

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, February 26, 2001**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Paula M. DeLaney (At-Large)  
Commissioner Warren Nielsen (At-Large)  
Commissioner Chuck Chestnut (District 1)  
Mayor-Commissioner Pro Tem John R. Barrow (District 2)  
Commissioner Pegeen Hanrahan (District 3)*

**CALL TO ORDER - 1:03 PM****INVOCATION****Scott Whitaker, Associate Minister; Trinity United Methodist Church****ROLL CALL**

Present: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**CONSENT AGENDA***MODIFICATIONS:*

1. *New City Attorney Item - Re: Shands Hospital*
2. *FILE NO. 000951 - Rental Policy - New Recommendation*
3. *FILE NO. 001000 - Tower at McChen Site*

*Commissioner Pegeen Hanrahan moved and Mayor-Commissioner Pro Tem John R. Barrow seconded to remove these items from the Consent Agenda and move them to the Regular Agenda for discussion.  
(VOTE: 5-0)*

**CITY MANAGER, CONSENT AGENDA ITEMS****000982 Revised Annexation Policies (B)**

**RECOMMENDATION** *The City Commission adopt the revised Annexation Policies.*

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

**000983 Reservations of Fund Balance (B)**

**RECOMMENDATION** *The City Commission approve a reservation of \$350,000 for the Downtown Parking Garage and a reservation of \$221,083 for the CRA Loan for the Purchase of the Stringfellow property.*

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

**000984 Change Order # 2 to AMJ Construction, Inc for Wilhelmina Johnson Center**

**Renovation (B)**

**RECOMMENDATION** *The City Commission approve the issuance of Change Order # 2 to AMJ Construction, Inc. in an amount not to exceed \$7,162 which will bring the total up to an amount not to exceed \$205,406 for the renovations of the Wilhelmina Johnson Resource Center.*

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

**000985      Extension of Regional Transit System Agreement for Advertising Services (B)**

**RECOMMENDATION** *The City Commission: 1) approve a one-year extension of the existing Agreement with Obie Media Corporation; and 2) authorize the City Manager or his designee to execute the Agreement extension, subject to approval by the City Attorney as to form and legality.*

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

**000986      YES! Program Contract Approval (B)**

**RECOMMENDATION** *The City Commission: 1) Authorize the City Manager or designee to execute a contract with Santa Fe' Community College to provide job opportunities for unemployed youths under the YES! Program; subject to approval by the City Attorney as to form and legality; and 2) approve the issuance of a purchase order for \$35,000 for the period of June 19, 2001 through October 1, 2001.*

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

**000987      "Share the Road" Grant Proposal to Bike Florida (NB)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to: 1) prepare and file an application with Bike Florida for funding to augment the existing BPAB "Share the Road" public education campaign; and 2) sign any additional documents pertaining to the application.*

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

**000988      Contract for Professional Services for the Downtown SW Quadrant Parking Garage (NB)**

**RECOMMENDATION** *The City Commission: 1) accept the selection of the four most*

*qualified firms in the order of ranking; and, 2) authorize the City Manager, or his designee, to initiate contract negotiations and execute for professional services in accordance with the Consultants' Competitive Negotiations Act (CCNA), subject to approval by the City Attorney as to form and legality.*

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

**000989 Interlocal Agreement between the University of Florida and the City of Gainesville for Transit Services (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager to execute the Interlocal Agreement between the University of Florida and the City of Gainesville, subject to approval by the City Attorney as to form and legality.*

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

**000990 University of Florida Interlocal Agreement for Bicycle/Pedestrian Facility Construction (B)**

**RECOMMENDATION** *The City Commission: 1) authorize the City Manager, or his designee, to execute the Interlocal Agreement, subject to the approval by the City Attorney's Office as to form and legality; and 2) authorize the issuance of a purchase order to the University of Florida in the amount of \$360,000.*

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

**000991 Appropriation of Funds for the Depot Project and the NW 29th Road Project (B)**

**RECOMMENDATION** *The City Commission appropriate \$375,730 from the 1998 Capital Acquisitions Fund to the Depot Project, and appropriate \$309,872 from the 1994 GERRB and \$350,841 from the 1996 FFGFC to the NW 29th Road Project.*

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

**000992 Statewide Mutual Aid Agreement (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager to execute a Statewide Mutual Aid Agreement dated July 31, 2000, with the State of Florida, subject to approval by the City Attorney as to form and legality.*

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

## **GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

### **000998 Contract Amendment for Grounds Maintenance For GRU Administration Building (NB)**

**RECOMMENDATION** *The City Commission authorize the General Manager, or his designee, to execute an amendment to the contract with Ragin Lawn Services for grounds maintenance, subject to the approval of the City Attorney, and approve the issuance of a purchase order for the additional work in amounts not exceeding budgeted amounts.*

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

### **000999 Contract for Grounds Maintenance for Specified GRU Facilities (NB)**

**RECOMMENDATION** *The City Commission authorize the General Manager, or his designee, to execute an amendment to the contract with Florida Green Keepers, Inc. for grounds maintenance for the Main Street and Kanapaha Water Reclamation Facilities (including the addition of Chapman's Pond), Murphree Water Plant's remote facilities and the electric substations to extend the term of the contract for a twelve month period and approve the issuance of purchase orders in amounts not exceeding \$67,160.*

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

### **001001 Extension of Contract for Marketing Services (NB)**

**RECOMMENDATION** *The City Commission: 1) authorize the General Manager or his designee, to negotiate and execute an amendment to the contract with Cramer-Krasselt, extending the term of the contract for marketing services for a period of seven months, subject to the approval of the City Attorney as to form and legality and 2) approve the issuance of purchase orders to Cramer-Krasselt (CK) in an amount not to exceed \$45,000 to fund these services.*

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

## **CITY ATTORNEY, CONSENT AGENDA ITEMS**

**000994 CALVIN COCHRAN, AND ANGELIQUE COCHRAN, HIS WIFE, INDIVIDUALLY, AND AS NEXT FRIEND OF JOHN STIRLING, A MINOR V. THE CITY OF GAINESVILLE, FLORIDA; ALACHUA COUNTY CIRCUIT COURT; CASE NO.: 01-01-CA-253 (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to represent the City in the case styled Calvin Cochran, and Angelique Cochran, his wife, Individually, and as Next Friend of John Stirling, a minor v. The City of Gainesville, Florida; Case No.: 01-01-CA-253.*

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

**000995 MARTHA CHESHIRE V. HAILE VILLAGE CENTER OWNERS ASSOCIATION, INC., A FLORIDA CORPORATION, HAILE PLANTATION CORPORATION, A FLORIDA CORPORATION, AND THE CITY OF GAINESVILLE, ALACHUA COUNTY CIRCUIT COURT; CASE NO. 01-01-CA-413 (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to represent the City in the case styled Martha Cheshire v. Haile Village Center Owners Association, Inc., a Florida Corporation, Haile Plantation Corporation, a Florida Corporation, and the City of Gainesville, Alachua County Circuit Court; Case No. 01-01-CA-413.*

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

**000996 Cannabis Action Network, Inc. v. The City of Gainesville, Consolidated Appeal No. 99-2022 (U.S. Eleventh Circuit) (B)**

**RECOMMENDATION** *The City Commission authorize an appeal to the U.S. Supreme Court.*

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

**000997 DENISE HEALEY V. CITY OF GAINESVILLE; ALACHUA COUNTY CIRCUIT COURT; CASE NO.: 01-00-CA-3107 (B)**

**RECOMMENDATION** *The City Commission 1) approve the terms of the settlement; and 2) authorize the City Manager and the City Attorney's Office to settle the case styled Denise Healey v. City of Gainesville; Alachua County Circuit Court; Case No.: 01-00-CA-3107.*

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

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**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****000955 Amendments to Policy #8, Paid Time Off Leave System (New System) and Policy #9, Designated Leave System (Old System) (B)**

**RECOMMENDATION** *The City Commission approve amended Policy #8 & #9.*

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

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****000962 Appointment - City Beautification Board (NB)**

**RECOMMENDATION** *The City Commission appoint Judith A. Davis to a vacancy on the City Beautification Board to expire November 1, 2002 and appoint Brian Kalt to a vacancy to expire November 1, 2001.*  
*Commissioner Chuck Chestnut - Judith A. Davis and Brian Kalt*  
*Commissioner Pegeen Hanrahan - Judith A. Davis and Brian Kalt*  
*Commissioner Warren Nielsen - Judith A. Davis and Brian Kalt*  
*Mayor-Commissioner Pro Tem John Barrow - Judith A. Davis and Brian Kalt*  
*Mayor Paula DeLaney - Judith A. Davis and Brian Kalt*

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

**000963 Appointment - Development Review Board (NB)**

**RECOMMENDATION** *The City Commission appoint Joel F. Houston to a vacancy on the Development Review Board to expire November 1, 2001.*  
*Commissioner Chuck Chestnut - Joel F. Houston*  
*Commissioner Pegeen Hanrahan - Joel F. Houston*  
*Commissioner Warren Nielsen - Joel F. Houston*  
*Mayor-Commissioner Pro Tem John Barrow - Joel F. Houston*  
*Mayor Paula DeLaney - Joel F. Houston*

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

000964

**Appointment - Gainesville Code Enforcement Board (NB)**

**RECOMMENDATION** *The City Commission appoint Marty R. Eskridge to a vacancy on the Gainesville Code Enforcement Board to expire August 1, 2002.*  
*Commissioner Chuck Chestnut - Marty R. Eskridge*  
*Commissioner Pegeen Hanrahan - Marty R. Eskridge*  
*Commissioner Warren Nielsen - Readvertise*  
*Mayor-Commissioner Pro Tem John Barrow - Marty R. Eskridge*  
*Mayor Paula DeLaney - Marty R. Eskridge*

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

000965

**Appointment - Gainesville Energy Advisory Committee (NB)**

**RECOMMENDATION** *The City Commission appoint Bock V. Folken to a vacancy on the Gainesville Energy Advisory Committee to expire September 30, 2003.*  
*Commissioner Chuck Chestnut - Bock V. Folken*  
*Commissioner Pegeen Hanrahan - Bock V. Folken*  
*Commissioner Warren Nielsen - Bock V. Folken*  
*Mayor-Commissioner Pro Tem John Barrow - Bock V. Folken*  
*Mayor Paula DeLaney - Bock V. Folken*

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

000966

**Appointment - Public Recreation Board (NB)**

**RECOMMENDATION** *The City Commission appoint Joel F. Houston to a vacancy on the Public Recreation Board to expire June 1, 2001.*  
*Commissioner Chuck Chestnut - Joel F. Houston*  
*Commissioner Pegeen Hanrahan - Readvertise*  
*Commissioner Warren Nielsen - Joel F. Houston*  
*Mayor-Commissioner Pro Tem John Barrow - Joel F. Houston*  
*Houston*  
*Mayor Paula DeLaney - Joel F. Houston*

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

001013

**Resignation - Gainesville Energy Advisory Committee (B)**

**RECOMMENDATION** *The City Commission accept the resignation of member David P. Harlos from the Gainesville Energy Advisory Committee effective immediately.*

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



## **Passed The Consent Agenda**

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

## **END OF CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

*Commissioner Pegeen Hanrahan moved and Mayor-Commissioner Pro Tem John R. Barrow seconded to adopt the Regular Agenda with the following modifications:  
(VOTE: 5-0)*

- 1. New City Attorney Item - Re: Shands Hospital - Add*
- 2. FILE NO. 000951 - Rental Policy - New Recommendation - Move from Consent Agenda*
- 3. FILE NO. 001000 - Tower at McChen Site - Move from Consent Agenda*
- 4. FILE NO. 001007 - Design Manual - Word Change*

## COMMISSION COMMENT

### MAYOR PAULA M. DELANEY

### CLERK OF THE COMMISSION

#### 001011 Tourist Development Council (NB)

*NOTE: Commissioner Warren Nielsen resigned and Commissioner Chuck Chestnut was nominated to serve on the Tourist Development Council. No other nominations were presented.*

**RECOMMENDATION** *The City Commission make an appointment to the Tourist Development Council.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

## CITY MANAGER

#### 000993 Eastside Transit Enhancements (B)

*City of Gainesville Regional Transit Director Jeff Logan gave a presentation.*

*Chair Paula M. DeLaney recognized Citizens Nell Anderson, Barbara Cochran and Alice Hogan who spoke to the matter.*

*MOTION: Endorse the Eastside Transit Enhancements as proposed and seek state funding.*

**RECOMMENDATION** *The City Commission hear a proposal from staff and take appropriate action.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**001002 Metropolitan Transportation Planning Organization (MTPO) (NB)**

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

*Chair Paula M. DeLaney recognized Citizen Cindy Smith who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a report from staff regarding the March 1, 2001 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

**Heard**

**001003 Old Gainesville Depot Update (NB)**

*City of Gainesville Community Development Director Tom Saunders, Brownsfield Coordinator Matt Dube', Public Works Director Teresa Scott and Historic Preservation Planner Dee Hendrix gave presentations.*

*NOTE: Chair Paula M. DeLaney left the meeting room at 1:47 PM and re-entered the meeting room at 1:58 PM.*

**RECOMMENDATION** *Hear a presentation from staff and provide direction on the interim and final relocation issues.*

**Heard**

**001004 University of Florida Campus Master Plan Update (NB)**

*Chair Paula M. DeLaney recognized Consultant for the University of Florida Planning Department Bill Colehower who gave a presentation.*

*Chair Paula M. DeLaney recognized Citizen Cindy Smith, City of Gainesville RTS Director Jeff Logan and Community Development Director Tom Saunders who spoke to the matter.*

**RECOMMENDATION** *Hear an update on the University of Florida Campus Master Plan from University Staff.*

**Heard**

**UNIVERSITY AD HOC COMMITTEE****001012 UNIVERSITY AD HOC COMMITTEE (B)**

*City Attorney Marion Radson gave a presentation.*

*Chair Paula M. DeLaney recognized Citizens Cindy Smith, Robert Pearce and Marge Maligodi who spoke to the matter.*

*MOTION: Approve the recommendation including: 1) Funding Task A out of City Commission Contingency; 2) Look at funding Task B & C during next fiscal year's budget process; and 3) have staff extract information from the study to come up with contingencies to apply to multi-family neighborhoods.*

**RECOMMENDATION** *The City Commission: 1) hear a report from the City Attorney; 2) approve the proposal for Professional Services with Duncan Associates; 3) identify a funding source; and 4) authorize the city attorney to enter into an agreement with Duncan Associates.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**RECESS - 4:49 PM**

**RECONVENE - 5:36 PM**

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**PUBLIC WORKS COMMITTEE**

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE****RECREATION AND CULTURAL AFFAIRS COMMITTEE****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)****CITIZEN COMMENT (5:30pm)****NINA POSTLETHWAITE-SAIVE**

*See following item Re: NW 9th Street.*

**001023 Closing of NW 9th Street - Hidden Lake Apartments Entrance (B)**

*Chair Paula M. DeLaney recognized Hidden Lakes Apartment developer Nathan Collier; and Citizens Mrs. Bolton and John Korb who spoke to the matter.*

*NOTE: Chair Paula M. DeLaney left the meeting room and Chair Pro Tem John R. Barrow assumed the gavel.*

**RECOMMENDATION** *The City Commission refer the issue of closing NW 9th Street to the City Manager's staff and the City Attorney to review the process for initiating this and come back to to the next City Commission meeting with a recommendation.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager, due back on March 12, 2001. The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and John R. Barrow  
Absent: Paula M. DeLaney

**ILENE KANELY**

*Union Street Station concerns.*

*Chair Paula M. DeLaney re-entered the meeting room at 5:59 PM.*

**SHANTI VANNI**

*See following item Re: Earth Day Festival.*

**001024 Earth Day Festival (NB)**

**RECOMMENDATION** *The City Commission cover the cost of police protection for the Earth Day Festival to be held April 21, 2001 or if the weather is bad, April 22, 2001, from the City Commission Contingency Fund not to exceed \$1000.00.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**MARGE MALIGODI**

*26/26A Project*

**THELMA CARLYSLE**

*26/26A Project*

**COMMISSION COMMENTS (if time available)****PLEDGE OF ALLEGIANCE (6:00pm)****Troops #923 and #1201****PROCLAMATIONS/SPECIAL RECOGNITIONS****000973 Alachua County Library District Appreciation Month - February 2001 (B)**

**RECOMMENDATION** *Alachua County Library District Library Director Ann W. Williams to accept the proclamation.*

**Heard**

**000974 Hazardous Materials Spill Prevention Week - February 25-March 3, 2001 (B)**

**RECOMMENDATION** *North Central Florida Local Emergency Planning Committee Chair John Hudson to accept the proclamation.*

Heard

## PUBLIC HEARINGS

## ORDINANCES, 1ST READING- ROLL CALL REQUIRED

### 000796 ANNEXATION - RUSTLEWOOD AREA (B)

#### ORDINANCE NO. 0-00-131

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended, by Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area generally bounded on the north by the Gainesville city limits, on the west by the extension of N.W. 51st Street, on the east by the Gainesville city limits and on the south by the Gainesville city limits; providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the City Manager and Clerk of the Commission; providing ballot language; providing for land use plan and zoning regulations; providing for enforcement of Alachua County land use plan, zoning and subdivision regulations; providing for persons engaged in any occupation, business, trade or profession; providing a severability clause; and providing an immediate effective date.**

*City of Gainesville Strategic Planner Heidi Lannon gave a presentation.*

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

### 000829 ART IN PUBLIC PLACES TRUST (B)

#### Ordinance No. 0-01-04

**An ordinance of the City of Gainesville, Florida, amending chapter 5.5 of the Code of Ordinances relating to Art in Public Places to implement a consolidated City of Gainesville/Alachua County art in public places trust; providing for two appointees to the trust to be chosen by the Board of County Commissioners;**

providing a transition schedule; providing that the art in public places trust shall make recommendations to the Board of County Commissioners for art for county projects; 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 Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

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

### **000770 REZONING - (B)**

#### **ORDINANCE NO. 0-01-03, PETITION NO. 176ZON-00PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-1: 3.5 units/acre single-family residential district" to "MD: Medical services district"; located in the vicinity of 6400 block of Northwest 9th Boulevard; 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 Nielsen, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

### **000866 AUTHORIZATION FOR THE MAYOR TO DECLARE A WATER EMERGENCY, AND IMPOSITION OF WATER USE RESTRICTIONS (B)**

#### **ORDINANCE NO. 0-01-09**

**AN ORDINANCE OF THE CITY OF GAINESVILLE AMENDING SECTION 2-67 OF THE CODE OF ORDINANCES BY CREATING SUBSECTION 2-67(b) AUTHORIZING THE MAYOR TO DECLARE A WATER EMERGENCY AND IMPOSE WATER USE RESTRICTIONS; PROVIDING FOR THE DEFINITION OF NON-ESSENTIAL USES, ENFORCEMENT BY CODE ENFORCEMENT OFFICERS OF THE CITY, RELIEF FROM WATER USE RESTRICTIONS UNDER CERTAIN CIRCUMSTANCES, AND DIRECTING THE GENERAL MANAGER FOR UTILITIES TO ADOPT RULES FOR DISCONTINUING WATER SERVICE TO PERSONS**



**VIOLATING WATER USE RESTRICTIONS; PROVIDING PENALTIES;  
AMENDING SECTION 2-339 BY ADDING VIOLATIONS OF EMERGENCY  
WATER USE RESTRICTIONS TO THE LIST OF ORDINANCES  
ENFORCEABLE BY CIVIL CITATION; A REPEALING CLAUSE AND AN  
EFFECTIVE DATE.**

*Chair Paula M. DeLaney recognized Citizen Bill Holt who spoke to the matter.*

*GRU Strategic Planner David Richardson gave a presentation.*

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**000867 RATES AND CHARGES FOR RETAIL WATER SERVICE (B)**

**ORDINANCE NO. 0-01-10**

**AN ORDINANCE AMENDING CHAPTER 27, SECTION 27-126.1.(c), OF THE GAINESVILLE CODE OF ORDINANCES BY ADDING LANGUAGE SPECIFIC TO IRRIGATION METERS; AND AMENDING APPENDIX A, SECTION UTILITIES (3) g., (3) i.2., and (3) j.2., WATER, OF THE GAINESVILLE CODE OF ORDINANCES BY REVISING RATES AND CHARGES FOR RETAIL WATER SERVICE; AND AMENDING APPENDIX A, SECTION UTILITIES (4) h.2., SEWERAGE, OF THE GAINESVILLE CODE OF ORDINANCES BY REVISING RATES AND CHARGES FOR RETAIL WASTEWATER SERVICE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN**

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**991266 REZONING TO PLANNED DEVELOPMENT FOR HILLEL JEWISH STUDENT CENTER (B)**

**ORDINANCE NO. 0-00-112, PETITION NO. 39PDV-00PB**

**An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "RMF-5: 12 units/acre single-family/multiple-family residential district" to "Planned Development District"; located in the vicinity of 2026 and 2038 W. University Avenue, to be known as "Hillel Jewish Student Center" adopting a development plan report and development plan maps; providing additional conditions and restrictions; providing for penalties; providing a severability clause; and providing an immediate effective date.**

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

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Nielsen, that this matter be Adopted on Final Reading, as amended (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

## **RESOLUTIONS- ROLL CALL REQUIRED**

### **001007 Design Manual for Subdivisions and Site Plans #980017 (B)**

**RECOMMENDATION** *The City Commission: 1) approve the Resolution authorizing modification of the Design Manual for Subdivisions and Site Plans; and 2) authorize the Mayor and the Clerk of the Commission to execute the Resolution, subject to approval by the City Attorney as to form and legality.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

### **001008 Downtown Expansion. A Resolution of the City of Gainesville, Florida finding the portion of the City to be known as the Downtown/Expansion district, as further described herein, to be an area of slum or blight; finding that the area is appropriate for community redevelopment; finding that rehabilitation, conservation, redevelopment, or a combination thereof, of the area is necessary in the interest of public health, safety, morals or welfare of the residents of the City of Gainesville; and providing an immediate effective date. (B)**

*City of Gainesville Community Development Director Tom Saunders and Consultants Gary Dickens and Linda Claybrook from Ivey, Harris and Walls gave presentations.*

*Chair Paula M. DeLaney recognized Citizens Ruth Brown, Ilene Kanely, Bill Holt and Pastor Mack who spoke to the matter.*

**RECOMMENDATION** *The City Commission: 1) receive a report from Ivey, Harris and Walls addressing blighted conditions in the proposed Community Development Area; 2) receive public input; and 3) adopt the resolution.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

## SCHEDULED EVENING AGENDA ITEMS

### 001010 Pleasant Street Historic District (NB)

*City of Gainesville Community Development Director Tom Saunders and Historic Preservation Planner Dee Hendrix gave presentations.*

*Chair Paula M. DeLaney recognized Citizens Ruth Brown, George Tedford, Cleve Sharpe, Rosa Williams, Winston Bradley, Celia Fairweather, Lisa Fisher, Melanie Barr, Alvin Butler, Thomas Faye, Dottie Faibusy, Dorothy Mae Butler, Frederick Wetterqvist, Susie Mae White, Reverend Mack, Furman Wallace and Ogon Leiya who spoke to the matter.*

*MOTION: The City Commission: 1) Approve the proposal for a task force; 2) appoint the 14 people on the list submitted by Winston Bradley, including Reverend Mack in order for the task force to begin meeting; 3) include the list of entities and criteria that have been identified by staff and request that the present members and staff review this criteria at their first meeting; and 4) come back to the City Commission with a recommendation if additional vacancies should be advertised.*

**RECOMMENDATION** *Hear a presentation from staff, approve the proposal for a task force to be formed and report back in six months, and direct staff to work with the task force and a consultant, if hired, and to seek additional preservation grant funds if available.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**RECESS - 9:39 PM**

**RECONVENE - 10:01 PM**

**001009 REVENUE BONDS FOR FLEET ACQUISITION****FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION  
REVENUE BONDS, SERIES 2001 - FLEET ACQUISITIONS (B)**

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**PLAN BOARD PETITIONS****DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****001000 Amended Lease Agreement Enabling Construction of a Monopole  
Communication Tower at the McMichen Substation Site (NB)**

*City of Gainesville Planning Manager Ralph Hilliard gave a presentation.*

*SECOND MOTION: Commissioner Pegeen Hanrahan moved and Commissioner Warren Nielsen seconded that City staff coordinate with County staff to bring back a report on the wireless master plan process and find out if there are gaps that need to be filled in our regulatory framework.*

*(VOTE: 5-0)*

**RECOMMENDATION** *The City Commission authorize the General Manager or his designee to negotiate and execute Tower and Ground Space Lease Agreements for the placement of communications equipment on the GRU McMichen Substation communication tower and site and negotiate and execute an Amended Tower and Ground Space Lease Agreement with Verizon Wireless (Verizon) for the construction of a Monopole Tower replacing the existing communication tower at the McMichen Substation site, subject to obtaining site plan approval from City Planning Staff and the approval of the City Attorney as to form and legality.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**001020 City of Gainesville Health Facilities Revenue Note (Shands Teaching Hospital and Clinics, Inc., Project)**

**RECOMMENDATION** *The City Commission authorize the Mayor and the Clerk of the Commission to execute the First Amendatory Loan Agreement, subject to the approval of the City Attorney as to form and legality.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**000951 Rental Policy (B)**

*Completed as part of Fee study*

**RECOMMENDATION** *The City Commission refer this item to the Audit & Finance Committee.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the Audit and Finance Committee, due back on August 26, 2001. The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**001006 Annual Performance, Salary and Benefits Review - General Manager for Utilities (NB)**

**RECOMMENDATION** *As required by the General Manager for Utilities' employment agreement, the City Commission conduct the annual performance, salary and benefits review.*

**Postponed**

**001005 2001-2002 City Commission Goals (B)**

**RECOMMENDATION** *The City Commission hear a presentation from staff and make any desired changes to the proposed 2001-2002 City*

*Commission Goals.***Discussed****COMMISSION COMMENT****COMMISSIONER PEGEEN HANRAHAN**

1. See following item Re: Depot Avenue
2. Public Art - Creek Signage

**001028 Depot Avenue - Professional Public Information Assistance (NB)**

**RECOMMENDATION** *The City Commission refer the issue of professional public information assistance articulating the vision of the Depot Avenue project to the General Manager of Utilities and the City Manager.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Nielsen, that this matter be Referred to the General Manager for Utilities, due back on August 26, 2001. The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

**COMMISSIONER CHUCK CHESTNUT**

1. Porter's Neighborhood and Tumblin Creek - Single Family Zoning

*City of Gainesville Public Works Director Teresa Scott and Planning Manager Ralph Hilliard gave presentations.*

**VOTE FOR EXTENSION OF MEETING**

*Commissioner Pegeen Hanrahan moved and Commissioner Warren Nielsen seconded to extend the meeting for 15 minutes.*

*(VOTE: 5-0)*

**MAYOR -COMMISSIONER PRO TEM JOHN R. BARROW**

*Forest of the Unicorn Issues - Referred to the City Manager*

**COMMISSIONER WARREN NIELSEN**

1. NW 38th Street - Thanks to Meg Neiderhofer
2. Boom Boxes - Refer to the City Manager

**WAYNE BOWERS**

1. *Chamber Trip*
2. *Novorossiisk Trip*

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT - 11:26 AM**

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Kurt M. Lannon, Clerk of the Commission