

# **City of Gainesville**

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



## **Meeting Minutes**

**Thursday, October 6, 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 - 1:03 PM****ROLL CALL**

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

**INVOCATION****Prophet George Young****CONSENT AGENDA**

*MOTION: A motion was made by Commissioner Henry seconded by Commissioner Wells to adopt the Consent Agenda, as modified.  
(VOTE: 7-0, MOTION CARRIED)*

*MODIFICATION: File #110355 - Communications Workers of America, et al. v. City of Gainesville PERC Administrative Appeal, Case Nos. CA-2009-002, CA-2009-003, CA-2009-004, and CA 2009-005 - (Remove from the Consent Agenda, and place on the Regular Agenda for discussion).*

*Mayor Lowe recognized Jeff Lane who spoke to the matter.*

**CITY MANAGER, CONSENT AGENDA ITEMS****110296. Budget Calendar (NB)**

**The City Commission approve dates for discussion of the FY2013/2014 biennial budget.**

**RECOMMENDATION**      *The City Commission: 1) approve the dates requested by staff, and 2) waive the City Commission Rules to hear the Resolution to approve the Preliminary Fire Assessment Rate before 5:00pm on July 17, 2012.*

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

**110301. FY 2011 HUD Continuum of Care Homeless Assistance Program Grant Application (NB)**

**The City of Gainesville will participate in the development of an application for HUD Continuum of Care Homeless Assistance Program funding by serving as the sponsor grantee for two local projects. This item supports City Commission**

**Strategic Goals & Initiatives for Human Capital to continue implementation of the 10 year plan to end homelessness.**

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager or his designee to apply for grant funding in collaboration with the North Central Florida Continuum of Care under the U.S. Department of Housing & Urban Development (HUD) Continuum of Care Homeless Assistance Program; 2) authorize the City Manager or his designee to act on behalf of the City of Gainesville in all matters pertaining to said grants; and 3) authorize the City Manager or his designee to execute subrecipient agreements with Meridian Behavioral Healthcare, Inc. and VETSPACE, Inc. if approve for funding through the Continuum of Care Homeless Assistance Program, subject to approval by the City Attorney as to form and legality.*

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

**110323.**

**Amendment for Inmate Work Crew for the Solid Waste Division (B)**

**This item is a request for the City Commission to approve an amendment between the City of Gainesville (City) and Florida Department of Corrections (FDOC) for Inmate Work Crew for Litter Clean-up for the term of December 16, 2011 through December 15, 2012.**

**RECOMMENDATION**

*The City Commission authorize the City Manager to execute the contract with Florida Department of Corrections for a contractual inmate work crew through December 15, 2012, subject to approval by the City Attorney as to form and legality.*

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

**110327.**

**State Law Enforcement Contraband Forfeiture Trust Funding for Newberry High School Academy of Criminal Justice for Training Taser (B)**

**This request is to purchase a training taser for the Newberry High School Academy of Criminal Justice.**

**RECOMMENDATION**

*The City Commission approve the appropriation in the amount of \$1,000 from the State Law Enforcement Contraband Forfeiture Trust Fund to Newberry High School Academy of Criminal Justice.*

*Alternative Recommendation A: The City Commission deny funding.*

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

**110341. Strategic Plan Quarterly Report - 3rd Quarter of Fiscal Year 2011 (B)**

**This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 3rd quarter of Fiscal Year 2011.**

**RECOMMENDATION**      *The City Commission receives a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 3rd quarter of FY 2011.*

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

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS****110348. EZRA STRICKLAND vs. THE CITY OF GAINESVILLE, ALACHUA COUNTY, AND SADIE DARNELL AS SHERIFF OF ALACHUA COUNTY, FLORIDA; EIGHTH JUDICIAL CIRCUIT, COURT CASE NO. 2011-CA-4360 (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available to represent the City of Gainesville in the case styled Ezra Strickland vs. the City of Gainesville, Alachua County, and Sadie Darnell as Sheriff of Alachua County, Florida; Eighth Judicial Circuit, Court Case No. 2011-CA-4360.*

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

**110365. CHARLES BURGESS VS. THE CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT; COURT CASE NO. 2011-CC-3752 (B)**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled Charles Burgess vs. the City of Gainesville; Eighth Judicial Circuit, Court Case No. 2011-CC-3752.*

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

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****110326. Appointments to City Commission Advisory Boards and Committees (NB)**

**RECOMMENDATION**

*The City Commission appoint the following:*

*Laura NeSmith to the Art in Public Places for a term to expire 9/30/14.*

*Lara Holimon as a Student to the Development Review Board for a term to expire 10/1/13.*

*Constance Gesualdi and Uwe Dietz to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/14.*

*Jason Gonos and Harold Gertner III to the Gainesville Energy Advisory Committee for a term to expire 9/30/14.*

*Geraldo Rivera to the Gainesville Human Rights Board for a term to expire 2/22/14.*

*Rupa Lloyd and David Miller to the Nature Centers Commission for a term to expire 11/1/14.*

*Evelyn Foxx to the Public Recreation and Parks Board for a term to expire 6/1/14.*

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

**110351.**

**City Commission Minutes (B)**

**RECOMMENDATION**

*The City Commission approve the minutes of August 29, 2011, September 1, 2011, September 12, 2011, September 15, 2011 and September 19, 2011, as circulated.*

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

**Passed The Consent Agenda**

**A motion was made by Commissioner Henry, 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, Jeanna Mastrodicasa, Scherwin Henry, Todd Chase, Susan Bottcher and Thomas Hawkins

**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

*MOTION: A motion was made by Commissioner Wells and seconded by Mayor-Commissioner Pro Tem Hawkins to adopt the Regular Agenda, as modified. (VOTE: 7-0, MOTION CARRIED)*

#### *MODIFICATIONS:*

- 1. File #110374 - Proposed Relocation of the Alachua County Fairgrounds to the City of Newberry and Proposed Use of Alachua County Tourism Development Tax Funds for Projects in the Cities of Newberry and Alachua - (New item - added to the "e" agenda October 3, 2011).*
- 2. File #110383 - Communications Workers of America, et al. v. City of Gainesville - (New item added to the "e" agenda, October 5, 2011).*
- 3. File #110382 - Mayor-Commissioner Pro Tem Thomas Hawkins - Outdoor Concerts - (New item added to the "e" agenda October 3, 2011).*

### CHARTER OFFICER UPDATES

### CLERK OF THE COMMISSION

### CITY MANAGER

#### **110374. Proposed Relocation of the Alachua County Fairgrounds to the City of Newberry and Proposed Use of Alachua County Tourism Development Tax Funds for Projects in the Cities of Newberry and Alachua (B)**

*Assistant City Manager Paul Folkers, Tourist Development Council Staff Liaison John Pricher, and Assistant County Manager Rick Drummond gave presentations.*

*MOTION: 1) Hold a Special City Commission meeting for Monday, October 17, 2011 at 6:00 PM to discuss the City of Gainesville's position on the Tourist Development Tax Funds, including possible proposals that the City could make to the County Commission; and 2) support Commissioner Scherwin Henry's community meeting at the MLK Center, Monday, October 10, 2011 at 6:00 PM regarding the Alachua County Fairgrounds relocation.*

*Mayor Lowe recognized GDOT President Shawn Shepherd who spoke to the matter.*

**RECOMMENDATION**

*The City Commission discuss the proposed relocation of the Alachua County Fairgrounds and invitation by Alachua County to submit projects for potential funding through the tourism development tax.*

*City staff recommends that the City Commission authorize a public hearing on Monday, October 10, 2011, at 6 p.m. at the Martin Luther King Jr. Multipurpose Center to solicit input from residents and stakeholders on the proposed relocation of the Fairgrounds and determine which projects, if any, should be submitted to the County for potential funding through the tourism development tax.*

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

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

**GENERAL MANAGER FOR UTILITIES****CITY ATTORNEY**

**110383. COMMUNICATIONS WORKERS OF AMERICA, et al. v. CITY OF GAINESVILLE, PERC CASE NOS. CA-2009-002, CA-2009-003, CA-2009-004, and CA-2009-005: APPEAL TO FLORIDA SUPREME COURT and PERC ORDER ON REMAND (B)**

*Assistant City Attorney Stephanie Marchman and Risk Management Director Steve Varvel gave presentations.*

*Mayor Lowe recognized IAFF Past President Jeff Lane, Attorney Paul Donnelly and Gainesville Firefighters President Tracy Higdon who spoke to the matter.*

*MOTION: 1) Authorize management to implement PERC's Order on Remand; 2) authorize the City Attorney to seek amicable resolution to all pending issues in the litigation; and 3) authorize the City Attorney to file an appeal from the PERC order on Court Remand to the First District Court of Appeal.*

*NOTE: Number 3, was the recommendation from the following item removed from Consent #110355.*

**RECOMMENDATION**

*The City Commission (1) hear a presentation; (2) authorize management to implement the Public Employees Relations Commission's Order on Remand; (3) authorize the City Attorney to seek amicable resolution to all pending issues in the litigation; and (4) authorize management to seek*

*legislative amendments to restore the rights of public employers in the collective bargaining process.*

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

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

**110355**

**COMMUNICATIONS WORKERS OF AMERICA, ET AL. V. CITY OF GAINESVILLE, PERC ADMINISTRATIVE APPEAL, CASE NOS. CA-2009-002, CA-2009-003, CA-2009-004, AND CA-2009-005 (NB)**

*Assistant City Attorney Stephanie Marchman and Risk Management Director Steve Varvel gave presentations.*

*Mayor Lowe recognized IAFF Past President Jeff Lane, Attorney Paul Donnelly and Gainesville Firefighters President Tracy Higdon who spoke to the matter.*

*NOTE: This item was removed from the Consent Agenda and was approved by the motion listed in #110383.*

**RECOMMENDATION**      *The City Commission authorize the City Attorney to file an appeal from the Public Employees Relations Commission's (PERC) Order on Court Remand to the First District Court of Appeal.*

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

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

**110387.**

**Request for Attorney-Client Session (Shade Meeting) (NB)**

**RECOMMENDATION**      *The City Commission authorize the Clerk of the Commission to schedule a "Shade Meeting" for October 18, 2011 at 4:30 PM.*

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

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

**CITY AUDITOR**



**EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE****110278. 2012 State Legislative Agenda (B)**

*Legislative and Grants Coordinator Chris Cooper gave a presentation.*

**RECOMMENDATION**      *The City Commission 1) approve the 2012 State of Florida Legislative Agenda.*

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

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

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****110367. Mayor-Commissioner Pro Tem Thomas Hawkins - "Blue Laws" (NB)**

*Mayor Lowe recognized Attorney Jeffrey Meldon and GDOT President Shawn Shepherd who spoke to the matter.*

**RECOMMENDATION**      *The City Commission refer "Blue Laws" to the Public Safety Committee.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Henry, that this matter be Referred to the Public Safety Committee, due back on April 6, 2012. The motion carried by the following vote:**

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

Absent: Jeanna Mastrodicasa

*NOTE: The remaining items were heard during the evening portion of the agenda under "Unfinished Business".*

**COMMISSION COMMENTS (if time available)**

**RECESS - 5:01 PM**

**RECONVENE - 5:53 PM**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**110344. White Cane Safety Awareness Month - October 2011 (B)**

**RECOMMENDATION** *Alachua County Council of the Blind President Spencer Morton and Co-Chair of White Cane Safety Awareness Month Recognition Day Maxine Stallings to accept the proclamation.*

**Heard**

**110345. Character Counts Week - October 16-22, 2011 (B)**

**RECOMMENDATION** *Public Recreation and Parks Board Chair Michelle Holder to accept the proclamation.*

**Heard**

**110346. National 4-H Week - October 2 - 8, 2011 (B)**

**RECOMMENDATION** *Alachua County 4-H Council President Victoria Banner, Vice-President Megan Whitehurst, Reporter Savannah Banner and Secretary Amanda McIntosh to accept the proclamation.*

**Heard**

**110347. National Fire Prevention Week - October 9 - 15, 2011 (B)**

**RECOMMENDATION** *Gainesville Fire Rescue Risk Reduction Specialist Krista Gonzalez, Fire Chief Gene Prince and Deputy Chief Tim Hayes to accept the proclamation.*

**Heard**

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

**Lauren Howard**

*9-11 Resolution.*

**Rob Brinkman**

*Climate Crisis.*

**Ed Reyes**

*General Assembly in Gainesville.*

**Harold Saive**

*City Commission Candidacy.*

**Debbie Martinez**

*Campaign Finance Reform.*

**Eric Anthony**

*General Assembly in Gainesville.*

**Paula Stahmer**

*Biomass Plant.*

**Pat Fitzpatrick**

*General Assembly in Gainesville.*

**Nathan Skop**

*Biomass Plant.*

**110412. Nathan Skop - Citizen Comment - Biomass Plant (B)****RECOMMENDATION**

*The City Commission hear comments from Nathan Skop and place back-up submitted on file.*

**Placed on File**

**Jo Beatty**

*Biomass Plant.*

**110413. Jo Beatty - Citizen Comment - Biomass Plant (B)**

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

**Placed on File**

**John Davies**

*Various political issues.*

**PUBLIC HEARINGS****RESOLUTIONS- ROLL CALL REQUIRED****110324. Resolution for a Locally Funded Agreement (LFA) and a Memorandum of Agreement (MOA) for acquisition of Right of Way for Enhancements of the Depot Avenue Transportation Corridor Project (B)**

**This item is a Resolution authorizing the City Manager to execute a Locally Funded Agreement (LFA) and a Memorandum of Agreement (MOA) between the City of Gainesville and the Florida Department of Transportation for Enhancements of the Depot Avenue Transportation Corridor Project.**

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

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

**110339. Walnut Creek Conditional Final Plat Phase II of the Walnut Creek Residential Development.**

**Petition CC-10-1 SUB. Causseaux, Hewitt & Walpole, Inc. agent for Legacy Property Development, Inc. Conditional Final Plat for Walnut Creek, Phase II to allow subdivision of the second phase of the Walnut Creek Residential Development. Zoned: PD (Planned Development). Located in the 2500 block of Northwest 39th Avenue.**

**RECOMMENDATION**      *Planning Staff to City Commission - The City Commission adopt the following resolution: A Resolution approving the conditional final plat of "Walnut Creek Phase II A Planned*

*Development", located in the vicinity of NW 26th Street and NW 31st Avenue, Gainesville, Florida; providing directions to the Clerk of the Commission; providing conditions and restrictions; and providing an immediate effective date.*

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

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

## **TRANSMITTAL HEARING**

### **110168. COMPREHENSIVE PLAN AMENDMENT – HISTORIC PRESERVATION ELEMENT (B)**

**Ordinance No. 110168; Petition No. PB-11-6 CPA**

**An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Historic Preservation Element by updating and amending Objectives and Policies as more specifically set forth in this Ordinance; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

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

### **110170. COMPREHENSIVE PLAN AMENDMENT – CULTURAL AFFAIRS ELEMENT (B)**

**Ordinance No. 110170; Petition No. PB-11-5 CPA**

**An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Cultural Affairs Element by updating and amending the Objectives and Policies as more specifically set forth in this Ordinance; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

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

**110171. COMPREHENSIVE PLAN AMENDMENT – SOLID WASTE ELEMENT (B)**

**Ordinance No. 110171; Petition No. PB-11-77 CPA**

**An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Solid Waste Element by updating and amending the Objectives and Policies as more specifically set forth in this ordinance; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

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

**110172. COMPREHENSIVE PLAN AMENDMENT – STORMWATER MANAGEMENT ELEMENT (B)**

**Ordinance No. 110172; Petition No. PB-11-76 CPA**

**An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Stormwater Management Element by updating and amending certain Policies as more specifically set forth in this Ordinance; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

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

**110173. COMPREHENSIVE PLAN AMENDMENT – PUBLIC SCHOOLS FACILITIES ELEMENT (B)**

**Ordinance No.110173; Petition No. PB-11-31 CPA**

**An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Public Schools Facilities Element by updating and amending the Objectives and Policies of Goals 2 and 3 as more specifically set forth in this Ordinance; providing directions to the city manager and the codifier; providing a**

severability clause; providing a repealing clause; and providing an effective date.

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

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

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

**110174.                    COMPREHENSIVE PLAN AMENDMENT – INTERGOVERNMENTAL COORDINATION ELEMENT (B)**

**Ordinance No.110174; Petition No. PB-11-62 CPA**

**An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan Intergovernmental Coordination Element by updating and amending the Objectives and Policies as more specifically set forth in this ordinance; providing directions to the city manager and the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

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

**ADOPTION READING-ROLL CALL REQUIRED**

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

**110309.                    2012 ELECTION QUALIFYING DATES (B)**

**Ordinance No. 110309**

**An ordinance of the City of Gainesville, Florida, setting the dates for qualifying for the 2012 regular election; providing a severability clause; providing a preemption clause; and providing an immediate effective date.**

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

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

**110106. HOUSE BILL 7207 - PERMIT EXTENSIONS PROVISIONS - EFFECT ON AND IMPLEMENTATION BY THE CITY OF GAINESVILLE (B)**

**Ordinance No. 110106**

**An Ordinance of the City of Gainesville, Florida, establishing administrative procedures, fees, requirements and limitations to carry out the development order and building permit extensions authorized by House Bill 7207, now known as Chapter 2011-139, Laws of Florida; providing a severability clause; and providing an immediate effective date.**

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

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

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

**110175. RENAMING THE CITY OF GAINESVILLE 2000-2010 COMPREHENSIVE PLAN (B)**

**Ordinance No.110175**

**An Ordinance of the City of Gainesville, Florida relating to the City of Gainesville Comprehensive Plan; by redesignating and renaming the "City of Gainesville 2000-2010 Comprehensive Plan" to the "City of Gainesville Comprehensive Plan"; providing directions to the city manager and the codifier; providing a repealing clause; and providing an immediate effective date.**

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

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

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

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

**110013. REZONING - A. QUINN JONES PROPERTY (B)**

**Ordinance No. 110013; Petition PB-10-121 PSZ**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning certain property located in the vicinity of 1019 Northwest 7th Avenue as more specifically described in this Ordinance, from "Residential low**



density district - Residential Conservation -12 units per acre (RC)" to "Public services and operations district (PS)"; providing a preliminary development plan; specifying the uses permitted by right; providing conditions, restrictions and regulations; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION      *The City Commission adopt the proposed ordinance.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, 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

#### **100889.                      FOOD DISTRIBUTION CENTERS FOR THE NEEDY - MEAL LIMIT (B)**

**Ordinance No.100889; Petition No. PB-11-26 TCH**

**An ordinance of the City of Gainesville, Florida, relating to food distribution centers for the needy and residences for destitute people; amending Section 30-111 of the Land Development Code by changing the limitation on the number of meals served to an unlimited number within a 3 consecutive hour period at food distribution centers for the needy; providing certain conditions for obtaining a special use permit; providing certain operating conditions for such centers including when operated in conjunction with a residence for destitute persons; providing for the continued operation of an existing food distribution center for the needy; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Mayor Lowe recognized Pat Fitzpatrick, Mary Anderson, Nathan Skop and Mark Venzke who spoke to the matter.*

RECOMMENDATION      *The City Commission adopt the proposed ordinance.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, 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

### **PLAN BOARD PETITIONS**

### **DEVELOPMENT REVIEW BOARD PETITIONS**

### **SCHEDULED EVENING AGENDA ITEMS**

### **UNFINISHED BUSINESS**

**110369. Appointment to City Commission Advisory Board and Committee (B)**

*MOTION: Appoint Patrick Wilber to the Gainesville Energy Advisory Committee.*

**RECOMMENDATION**      *The City Commission discuss an additional appointment to the Gainesville Energy Advisory Committee and take appropriate action.*

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

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

**110368. Mayor-Commissioner Pro Tem Thomas Hawkins - Classical Music at the Downtown Plaza and Rosa Parks Transfer Station (NB)**

*Mayor Lowe recognized Nathan Skop who spoke to the matter.*

**RECOMMENDATION**      *The City Commission refer Classical Music at Downtown Plaza and Rosa Parks Station to the Recreation, Cultural Affairs and Public Works committee.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Henry, that this matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on April 6, 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

**110382. Mayor-Commissioner Pro Tem Thomas Hawkins - Outdoor Concerts (NB)**

*Mayor Lowe recognized Mary Anderson who spoke to the matter.*

**RECOMMENDATION**      *The City Commission discuss the issue of permitting outdoor concerts near residential neighborhoods and possibly referring this issue to either the Public Safety Committee or the Community Development Committee.*

**A motion was made by Mayor-Commissioner Pro Tem Hawkins, seconded by Commissioner Mastrodicasa, that this matter be Referred to the Public Safety Committee, due back on April 6, 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

**COMMISSION COMMENT**

**Commissioner Scherwin Henry**

*Gator Aider Passenger Issue. RTS Director Jesus Gomez to respond with a memo.*

**Commissioner Susan Bottcher**

*Regional Utilities Committee (RUC) Meeting, Monday, October 10, 2011.*

**Commissioner Todd Chase**

- 1. RUC Meeting Monday.*
- 2. Request for Feed-In Tariff Update - Purchasing Policy Process - GRU General Manager Bob Hunzinger made comments.*

**110394. Feed-In-Tariff Update (NB)**

**RECOMMENDATION**      *The City Commission request that GRU consider adding up to 500 kilowatts to the lottery that is available at this years prices.*

**A motion was made by Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Hawkins, that this matter be Referred to the General Manager for Utilities. The motion carried by the following vote:**

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

**Commissioner Jeanna Mastrodicasa**

- 1. Underage Alcohol Ordinance - Bars that set up tents serving alcohol on game days or other special events.*
- 2. Feed-In Tariff issues.*

**Commissioner Randy Wells**

*Solar Feed-in Tariff Question.*

**CITIZEN COMMENT****Nathan Skop**

*Request for back-up for Monday's RUC Meeting.*

**ADJOURNMENT - 8:28 PM**

---

Kurt M. Lannon, Clerk of the Commission