

City of Gainesville

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



Meeting Minutes

Monday, February 24, 2003

1:00 PM

City Hall Auditorium

City Commission

*Mayor Tom Bussing (At-Large)
Mayor-Commissioner Pro Tem Warren Nielsen (At-Large)
Commissioner Chuck Chestnut (District 1)
Commissioner Edward Braddy (District 2)
Commissioner Tony Domenech (District 3)*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least 48 hours in advance.

CALL TO ORDER - 1:05 PM**ROLL CALL**

Present: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

INVOCATION

Minister Jane Huffman, Trinity United Methodist Church

BOARD OF TRUSTEES OF THE GENERAL EMPLOYEES PENSION PLAN

*Commissioner Chestnut moved and Commissioner Domenech seconded to approve the Board of Trustees of the General Employees' Pension Plan Agenda.
(VOTE: 4-0, Commissioner Braddy - Absent)*

020909 General Employees' Pension Plan Actuarial Valuation Report (B)

RECOMMENDATION *The City Commission accept the September 30, 2002 General Plan actuarial valuation and refer to the City Commission.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

020934 Financial Statements and Independent Auditors' Report on the Employees' Pension Fund of the City of Gainesville, Florida for Fiscal Year Ended September 30, 2002 (B)

RECOMMENDATION *The Board of Trustees accept the Financial Statements and Independent Auditors' Report on the Employees' Pension Fund of the City of Gainesville, Florida for Fiscal Year Ended September 30, 2002.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

END OF THE BOARD OF TRUSTEES AGENDA

CALL TO ORDER - 1:09 PM**CONSENT AGENDA**

*Commissioner Domenech moved and Commissioner Chestnut seconded to adopt the Consent Agenda with the following modification:
(VOTE: 4-0, Commissioner Braddy - Absent, MOTION CARRIED)*

Addition to the Consent Agenda: Human Rights Advisory Board Appointment - James Kocher to expire February 22, 2004.

CITY MANAGER, CONSENT AGENDA ITEMS**020903 Amendment to Code of Ordinances, Section 26-47, Traffic and Motor Vehicles, to Clarify Handicap Restrictions (NB)**

RECOMMENDATION *The City Commission authorize the City Attorney to draft, and the Clerk of the Commission to advertise, an ordinance amending Section 26-47, Traffic and Motor Vehicles, clarifying handicap parking restrictions applicable to access areas.*

This Matter was Approved as Recommended on the Consent Agenda.

020904 National Pollutant Discharge Elimination System (NPDES) Permit Application (B)

RECOMMENDATION *The City Commission: 1) authorize the Mayor to execute the NPDES, Phase II, MS4 permit application; and 2) authorize the City Manager or designee to file the application on behalf of the City of Gainesville with the Florida Department of Environmental Protection.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**020913 Partial Release of Easement in the 6000 block of NW 1st Place (B)**

RECOMMENDATION *The City Commission: 1) approve the partial release of an easement to Naylor Real Estate (U.S.), Inc., located in the 6000 block of NW 1st Place; and 2) authorize the Mayor and Clerk of the Commission to execute the Partial Release of*

Easement, subject to approval by the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

020914 Sale of .337 Acres to First Assembly Faith Fellowship, Inc. (B)

RECOMMENDATION *The City Commission: 1) approve the sale of .337 acres to First Assembly Faith Fellowship, Inc.; and 2) authorize the Mayor and Clerk of the Commission to execute a Quit-Claim Deed to First Assembly Faith Fellowship, Inc., subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

020915 Amendment to Extend Contract and Issuance of Purchase Order - HVAC and Chiller Maintenance and Repair (NB)

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to execute amendments to extend the term of the contract with North Florida Trane, Inc., for HVAC preventative maintenance and repairs at various GRU facilities through September 2004, and 2) approve issuance of purchase orders in amounts not to exceed the departments' budgeted amounts for these services.*

This Matter was Approved as Recommended on the Consent Agenda.

020916 Ranking of Responding Firms to the Request for Statement of Qualifications - Professional Engineering Services Associated With GRU Utility Systems' Facilities and Capital Improvements (B)

RECOMMENDATION *The City Commission: 1) approve the final ranking of the qualified firms in the given order of preference for the provision of engineering services associated with Utility System facilities and capital improvements; 2) authorize the General Manager or his designee to initiate negotiation of contract terms in accordance with the Consultants' Competitive Negotiations Act (CCNA); and 3) authorize the General Manager or his designee, upon successful negotiations, to execute professional services contracts for a five (5) year period subject to approval of the City Attorney as to form and legality, in an amount not to exceed budgeted amounts for professional engineering services*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS**020901 CHANGES IN ORDINANCE VOTING REQUIREMENTS WITH A 7-MEMBER COMMISSION**

RECOMMENDATION *The City Commission: (1) authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance relating to decisions of the pension board; (2) authorize staff to initiate petitions to the City Plan Board relating to waiving limits on rezoning petitions relating to same property, and nominations of historic property to the local register.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS**Gainesville Enterprise Zone Development Agency, Consent****002713 Second Amendment to Interest Rate Buy Down Program for Historic Commercial Property Rehabilitation in the Gainesville Enterprise Zone (B)**

RECOMMENDATION *The City Commission adopt the proposed changes to the Interest Rate Buy Down Program for Historic Commercial Property Rehabilitation in the Gainesville Enterprise Zone.*

This Matter was Approved as Recommended on the Consent Agenda.

Audit & Finance Committee, Consent**020897 The Basic Financial Statements, Supplemental Information and Independent Auditors' Report of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2002; Financial Statements and Independent Auditors' Report on the Employees' Pension Fund of the City of Gainesville, Florida for Fiscal Year Ended September 30, 2002; Financial Statements and Independent Auditors' Report on the Consolidated Police Officers and Firefighters Retirement Plan of the City of Gainesville, Florida for Fiscal Year Ended September 30, 2002; the Auditors' Management Letter and Single Audit Reports for the Year Ended September 30, 2002; and management's written response. (B)**

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission:*
a) accept the subject financial statements and audit reports;
b) receive the Independent Auditors' Management Letter and Single Audit Reports; and

c) receive and accept management's written response.

This Matter was Approved as Recommended on the Consent Agenda.

020898 Gainesville Regional Utilities Quarterly Monitoring Report for Quarter Ended December 31, 2002 (B)

RECOMMENDATION *The Audit & Finance Committee recommends that the City Commission receive the Gainesville Regional Utilities Quarterly Monitoring Report for the quarter ended December 31, 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

020899 Fiscal Year 2003 Operating Funds Quarterly Monitoring Report - Quarter Ending December 31, 2002 (B)

...Explanation

The City's General Government Budget Policy requires staff to prepare and submit a quarterly budget compliance report in substantially the same form as the final budget document, for all major operating funds, including the status of General Fund fund balances, to the Audit and Finance Committee.

...Recommendation

The Audit and Finance Committee reviewed and recommends that the City Commission receive the quarterly budget monitoring report for the quarter ended December 31, 2002.

RECOMMENDATION *The Audit and Finance Committee reviewed and recommends that the City Commission receive the quarterly budget monitoring report for the quarter ended December 31, 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

020912 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of the February 10, 2003 Regular Meeting and the February 17, 2003 Special Meeting, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

020922 Appointment - Bicycle/Pedestrian Advisory Board (NB)

RECOMMENDATION *The City Commission reappoint E. Paul Campbell and appoint Bill Radunovich to vacancies on the Bicycle/Pedestrian Advisory Board to expire December 31, 2005.*
Commissioner Ed Braddy - E. Paul Campbell and Bill Radunovich
Commissioner Chuck Chestnut - E. Paul Campbell and Bill Radunovich
Commissioner Tony Domenech - E. Paul Campbell and Bill Radunovich
Mayor-Commissioner Pro Tem Warren Nielsen - E. Paul Campbell and Bill Radunovich
Mayor Tom Bussing - E. Paul Campbell and Bill Radunovich

This Matter was Approved as Recommended on the Consent Agenda.

020923 Appointment - Citizens' Advisory Committee for Community Development (NB)

RECOMMENDATION *The City Commission reappoint Scherwin Henry to a vacancy on the Citizens' Advisory Committee for Community Development to expire November 1, 2005.*
Commissioner Ed Braddy - Scherwin Henry
Commissioner Chuck Chestnut - Scherwin Henry
Commissioner Tony Domenech - Scherwin Henry
Mayor-Commissioner Pro Tem Warren Nielsen - Scherwin Henry
Mayor Tom Bussing - Scherwin Henry

This Matter was Approved as Recommended on the Consent Agenda.

020924 Appointment - City Beautification Board (NB)

RECOMMENDATION *The City Commission appoint Rachel A. Gibas to a vacancy on the City Beautification Board to expire November 1, 2004.*
Commissioner Ed Braddy - Rachel A. Gibas
Commissioner Chuck Chestnut - Rachel A. Gibas
Commissioner Tony Domenech - Rachel A. Gibas
Mayor-Commissioner Pro Tem Warren Nielsen - Rachel A. Gibas
Mayor Tom Bussing - Rachel A. Gibas

This Matter was Approved as Recommended on the Consent Agenda.

020925 Appointment - City Plan Board (NB)

RECOMMENDATION *The City Commission appoint Matthew A. Cole to a vacancy*

on the City Plan Board to expire November 1, 2005.
Commissioner Ed Braddy - Matthew A. Cole and Curtis Cooper
Commissioner Chuck Chestnut - Matthew A. Cole and Readvertise
Commissioner Tony Domenech - Matthew A. Cole and Readvertise
Mayor-Commissioner Pro Tem Warren Nielsen - Matthew A. Cole and Bill Radunovich
Mayor Tom Bussing - Curtis Cooper and Readvertise

This Matter was Approved as Recommended on the Consent Agenda.

020927 Appointment - Fire Safety Board of Adjustment (NB)

RECOMMENDATION *The City Commission reappoint James C. Robertson and Donald A. Yanskey to vacancies on the Fires Safety Board of Adjustment to expire November 1, 2003 and November 1, 2005, respectively.*
Commissioner Ed Braddy - James C. Robertson and Donald A. Yanskey
Commissioner Chuck Chestnut - James C. Robertson and Donald A. Yanskey
Commissioner Tony Domenech - James C. Robertson and Donald A. Yanskey
Mayor-Commissioner Pro Tem Warren Nielsen - James C. Robertson and Donald A. Yanskey
Mayor Tom Bussing - James C. Robertson and Donald A. Yanskey

This Matter was Approved as Recommended on the Consent Agenda.

020928 Appointment - Gainesville Energy Advisory Committee (NB)

RECOMMENDATION *The City Commission appoint Ian S. Denison and Christopher R. Lanteigne to vacancies on the Gainesville Energy Advisory Committee to expire September 30, 2005 and September 30, 2003 respectively.*
Commissioner Ed Braddy - Ian S. Denison and Christopher R. Lanteigne
Commissioner Chuck Chestnut - Ian S. Denison and Christopher R. Lanteigne
Commissioner Tony Domenech - Ian S. Denison and Christopher R. Lanteigne
Mayor-Commissioner Pro Tem Warren Nielsen - Ian S. Denison and Christopher R. Lanteigne
Mayor Tom Bussing - Christopher R. Lanteigne and Readvertise

This Matter was Approved as Recommended on the Consent Agenda.

020930 Appointment - Gainesville/Alachua County Cultural Affairs Board (NB)

RECOMMENDATION *The City Commission appoint Rachel A. Gibas to a vacancy on the Gainesville/Alachua County Cultural Affairs Board to expire September 30, 2004.
Commissioner Ed Braddy - Rachel A. Gibas
Commissioner Chuck Chestnut - Rachel A. Gibas
Commissioner Tony Domenech - Rachel A. Gibas
Mayor-Commissioner Pro Tem Warren Nielsen - Rachel A. Gibas
Mayor Tom Bussing - Rachel A. Gibas*

This Matter was Approved as Recommended on the Consent Agenda.

020931 Appointment - Tree Advisory Board (NB)

RECOMMENDATION *The City Commission appoint Marc S. Frank and Loraine McCosker to terms on the Tree Advisory Board to expire January 1, 2006.
Commissioner Ed Braddy - Marc S. Frank and Loraine McCosker
Commissioner Chuck Chestnut - Marc S. Frank and Loraine McCosker
Commissioner Tony Domenech - Marc S. Frank and Loraine McCosker
Mayor-Commissioner Pro Tem Warren Nielsen - Marc S. Frank and Loraine McCosker
Mayor Tom Bussing - Marc S. Frank and Loraine McCosker*

This Matter was Approved as Recommended on the Consent Agenda.

020932 Appointment - Water Management Committee (NB)

RECOMMENDATION *The City Commission reappoint James C. Higman and appoint Richard M. Fry to vacancies on the Water Management Committee to expire August, 2005.
Commissioner Ed Braddy - Richard M. Fry and James C. Higman
Commissioner Chuck Chestnut - Doris Bardon and James C. Higman
Commissioner Tony Domenech - Doris Bardon and James C. Higman
Mayor-Commissioner Pro Tem Warren Nielsen - Richard M. Fry and James C. Higman*

Mayor Tom Bussing - George M. Carter and Richard M. Fry

This Matter was Approved as Recommended on the Consent Agenda.

020941 Appointment - Gainesville Human Rights Board

RECOMMENDATION *The City Commission appoint James S. Kocher to a vacancy on the Gainesville Human Rights Board to expire February 22, 2004.*

Commissioner Ed Braddy - James S. Kocher

Commissioner Chuck Chestnut - Jason D. Keltz

Commissioner Tony Domenech - James S. Kocher

Mayor-Commissioner Pro Tem Warren Nielsen - Readvertise

Mayor Tom Bussing - James S. Kocher

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

020882 Change to the Terms in the West University Avenue Lofts Promissory Note (NB)

RECOMMENDATION *The City Commission approve the change in the terms of the West University Avenue Loft promissory note to read "not to exceed \$466,000".*

This Matter was Approved as Recommended on the Consent Agenda.

020886 Final Northwest 17th Street Streetscape Expenses (NB)

RECOMMENDATION *The City Commission: 1) Approve the transfer of \$14,728.15 from the University Avenue/ 13th Street/2nd Avenue Account to the Northwest 17th Street Streetscape Account; 2) recommend to the City Commission that the City Manager be authorized to amend the purchase order with Brown and Cullen to the amount of \$30,615; and 3) recommend to the City Commission that the City Manager be authorized to amend the purchase order with Jim Allen Masonry to the amount of \$26,595.15.*

This Matter was Approved as Recommended on the Consent Agenda.

020892 Proposed Downtown CRA Amended Budget - FY 2002/2003 (B)

RECOMMENDATION *The City Commission: 1) Approve the budget as presented including the allocation of \$2,000 to salaries for an*

additional staff person, \$12,900 to office relocation reserve, \$1,624 to copier expense, \$511 to Parking Management Agreement, \$23,500 to the new Maintenance program, \$10,000 to Public Information, \$66,945 to the Union Street Project and \$51,452 to the Commerce Project budgets; and 2) approve a reduction of \$4,048 from the Arlington Square budget and \$11,926 reduction from the Downtown Parking Facility Reserve.

This Matter was Approved as Recommended on the Consent Agenda.

020894 Proposed College Park University Heights CRA Amended Budget - FY 2002/2003 (B)

RECOMMENDATION *The City Commission approve the allocation of \$1,624 to copier expense, \$4,000 to a new staff person, \$12,900 to office relocation reserve, \$15,000 to the newspaper rack pilot program, \$23,500 to the new Maintenance Program and \$160,930 to the Streetscape Park Matching Funds Account.*

This Matter was Approved as Recommended on the Consent Agenda.

020893 Proposed Fifth Avenue Pleasant Street CRA Amended Budget - FY 2002/2003 (B)

RECOMMENDATION *The City Commission approve the budget as presented including the allocation of \$4,000 to salaries for an additional staff person, \$3,000 to office relocation reserve, \$378 to copier expense, \$11,750 to the new Maintenance program, and \$44,780 for Model Block contract work.*

This Matter was Approved as Recommended on the Consent Agenda.

020891 Proposed Eastside CRA Amended Budget - FY 2002/2003 (B)

RECOMMENDATION *The City Commission approve the budget for the Eastside District as presented including the \$1,200 to office relocation reserve, \$151 to copier expense, 46,516 to a project reserve account.*

This Matter was Approved as Recommended on the Consent Agenda.

OUTSIDE AGENCIES, CONSENT AGENDA ITEMS

020921 Nomination - Library District Board of Trustees (B)

RECOMMENDATION *The City Commission nominate the two Board of Trustees applicants for consideration appointment by the Library District Governing Board.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Domenech, seconded by Commissioner Chestnut, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

END OF THE CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Commissioner Domenech moved and Commissioner Chestnut seconded to adopt the Regular Agenda with the following modifications:

(VOTE: 4-0, Commissioner Braddy - Absent, MOTION CARRIED)

- 1. File # 020580 - "Landlord Permit Point System" - Remove from the agenda.*
- 2. Waive the Rules to hear Resolution # 020911 "Interlocal Agreement for the County-Wide Visioning & Planning Process" immediately following the Pledge of Allegiance & Proclamations".*
- 3. Waive the Rules to hear Board of Trustee Items (File# 020909 & #020934) and Resolutions #020918 & #020919 "Taxable Pension Obligation Revenue Bonds" immediately following File #020911.*
- 4. File #020663 "Living Wage Ordinance" - Language in backup is the correct language.*

ADDITIONAL BACK-UP:

- 1 File #020588 - (Petition 114LUC-02PB) - Additional back-up submitted. (1-page map)*
- 2 File # 020589 - (Petition 115ZON-02PB) - Additional back-up submitted. (1-page map)*

CLERK OF THE COMMISSION

020935

Walnut Creek Plat (B)

Attorney for the Walnut Creek Petitioner Ron Carpenter and Attorney for the Glen Springs Homeowner's Association Samuel Mutch made comments.

Chair Bussing recognized Glen Springs Homeowner's Association President Sharon Dame and Citizen Brian Wilcox who spoke to the matter.

City of Gainesville Public Works Director Teresa Scott, Senior Planner Carolyn Morgan and Community Development Director Tom Saunders gave presentations.

FIRST MOTION: Commissioner Chestnut moved and Commissioner Domenech seconded to: 1) Direct the City Attorney to prepare an ordinance to amend the deadline until March 25, 2004 (PD Ordinance 991267) for Phase I; and 2) Phase II to come back within 18 months from the date of that approval.

(VOTE: 3-1, Mayor Bussing - No, MOTION CARRIED)

Chair Bussing recognized Attorney Ron Carpenter, Sharon Dame and Attorney Sam

Mutch who spoke to the matter.

SECOND MOTION: Commissioner Domenech moved and Mayor-Commissioner Pro Tem Nielsen seconded to schedule a special meeting regarding Phase I of Walnut Creek for May 1, 2003.

(VOTE: 4-0, MOTION CARRIED)

RECOMMENDATION *The City Commission discuss scheduling this item.*

Approved, as shown above

CITY MANAGER

020905 ARTSREACH Exhibits (NB)

ARTSREACH Coordinator Donna Born Drake gave a presentation.

RECOMMENDATION *The City Commission hear a brief presentation by Donna Born Drake, ARTSREACH Coordinator for the Department of Cultural Affairs, introducing the exhibitions of Art in City Hall, Art in the Alachua County Administration Building and Art in the Airport.*

Heard

020906 Plan East Gainesville (NB)

Community Development Director Tom Saunders gave a presentation.

RECOMMENDATION *Hear a brief presentation from staff regarding the moratorium ordinance.*

Heard

020907 East Gainesville SPROUT Project - Depot Park Concept Plan (B)

Community Redevelopment Agency (CRA) Projects Coordinator Matt Dube' gave a presentation.

RECOMMENDATION *The City Commission: 1) hear a presentation on the Depot Park Concept Plan; and 2) accept the Park Concept Plan as described.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

020908 SW 2nd Street Conversion to a Two-Way Street (B)

City of Gainesville Public Works Traffic Engineering Manager Brian Kanely gave a presentation.

RECOMMENDATION *The City Commission approve converting SW 2nd Street from SW 2nd Avenue to SW 4th Avenue to a two-way street.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

GENERAL MANAGER FOR UTILITIES**960649 SR 26 & 26A Project (NB)**

GRU Electric Engineering Manager Reid Rivers gave a presentation.

Chair Bussing recognized Citizens Bruce DeLaney and Cindy Smith who spoke to the matter.

MOTION: Approve the GRU proposal in concept.

RECOMMENDATION *The City Commission a) hear a presentation from staff and b) determine which construction alternative should be executed.*

A motion was made by Commissioner Domenech, seconded by Commissioner Chestnut, that this matter be Approved, as shown above. The motion carried by the following vote:

Votes: Aye: Tony Domenech, Chuck Chestnut and Tom Bussing
Nay: Warren Nielsen
Absent: Edward Braddy

CITY ATTORNEY**CITY AUDITOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****PUBLIC WORKS COMMITTEE**

020233

Ad Hoc Committee on University Neighborhoods Implementing Recommendations (Controlled Parking Program) (B)

City of Gainesville Public Works Traffic Engineering Manager Brian Kanely gave a presentation.

Chair Bussing recognized Citizen Mark Goldstein, University of Florida Representative Mike Rollo and University of Florida Foundation Vice President of Administration Bruce DeLaney who spoke to the matter.

AMENDMENTS: 1) Insert an additional recommendation as submitted by Brian Kanely as follows: Zones 3 & 4 Single Family - Rental Property: "If property is listed as rental property in the Codes Enforcement Data Base, then a Landlord Permit will be required for Parking Permits"; and 2) delete the section in the explanation that refers to the University of Florida Foundation.

RECOMMENDATION *The City Commission: 1) hear a presentation from staff; 2) approve the changes in the University Area Controlled Parking Program; 3) authorize the City Manager to approve the changes to the program guidelines; and 4) instruct the City Attorney to draft the appropriate ordinance changes.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

NOVOROSSIISK (Sister City) DELEGATION RECOGNITION

Chair Bussing recognized Steve Kalishman who presented three visiting surgeons from Novorossiisk, Russia.

COMMUNITY DEVELOPMENT COMMITTEE

020638

Proposal for Increasing the Landlord License Fee (NB)

City of Gainesville Community Development Director Tom Saunders gave a presentation.

AMENDMENT: Add to the recommendation: "The attorney to draft and the Clerk of the Commission to advertise".

Chair Bussing recognized Citizens Marge Malagodi, Cindy Smith, University Park Neighborhood Association President Larry Schnell and Mark Goldstein who spoke to the matter.

RECOMMENDATION *Community Development Committee to the City Commission: 1) hear a report and approve the proposal for increasing the*

landlord license fee; and 2) remove this item from the referral list.

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

020580 Landlord Permit Point System (B)

RECOMMENDATION *The Community Development Committee to the City Commission: 1) consider the draft point system for revocation of landlord licenses; 2) recommend that staff develop a database system that tracks tenants and is accessible to landlords so that they have the ability to screen tenants; 3) explore a way to strengthen the civil citation system; and 4) remove this item from the referral list.*

Withdrawn

BOARD OF TRUSTEES OF THE GENERAL EMPLOYEES' PENSION PLAN

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 5:09 PM

RECONVENE - 5:37 PM

CITIZEN COMMENT (5:30pm)

Kevin Claney

Affordable Housing Issues

Dayna Wood

City of Charleston - Mayor Joe Riley - Affordable Housing

See following item # 020942.

020942 Sustainable Affordable Housing (B)

RECOMMENDATION *The City Commission hear a presentation from Dayna Wood and place back-up submitted on file.*

Placed on File

Harold Saive

Announcing City Commission Candidacy - Save Our Wetlands Platform

Debbie Martinez

- 1. Dancehall Ordinance*
- 2. Fire Inspection Issues*

Rob Brinkman

Midtown Project

COMMISSION COMMENTS (if time available)

Commissioner Tony Domenech

See following referral item # 020787.

020787 Recreational Vehicle Parking in Residential Neighborhoods (B)

NOTE: This item was removed by Petition # 030035 at the January 12, 2004 City Commission Meeting.

RECOMMENDATION *The City Commission refer the issue of Recreational Vehicles parking in residential front yards to the Plan Board.*

A motion was made by Commissioner Domenech, seconded by Mayor-Commissioner Pro Tem Nielsen, that this matter be Referred to the City Plan Board, due back on August 24, 2003. The motion carried by the following vote:

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

PLEDGE OF ALLEGIANCE (6:00pm)**Girl Scout Junior Troop #1367****PROCLAMATIONS/SPECIAL RECOGNITIONS****020933 Duane Diehl and Wally Grant 2002 Albert "Ray" Massey Citizen Volunteer Award Recipients (B)****RECOMMENDATION** *Duane Diehl and Wally Grant to accept the proclamation.***Placed on File****PUBLIC HEARINGS****RESOLUTION - (Modified to be heard after the Proclamations)****020911 Interlocal Agreement for the County-Wide Visioning and Planning Process. A Resolution of the City Commission, of the City of Gainesville, Florida, approving the Interlocal Agreement between Alachua County and the municipalities of Alachua, Archer, Gainesville, Hawthorne, High Springs, Lacrosse, Micanopy, Newberry and Waldo, implementing a County-wide Visioning and Planning Process; and providing an immediate effective date. (B)***FIRST MOTION: Mayor-Commissioner Pro Tem Nielsen moved and Commissioner Domenech seconded to authorize the Mayor to respond in support of the proposed time table linking the Boundary Adjustment Act adjustments and the County Visioning Process.**(VOTE: 4-0, MOTION CARRIED)**SECOND MOTION: Commissioner Chestnut moved and Commissioner Domenech seconded to waive the rules to place this resolution early on the agenda when it comes back before the City Commission.**(VOTE: 4-0, MOTION CARRIED)***RECOMMENDATION** *The City Commission adopt the proposed Resolution.***Approved, as shown above****BOARD OF TRUSTEES OF THE GENERAL EMPLOYEES' PENSION PLAN****020909 General Employees' Pension Plan Actuarial Valuation Report (B)**

City of Gainesville Administrative Services Director Glenda Currie; Independent Financial Advisor David Moore; City Attorney Marion Radson; City's Bond Counsel Ed Vogel of Holland and Knight; and Actuary Michael J. Tierney of Actuarial Concepts gave presentations.

Chair Bussing recognized Pension Review Committee Chair Jonathan Visscher and Gainesville Metro Firefighter's Union President Jeff Lane who spoke to the matter.

RECOMMENDATION *The City Commission accept the September 30, 2002 General Plan actuarial valuation.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

Board of Trustees of the Consolidated Police Officers' & Firefighters' Retirement Plan

020910 Consolidated Police Officers' and Firefighters' Retirement Plan Actuarial Valuation Report (B)

Chair Bussing recognized Gainesville Metro Firefighter's Union President Jeff Lane who spoke to the matter.

RECOMMENDATION *The City Commission accept the September 30, 2002 Consolidated Plan actuarial valuation.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

RESOLUTIONS - (PENSION)

020918 RESOLUTION AUTHORIZING THE ISSUANCE OF SERIES 2003A AND SERIES 2003B TAXABLE PENSION OBLIGATION REVENUE BONDS (B)

A resolution of the City of Gainesville, Florida , authorizing and providing for the issuance of not to exceed \$100,000,000 in aggregate original principal amount of City of Gainesville, Florida, Taxable Pension Obligation Revenue Bonds, Series 2003A (Employees' Plan) and Series 2003B (Consolidated Plan) for the purpose of funding the unfunded pension obligations of the City with respect to the Employees' Plan and the Consolidated Plan, respectively; 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 a sinking fund account 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.

RECOMMENDATION *The City Commission: 1) adopt the resolution authorizing and providing for the issuance of the Series 2003A and Series 2003B Taxable Pension Obligation Bonds to retire the Consolidated Police Officers' and Firefighters' Pension Plan and General Employees' Pension Plan Unfunded Actuarial Accrued Liabilities and 2) authorize the City Manager, Administrative Services Director, and Finance Director to retain the required professional services to implement this issue.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut and Warren Nielsen
Nay: Tom Bussing
Absent: Edward Braddy

020919

RESOLUTION SUPPLEMENTING THE RESOLUTION OF THE CITY ADOPTED HEREOF PROVIDING FOR THE ISSUANCE OF THE CITY'S SERIES 2003A AND SERIES 2003B TAXABLE PENSION OBLIGATION REVENUE BONDS (B)

A resolution of the city of Gainesville, Florida, supplementing the resolution of the City adopted on the date hereof providing for and authorizing the issuance of the City's Taxable Pension Obligation Revenue bonds, Series 2003A (Employees' Plan) and Series 2003B (Consolidated Plan) in an original aggregate principal amount not exceeding \$100,000,000 to fund the unfunded pension obligations of the City with respect to the Employees' Plan and the Consolidated Plan, respectively; authorizing the City Manager, the Administrative Services Director or the Finance Director to award the sale of such bonds to Salomon Smith Barney Inc., UBS PaineWebber Inc. and William R. Hough & Co. in accordance with certain parameters set forth herein; approving the form of and authorizing the execution and delivery of a Bond Purchase Contract; appointing Wells Fargo Bank Minnesota, 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 City Manager, the Administrative Services Director or the Finance Director to deem final the Preliminary Official Statement; authorizing the City Manager, the Administrative Services Director or the Finance Director to accept the terms of a commitment for municipal bond insurance from MBIA Insurance Corporation; 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.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut and Warren Nielsen
Nay: Tom Bussing
Absent: Edward Braddy

ORDINANCES 2ND READING- ROLL CALL REQUIRED

020581 SOUTHWEST 13th STREET SPECIAL AREA PLAN (B)

ORDINANCE NO. 0-03-12; PETITION NO. 97TCH-02PB

An ordinance of the City of Gainesville, Florida, imposing the Special Area Plan overlay zoning district for the SW 13th Street Corridor on certain property, generally described as those lands abutting SW 13th Street and bounded on the north by Archer Road/Depot Avenue and on the south by the city limits, and as more specifically described in this ordinance; adopting a Special Area Plan for this property; providing specific regulations; providing for administration and enforcement of these regulations; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Bussing recognized Penny Wheat who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

020586 PLANNED DEVELOPMENT AMENDMENT - HILLEL JEWISH STUDENT CENTER (B)

ORDINANCE NO. 0-03-16, PETITION NO. 110PDA-02PB

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Hillel Jewish Student Center" located in the vicinity of 2026 and 2038 West University Avenue; by amending City of Gainesville Ordinance No. 991266 by extending the time for obtaining a final development order; providing a severability clause; providing a repealing

clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

020865 REPEAL OF ORDINANCE NO. 020789 (SW 20th AVENUE, ANNEXATION) (B)

Ordinance No. 0-03-23

An ordinance of the City of Gainesville, Florida, repealing Ordinance No. 020789, which annexed a portion of the City of Gainesville Reserve Area generally described as follows: bounded on the south by the northern boundary of SW 24th Avenue as extended west to the western boundary of Interstate 75, bounded on the east by the City limits and the eastern boundary of Southwest 34th Street, bounded on the west by the western boundary of Interstate 75 and the City limits, and bounded on the north by the City limits; canceling the referendum for the annexation; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Warren Nielsen and Tom Bussing
Nay: Chuck Chestnut
Absent: Edward Braddy

002562 LAND DEVELOPMENT CODE AMENDMENT - SPECIALLY REGULATED USES (B)

Ordinance No. 0-03-25; Petition No. 31TCH-02 PB

An ordinance of the City of Gainesville, Florida, reformatting and amending subsection 30-70(c)(2) of the Land Development Code related to uses by special use permit in the general industrial district (I-2); to provide for special reporting requirements and exemptions for certain industrial uses to be allowed by special use permit; providing directions to the codifier; providing a severability clause;

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

RECOMMENDATION *The City Commission adopt the proposed ordinance*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

002469

COMPATIBILITY REGULATIONS FOR NEW MEDIUM AND HIGH DENSITY MULTI-FAMILY DEVELOPMENTS (B)

Ordinance No. 0-03-26; Petition No. 21TCH-02PB

An ordinance of the City of Gainesville, Florida, relating to compatibility of medium and high-density multi-family development with abutting single-family property; amending section 30-53 (multi-family medium density residential districts) providing setback and height requirements; amending subsection 30-55(e) (residential high density districts) providing setback and height requirements; adding and creating subsections (j) and (k) to section 30-56 (general provisions for residential districts) providing additional requirements for medium and high density multi-family developments when abutting single family property or abutting PS or CON zoning that abuts single family property; amending subsection 30-64(c)(1) (mixed use low intensity district) to require certain developments to comply with RMF-6 and section 30-56 regulations; amending subsection 30-64(d)(1) requiring certain developments to comply with RMF-6 and section 30-56 regulations; amending subsection 30-64(e) providing certain developments to comply with section 30-56 regulations; amending subsection 30-65(c) (mixed use medium intensity district) requiring certain developments to comply with section 30-56 regulations; amending subsection 30-65(d)(1) requiring certain developments to comply with RMF-7 and section 30-56 regulations; amending subsection 30-65(e)(2) requiring certain developments to comply with RMF-7 and section 30-56 regulations and include increased buffers; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen and Tom Bussing
Nay: Tony Domenech
Absent: Edward Braddy

020587

LAND DEVELOPMENT CODE AMENDMENT - CITIZEN PARTICIPATION PROCESS (B)

Ordinance No. 0-03-17; Petition No. 113TCH-02 PB

An ordinance of the City of Gainesville, Florida, amending subsection 30-350(b) of the Land Development Code, modifying which development applications require a neighborhood workshop; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Bussing recognized Citizen Sarah Poll who spoke to the matter.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut and Warren Nielsen
Nay: Tom Bussing
Absent: Edward Braddy

020663**LIVING WAGE REQUIREMENT FOR CERTAIN EMPLOYEES OF CONTRACTORS PROVIDING SERVICES TO THE CITY (B)****ORDINANCE NO 0-02-10**

An ordinance of the City of Gainesville, Florida, creating Article IX, of Chapter 2 of the City of Gainesville Code of Ordinances, establishing a living wage requirement for certain employees of contractors providing selected services to the city; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

City of Gainesville Purchasing Manager Aleta Cozart and Human Resources Director Tom Motes gave presentations.

Chair Bussing recognized Oasis Landscaping Owner Brent Gaffney, Living Wage Coalition Member Harriet Ludwig, Westside T-Shirts Owners Denise & Michael Baldwin, Chamber of Commerce Representative Kinnon Thomas, Elite Enterprises Representative Nate McAllister, Living Wage Coalition Member Matthew Marsh, Rob Brinkman, Chamber of Commerce President Brent Christensen, and Living Wage Coalition Member Elsie Allen.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen and Tom Bussing
 Nay: Tony Domenech
 Absent: Edward Braddy

RESOLUTIONS- ROLL CALL REQUIRED

001660 **Petition 69SUB-01DB. (Quasi-Judicial) Eng, Denman & Associates, agent for Larry Ross. Final plat approval of Blues Creek, Unit 5, Phase I, for ten (10) lots on 6.26 acres more-or-less, having a density of 1.597 dwelling units per acre. Located in the vicinity of Northwest 80th Avenue and west of Northwest 56th Way. Zoned: PUD (Alachua County). (B)**

City of Gainesville Planner Bedez Massey gave a presentation.

Chair Bussing recognized Blues Creek Resident Sally Scott, Agent for the Petitioner Ralph Eng, Attorney for the Applicant Patrice Boyes, and Blues Creek Homeowner's Association Member Bill Willis who spoke to the matter.

*SUBSTITUTE MOTION: Commissioner Domenech moved and Mayor-Commissioner Pro Tem Nielsen seconded that this item be continued and that staff work with the applicant to clarify the issues discussed in this hearing.
 (VOTE: 4-0, Commissioner Braddy - Absent, MOTION CARRIED)*

City of Gainesville Community Development Director Tom Saunders gave a presentation.

RECOMMENDATION *Planning Staff to City Commission -The City Commission adopt the following resolution: A Resolution approving the final plat of "Blues Creek Unit 5, Phase I", located in the vicinity of Northwest 80th Avenue and west of Northwest 56th Way; authorizing the Mayor and Clerk of the Commission to execute a Tri-Party Agreement to secure the construction of improvements; and providing an immediate effective date.*

A motion was made by Commissioner Domenech, seconded by Mayor-Commissioner Pro Tem Nielsen, that this matter be Continued. The motion carried by the following vote:

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
 Absent: Edward Braddy

PLAN BOARD PETITIONS

020588 **Petition 114LUC-02 PB. Amend the City of Gainesville Future Land Use Map from O (Office) to MUL (Mixed-Use Low Intensity, 8-30 units per acre) and RH (Residential-High Density, 8-100 units per acre) on 52 properties located in the University Heights neighborhood. These properties are located north, west and east of the Alachua General Hospital (large scale). Related to Petition**

115ZON-02 PB. (B)

City of Gainesville Community Development Director Tom Saunders and Senior Planner Dom Nozzi gave presentations.

Chair Bussing recognized Bruce DeLaney, Dr. Andrew Evans and Patrick Shannon who spoke to the matter.

AMENDMENT: Classify the areas in yellow on the map as land use designation MUL.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 114LUC-02 PB. Plan Board vote 4-0.*

Staff to Plan Board - Approve

A motion was made by Commissioner Domenech, seconded by Commissioner Chestnut, that this matter be Approved as Amended (Petition). The motion carried by the following vote:

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

020589

Petition 115ZON-02 PB. Rezone property from OR (20 units/ acre office residential district) and MD (medical services district) to RH-2 (8-100 units/acre residential high density district) and MU-1 (10-30 units/acre mixed-use low intensity) on 52 properties located in the University Heights neighborhood. These properties are located north, west and east of the Alachua General Hospital. Related to Petition 114LUC-02 PB. (B)

City of Gainesville Community Development Director Tom Saunders and Senior Planner Dom Nozzi gave presentations.

AMENDMENT: Classify the areas in yellow on the map as zoning designation MU-1.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 115ZON-02 PB. Plan Board vote 4-0.*

Staff to Plan Board - Approve

A motion was made by Commissioner Domenech, seconded by Commissioner Chestnut, that this matter be Approved as Amended (Petition). The motion carried by the following vote:

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

DEVELOPMENT REVIEW BOARD PETITIONS**SCHEDULED EVENING AGENDA ITEMS**

UNFINISHED BUSINESS**COMMISSION COMMENT****CITIZEN COMMENT****Sarah Poll**

1. Pension Issues.
2. Fire Merger-Budget Issues.
3. Pension - 20 years and out.
4. Medical Benefits for retirees over 65.
5. Homestead exemptions for senior citizens.

Bruce DeLaney

13th Street Corridor Study - Slum & Blight Study previously approved by the CRA.

*WAIVER OF RULES: Commissioner Domenech moved and Mayor-Commissioner Pro Tem Nielsen seconded to waive the rules to extend the meeting to 11:05 PM.
(VOTE: 4-0, Commissioner Braddy - Absent, MOTION CARRIED)*

See following referral item # 020943.

020943 Slum and Blight Study - West Side of 13th Street (Little Gandy) (NB)

City of Gainesville Community Redevelopment Director Tom Saunders gave a presentation.

RECOMMENDATION *The City Commission refer to staff the cost and feasibility of a Slum & Blight Study and a Redevelopment Plan for the West Side of 13th Street (Little Gandy).*

A motion was made by Mayor-Commissioner Pro Tem Nielsen, seconded by Commissioner Domenech, that this matter be Referred to the City Manager, due back on August 24, 2003. The motion carried by the following vote:

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

ADJOURNMENT - 11:04 PM

Kurt M. Lannon, Clerk of the Commission