "Supporting Diesel Clean-Up Measures as a Near-Term Climate Change Mitigation Strategy" - (New Item under Members of the City Commission).*
- 2. File #090982 - Resolution Opposing the Proposed Amendment 4 to the Florida Constitution Commonly Known as the "Florida Hometown Democracy" Initiative - (Withdraw from the agenda).*
- 3. File #091050 - Fire Services Special Assessment - (Additional back-up submitted (ppt.)).*
- 4. File #091006 - Ordinance - Voluntary Early Separation Incentive Program - (New Recommendation - Strike from the agenda).*
- 5. File #090844 - Hidden Lake Design Plat, Phase II - (Additional back-up submitted*

*and waive the rules to hear this item at 7:00 PM).*

6. *File #091059 - Alachua County/City of Gainesville Senior Recreation Center - (Revised ppt. (3 slides)).*

## **CHARTER OFFICER UPDATES**

## **CLERK OF THE COMMISSION**

## **CITY MANAGER**

[Play Video](#)

### **090572.**

**Business plans for City projects that could be funded from the recent two-percent increase in the Alachua County Tourism Development Tax (B)**

**This agenda item provides an opportunity for the City Commission to receive an update on submission of the Cade Museum, Downtown Conference Center and Hotel and expansion of the Martin Luther King Jr. Sports Complex for potential funding through an increase in the Tourism Development Tax.**

[Play Video](#)

*Assistant City Manager Paul Folkers and CRA Manager Anthony Lyons gave presentations.*

*NOTE: Commissioner Donovan entered the meeting room at 1:27 PM.*

### **RECOMMENDATION**

*The City Commission: 1) hear an update on the three City projects; 2) consider prioritizing the projects; and 3) provide other guidance as appropriate.*

*Alternate Recommendation #1*

*The City Commission decline to hear an update and not consider prioritizing the projects.*

**Discussed**

090572A\_Letter from Mayor\_20091119.pdf  
090572B\_Alachua County Agenda\_20091119.pdf  
090572C\_Timeline\_20091119.pdf  
090572D\_Impact Figures\_20091119.pdf  
090572E\_Memo\_20091119.pdf  
090572F\_Projected Growth\_20091119.pdf  
090572G\_Memo Finance Options\_20091119.pdf  
090572A\_MOD-PPT\_20091217.PDF  
090572B\_MOD-Capital Projects\_20091217.PDF  
090572C\_MOD- Ltr of Interest\_20091217.PDF  
090572A\_Cade Museum Business Plan\_20100603.pdf  
090572B\_Hotel-Conference Ctr Business Plan\_20100603 .pdf  
090572C\_MLK Expansion Business Plan\_20100603.pdf

**091043.****Progress Report on Comprehensive Plan Evaluation and Appraisal Report (B)**[Play Video](#)

*Planning and Development Services Director Erik Bredfeldt, Planner Jason Simmons, Chief of Comprehensive Planning Dean Mimms, and Concurrency Management Planner Onelia Lazzari gave presentations.*

**RECOMMENDATION**

*Staff to City Commission - the Commission hear a presentation by Planning staff on: 1. the draft EAR Report chapters on the following Elements: Stormwater Management; Conservation, Open Space & Groundwater Recharge; and Capital Improvements; and 2. financial feasibility of implementing the comprehensive plan.*

**Discussed**

091043A\_stormwater mgmt element-20100603.pdf  
091043B\_conservation, open space, grdwater recharge element\_20100603.pdf  
091043C\_captial improvements element\_20100603.pdf  
091043D\_financial feasibility\_20100603.pdf  
091043E\_staff ppt\_20100603.PDF

**091047.****Community Grant Program (B)**

**The Community Grant Program is a new program that would provide small grants to non-profit organizations performing activities that support City goals.**

[Play Video](#)

*Assistant City Manager Paul Folkers and Neighborhood Planning Coordinator John Wachtel gave presentations.*

*MODIFICATION: Direct staff to come back to the City Commission with a framework for requirements and the application process.*

**RECOMMENDATION**

*The City Commission: 1) approve the Community Grant Program in concept and 2) direct the City Manager to*

*recommend appropriate funding as part of the FY 11/12 budget process.*

*Alternative #1:*

*Do not approve the Community Grant Program in concept and provide other guidance to staff as appropriate.*

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

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

091047A\_Program Guidelines\_20100603.pdf

091047B\_PPT\_20100603.pdf

091047A\_Program Guidelines\_20100715.pdf

091047B\_Program Application\_20100715.pdf

091047C\_Reimbursement Form\_20100715.pdf

### **091059.**

#### **30% Design Approval of the Alachua County/City of Gainesville Senior Recreation Center (B)**

**This is a request for the City Commission to approve the 30% design of the Alachua County/City of Gainesville Senior Recreation Center within Northside Park located at 5701 NW 34th Street, Gainesville, FL 32653.**

#### **Play Video**

*City Construction Manager Amy Raimer, W. G. Mills Project Manager Ty Bliss , Brown & Cullen Engineer Jay Brown, Assistant City Manager Fred Murry and Project Manager Peter M. Ikegami of MRI Architectural Group, Inc., gave presentations.*

*MOTION: Approve Alternative Recommendation "A".*

#### **RECOMMENDATION**

*The City Commission: 1) hear presentation; 2) approve the 30% design and instruct the architect to continue working on construction drawings; and 3) waive the 60% and 100% construction document presentation to the Commission.*

*Alternative Recommendation A: The City Commission approve the 30% design with suggestions.*

*Alternative Recommendation B: The City Commission reject the recommendation and direct staff to obtain a new design plan.*

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



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

091059\_Senior Rec PPT\_20100603.pdf

091059\_MOD Senior Rec PPT\_20100603.pdf

#### **091046.**

#### **Amendment 4 Informational Presentation (B)**

**This item involves an informational presentation on the proposed Florida Constitutional Amendment 4 which will appear on the ballot in November, 2010.**

[Play Video](#)

*Planning and Development Services Director Erik Bredfeldt and Florida League of Cities Membership Director Lynn Tipton gave presentations.*

**RECOMMENDATION**      *The City Commission: 1) hear a presentation regarding Amendment 4; and, 2) direct questions as deemed appropriate.*

**Heard**

#### **091066.**

#### **Conservation Easement for Cone Park (B)**

**This item is requesting approval and authorization to grant a St. John's River Water Management District Conservation Easement over 12.15 acres of wetlands and upland buffer on City-owned Cone Park property, Tax Parcel #10888-000-000.**

[Play Video](#)

*Recreation, Parks and Cultural Affairs Director Steve Phillips and Program Coordinator Natural Resource Management Stephanie Nagid gave presentations.*

*AMENDMENT: Request from St. John's River Water Management District the ability to install trails and boardwalks in the conservation areas, with the understanding that this will not slow down the Ironwood renovations.*

**RECOMMENDATION**      *The City Commission approve and authorize the Mayor to execute and the Clerk of the Commission to attest a Conservation Easement over 12.15 acres of wetlands and upland buffer on the Cone Park property onto the St. Johns River Water Management District over Tax Parcel 10888-000-000, subject to approval by the City Attorney as to form and legality.*

*Alternative Recommendation*

*The City Commission not approve execution and attesting by the Clerk of Commission of a Conservation Easement over 12.15 acres of wetlands and upland buffer on the Cone Park*

*property onto the St. Johns River Water Management District  
over Tax Parcel 10888-000-000.*

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

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

Nay: Jack Donovan

091066A\_Easement Language\_20100603.pdf

091066B\_Owner Affidavit\_20100603.pdf

091066C\_Easement Area Map\_20100603.pdf

## **GENERAL MANAGER FOR UTILITIES**

## **CITY ATTORNEY**

## **CITY AUDITOR**

## **EQUAL OPPORTUNITY DIRECTOR**

## **COMMITTEE REPORTS (PULLED FROM CONSENT)**

## **RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**

## **PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

## **PUBLIC SAFETY COMMITTEE**

## **AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

## **ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

## **OUTSIDE AGENCIES**

## **MEMBERS OF THE CITY COMMISSION**

**100035. Mayor Craig Lowe - Letter of Support of Resolution "Supporting Diesel  
Clean-Up Measures as a Near-Term Climate Change Mitigation Strategy"(B)**

**RECOMMENDATION**

*The City Commission authorize the Mayor to sign the letter and vote on behalf of the City of Gainesville in support of the resolution "Supporting Diesel Clean-Up Measures as a Near-Term Climate Change Mitigation Strategy" during the U.S. Conference of Mayors 2010 Annual Meeting, June 11-15.*

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

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

**COMMISSION COMMENTS (if time available)**

[Play Video](#)

**Commissioner Scherwin Henry**

*Upcoming budget discussions.*

**Commissioner Jack Donovan**

*Sister Cities Program - (See following referral item 100052).*

**100052.****Commissioner Jack Donovan - Sister Cities Presentation (NB)****RECOMMENDATION**

*The City Commission direct staff to prepare a presentation regarding a Sister Cities Program.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Hawkins, that this matter be Referred to the City Manager, due back on December 3, 2010. The motion carried by the following vote:**

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

**Thomas Hawkins**

*Travel issues.*

**RECESS - 4:48 PM**

[Play Video](#)

**RECONVENE - 5:51 PM**[Play Video](#)**PLEDGE OF ALLEGIANCE (5:30pm)**[Play Video](#)**Gainesville Detachment of the Marine Corp League****PROCLAMATIONS/SPECIAL RECOGNITIONS****100012. Flag Day 2010 - June 14, 2010 (B)**

**RECOMMENDATION** *Gainesville Detachment of the Marine Corp League World War II Veteran Bob Gasche to accept the proclamation.*

**Placed on File**

100012\_FlagDay\_20100603.pdf

**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**[Play Video](#)**Dr. Marilyn Maple**

*130 Meal Limit at the St. Francis House.*

**100053. Citizen Comment - Dr. Marilyn Maple (B)**

**RECOMMENDATION** *The City Commission hear comments from Dr. Marilyn Maple and place back-up submitted on file.*

**Placed on File**

**Pat Fitzpatrick**

*130 Meal Limit at the St. Francis House.*

**Sarah Poll**

*1. Neighborhood Complaint - color of paint on rental house.*

**Miriam Willey-Elliott**

*130 Meal Limit at the St. Francis House.*

**Armando Grundy**

*Laying off police officers.*

**Response to Citizen Comment****100054.****St. Francis House 130 Meal Limit (NB)**

*Mayor Lowe recognized Miriam Elliott, Rob Brinkman, Sarah Poll, Judy Brumfield and Delena May who spoke to the matter.*

**RECOMMENDATION**

*The City Commission direct the City Manager to send City staff or an appropriate delegate to St. Francis House to assess who is not being served meals, what are the numbers, and find out if those who are not being served are aware of other resources.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Wells, that this matter be Referred to the City Manager, due back on December 3, 2010. The motion carried by the following vote:**

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

**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED**

[Play Video](#)

**100015****Resolution to Dual-Name a Section of Northwest 55th Street to “Lance Corporal Philip Paul Clark Court” (B)**

[Play Video](#)

*Traffic Operations Manager Phil Mann gave a presentation.*

*The father of Phillip Paul Clark made comments.*

**RECOMMENDATION**

*The City Commission: 1) adopt the Resolution.*

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

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

100015\_Resolution\_20100603.pdf

100015\_Petition\_20100603.pdf

100015\_resolution\_20100603.pdf

100015\_resolution\_20100603.pdf

**091033.**

**2010 CAPITAL IMPROVEMENT REVENUE BONDS (B)  
A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA,  
AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO  
EXCEED \$5,300,000 IN AN AGGREGATE PRINCIPAL AMOUNT OF CITY  
OF GAINESVILLE, FLORIDA CAPITAL IMPROVEMENT REVENUE  
BONDS, SERIES 2010 FOR THE PURPOSE OF FINANCING THE COSTS OF  
CONSTRUCTING, REFURBISHING, RENOVATING AND EQUIPPING OF  
VARIOUS CAPITAL PROJECTS AT THE IRONWOOD GOLF COURSE,  
ONE-STOP HOMELESS SHELTER AND CERTAIN OTHER CAPITAL  
PROJECTS IN THE CITY OF GAINESVILLE AND PAYING OTHER COSTS  
NECESSARY OR INCIDENTAL THERETO; PROVIDING FOR THE  
PAYMENT OF SUCH BONDS FROM LEGALLY AVAILABLE NON-AD  
VALOREM REVENUES OF THE CITY WHICH ARE BUDGETED AND  
APPROPRIATED BY THE CITY ON AN ANNUAL BASIS AND DEPOSITED  
INTO THE DEBT SERVICE FUND CREATED HEREUNDER FOR SUCH  
BONDS; PROVIDING FOR THE RIGHTS AND REMEDIES OF THE  
HOLDERS THEREOF, AND MAKING CERTAIN COVENANTS AND  
AGREEMENTS IN CONNECTION THEREWITH; PROVIDING AN  
EFFECTIVE DATE; AND PROVIDING CERTAIN OTHER DETAILS.**

[Play Video](#)

*Finance Director Mark Benton gave a presentation.*

*Mayor Lowe recognized Armando Grundy and Attorney for Ropen Nalbandian Karl Sanders who spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) adopt the proposed Resolution authorizing issuance of the 2010 Capital Improvement Revenue Bonds; 2) authorize the City Manager, Administrative Services director, and Finance Director to retain the required professional services to execute the proposed bond issue; and 3) authorize the Mayor, Clerk of the Commission, City Attorney, City Manager, Administrative Services Director, and Finance Director to execute documents required to close the proposed bond issue.*

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

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

Nay: Jack Donovan

091033\_draft resolution\_20100603.pdf  
091033\_resolution\_20100603.pdf

**091049.**

**2010 CAPITAL IMPROVEMENT REVENUE BONDS – SUPPLEMENTAL RESOLUTION (B)**

**A RESOLUTION OF CITY OF GAINESVILLE, FLORIDA, SUPPLEMENTING A RESOLUTION OF THE CITY ADOPTED ON THE DATE HEREOF AND PROVIDING FOR AND AUTHORIZING THE ISSUANCE OF THE CITY'S CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2010, IN AN ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$5,300,000 FOR THE PURPOSE OF FINANCING THE COSTS OF CONSTRUCTING, REFURBISHING, RENOVATING AND EQUIPPING OF VARIOUS CAPITAL PROJECTS AT THE IRONWOOD GOLF COURSE, ONE-STOP HOMELESS SHELTER AND CERTAIN OTHER CAPITAL PROJECTS IN THE CITY OF GAINESVILLE AND PAYING OTHER COSTS NECESSARY OR INCIDENTAL THERETO; DELEGATING CERTAIN AUTHORITY TO THE AUTHORIZED ISSUER OFFICER TO AWARD SAID BONDS PURSUANT TO A PUBLIC BID, PROVIDED THE BIDS SUBMITTED FALL WITHIN PARAMETERS SET FORTH HEREIN; APPROVING THE FORM OF AN OFFICIAL NOTICE OF SALE AND SUMMARY NOTICE OF SALE WITH RESPECT TO SAID BONDS; APPOINTING THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS PAYING AGENT AND REGISTRAR WITH RESPECT TO SUCH BONDS; APPROVING THE FORM AND AUTHORIZING THE CIRCULATION OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT; AUTHORIZING THE AUTHORIZED ISSUER OFFICER TO DEEM FINAL THE PRELIMINARY OFFICIAL STATEMENT; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING CERTAIN OFFICIALS OF THE CITY TO EXECUTE ANY DOCUMENTS AND TAKE ANY ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; PROVIDING AN EFFECTIVE DATE FOR THIS RESOLUTION; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO**

[Play Video](#)

*Finance Director Mark Benton gave a presentation.*

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

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

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

091049\_draft resolution\_20100603.pdf  
091049\_resolution\_20100603.pdf

## 7:00 PM TIME CERTAIN ITEM

### 090844. Hidden Lake Design Plat, Phase II (B)

**Petition DB-09-88 SUB Causseaux, Hewett and Walpole, Inc., agent for Land Estates, LLC. Design plat review for Phase II of Hidden Lake Subdivision. Zoned PD (Planned Development). Located at NW 75th Place and NW 21st Way, Parcel No. 07814-002-001.**

#### Play Video

*Chief of Current Planning Lawrence Calderon, Robert Walpole of Causseaux, Walpole and Hewitt and Carl Salifrio of Environmental Consulting and Design gave presentations.*

*Mayor Pro Tem Mastrodicasa recognized Hidden Lake Homeowners Association Treasurer Karen Billings who spoke to the matter.*

*Mayor Lowe recognized Becky Miller, Vice President of Hidden Lake Homeowners Association and George O'Brien who spoke to the matter.*

*MOTION: Continue this item to July 1, 2010 after the Developer and the Hidden Lakes Homeowner's Association meet.*

#### RECOMMENDATION

*Staff to City Commission - the City Commission approve the DRB's recommendation included in the report, including the following:*

- \* Approve a modification to allow removal of the cul-de-sac per the reviewing department.*
- \* Require the placement of sidewalks in Phase II as required by code.*
- \* Approve the wetland mitigation plan, finding that the Public Interest Test has been met; the avoidance and minimization criteria has been satisfied and approve the mitigation plan as proposed.*
- \* Require a 12-foot wide pedestrian/bicycle connection to the adjacent development to the north, subject to agreement by the owners of Eryn's Gardens.*
- \* Require compliance with GRU requirements including a 12-foot wide stabilized surface to service existing manholes managed by GRU.*

**A motion was made by Commissioner Poe, seconded by Commissioner Henry, that this matter be Continued (Petition) for July 1, 2010. The motion carried by the following vote:**



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

090844\_staff comments\_20100401.pdf  
090844A\_development plans\_20100401.pdf  
090844B\_maps\_20100401.pdf  
090844C\_alachua cty pd\_20100401.pdf  
090844D\_100211 drb minutes\_20100401.pdf  
090844E\_staff ppt\_20100401.PDF  
090844\_petitionform\_20100401.pdf  
090844a\_petitionform\_20100401.pdf  
090844\_hidden lake revised\_20100603.pdf  
090844A\_original hidden lake 100401 ccom\_20100603.pdf  
090844\_quasijudicialform\_20100603.pdf  
090844\_petitionform\_20100401.pdf  
090844a\_quasijudicialform\_20100603.pdf  
090844\_petitionform\_20100603.pdf  
090844\_hidden lake revised\_20100701.pdf  
090844\_petitionform\_20100701.pdf  
090844\_quasijudicialform\_20100701.pdf  
090844A\_original hidden lake 100401 ccom\_20100701.pdf  
090844a\_quasijudicialform\_20100701.pdf  
090844B\_Memo CHW Ext Request\_20100701.pdf

## RESOLUTIONS - (continued)

### 091044.

**INDUSTRIAL DEVELOPMENT REVENUE BONDS - GOODWILL INDUSTRIES OF NORTH FLORIDA, INC. (B)**  
**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA AUTHORIZING THE ISSUANCE OF THE CITY OF GAINESVILLE, FLORIDA INDUSTRIAL DEVELOPMENT REVENUE BONDS (GOODWILL INDUSTRIES OF NORTH FLORIDA, INC. PROJECT), SERIES 2010, IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$4,800,000, FOR THE PURPOSE OF MAKING A LOAN OF FUNDS TO GOODWILL INDUSTRIES OF NORTH FLORIDA, INC. RELATED TO THE REFUNDING OF THE JACKSONVILLE ECONOMIC DEVELOPMENT COMMISSION VARIABLE/FIXED RATE DEMAND REVENUE BONDS (GOODWILL INDUSTRIES OF NORTH FLORIDA, INC. PROJECT) SERIES 2003 AND THE FINANCING AND/OR REFINANCING OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN SOCIAL SERVICE CENTER FACILITIES IN THE CITY OF GAINESVILLE, FLORIDA, THE CITY OF JACKSONVILLE, FLORIDA AND FLAGLER COUNTY, FLORIDA; PROVIDING THAT SUCH REVENUE BONDS SHALL NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE CITY OF GAINESVILLE, FLORIDA, THE CITY OF JACKSONVILLE, FLORIDA, FLAGLER COUNTY, FLORIDA OR THE STATE OF FLORIDA OR ANY POLITICAL SUBDIVISION THEREOF, BUT SHALL BE PAYABLE SOLELY FROM THE REVENUES HEREIN PROVIDED; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN**

**AGREEMENT WITH GOODWILL INDUSTRIES OF NORTH FLORIDA, INC. TO PROVIDE SECURITY FOR SUCH BONDS AND FOR OTHER MATTERS THEREIN PROVIDED; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST WITH RESPECT TO THE BONDS; APPOINTING U.S. BANK NATIONAL ASSOCIATION AS INITIAL TRUSTEE UNDER SUCH INDENTURE OF TRUST; AUTHORIZING THE MAYOR OR MAYOR-COMMISSIONER PRO TEM TO AWARD THE SALE OF THE BONDS TO SUNTRUST BANK AND APPROVING THE CONDITIONS AND CRITERIA OF SUCH SALE; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A TAX REGULATORY AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN OTHER DOCUMENTS REQUIRED IN CONNECTION WITH THE FOREGOING; AND PROVIDING CERTAIN OTHER DETAILS IN CONNECTION THEREWITH.**

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*Finance Director Mark Benton and Bond Counsel Ed Vogel of Holland and Knight gave presentations.*

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

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

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

091044\_draft resolution\_20100603.pdf

### **090982.**

**RESOLUTION OPPOSING THE PROPOSED AMEMDMENT 4 TO THE FLORIDA CONSTITUTION COMMONLY KNOWN AS THE "FLORIDA HOMETOWN DEMOCRACY" INITIATIVE (B)**

**A Resolution of the City Commission of the City of Gainesville, Florida opposing Amendment 4 to the Florida Constitution, commonly known as the "Florida Hometown Democracy" initiative, that would require a voter referendum prior to local government adoption of a comprehensive plan or comprehensive plan amendment; providing directions to the Clerk of the Commission; and providing an immediate effective date.**

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

**Withdrawn**

090982\_draft resolution\_20100603.pdf

090982\_draft resolution\_20100715pdf.pdf

### **091050**

**FIRE SERVICES SPECIAL ASSESSMENT (B)**

**A resolution of the City of Gainesville, Florida, relating to the provision of fire**

services, facilities and programs in the City of Gainesville, Florida; describing the method of assessing fire services assessed costs against assessed property located within the City of Gainesville; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice; providing for severability and providing an immediate effective date. (B)

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*Assistant City Manager Paul Folkers, Government Services Group Camille Tharpe, Administrative Services Director Becky Rountree and Litigation Attorney Elizabeth Waratuke gave presentations.*

*Mayor Lowe recognized Pastor Greg McGruder, Wayne Harvey, Bill DeConna, Bill Davenport, Robert Krames, Father Roland Julian, Brenda Krames, Richard Williams, Rob Brinkman, Armando Grundy, Judy Brumfield, Rod Gonzales, Delena May, Bill Stone, A.J. Hall and Christina Hall who spoke to the matter.*

*MAIN MOTION: Commissioner Henry moved and Commissioner Hawkins seconded to: 1) Establish an initial rate of 67% for the Fire Services Special Assessment; 2) set a date for a public hearing on a Final Rate Resolution for July 15, 2010; and 3) adopt the resolution.*

*(VOTE: 7-0, MOTION CARRIED)*

*ADDITIONAL MOTION: Commissioner Donovan moved and Commissioner Henry seconded to request that staff provide 2 options for the fire assessment, one including non-profits and the other option not including non profits.*

*(VOTE: 4-3, Commissioners Hawkins, Mastrodicasa and Mayor Lowe - No, MOTION CARRIED)*

**RECOMMENDATION**

*The City Commission: 1) establish an Initial Rate for the Fire Services Special Assessment; 2) set a date for a public hearing on a Final Rate Resolution; and 3) adopt the proposed resolution.*

**A motion was made by Commissioner Henry, seconded by Commissioner Hawkins, that this matter be Adopted (Resolution) and approved as shown above. The motion carried by the following vote:**

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

091050\_52610coverfireassess\_20100603.pdf  
091050\_52610firespecialassessment\_20100603.pdf  
091050\_MOD\_20100603.pdf  
091050\_Fire Resolution Slideshow\_20100603.ppsx  
091050\_resolution\_20100603.pdf  
091050a\_resolution\_20100603.pdf

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

[Play Video](#)

**080579.****LANDLORD PERMIT APPLICATION FEES (B)****Ordinance No. 0-10-50**

**An ordinance of the City of Gainesville, Florida, amending Appendix A, City of Gainesville Code of Ordinances, relating to late fees for landlord permit initial applications; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

[Play Video](#)

*Mayor Lowe recognized Rob Brinkman who read a letter to the City Commission from Kayla Sosnow and the letter was placed on file.*

*Interim Code Enforcement Manager Chris Cooper gave a presentation.*

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

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

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

080579\_Late LLP Memo\_20090326.pdf  
080579\_Ordinance Excerpt\_20090326.pdf  
080579\_Memo\_20100112.PDF  
080579\_CDC Minutes\_20100415.pdf  
080579\_Draft Ordinance\_20100603.pdf  
080579\_ordinance\_20100617.pdf

**090743.****FOOD DISTRIBUTION CENTERS FOR THE NEEDY (B)****Ordinance No. 0-10-04, Petition PB-09-153-TCH**

**An ordinance of the City of Gainesville, Florida, amending Section 30-111 of the Land Development Code relating to food distribution centers for the needy; by allowing food distribution centers for the needy to exceed the daily meal limitations on the federal holidays designated as Thanksgiving Day and Christmas Day and on one additional day to be selected by the food distribution center; by imposing a permit fee, requirements and conditions on the holiday meal service; by adding a reference to the permit in Appendix A of the City Code of Ordinances; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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*Mayor Lowe recognized Rob Brinkman and Paula Stahmer who spoke to the matter.*

*City Planning Manager Ralph Hilliard gave a presentation.*

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

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

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

Nay: Jack Donovan

090743\_staff report\_20100218.pdf

090743A\_US office of pers mgmt oper status schd\_20100218.pdf

090743B\_sec 30-111 food dist ctrs\_20100218.pdf

090743C\_cpb mintues\_20100218.pdf

090743\_HENRY\_20100218.pdf

090743\_JACKSON\_20100218.pdf

090743\_draft ordinance\_20100603.pdf

090743\_ordinance\_20100617.pdf

**091006. VOLUNTARY EARLY SEPARATION INCENTIVE PROGRAM (B)**

**Ordinance No. 0-10-15**

**An ordinance of the City of Gainesville, Florida, amending Article VII, Division 8 of Chapter 2 of the City of Gainesville Code of Ordinances relating to the Consolidated Police Officers and Firefighters Retirement Plan; creating a subsection (p) of Section 2-600; providing for additional service credit associated with an early separation program; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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**RECOMMENDATION**      *The City Commission strike from the agenda.*

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

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

091006\_draftordinance\_20100603.pdf

**091041. 2011 CITY COMMISSION ELECTION DATES (B)**

**Ordinance No. 0-10-17**

**An ordinance of the City of Gainesville, Florida, setting March 15, 2011 as the date for the 2011 regular city election and April 12, 2011 as the date for the 2011 run-off election, if necessary; setting the dates for qualifying for the 2011 regular election; providing a severability clause; providing a repealing clause; and providing an immediate effective date. (B)**

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

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

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

091041\_2011 Election Dates Ordinance\_20100603.pdf

091041\_ordinance\_20100617.pdf

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

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### **090487.                      REZONING – 4306 AND 4322 NW 13TH STREET (B)**

**Ordinance No. 0-09-76, Petition No. PB-09-120ZON**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City, as more specifically described in this Ordinance, from “BUS: General business district” to “BA: Automotive-oriented business district”; located in the vicinity of 4306 and 4322 Northwest 13th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

090487\_petition\_20091105.pdf

090487d\_ Staff PPT\_20091203.pdf

090487F\_Revised Map\_20091203.pdf

090487\_staff report\_20091203.pdf

090487A\_maps\_aerial, existing land use\_existing & proposed zoning\_20091203.pdf

090487B\_rezoning report\_20091203.pdf

090487C\_land use & zoning appl\_workshop info\_20091203.pdf

090487d\_ Staff PPT\_20091203.pdf

090487E\_cpb minutes\_20091203.pdf

090487\_petition\_20091203.pdf

090487\_draft ordinance\_20100520.pdf

090487\_draft ordinance\_20100520.pdf

090487\_ordinance\_20100603.pdf

## **WAIVER OF RULES**

*Commissioner Mastrodicasa moved and Commissioner Donovan seconded to waive the rules to extend the meeting to 11:20 PM.*

*(VOTE: 6-1, Commissioner Poe - No, MOTION CARRIED)*

*NOTE: Commissioner Poe left the meeting room after the vote.*

## **PLAN BOARD PETITIONS**

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

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### **Mayor-Commissioner Pro Tem Mastrodicasa**

*Dog sitting services in single family neighborhoods - See following referral item #100057.*

#### **100057.**

#### **Dog Sitting Business in Single Family Neighborhoods (NB)**

*Interim Code Enforcement Manager Chris Cooper gave a presentation.*

#### **RECOMMENDATION**

*The City Commission refer the issue of operating a dog sitting service in single family neighborhoods to the Community Development Committee for review and a report back.*

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

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

### **Commissioner Jack Donovan**

- 1. Landlord Fee Referral to staff - See Referral item #100058.*
- 2. Dream Act of 2009.*

**100058.****Commissioner Donovan - Landlord Permit Fees Referral to Staff (B)****RECOMMENDATION**

*The City Commission direct staff to investigate the Landlord Permit Fees in the interest of promoting affordability by examining the possibilities of tiering or some other means of achieving more equitable charges.*

**A motion was made by Commissioner Donovan, seconded by Commissioner Henry, that this matter be Referred to the City Manager, due back on December 3, 2010. The motion carried by the following vote:**

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

**WAIVER OF RULES**

*Commissioner Hawkins moved and Commissioner Donovan seconded to waive the rules to extend the meeting to 11:22 PM.*

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

**CITIZEN COMMENT**

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**Armando Grundy**

*SW 62nd Boulevard - Referred to the City Manager for Public Works Director Teresa Scott to send a letter regarding this.*

**ADJOURNMENT - 11:21 PM**

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Kurt M. Lannon, Clerk of the Commission