

City of Gainesville

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



Meeting Minutes

Monday, April 22, 2002

1:00 PM

City Hall Auditorium

City Commission

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

CALL TO ORDER - 1:07 PM**INVOCATION****Dr. Royal Colbert, Mount Carmel Baptist Church****ROLL CALL**

Present: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

BOARD OF TRUSTEES

Commissioner Barrow moved and Commissioner Chestnut seconded to adopt the Board of Trustees Agenda.

(VOTE: 4-0, Mayor-Commissioner Pro Tem Hanrahan - Absent - MOTION CARRIED)

002624 Annual Performance Report for the General Employees' Pension Fund for the Calendar Year Ended December 31, 2001 (B)

Finance/Pension Management Analyst Tim Christiansen and Administrative Services Director Glenda Currie gave presentations.

RECOMMENDATION *The Board of Trustees hear a performance update from the Pension Review Committee and accept the Annual Performance Report for the General Employees' Pension Fund for the Year Ended December 31, 2001.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Nielsen, 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 Tom Bussing

CONSENT AGENDA

Commissioner Hanrahan moved and Commissioner Nielsen seconded to adopt the Consent Agenda.

(VOTE: 5-0 - MOTION CARRIED)

CITY MANAGER, CONSENT AGENDA ITEMS**002703 Front Porch Florida Initiative/Tot Lot 1 (B)**

RECOMMENDATION *The City Commission authorize the City Manager to execute*

an agreement with the Northeast Gainesville/Duval Area Neighborhood Front Porch Florida Community, Inc. Revitalization Council for enhancements/improvements to Tot Lot 1 and designate \$15,000 from the 2002 Bond Issue for this project.

This Matter was Approved as Recommended on the Consent Agenda.

002626 Award of Bid for Westside Park Baseball Sports Field Lighting (B)

RECOMMENDATION *The City Commission: 1) award the contract for the Westside Park Baseball Sports Field Lighting to M. Gay Constructors, Inc.; and 2) authorize the City Manager or his designee to execute the contract to M. Gay Constructors, Inc. in an amount not to exceed \$77,500.*

This Matter was Approved as Recommended on the Consent Agenda.

002627 Surplus Property Sale (NB)

RECOMMENDATION *The City Commission declare all materials, equipment and vehicles presently stored at the Surplus Lot as surplus property and authorize the sale of such property.*

This Matter was Approved as Recommended on the Consent Agenda.

Corporation for National and Community Service Grant Application for Citizen Volunteer Program to Support Homeland Security (NB)

RECOMMENDATION *The City Commission authorize the City Manager to: 1) apply for the Corporation for National and Community Service Grant Application for a Citizen Special Volunteer Program; and if awarded, 2) execute the grant award contract, pending 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

002636 Construction of a Replacement Communications Tower and Lease Amendment Agreement at the Ft. Clarke Substation Tower and Site (B)

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute an Amended Tower and Ground Space Lease Agreement with Powertel / Jacksonville, MTA, Inc.(VoiceStream), for the construction of a Monopole Tower*

replacing the existing communications tower at the Ft. Clarke Substation Tower site, subject to obtaining site plan approval from the County Planning Staff and the approval of the City Attorney as to form and legality; and 2) authorize the General Manager or his designee to negotiate and execute Tower and Ground Space Lease Agreements for the right to place antennas and equipment on the new GRU Ft. Clarke Substation communications tower and site, subject to the approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

001016 Economics of Rental Rehabilitations (NB)

RECOMMENDATION *The Community Development Committee recommends that the City Commission remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

001016 Southwest 13th Street Stakeholders and Advocates (NB)

RECOMMENDATION *The Community Development Committee recommends that the City Commission remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

002623 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of April 4, 2002 and April 8, 2002, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

002641 Appointment - Citizens' Advisory Committee for Community Development (NB)

RECOMMENDATION *The City Commission appoint Peter G. Kelegian to a vacancy on the Citizens' Advisory Committee for Community Development to expire November 1, 2004.
Commissioner John Barrow - Peter G. Kelegian
Commissioner Chuck Chestnut - Peter G. Kelegian
Commissioner Warren Nielsen - Peter G. Kelegian
Mayor-Commissioner Pro Tem Pegeen Hanrahan -
Readvertise
Mayor Tom Bussing - Readvertise*

This Matter was Approved as Recommended on the Consent Agenda.

002642 Appointment - City Beautification Board (NB)

RECOMMENDATION *The City Commission appoint James J. Argento to a vacancy on the City Beautification Board to expire November 1, 2004.
Commissioner John Barrow - James J. Argento
Commissioner Chuck Chestnut - James J. Argento
Commissioner Warren Nielsen - James J. Argento
Mayor-Commissioner Pro Tem Pegeen Hanrahan - James J.
Argento
Mayor Tom Bussing - James J. Argento*

This Matter was Approved as Recommended on the Consent Agenda.

002645 Appointment - Gainesville/Alachua County Cultural Affairs Board (NB)

RECOMMENDATION *The City Commission appoint David A. Velez to a vacancy on the Gainesville/Alachua County Cultural Affairs Board to expire November 1, 2003.
Commissioner John Barrow - David A. Velez
Commissioner Chuck Chestnut - Deedra L. Woods
Commissioner Warren Nielsen - David A. Velez
Mayor-Commissioner Pro Tem Pegeen Hanrahan - David A.
Velez
Mayor Tom Bussing - David A. Velez*

This Matter was Approved as Recommended on the Consent Agenda.

002647 Appointment - Gainesville Energy Advisory Committee (NB)

RECOMMENDATION *The City Commission appoint Peter G. Kelegian to a vacancy on the Gainesville Energy Advisory Committee to expire September 30, 2004.
Commissioner John Barrow - Peter G. Kelegian
Commissioner Chuck Chestnut - Peter G. Kelegian*

*Commissioner Warren Nielsen - Readvertise
Mayor-Commissioner Pro Tem Pegeen Hanrahan -
Readvertise
Mayor Tom Bussing - Peter G. Kelegian*

This Matter was Approved as Recommended on the Consent Agenda.

002648 Appointment - Gainesville Human Rights Board (NB)

RECOMMENDATION *The City Commission reappoint Beverly Thomas and appoint Dinah P. Welch to vacancies on the Gainesville Human Rights Board to expire February 22, 2005.
Commissioner John Barrow - Beverly Thomas and Dinah P. Welch
Commissioner Chuck Chestnut - Beverly Thomas and Dinah P. Welch
Commissioner Warren Nielsen - Beverly Thomas and Dinah P. Welch
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Beverly Thomas and Dinah P. Welch
Mayor Tom Bussing - Beverly Thomas and Dinah P. Welch*

This Matter was Approved as Recommended on the Consent Agenda.

002649 Appointment - Regional Transit System Advisory Board (NB)

RECOMMENDATION *The City Commission appoint Maxine Stallings to a vacancy on the Regional Transit System Advisory Board to expire June 1, 2003.
Commissioner John Barrow - Maxine Stallings
Commissioner Chuck Chestnut - Maxine Stallings
Commissioner Warren Nielsen - Maxine Stallings
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Maxine Stallings
Mayor Tom Bussing - Maxine Stallings*

This Matter was Approved as Recommended on the Consent Agenda.

002650 Appointment - Tree Advisory Board (NB)

RECOMMENDATION *The City Commission reappoint Francis E. Putz to a vacancy on the Tree Advisory Board to expire January 1, 2005.
Commissioner John Barrow - Francis E. Putz
Commissioner Chuck Chestnut - Francis E. Putz
Commissioner Warren Nielsen - Francis E. Putz
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Francis E. Putz*

Mayor Tom Bussing - Francis E. Putz

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Nielsen, 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 Tom Bussing

END OF THE CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner Nielsen seconded to approve the Regular Agenda with the following modifications.

- 1. File No. - 002638 - Resolution - Board of Canvassers Report - Back-up submitted.*
- 2. Petition No.'s 002390 & 002389 - Sorrento Planned Development - Additional Back-up submitted.*
- 3. File No. 002466 - Petition 10WSU-02CC ExacTech, Inc. - Additional Back-up submitted.*
- 4. Move File No. 002466 - Petition 10WSU-02CC (ExacTech) and File No. 002467 - Petition 12WSU-02CC (Prestige Hyundai) prior to File No.'s 002390 & 002389 (Sorrento Planned Development).*

CLERK OF THE COMMISSION

002644 2003 City Election (B)

MOTION: 1) Approve Option 1 (April 8 and April 22, 2003) for the 2003 City Election; and 2) authorize the City Attorney to draft an ordinance and the Clerk of the Commission to advertise the ordinance.

RECOMMENDATION *The City Commission: 1) hear a report from Supervisor of Elections Beverly Hill on election issues and 2) schedule the 2003 Election for:*

Option 1 - April 8 and April 22

Option 2 - March 25 and April 8

Option 3 - City Commission select alternative dates

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, 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 Tom Bussing

002646 Special City Commission Meetings and Workshops (B)

MAIN MOTION: 1) Adopt the list of meetings provided by the Clerk of the Commission (Meetings 1-4 in the recommendation); 2) schedule a Special City Commission directly after the May 20, 2002 CRA Meeting (5:00 PM), to address the LB JAX item and/or anything that needs action at that time; and 3) keep the

rescheduled meeting of May 27th, (Tuesday, May 28th) open.

NOTE: Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner Chestnut seconded to move the previous question.

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

RECOMMENDATION *The City Commission schedule special meetings on:*

- 1) Swearing In and Organizational Meeting - May 23 - 12:00 Noon*
- 2) Conservation Element Workshop - June 3 - 6:00pm; City Auditorium*
- 3) Work-shop: Referral List; Design; and Budget/Goal Setting - May 9 -3:00pm; Room 16*
- 4) Joint City/County Fire Merger Special Meetings - July 16 - 1:30pm; December 2 - 1:30pm; using call language provided by County.*

and confirm, that at this time, the meeting scheduled for May 27, 2002, has been canceled and has not been re-scheduled.

A motion was made by Mayor-Commissioner Pro Tem 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 and Tom Bussing
Absent: John R. Barrow

CITY MANAGER

002628 Public Works Follow-up to Concerns of North Lincoln Heights (B)

North Lincoln Heights Neighborhood Association Chairperson Andrew Lovette gave a presentation.

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

REFERRAL: Ask the City Manager to research the relevant CDBG regulations and review whether the City can expedite the project to get it built prior to the school year or as soon as possible and report back to the City Commission.

RECOMMENDATION *The City Commission hear a presentation from N.B. Jones, Assistant Chairperson of the North Lincoln Heights Neighborhood Association.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager, due back on October 22, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002351 Chromated Copper Arsenate (CCA) Treated Playgrounds (NB)

City of Gainesville Parks Division Manager Pat Byrne and Solid Waste Manager Steve Hiney gave presentations.

MOTION: 1) Dedicate the \$10,000 from the Contingency Account to this project; and 2) approve and authorize funds from the 2002 Bond Issue in an amount not to exceed \$10,000 for play equipment at Lincoln, Ring and Sharmie Ffar Parks.

RECOMMENDATION *The City Commission: 1) hear a report from staff; and 2) approve and authorize funds from the 2002 Bond Issue in an amount not to exceed \$10,000 for play equipment at Lincoln, Ring and Sharmie Ffar Parks.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Barrow, 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 Tom Bussing

GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY****CITY AUDITOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****EQUAL OPPORTUNITY COMMITTEE****002637 Contract for Diversity Consultant Services (B)**

GRU Community Relations Manager and Diversity Team Project Manager Albert White and EEO Director Jimmy Williams gave presentations.

RECOMMENDATION *The City Commission: 1) Authorize the General Manager or his designee to execute a contract with the Ivy Planning Group, LLC for consultative services in support of Gainesville Regional Utilities' efforts to manage diversity successfully; and 2) approve the issuance of a purchase order to Ivy Planning Group for these services in an amount not to exceed \$198,250.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Hanrahan, 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 Tom Bussing

002652 Equal Opportunity Charter Officer Selection Process (NB)

REFERRAL: Refer to the Blue Ribbon Task Force the request that they: 1) Assist the City Commission by serving as a citizen advisory committee in the hiring process for the Equal Opportunity Charter Officer and recommending a formal process for their participation; 2) assist the City Commission in developing a job description; and 3) provide any additional feedback that they think would be helpful in identifying a top-notch candidate.

(VOTE: 5-0, MOTION CARRIED)

RECOMMENDATION *The Equal Opportunity Committee recommends the City Commission: 1) Discuss the hiring process including the potential hiring of a consultant; and 2) Consider designating the Clerk of the Commission as a contact person for the consultant and/or the process as deemed appropriate.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Nielsen, that this matter be Referred to the Blue Ribbon Task Force for Equal Opportunity Charter Officer, due back on October 22, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

NOTE: Removed from the referral list at the request of the City Attorney, due to this item not passing the legislature.

REFERRAL: Request that the City Attorney's office review the matter of the immediate effective date and the prior precedent for interim status (using previous Interim City Manager) and report back to the City Commission; and 2) include designating the Clerk of the Commission as the contact person for the Equal Opportunity Charter Officer selection process.

(VOTE: 5-0, MOTION CARRIED)

RECOMMENDATION *The Equal Opportunity Committee recommends the City Commission: 1) Discuss the hiring process including the potential hiring of a consultant; and 2) Consider designating the Clerk of the Commission as a contact person for the consultant and/or the process as deemed appropriate.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, that this matter be Referred to the City Attorney, due back on October 22, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

002629 Duval Housing Studio (B)

University of Florida Department of Urban & Regional Planning Student Wendy K. Birket gave a presentation.

RECOMMENDATION *The City Commission hear a presentation from graduate students at the University of Florida Urban and Regional Planning Department on the findings of the Duval Housing Studio.*

Heard

002630 Gainesville Community Playhouse (B)

Gainesville Community Playhouse Representatives Dr. Robert Garrigues and Gerald L. Brewington gave presentations.

REFERRAL: New request for funding.

RECOMMENDATION *The City Commission hear a presentation from Gerald L. Brewington and Dr. Robert Garrigues of the Gainesville Community Playhouse.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the Gainesville/Alachua Co Cultural Affairs Bd, due back on June 1, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002631 Traffic Impact of Downtown Parking Garage (B)

MTPO Senior Planner Gerry Dedenbach and City of Gainesville Transportation Manager Brian Kanely gave presentations.

Chair Bussing recognized Citizens Tony Porter and James Higman who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation from Gerry Dedenbach, Metropolitan Transportation Planning Organization Senior Planner, on behalf of the Citizens Advisory Committee, addressing their concerns about potential traffic impacts created by the new Downtown Parking Garage.*

Heard

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)**RECESS - 5:11 PM****RECONVENE - 5:46 PM****CITIZEN COMMENT (5:30pm)****Ernesto Longes***Police-Citizens Review Board***Debbie Martinez**

1. *Public Safety*
2. *Assaults on Police Officers*
3. *Students- Drugs*

Rena Riley*Gateway Christian Center (Sorrento)***COMMISSION COMMENTS (if time available)****Mayor Tom Bussing**

1. *Letter from Senator Nelson - CAFE Fuel Efficiency Standards.*
2. *Letter from National Arbor Day Foundation - Congratulations - City of Gainesville - 2001 Tree City USA.*
3. *GRU - 3rd Year Certification as a Tree Lined USA Utility.*
4. *Letter from Representative Ed Jennings - Local Legislation.*
5. *North Central Florida Regional Planning Council - 2001 Annual Report - Report to Commission.*

Mayor-Commissioner Pro Tem Pegeen Hanrahan

- Outside Appointments:*
1. *Library Governing Board*
 2. *MTPO (MPOAC)*
 3. *Fire Services Transition Board*
 4. *Economic Development Board*
 5. *Sprout Task Force*
 6. *Town Gown Task Force*
 7. *Healthy Communities Initiative*

Commissioner Chuck Chestnut

North Central Florida Regional Planning Council - No meeting last month.

PLEDGE OF ALLEGIANCE (6:00pm)

Brownie Girl Scout Troop #334 and Junior Girl Scout Troop #682

PROCLAMATIONS/SPECIAL RECOGNITIONS

002639 Crime Victims Rights Week (B)

RECOMMENDATION *2002 Victims Rights Week Planning Committee Chair Molly McGowan to receive the Proclamation.*

Heard

002640 Public Employee Recognition Week (B)

RECOMMENDATION *TEAM representative Information Systems Director George Arola to receive the Proclamation.*

Heard

002651 Administrative Professionals Week - April 21-27, 2002 (B)

RECOMMENDATION *International Association of Administrative Professionals Gainesville Chapter President Ruth Martin CAP and Vice President Jamie Hill to receive the Proclamation.*

Heard

PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

002566 BOARD OF ADJUSTMENT REDUCTION IN FEES (B)

Ordinance No. 0-02-14

An ordinance of the City of Gainesville, Florida, amending the section entitled

"LAND DEVELOPMENT CODE" in Appendix A (Schedule of Fees, Rates, and Charges) of the Code of Ordinances, relating to certain fees for filing petitions before the board of adjustment; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Chestnut, seconded by Commissioner Nielsen, 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 Tom Bussing

ORDINANCES 2ND READING- ROLL CALL REQUIRED

001839 ELECTRIC UTILITY RATES (B)

ORDINANCE NO. 0-02-11

An ordinance amending Appendix A, Section Utilities (1) Electricity of the Gainesville Code of Ordinances by revising the rates and charges for electricity; creating an inverted block rate for the General Service Nondemand Class; eliminating Transmission Service Rates; and eliminating the Power Correction Factor; providing a repealing clause; providing directions to the codifier; providing a severability clause; and, providing an effective date in accordance with the schedule provided herein.

GRU Strategic Planning Director Ed Regan gave a presentation.

Chair Bussing recognized Chamber of Commerce Representative Shawn Woodin who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner 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 and John R. Barrow
Nay: Tom Bussing

002574 EXTENSION OF SW 13th STREET MORATORIUM (B)

Ordinance No 0-02-13

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 002084 and extending the time period of the temporary moratorium on zoning permits, site plan approval and any other official action of the City of Gainesville permitting or having the effect of permitting development or use on all real

property that is zoned "BUS: General business district", "BT: Tourist-oriented business district" and any commercial use, as more specifically defined in this ordinance, on all real property that is zoned "MU-1: 10-30 units/acre mixed use low intensity", "RMF-5: 12 units/acre single-family/multiple-family residential district", "RMF-6: 8-15 units/acre multiple-family residential district", "RMF-7: 8-21 units/acre multiple-family residential district", "RMF-8: 8-30 units/acre multiple-family residential district", "OR: 20 units/acre office residential district", "RH-1: 8-43 units/acre residential high density district", and "RH-2: 8-100 units/acre residential high density district"; located within the S.W. 13th Street Corridor, as more specifically described in this Ordinance, generally bounded on the North by SW Archer Road, and on the South by the city limits, and located generally north of Williston Road; 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 Barrow, seconded by Commissioner Nielsen, 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 Tom Bussing

RESOLUTIONS- ROLL CALL REQUIRED

002632 Resolution for a Joint Participation Agreement for Urban Capital Grant Funding (B)

RECOMMENDATION *The City Commission approve the Resolution authorizing execution of a Joint Participation Agreement with the Florida Department of Transportation.*

A motion was made by Mayor-Commissioner Pro Tem 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 Tom Bussing

002633 Local Housing Assistance Plan - Fiscal Year 2002-2005 (B)

City of Gainesville Housing Manager Jacqueline Richardson gave a presentation.

RECOMMENDATION *The City Commission: 1) approve the Local Housing Assistance Program for State Fiscal Years 2002-2005; 2) authorize the City Manager or his designee to execute all necessary documents and certifications pertinent to the Local Housing Assistance Program; 3) authorize the submission of the Local Housing Assistance Program for review and approval by the Florida Housing Finance Corporation; and*

4) adopt a resolution approving the Local Housing Assistance Program, as required by the SHIP program.

A motion was made by Commissioner Chestnut, seconded by Commissioner 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 Tom Bussing

002634 Affordable Housing Incentive Plan (B)

RECOMMENDATION *The City Commission adopt a Resolution approving the amended Affordable Housing Incentive Plan and incorporating it into the Local Housing Assistance Plan.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Hanrahan, 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 Tom Bussing

002638 Board of Canvassers Report - April 16, 2002 (B)

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Nielsen, 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 Tom Bussing

PLAN BOARD PETITIONS

002466 Petition 10WSU-02CC (Quasi-judicial). Eng, Denman, & Associates, Inc., agent for ExacTech, Inc. A special use permit for wellfield protection with associated development plan review for an addition to the existing building. Zoned: I-2 (general industrial district). Located at 2320 Northwest 66th Court. (B)

City of Gainesville Senior Planner Carolyn Morgan, Assistant City Attorney Walter Matthews, Planning Manager Ralph Hilliard and Community Development Director Tom Saunders gave presentations.

Chair Bussing recognized Agent for the Petitioner Sergio Reyes, P.E. who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 10WSU-02 CC, with conditions. Plan Board vote 7-0.*

Staff to Plan Board - Approve Petition 10WSU-02 PB for a Wellfield Special Use Permit and the preliminary development plan with the recommended conditions.

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Approved as Recommended, with Conditions (Petition). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002467 (Quasi-judicial). Petition 12WSU-02 CC, Eng, Denman & Associates, Inc., agent for Prestige Hyundai. A Special Use Permit for Wellfield Protection for Automotive Repair. Zoned: BA (automotive-oriented business district). Located at 2110 & 2200 North Main Street. Related to Petition 13SPA-02CD. (B)

City of Gainesville Chief of Current Planning Lawrence Calderon gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 12WSU-02 CC, with conditions. Plan Board vote 5-0.*

Staff to Plan Board - Approve

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Approved as Recommended, with Conditions (Petition). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002390 Petition 84PDA-01 PB, Causseaux & Ellington, agent for Emmer Development Corp. A Planned Development Amendment of a lapsed County PUD with associated development layout plan review for construction of 300 or less single-family detached and attached dwelling units on 72.4 acres more-or-less (4.14 du/ac). Zoned: PD. Located in the vicinity of Northwest 21st Drive and Northwest 53rd Avenue, south side. (B)

City of Gainesville Planning Manager Ralph Hilliard, Planner Gene Francis, Attorney for the Petitioner Jim Quincy, Agent for the Petitioner Rory Causseaux, Public Works Director Teresa Scott, Public Works Transportation Manager Brian Kanely and Community Development Director Tom Saunders gave presentations.

*Commissioner Chestnut moved and Mayor-Commissioner Pro Tem Hanrahan seconded to re-open the Public Hearing.
(VOTE: 5-0, MOTION CARRIED)*

Chair Bussing recognized Citizens William Mosby, Willard Cheeseborough, Ethereene Polite, Jerry Lovette, Marion Kirkland, George Polite, Carolyn Andrews, Phil Hall, Lori McGriff and President of the Rainbows Homeowner's Association

William Martinez who spoke to the matter.

NOTE: Mayor Bussing passed the gavel to Mayor-Commissioner Pro Tem Hanrahan.

*FIRST MOTION: Mayor Bussing moved to continue the item.
(NO SECOND - MOTION FAILED)*

SECOND MOTION (MAIN MOTION): Approve Petition 84PDA-01 PB with the conditions as listed in our back-up: 1) Accepting Conditions 1-5, as originally suggested; 2) accepting Condition 6A - as originally suggested; 3) changing Condition 6B to 5 ft for the set back for garages; 4) Include Condition 6C; 5) Condition 21 to read: Petitioner will construct a 18'-12' paved roadway within the NW 21 Street right-of-way from 53rd Avenue South to where the existing dirt road exits the Sorrento property of NW of the NW 21st Street right-of-way. The City will apply concurrency standards towards the construction of the road which will replace the condition of a sidewalk along NW 53rd Avenue. This exchange of concurrency standards may not reduce the required number of concurrency standards which must remain at 8, or some other solution agreed to by the majority of the property owners along NW 21st Street prior to the first reading of the Ordinance; and 6) Condition 22 - scratch most of Condition 22 except the last sentence "If wood fencing is used within the Planned Development, CCA Lumber is not acceptable" and including revised staff Condition 22 - fence along the South property line that the neighbors requested; 7) Condition 32 to add "in coordination with the Public Works Department"; and 8) Condition 33 - regarding where construction truck access would be allowed.

(VOTE: 4-1, Mayor Bussing - No - MOTION CARRIED)

EXTENSION OF MEETING:

Commissioner Nielsen moved and Commissioner Chestnut seconded to extend the meeting until 11:15 PM.

(VOTE: 4-1, Mayor Bussing - No - MOTION CARRIED)

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition 84PDA-01 PB, with staff conditions, as modified by the Plan Board as follows: modify condition no. 6.a. to read, "At least 50% of detached and 25% of attached homes shall have front porches. . . ." and remove "70%" ratio at end of sentence to say "must meet the ratio.", eliminate condition 6.c. containing materials requirements; eliminate condition 7; modify condition 20 so that the 50-foot right-of-way proposed at Northwest 21st Street be retained along the northeast side of the subdivision for any future connection until design plat approval of Phase 4, at which time that stub-out will revert to the discretion of the property owner; eliminate all language pertaining to fencing in the PD report; modify condition 22 regarding a bicycle/pedestrian access, emergency services access and prohibiting CCA materials in fencing; and add a condition 32 to include a stop sign or other device which will force exiting traffic to stop at Northwest 49th Avenue where the bike path intersects; and

with associated development layout plan, with staff conditions.

Staff to Plan Board - Staff recommends that the Planned Development Amendment with associated development layout plan be approved with staff conditions.

A motion was made by Commissioner Barrow, seconded by Commissioner Nielsen, that this matter be Approved as Recommended, with Conditions (Petition). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and John R. Barrow
Nay: Tom Bussing

002389

(Quasi Judicial) Petition 83SUB-01 PB, Legislative Matter No. 002389. Causseaux & Ellington, Inc., agent for Emmer Development. Design plat review for 82 lots on 42.3 acres MOL. Zoned: PD (planned development). Sorrento (Phase I). Located in the vicinity of Northwest 21st Drive and Northwest 53rd Avenue, south side. (B)

City of Gainesville Planning Manager Ralph Hilliard and Planner Gene Francis gave presentations.

ADDITIONAL MOTION: See following referral item # 002657.

RECOMMENDATION *Plan Board to City Commission - The City Commission approve Petition 83SUB-01 PB, with staff conditions. Plan Board vote 5-0*

Staff to Plan Board - The Design Plat is approvable with conditions.

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and John R. Barrow
Nay: Tom Bussing

002657

Traffic Calming - NW 24th Blvd. & NW 49th Ave from 53rd to 39th (NB)

RECOMMENDATION *Refer the issue of speeding and traffic calming for NW 24th Blvd & NW 49th Ave from 53rd to 39th to the Public Works Committee.*

A motion was made by Commissioner Barrow, seconded by Commissioner Nielsen, that this matter be Referred to the Public Works Committee, due back on October 22, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

DEVELOPMENT REVIEW BOARD PETITIONS**SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****EXTENSION OF THE MEETING**

*Commissioner Chestnut moved and Mayor Commissioner Pro Tem Hanrahan moved to waive the rules to extend the meeting for 5 minutes (11:20 PM).
(VOTE: 5-0)*

COMMISSION COMMENT**Commissioner Chuck Chestnut**

Plan East Gainesville Moratorium Proposed Ordinance

See following item # 002659.

002659 Plan East Gainesville Special Area Plan Moratorium Ordinance (B)

This item was adopted by Ordinance # 002682 at the May 28, 2002, City Commission Meeting.

Community Redevelopment Director Tom Saunders and Planning Manager Ralph Hilliard gave presentations.

*NOTE: Commissioner Chestnut moved and Mayor-Commissioner Pro Tem Hanrahan seconded to waive the rules to extend the meeting until 11:30 PM.
(VOTE: 4-1, Commissioner Barrow - No - MOTION CARRIED)*

NOTE: This item was also referred to the City Attorney.

RECOMMENDATION *The City Commission direct staff to propose a moratorium for the Plan East Gainesville Special Area Plan to come in line with the County's Moratorium with a nine (9) month deadline.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Referred to the City Manager, due back on October 22, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen and Pegeen Hanrahan
Nay: John R. Barrow and Tom Bussing

This item was passed by Ordinance # 002682 at the May 28, 2002. City Commission Meeting.

RECOMMENDATION *The City Commission direct staff to propose a moratorium for the Plan East Gainesville Special Area Plan to come in line with the County's Moratorium with a nine (9) month deadline.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Referred to the City Attorney, due back on October 22, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen and Pegeen Hanrahan
Nay: John R. Barrow and Tom Bussing

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:33 PM

Kurt M. Lannon, Clerk of the Commission