

City of Gainesville

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



Meeting Minutes

Monday, April 28, 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 - 1:53 PM**ROLL CALL**

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

INVOCATION**Reverend Robinsky Reed, Mount Pleasant United Methodist Church****CONSENT AGENDA**

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

(VOTE: 3-0, Mayor-Commissioner Pro Tem Nielsen and Commissioner Braddy - Absent)

CONSENT AGENDA MODIFICATIONS:

File #021131-Award of Bid: Contract for Phase II Construction of the Duck Pond Project - Remove from the agenda.

File #021138-Surplus Property Sale and Auctioneer Selection - Remove from the agenda.

File # 021149 Security System at Deerhaven - Remove from the agenda.

CITY MANAGER, CONSENT AGENDA ITEMS**021128 Contract for Roadside Mowing and Landscape Maintenance Services Part II (Additional Areas) (B)**

RECOMMENDATION *The City Commission: 1) award the contract for the roadside mowing and landscape maintenance services to Oasis Landscape Services, Inc.; and 2) approve the issuance of a purchase order in the amount of \$28,575 to Oasis Landscape Services, Inc.*

This Matter was Approved as Recommended on the Consent Agenda.

021129 Bid Award for SE 2nd Avenue Pavement Restoration (B)

RECOMMENDATION *The City Commission: 1) Approve the award of the bid to John C. Hipp Construction Company for the pavement*

restoration of SE 2nd Avenue; and 2) authorize the City Manager or designee to execute a contract with John C. Hipp Construction Company in the amount of \$69,100.43.

This Matter was Approved as Recommended on the Consent Agenda.

021130 Award of Bid for the FY 2003 Summer Nutrition Food Service Program (B)

RECOMMENDATION *The City Commission: 1) authorize the City Manager or his designee to execute a contract with ARAMARK, Gator Dining, for the Summer Food Service Program, in an amount not to exceed \$2.00 per lunch and \$.52 per snack; and 2) authorize the issuance of a purchase order in the amount of \$93,038, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

021131 Award of Bid: Contract for Phase II Construction of the Duck Pond Project (B)

RECOMMENDATION *The City Commission: 1) award the bid for plantings in the Phase II construction of the Duck Pond Project to Oasis Landscaping Services for plantings; and 2) authorize the City Manager or designee to execute all contract documents and issue a purchase order in a not to exceed amount of \$77,500.*

Withdrawn

021132 Award of Bid for Underground Electric Utility Installation; Phase IV of Cedar Grove II (B)

RECOMMENDATION *The City Commission: 1) accept the low bid in the amount of \$43,547.00; 2) authorize the City Manager or designee to execute the Services Contract; and 3) issue a purchase order to All Florida Electric Company.*

This Matter was Approved as Recommended on the Consent Agenda.

021133 Professional Services for the Gainesville-Hawthorne Downtown Connector Rail Trail (B)

RECOMMENDATION *The City Commission: 1) accept the selection of the four most qualified firms in the order of ranking; 2) authorize the City Manager or designee to initiate contract negotiations and execute a contract for professional services in accordance with the Consultants' Competitive Negotiations Act (CCNA);*

and 3) authorize the City Manager or designee to execute all contract documents and any other necessary documents.

This Matter was Approved as Recommended on the Consent Agenda.

021134 Laptop Computer Mounts for Police Vehicles (NB)

RECOMMENDATION *The City Commission approve the issuance of a purchase order totaling \$89,187 to D&R Electronics Incorporated Limited, as a specified source for laptop computer mounts.*

This Matter was Approved as Recommended on the Consent Agenda.

021135 Office of National Drug Control Policy Counterdrug Technology Assessment Program (NB)

RECOMMENDATION *The City Commission: 1) authorize the City Manager to apply for the equipment, and 2) execute any additional documents as may be required, subject to review and approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

021136 Emergency Medical Services Trust Fund Interlocal Agreement with Alachua County (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the Interlocal Agreement with Alachua County, and any other necessary documents, pending review by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

021138 Surplus Property Sale and Auctioneer Selection (B)

RECOMMENDATION *The City Commission: 1) declare all materials, equipment and vehicles presently stored at the Surplus Lot as surplus property and authorize the sale of such property; 2) award the contract for auctioneer services to Weeks Auction Company, Inc. at the commission rate of 6.25% of gross auction proceeds; and 3) authorize the City Manager or his designee to negotiate and execute a three-year contract with two (2) additional one-year extensions subject to the approval of the City Attorney as to form and legality.*

Withdrawn

- 021139** **Ratification of Agreement between the Fire District Chiefs of the International Association of Fire Fighters, Local No. 2157 and the City of Gainesville contract for October 1, 2002, through September 30, 2005. (NB)**

RECOMMENDATION *The City Commission ratify the Agreement for the Fire District Chiefs of the International Association of Fire Fighters, Local No. 2157, extending the period of coverage through September 30, 2005, between the City of Gainesville and the Fire District Chiefs of the International Association of Fire Fighters, Local No. 2157.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

- 021149** **Security System at the Deerhaven Generating Station (NB)**

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute a contract with Crime Prevention Security Systems, Inc., for the purchase and installation of a system of security cameras at the Deerhaven Generating Station subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Crime Prevention Security Systems, Inc., in the amount of \$44,235.*

Withdrawn

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

- 021082** **Appointment - Bicycle/Pedestrian Advisory Board (NB)**

RECOMMENDATION *The City Commission appoint Crystal Goodison to a vacancy on the Bicycle/Pedestrian Advisory Board to expire December 31, 2003.*
Commissioner Ed Braddy - Crystal Goodison
Commissioner Chuck Chestnut - Crystal Goodison
Commissioner Tony Domenech - Crystal Goodison
Mayor-Commissioner Pro Tem Warren Nielsen - Crystal Goodison
Mayor Tom Bussing - Crystal Goodison

This Matter was Approved as Recommended on the Consent Agenda.

021083 Appointment - City Beautification Board (NB)

RECOMMENDATION *The City Commission appoint Alexandra Holecek to a vacancy on the City Beautification Board to expire November 1, 2003.*
Commissioner Ed Braddy - Alexandra Holecek
Commissioner Chuck Chestnut - Alexandra Holecek
Commissioner Tony Domenech - Alexandra Holecek
Mayor-Commissioner Pro Tem Warren Nielsen - Alexandra Holecek
Mayor Tom Bussing - Alexandra Holecek

This Matter was Approved as Recommended on the Consent Agenda.

021085 Appointment - Gainesville Human Rights Board (NB)

RECOMMENDATION *The City Commission reappoint William Gallagher to a term on the Gainesville Human Rights Board to expire February 22, 2006.*
Commissioner Ed Braddy - William (Bill) Gallagher
Commissioner Chuck Chestnut - William (Bill) Gallagher
Commissioner Tony Domenech - William (Bill) Gallagher
Mayor-Commissioner Pro Tem Warren Nielsen - William (Bill) Gallagher
Mayor Tom Bussing - William (Bill) Gallagher

This Matter was Approved as Recommended on the Consent Agenda.

021123 2004 Election (NB)

RECOMMENDATION *The City Commission schedule the 2004 election for March 9 and March 30, 2004.*

This Matter was Approved as Recommended on the Consent Agenda.

021124 City Commission Meetings (B)

RECOMMENDATION *The City Commission schedule a special City Commission meeting for a Public Hearing to select a Preferred Remediation Strategy concerning the Depot Park Cleanup for June 26, at 5:00pm; and an Economic Development workshop for May 29, at 5:00pm*

This Matter was Approved as Recommended on the Consent Agenda.

021156 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of April 7, 2003 (Special Meeting); and April 14, 2003 (Regular Meeting), as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS**PUBLIC WORKS COMMITTEE, CONSENT****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****021140 Upgrade of Police Captain from Pay grade 78 to Pay grade 79 (B)**

RECOMMENDATION *Personnel & Organizational Structure Committee recommend the City Commission approve the upgrade of Police Captain from Managerial pay grade 78 (\$52,459 to \$78,888) to pay grade 79 (\$54,525 to \$81,995).*

This Matter was Approved as Recommended on the Consent Agenda.

021141 Revision to City of Gainesville Policies and Procedures Number 22 - Administrative Leave (B)

RECOMMENDATION *The Personnel and Organizational Structure Committee recommend the City Commission approve the amendment to Policy Number 22.*

This Matter was Approved as Recommended on the Consent Agenda.

RECREATION AND CULTURAL AFFAIRS COMMITTEE, CONSENT**002341 Approval of Ten-Year Lease With Florida Wild Life Care (B)**

RECOMMENDATION *The City Commission approve the lease of the Boulware Springs property to Florida Wildlife Care, Inc., subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

020994 **Revision to Public Recreation Board's By-laws and Addition of Two New Subcommittees (B)**

RECOMMENDATION *The City Commission approve: 1) the creation of the Sign Policy Sub-Committee and the Accreditation Sub-Committee; and 2) approve the revision to the Public Recreation Board's bylaws to include these two new Sub-Committees.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

021150 **Landlord Permit Point System (NB)**

RECOMMENDATION *Community Development Committee to the City Commission - Remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

020139 **Boulder's Civil Nuisance Abatement Ordinance (NB)**

RECOMMENDATION *Community Development Committee to the City Commission - Remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

000884 **Yard Parking (NB)**

RECOMMENDATION *The Community Development Committee to the City Commission: 1) recommend that the City Commission refer to the CRA the general issue of incentives for curb, gutter, driveway aprons and associated stormwater in order to improve the overall infrastructure situations; 2) refer to the City Manager, for the Police Department, the enforcement of on-curb or over-curb violations; 3) recommend that the PST's to go door-to-door to pass around leaflets with regard to illegal parking; and 4) remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

021111 **Amendment to the Commerce Project Development Agreement (B)**

RECOMMENDATION *The City Commission approve the amendment, authorize the Clerk to attest and the Mayor to execute the amendment.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Chestnut, seconded by Commissioner Domenech, 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 and Tom Bussing
Absent: Edward Braddy and Warren Nielsen

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

*Commissioner Domenech moved and Commissioner Chestnut seconded to adopt the Regular Agenda with the following modifications/additional back-up.
(VOTE: 3-0, Mayor-Commissioner Pro Tem Nielsen and Commissioner Braddy - Absent)*

REGULAR AGENDA MODIFICATIONS:

Resolution #021127 - Industrial Development Revenue Bonds for the Hillel Center - Time Certain - 6:15 PM

File #021152 - Ad-Hoc Charter Officer Equal Opportunity Advisory Committee - Time Certain - 6:20 PM.

ADDITIONAL BACK-UP:

File # 020482 - Downtown Parking Garage - 4 documents to add/replace.

File #021144 - Annexation of Oak Hammock - Additional back-up submitted.

File #021146 - Award of Bid: Contract for Construction of the SW 5th Avenue Stormwater Management Facility - Additional back-up submitted.

File #002341 - Revision to City of Gainesville Policies and Procedures Number 22-Administrative Leave - Additional back-up submitted.

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

021151 Workshop - Orientation of New City Commissioners (B)

NOTE: Mayor-Commissioner Pro Tem Nielsen and Commissioner Braddy entered the meeting room AT 1:59 PM.

RECOMMENDATION *The City Commission schedule a workshop on Monday May 5 at 5:00pm for orientation of new City Commissioners in Room 16.*

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, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

CITY MANAGER**021142 Presentation on the U.S. Attorney's Prosecution in the Claude Louis Duboc Case (NB)**

City of Gainesville Police Chief Norman Botsford, Former Gainesville Police Chief Wayland Clifton, Police Sergeant Louis Aceveto, and Local DEA Resident Agent in Charge Richard McEnenany gave presentations.

RECOMMENDATION *The City Commission hear a presentation from Gainesville Police Chief Norman Botsford on GPD's involvement in the successful prosecution of the federal case of money laundering and conspiracy to import drugs over a ten year period.*

Heard

021143 Leadership General Government IV Group Project Presentation (B)

City of Gainesville Police Sergeant Gregory Armagost gave a presentation.

RECOMMENDATION *The City Commission hear a presentation from the members of Leadership General Government IV concerning their Reichert House project.*

Heard

020482 SW Quadrant Parking Garage - Response to City Request For Proposal for Design/Build Contract (B)

City Manager Wayne Bowers and Sr. Assistant City Attorney Charles Hauck gave presentations.

Chair Bussing recognized Finfrock Design-Manufacture-Construct President Bob

Finfrock; Finfrock Attorney Jefferson Braswell; Ponikvar and Associates Architect Paul Miller; Charles Perry Attorney Robert Butts; Charles Perry Representative Breck Weingart; and Finfrock Vice President Bill Finfrock who gave presentations.

FIRST MOTION (MAIN MOTION): Commissioner Domenech moved and Commissioner Braddy seconded to: 1) authorize staff to negotiate with Ken McGurn to procure the additional land for the open garage; and 2) have staff to report back to the City Commission in two weeks.

(VOTE: 3-2, Commissioner Chestnut and Mayor Bussing - No)

Chair Bussing passed the gavel to Mayor-Commissioner Pro Tem Nielsen to make the following motion:

SECOND MOTION: Mayor Bussing moved and Commissioner Chestnut seconded to continue the item to the next City Commission meeting.

(1-4, Mayor Bussing - Yes; Mayor-Commissioner Pro Tem Nielsen and Commissioners Braddy, Domenech and Chestnut - No- MOTION FAILED)

Chair Pro Tem Nielsen recognized Citizens Mark Sexton, Linda McGurn, Kinnon Thomas and Ken McGurn who spoke to the matter.

RECOMMENDATION *The City Commission hear an update from the City Manager and take the action deemed appropriate.*

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

Votes: Aye: Tony Domenech, Edward Braddy and Warren Nielsen

Nay: Chuck Chestnut and Tom Bussing

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

021063 Policy for Donations of Artwork for Public Places, Guidelines for Review by the Art in Public Places Trust (B)

Chair Bussing passed the gavel to Mayor-Commissioner Pro Tem Nielsen to make the following motion:

WAIVER OF RULES

Mayor Bussing moved and Commissioner Domenech seconded to waive the rules to move File #021063 to be heard after File #020482 and to approve the recommendation.

(VOTE: 5-0, MOTION CARRIED)

Art in Public Places Trust Representative Phyllis Brumfield gave a presentation.

RECOMMENDATION *The City Commission approve the new policy for accepting art donations.*

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

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

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

REGIONAL UTILITIES COMMITTEE

COMMUNITY DEVELOPMENT COMMITTEE

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 5:03 PM

RECONVENE - 5:37 PM

CITIZEN COMMENT

Reverend Karl Anderson

Stop the Violence Rally - Thank you for the City's support

Jerry Williamson

Complaint against 2 Gainesville Police Officers

See following File #021163.

021163 Citizen Complaint Against GPD Officers (NB)

RECOMMENDATION *The City Commission authorize the Mayor to write a letter to Mr. Jerry Williamson regarding his complaint against two police officers, suggesting that he pursue other avenues of relief for his concerns.*

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

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

Ron Nichols

Traffic Concerns in the Stephen Foster Neighborhood

See following File #021164

021164 Stephen Foster Neighborhood Traffic Concerns (NB)

RECOMMENDATION *The City Commission refer the issue of cut-through traffic in the Stephen Foster Neighborhood to the Public Safety Committee.*

A motion was made by Mayor-Commissioner Pro Tem Nielsen, seconded by Commissioner Braddy, that this matter be Referred to the Public Safety Committee, due back on October 28, 2003. The motion carried by the following vote:

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

Albert Kitchen

Vending Booth Permitting

See following File # 021165.

021165 Vending Booth Permitting (B)

RECOMMENDATION *The City Commission refer the issue of vending booth permitting to the Community Development Committee.*

A motion was made by Commissioner Chestnut, seconded by Commissioner Braddy, that this matter be Referred to the Community Development Committee, due back on October 28, 2003. The motion carried by the following vote:

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

Mark Harris

Palm Tree Nursery Business - Mr. Charles Burgess - NE 16th Avenue

Community Development Director Tom Saunders made comments.

City Manager to report back to the City Commission in one week.

See following File # 021166.

021166

Mr. Goodtree of Florida, Inc. (B)

RECOMMENDATION *The City Commission hear a presentation from Citizen Mark Harris on behalf of Mr. Goodtree of Florida, Inc., Charles Burgess and place back-up submitted on file.*

Placed on File

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

Brownie Troop #315

PROCLAMATIONS/SPECIAL RECOGNITIONS

021148

2002 Florida State Sunshine Award (B)

Recreation Senior Executive Assistant Laurie Copeland gave a presentation.

RECOMMENDATION *The City Commission receive the 2002 Florida Sunshine Award for Exemplary Performance for a Small Sponsor.*

Heard

021157 Public Employee Recognition Week - May 5-9, 2003 (B)

RECOMMENDATION *City of Gainesville TEAM Chair and Water Plant Manager Richard Davis to accept the proclamation.*

Heard

021158 Great American Cleanup Day - April 26, 2003 (B)

RECOMMENDATION *Keep Alachua County Beautiful Chair Bob Gasche and Executive Director Emeritus and Interim Executive Director Jeanne Rochford to accept the proclamation.*

Heard

021160 Law Day - May 1, 2003 (B)

RECOMMENDATION *Alachua County Court Administration Public Defender's Office Attorney Aubroncee Martin, Sr. Deputy Court Administrator Barbara Dawicke, and Deputy Court Administrator Jan Phillips to receive the Proclamation.*

Heard

TIME CERTAIN - 6:00PM**021071 Resolution to Designate a Portion of SE 2nd Street as "Louis Pennisi Street" (B)**

Chair Bussing recognized Margie Bowers, Lenora Pennisi McMullen, Mr. Pennisi's son-in-law Mr. McMullen, Tommy Pennisi and Emily Pennisi who spoke to the matter.

RECOMMENDATION *The City Commission adopt the Resolution.*

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

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

TIME CERTAIN - 6:15 PM**021127 INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE HILLEL CENTER (B)
A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA
PERTAINING TO THE ISSUANCE OF THE INDUSTRIAL DEVELOPMENT**

REVENUE BONDS REFERENCED BELOW IN COMPLIANCE WITH SECTION 103(a) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AUTHORIZING THE ISSUANCE OF THE CITY OF GAINESVILLE, FLORIDA INDUSTRIAL DEVELOPMENT REVENUE BONDS (GAINESVILLE HILLEL, INC. PROJECT), SERIES 2003, IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$5,000,000, FOR THE PURPOSE OF MAKING A LOAN OF FUNDS TO GAINESVILLE HILLEL, INC. IN ORDER TO FINANCE OR REFINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A CERTAIN SOCIAL SERVICE CENTER FACILITY IN GAINESVILLE, FLORIDA; PROVIDING THAT SUCH REVENUE BONDS SHALL NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE CITY OF GAINESVILLE, 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 GAINESVILLE HILLEL, 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; APPOINTING SUNTRUST BANK AS INITIAL TRUSTEE THEREUNDER; AUTHORIZING THE MAYOR OR MAYOR-COMMISSIONER PRO TEMPORE TO AWARD THE SALE OF THE BONDS TO THE PURCHASER OR PURCHASERS DESIGNATED BY THE NORTHERN TRUST COMPANY AND APPROVING THE CONDITIONS AND CRITERIA OF SUCH SALE; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PLACEMENT AND REMARKETING AGREEMENT AND DESIGNATING THE NORTHERN TRUST COMPANY AS THE INITIAL REMARKETING AGENT AND MAKING CERTAIN OTHER APPOINTMENTS; APPROVING THE FORM OF A LETTER OF CREDIT TO SECURE THE BONDS; 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.

City's Bond Counsel Ed Vogel gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

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

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

TIME CERTAIN - 6:20 PM

021152

Ad-Hoc Charter Officer Equal Opportunity Advisory Committee (B)

Ad-Hoc Charter Officer Equal Opportunity Advisory Committee Chair Pegeen Hanrahan and City of Gainesville Human Resources Director Tom Motes gave presentations.

MOTION: The City Commission approved to: 1) Hire a professional search firm, with a contractor cost of not to exceed \$20,000, (less if possible), plus direct costs to the City of approximately \$5,000; 2) allow the Ad Hoc Committee to recommend a search firm for the City Commission's final approval; and 3) pursue a hiring time line of between 60 and 120 days (to be confirmed upon hiring of the firm, and starting from when the firm is under contract).

RECOMMENDATION *The City Commission hear an update from Chair Pegeen Hanrahan regarding search firm.*

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

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

TIME CERTAIN - 6:30PM

021046 Commissioner Chuck Chestnut - Update on Crime Prevention and Recreation Initiative at T.B. McPherson Recreation Center (NB)

Assistant City Manager Carl Harness, Gainesville Police Department Captain Tony Jones, Officer Eric McQue and Officer Elizabeth Ham gave presentations.

RECOMMENDATION *Hear a presentation from staff on the Crime Prevention Through Environment Design report and Recreation Initiative for the T.B. McPherson Recreation Center and take any action deemed appropriate.*

Heard

PUBLIC HEARINGS

ORDINANCES, ADOPTION READING - ROLL CALL REQUIRED

020584 LAND USE CHANGE - WEST UNIVERSITY AVENUE LOFTS (B)

**Ordinance No. 0-03-14, Petition 107LUC-02PB
An ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by overlaying the Planned Use District Category over certain property with the future land use category of "Mixed Use Low-Intensity (10-30 units per acre)"; located in the vicinity of 605 and 613 West University Avenue; 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 Nielsen, seconded by Commissioner Chestnut, that this matter be Approved and Adopted on Adoption Reading (Ordinance). The motion carried by the following vote:

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

020585 PLANNED DEVELOPMENT ZONING - WEST UNIVERSITY AVENUE LOFTS - QUASI-JUDICIAL (B)

Ordinance No. 0-03-15, Petition No. 108PDV-02PB

An Ordinance of the City of Gainesville, Florida; amending the Zoning Map Atlas and rezoning certain property within the City from "MU-1: 10-30 units/acre mixed use low intensity" to "Planned Development District"; located in the vicinity of 605 and 613 West University Avenue; commonly known as "West University Avenue Lofts"; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement; providing a severability clause; and providing an immediate effective date.

Community Redevelopment Agency (CRA) Manager Karen Slevin gave a presentation.

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, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

020233 CONTROLLED VEHICULAR PARKING (B)

ORDINANCE NO. 0-03-35

An ordinance of the City of Gainesville, Florida, amending Division 4 of Article III of Chapter 26 of the Code of Ordinances regarding controlled vehicular parking; amending and adding definitions; providing for an appeals board, and providing requirements for operational guidelines for a controlled vehicular parking area; amending Appendix A to the Code of Ordinances, amending and adding fees; providing directions to the codifier; providing a severability clause;

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

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, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020580 POINT SYSTEM FOR REGULATION OF LANDLORD PERMITS (B)

Ordinance No. 0-03-13

An ordinance of the City of Gainesville, Florida, creating and adding subsection 14.5-1(e) to the Code of Ordinances providing for certain certifications by an applicant for a landlord permit regarding action to terminate a lease; amending subsection 14.5.2(e) of the Code of Ordinances by creating a point system for the regulation of landlord permits, amending the list of ordinance violations that can lead to permit revocation; and making modifications to the notice and hearing process; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing effective dates.

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

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

RESOLUTIONS- ROLL CALL REQUIRED

980592 Scenic Street Resolution - Glen Springs Road (B)

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

RECOMMENDATION *The City Commission: 1) hear presentation from staff; and 2) adopt resolution.*

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

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

021126 ADOPTION OF COMPREHENSIVE PLAN ELEMENTS (B)

A Resolution promulgating the final remaining Elements of the City of Gainesville 2000-2010 Comprehensive Plan; incorporating the Transportation Mobility Element and the Conservation, Open Space and Groundwater Recharge Element as part of the City of Gainesville 2000-2010 Comprehensive Plan; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

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

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

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

021147 Internship Program Presentation (NB)

City of Gainesville Office of Management and Budget (OMB) Senior Management Analyst Karen Snyder, OMB Intern Bethanie Barber, Revenue Recovery Specialist Audrey Lewis and Finance Intern Puranjay Patel gave presentations.

RECOMMENDATION *The City Commission receive an overview on the Internship Program from the Office of Management and Budget and hear a presentation on the Econometric Cash Flow Model project underway in the Finance Department.*

Heard

UNFINISHED BUSINESS

021144 Annexation of the Oak Hammock Area (B)

City Manager Wayne Bowers gave a presentation.

RECOMMENDATION *The City Commission: 1) receive the petitions for annexation; 2) make findings that the petitions contain the signatures of the property owners or authorized agents; 3) direct the City Manager to analyze the area; 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area; and 5) authorize the City Manager to execute the annexation*

agreement with the Oak Hammock at the University of Florida Foundation, Inc.

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, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

021081 Transportation Coordinating Committee (B)

City of Gainesville Public Works Director Teresa Scott gave a presentation.

MOTION: Commissioner Domenech moved and Commissioner Braddy seconded to recommend to the Transportation Coordinating Committee that the City's top three priorities are: 1) Major collector roads; 2) neighborhood resurfacing program; and 3) traffic signal systems.

(VOTE: 5-0, MOTION CARRIED)

RECOMMENDATION *The City Commission: 1) select their top three (3) transportation projects; and 2) authorize Commissioner Domenech to present these projects to the TCC at their May meeting.*

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

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

021146 Award of Bid: Contract for Construction of the SW 5th Avenue Stormwater Management Facility (B)

RECOMMENDATION *The City Commission award the bid for SW 5th Avenue Stormwater Management Facility to the bidder recommended by staff.*

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

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

021125 Mayor Tom Bussing (B)

MOTION: Appoint Commissioner Braddy to the County-wide Visioning and Planning Committee Process; and Commissioner Chestnut as the alternate.

RECOMMENDATION *The City Commission make appointments to the County-wide Visioning and Planning Committee Process.*

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

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

COMMISSION COMMENT

Commissioner Edward Braddy

Commissioner Braddy introduced two new Proclamations for two fallen soldiers of Gainesville.

See following File #'s 021168 & 021169.

021168 Proclamation in Honor of John Travis Rivero (B)

RECOMMENDATION *The City Commission approve the Proclamation in honor of John Travis Rivero.*

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

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

021169 Proclamation in Honor of Tomorio Demetrius Burkett (B)

RECOMMENDATION *The City Commission approve the proclamation in honor of Tomorio Demetrius Burkett.*

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

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

Commissioner Tony Domenech

Roam Towing Practices

The City Manager to appoint a committee and come back with a report.

Commissioner Chuck Chestnut

Noise Ordinance - Boom Boxes - City 200 Ft./County - 50 Ft.

City Manager to review with the City Attorney.

CITIZEN COMMENT (If time available)

ADJOURNMENT - 9:24 PM

Kurt M. Lannon, Clerk of the Commission