

City of Gainesville

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



Meeting Minutes

Monday, January 11, 1999

3:00 PM

City Hall Auditorium

City Commission

*Mayor Paula DeLaney, Chair
Mayor-Commissioner Pro Tem Pegeen Hanrahan, Member*

Invocation

Present: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

Khaled Muhammaad, Islamic Center of Gainesville

Consent Agenda

With the following modifications: 1) File No. 980949 - Remove from Consent Agenda and Place on Regular Agenda; 2) File No. 980950 - Remove from Consent Agenda and Place on Regular Agenda; 3) File No. 980544 - Remove from Consent Agenda and Place on Regular Agenda; 4) File No. 980952 - Remove from Consent Agenda and Place on Regular Agenda; and 5) File No. 980970 - Remove from Consent Agenda and Place on Regular Agenda

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, to Pass the Consent Agenda, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried unanimously.

City Manager, Consent Agenda Items

970622 **Gainesville Airbase Landfill and Burn Site Compliance Phase IX (970622)**

RECOMMENDATION *The City Commission authorize the City Manager, or his designee, to execute Addendum No. 9 to the Agreement for Professional Services between the City of Gainesville and QST Environmental, Inc. (formerly Environmental Science & Engineering, Inc.), in the amount of \$15,650.00 (new not-to-exceed amount of \$395,549.00), in order to implement Phase IX of the activities associated with the Gainesville Airbase Landfill and Burn Site Consent Orders, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

980946 **FY 1998 CDBG and HOME Budget Rollovers - Cedar Grove II**

RECOMMENDATION *The City Commission: 1) approve the rollover of \$44,398 in FY 1998 CDBG funds and \$12,376 in FY 1998 HOME funds to FY 1999; and 2) authorize the City Manager (OMB Staff) to incorporate said rollovers in a subsequent amendment to the FY 1999 General Government Operating and Financial Plan Budget.*

This Matter was Approved as Recommended on the Consent Agenda.

980947 Florida Greenways and Trails Seed Grants Program Grant Application

...Explanation

In December, the City of Gainesville received notice of funding availability through the Florida Greenways and Trails Seed Grants Program. This grant program was created by the Florida Greenways Coordinating Council and the Florida Department of Environmental Protection to promote and facilitate greenways and trails initiatives in Florida. Funding for this grant program was generously provided through the Florida Department of Community Affairs. This program awards grants up to \$5,000 that stimulate or support greenways and trails initiatives. Grant recipients will be selected based on the significance of the greenway, appropriateness of the project, the grantee's administrative capabilities, and educational potential or demonstration value for enhancing the public awareness and appreciation of greenways and trails. Selection will also be based on natural, recreational, cultural and historic features; anticipated economic benefits, including direct and indirect impacts on the local economy; and, public use or other public good resulting from the project.

The City proposes to construct a footbridge and informational kiosk at the Mason Manor trail using the assistance of Boy Scout volunteers. In addition, the City will propose re-landscaping the trail with appropriate native plant species. The Mason Manor trail is well used and maintained with the assistance of volunteers in the Mason Manor community. Completion of this project will enhance the use and availability of this portion of the seasonally flooded trail.

...Fiscal Note

An appropriation of up to \$5,000 from the City Commission Contingency Fund would be needed to match the grant.

...Recommendations

The City Commission: 1) approve the grant application to the Florida Greenways and Trails Seed Grants Program; 2) authorize the City Manager to execute the application; 3) authorize the City Manager to execute the grant agreement and other grant-related documents, if awarded, subject to approval by the City Attorney as to form and legality; and 4) appropriate \$5,000 from the City Commission Contingency Fund.

RECOMMENDATION

The City Commission: 1) approve the grant application to the Florida Greenways and Trails Seed Grants Program; 2) authorize the City Manager to execute the application; 3) authorize the City Manager to execute the grant agreement and other grant-related documents, if awarded, subject to approval by the City Attorney as to form and legality; and 4) appropriate \$5,000 from the City Commission Contingency Fund.

This Matter was Approved as Recommended on the Consent Agenda.

980948 Annual Services Contract for In-Place Density and Material Testing

RECOMMENDATION *The City Commission authorize the City Manager, or his designee, to execute a contract to Advanced Geotechnical Consultants, Inc. and to Universal Engineering Sciences, Inc., subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

980951 Release of Easements in conjunction with the Roadway and Stormwater Management Facilities for the Extension of N.E. 12th Avenue from Waldo Road to Cedar Grove

RECOMMENDATION *The City Commission: 1) authorize the release of two easements in conjunction with the roadway and stormwater management facilities for the extension of N.E. 12th Avenue from Waldo Road to Cedar Grove; 2) authorize the Mayor and the Clerk of the Commission to execute the two release documents; subject to approval by the City Attorney as to form and legality; and 3) direct the Clerk to record said releases in the Public Records and to provide Mr. Camp with copies of the recorded release documents.*

This Matter was Approved as Recommended on the Consent Agenda.

980953 Award of a Purchase Order for Wheelchair Lift-Equipped Used Buses and Appropriate Funds from the RTS Undesignated Fund Balance

RECOMMENDATION *The City Commission: 1) authorize the issuance of a purchase order to Midwest Bus Corporation in the amount of \$728,000 for the purchase of ten used, wheelchair, lift-equipped buses; 2) appropriate \$30,600 from the RTS undesignated fund balance to pay for used buses; and, 3) direct the Office of Management and Budget to include this action in the next amendatory budget ordinance.*

This Matter was Approved as Recommended on the Consent Agenda.

980954 Interlocal Agreement with Alachua County for Financial Assistance for the Regional Transit System (RTS) for FY 1999

RECOMMENDATION *The City Commission: 1) approve the Interlocal Agreement with Alachua County for financial assistance for RTS for FY 1999; and, 2) authorize the City Manager to execute the Agreement subject to approval by the City Attorney as to form*

and legality.

This Matter was Approved as Recommended on the Consent Agenda.

980955 Convert Part-time Temporary to Part-time Regular

RECOMMENDATION *The City Commission authorize converting fourteen (14) part-time temporary positions to fourteen (14) regular part-time positions.*

This Matter was Approved as Recommended on the Consent Agenda.

980960 Special Needs Housing Agreement With The Sexual and Physical Abuse Resource Center, Inc. (SPARC).

RECOMMENDATION *The City Commission: 1) approve the grant award of \$20,000 to SPARC for construction repairs at the Gallenkamp Shelter; 2) authorize the City Manager, or his designee, to execute the agreement between the City, Alachua County and SPARC, subject to approval by the City Attorney as to form and legality; and 3) authorize the City Manager, or his designee, to transfer 50% of the grant award into the Special Needs Housing Trust Fund. (A copy of the Agreement is on file in the Clerk of the Commission's office. After January 11, 1999 a copy of the Agreement will be on file in the Community Development Department.)*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items

980973 Annual Contract for Installation of Gas Pipeline for FY99 (NB)

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute a contract with Hamlet Construction Company, Inc., for installation of gas pipeline, subject to the approval of the City Attorney as to form and legality, and 2) approve the issuance of a blanket purchase order to Hamlet Construction Company, Inc. in an amount not to exceed \$250,000.00.*

This Matter was Approved as Recommended on the Consent Agenda.

980975 Partial Release of a Public Utilities Easement to Stoneridge 3900 Corp. (NB)

RECOMMENDATION *The City Commission: 1) approve the partial release of a public utilities easement to Stoneridge 3900 Corp.; and 2) authorize the Mayor-Commissioner and Clerk of the Commission to execute the Partial Release of Easement document, subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

980977 Consulting Engineer's Contract for Service (NB)

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to execute Amendment Number 1 to the General Services Agreement with Black & Veatch, substantially in the form of that which is on file in the Office of the Clerk of the Commission, subject to approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

980979 Release of Easement to Kenneth and Linda McGurn (NB)

RECOMMENDATION *The City Commission: 1) approve the partial release of a perpetual easement; and 2) authorize the Mayor-Commissioner and Clerk of the Commission to execute the Partial Release of Easement, substantially in the form on file, subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

980980 Ordinance amending Chapter 27, Section 27-21 and Appendix A, Section UTILITIES (1) ELECTRICITY of the Gainesville Code of Ordinances (NB)

RECOMMENDATION *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Chapter 27, Section 27-21 and Appendix A Section Utilities (1) of the Gainesville Code of Ordinances to revise the requirements for Large Power Electric Service; providing for a repealing clause; providing for a severability clause; and providing an effective date in accordance with the schedule provided herein.*

This Matter was Approved as Recommended on the Consent Agenda.

980981 Agreement with Council for Economic Outreach (B)

RECOMMENDATION *The City Commission authorize the General Manager for Utilities or his designee to execute the agreement with the Council for Economic Outreach subject to the approval of the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

Committee Reports, Consent Agenda Items

Public Works Committee, Consent

Personnel & Organizational Structure Comm, Consent

Public Safety Committee, Consent

Audit & Finance Committee, Consent

Legislative Committee, Consent

Regional Utilities Committee, Consent

Clerk of the Commission, Consent Agenda Items

980971 City Beautification Board

RECOMMENDATION *The City Commission appoint Judith Davis, Anita Spring and Charles T. Woods to vacancies on the City Beautification Board to expire November 1, 2001.
Commissioner Sande Calkins - Davis, Spring, and Woods
Commissioner Bruce Delaney - Davis, Spring and Woods
Commissioner Edward Jennings, Sr. - Davis, Spring and Woods
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Davis, Spring and Woods
Mayor Paula DeLaney - Davis, Spring and Woods*

This Matter was Approved as Recommended on the Consent Agenda.

980972 Development Review Board

RECOMMENDATION *The City Commission appoint Robert Pearce to a vacancy on the Development Review Board to expire November 1, 2001.
Commissioner Sande Calkins - Pearce
Commissioner Bruce Delaney - Pearce
Commissioner Edward Jennings, Sr. - Pearce
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Pearce
Mayor Paula DeLaney - Readvertise*

This Matter was Approved as Recommended on the Consent Agenda.

980974 Fire Safety Board of Adjustment

RECOMMENDATION *The City Commission appoint Carl Osberg to a vacancy on the Fire Safety Board of Adjustment to expire November 1, 2001.
Commissioner Sande Calkins - Osberg
Commissioner Bruce Delaney - Osberg
Commissioner Edward Jennings, Sr. - Osberg
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Osberg
Mayor Paula DeLaney - Osberg*

This Matter was Approved as Recommended on the Consent Agenda.

980976 Gainesville Code Enforcement Board

RECOMMENDATION *The City Commission appoint James E. Clayton, Jr. to a vacancy on the Gainesville Code Enforcement Board to expire August 1, 2000.
Commissioner Sande Calkins - Clayton
Commissioner Bruce Delaney - Clayton
Commissioner Edward Jennings, Sr. - Clayton
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Clayton
Mayor Paula DeLaney - Clayton*

This Matter was Approved as Recommended on the Consent Agenda.

980978 Historic Preservation Board

RECOMMENDATION *The City Commission appoint Apryl Howell to a vacancy on the Historic Preservation Board to expire June 1, 2001.
Commissioner Sande Calkins - Howell
Commissioner Bruce Delaney - Howell
Commissioner Edward Jennings, Sr. - Howell
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Howell
Mayor Paula DeLaney - Howell*

This Matter was Approved as Recommended on the Consent Agenda.

980982 Nature Centers Commission

RECOMMENDATION *The City Commission appoint Pearse Hayes and Leslie E. Straub to vacancies on the Nature Centers Commission to expire November 1, 2000.
Commissioner Sande Calkins - Hayes and Straub
Commissioner Bruce Delaney - Hayes and Straub
Commissioner Edward Jennings, Sr. - Hayes and Straub
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Hayes and Straub
Mayor Paula DeLaney - Hayes and Straub*

This Matter was Approved as Recommended on the Consent Agenda.

980983 Regional Transit System Advisory Board

RECOMMENDATION *The City Commission appoint Gary Slossberg to a vacancy on the Regional Transit System Advisory Board to expire June 1, 2001.
Commissioner Sande Calkins - Slossberg
Commissioner Bruce Delaney - Slossberg
Commissioner Edward Jennings, Sr. - Slossberg
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Slossberg
Mayor Paula DeLaney - Slossberg*

This Matter was Approved as Recommended on the Consent Agenda.

980984 Bicycle/Pedestrian Advisory Board

RECOMMENDATION *The City Commission appoint Marcia R. Gould to a term on the Bicycle/Pedestrian Advisory Board to expire December 31, 2001.
Commissioner Sande Calkins - Gould
Commissioner Bruce Delaney - Gould
Commissioner Edward Jennings, Sr. - Gould
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Gould
Mayor Paula DeLaney - Gould*

This Matter was Approved as Recommended on the Consent Agenda.

980991 Gainesville/Alachua County Cultural Affairs Board

RECOMMENDATION *The City Commission accept the resignation of member*

Wanda de Paz-Ibanez from the Gainesville/Alachua County Cultural Affairs Board effective immediately.

This Matter was Approved as Recommended on the Consent Agenda.

980985 City Commission Minutes of December 10 and 14, 1998

RECOMMENDATION *The City Commission approve the minutes as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

Community Redevelopment Agency, Consent Items

970893 Commerce Building and Downtown Residential Project - Extension of Option Agreement Between The City of Gainesville and the Community Redevelopment Agency - Legislative Files 970893 & 970503

RECOMMENDATION *CRA to the City Commission: consent to extend the option agreement for another one-year term.*

This Matter was Approved as Recommended on the Consent Agenda.

980929 Union Street Station - Consent to Assignment of Development Agreement - Legislative Item Number 980929

RECOMMENDATION *Consent to the assignment of the Development Agreement for Union Street Station to First Union Bank.*

This Matter was Approved as Recommended on the Consent Agenda.

980931 Lights on Public Buildings - Legislative Item Number 980931

RECOMMENDATION *CRA to the City Commission: 1) install a band of lights along the roof lines of City-owned buildings downtown; 2) request that the Mayor send a letter to the County Commission asking that the County Commission light the rooflines of County-owned buildings downtown; and, 3) appropriate \$1500 from the City Commission Contingency Fund.*

This Matter was Approved as Recommended on the Consent Agenda.

End of Consent Agenda

Adoption of the Agenda

With the following modification: 1) File No. 980965 - Back-up material submitted; and 2) File No. 980736 - Omitted Page 7 submitted

Citizen Comment (3:00 PM - 3:30 PM)

980992 Downtown Plaza Sign - Dave Stockman, Chair Downtown Redevelopment Advisory Board

RECOMMENDATION *The City Commission advance the Community Redevelopment Agency \$2500 from the City Commission Contingency fund for the construction of the downtown plaza sign.*

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

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan and Edward L. Jennings, Sr.
Absent: Paula M. DeLaney

City Commission Comment (If time available)

Charter Officer Updates

Clerk of the Commission

City Manager

980956 Metropolitan Transportation Planning Organization (MTPO)

Public Works Director Teresa Scott gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff regarding the January 14, 1999 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

This matter was Placed on File

980957 Fraternity and Sorority Banners

Planning Manager Ralph Hilliard gave a presentation.

City Attorney Marion J. Radson gave a presentation.

MOTION: Direct staff to review and take to the City Plan Board, those organizations

that are perhaps regulated by the University of Florida, in terms of banners and evaluate whether they can develop a rational basis for allowing them to meet the University's standards rather than the City's standards

RECOMMENDATION *The City Commission hear a presentation from staff.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Approved, as shown above. The motion carried unanimously.

980958 Allocation of a one-time transfer from GRU representing General Government's share of the Utility's Lease In Lease Out proceeds.

City Manager Wayne Bowers made comments.

RECOMMENDATION *The City Commission approve the allocation for General Government of \$5,138,813 in one-time dollars received from GRU and direct the City Manager to include this allocation in the next FY 1999 amendatory budget ordinance.*

A motion was made by Commissioner Jennings, seconded by Commissioner Delaney, that this matter be Continued for February 8, 1999. The motion carried unanimously.

980544 Legislative Matter No. 980544. Design Review for Public Buildings

RECOMMENDATION *The City Commission adopt the design review process as an official City policy.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Approved as Recommended. The motion carried unanimously.

980949 Amendment to Parking Code

Commissioner Jennings moved to deny the recommendation.

NO SECOND

RECOMMENDATION *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise amendments to the City of Gainesville Code of Ordinances, Sections 26-115 through Sections 26-127, as necessary.*

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

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan and Paula M. DeLaney
Nay: Edward L. Jennings, Sr.

980950 Solid Waste, Recycling and Yard Trash Collection Agreement with Boone Waste Industries, Inc./Waste Management, Inc.

RECOMMENDATION *The City Commission: 1) authorize the City Manager to execute the Solid Waste, Recycling and Yard Trash Collection Agreement with Boone Waste Industries, Inc./Waste Management, Inc., subject to approval by the City Attorney as to form and legality; and 2) authorize the issuance of a Purchase Order in the amount of \$2,800,000 for charges beginning in November of 1999.*

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, that this matter be Approved as Recommended. The motion carried unanimously.

980952 Construction of a Pedestrian Bridge for Ring Park.

RECOMMENDATION *The City Commission: 1) award the contract for construction of a pedestrian bridge at Ring Park to JW Boyd Co.; 2) authorize the City Manager, or his designee, to execute the contract, subject to approval of the City Attorney as to form and legality; and 3) authorize the issuance of purchase orders to JW Boyd Co. and Continental Bridge in the amounts of \$32,878.90 and \$31,811.00, respectively.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Approved as Recommended. The motion carried unanimously.

General Manager for Utilities

City Attorney

City Auditor

Committee Reports (Pulled from Consent)

Public Works Committee

Personnel & Organizational Structure Committee

Public Safety Committee

Audit & Finance Committee**Legislative Committee****Regional Utilities Committee****980986 Rebates for Residential Gas Extensions (NB)**

Assistant General Manager for Utilities Karen Johnson gave a presentation.

AMENDMENT: Ask staff to return with information on customers that have paid a contribution in aid of construction since the date of the original referral to the Regional Utilities Committee (Ref: 970220).

Chair P. DeLaney recognized Citizen Rev. Tim Keyes who spoke to the matter.

RECOMMENDATION *The City Commission hear a report from staff on rebates for residential gas extensions, authorize the General Manager to implement the recommended rebate proposal, and remove this item (#970220) from the referral list.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Jennings, that this matter be Approved as Recommended, as Amended or Revised. The motion carried unanimously.

Advisory Boards/Committees (Appointments/Reports)**980970 Board of Adjustment**

Commissioner Calkins moved to appoint Teresa Rambo to the Board of Adjustment (Vote 5-0).

RECOMMENDATION *The City Commission appoint Bill Rohan to a vacancy on the Board of Adjustment to expire November 1, 2000.
Commissioner Sande Calkins - Rohan and Readvertise
Commissioner Bruce Delaney - Rohan and Readvertise
Commissioner Edward Jennings, Sr. - Rohan and Readvertise
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Rohan and Teresa J. Rambo
Mayor Paula DeLaney - Rohan and Teresa J. Rambo*

A motion was made by Commissioner Delaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved as Recommended. The motion carried unanimously.

Outside Agencies

980966 **Nomination of Three (3) Individuals for the Library District Board of Trustees**

Chair P. DeLaney recognized Applicant Dottie Delfino who spoke to the matter.

Commissioner Hanrahan moved to nominate Dottie Defino, Betty Taylor and Sarrla Somia to the Library Distinct Board of Trustees.

RECOMMENDATION *The City Commission make three (3) nominations for the one vacant position to be considered for appointment by the Governing Board to the Library District Board of Trustees.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Approved, as shown above. The motion carried unanimously.

Members of the City Commission

980907 **Annual Performance, Salary and Benefits Review for the Clerk**

MOTION: Approve a 4.75% increase in salary retroactive to their anniversary date.

RECOMMENDATION *The City Commission review the salary and benefits of the Clerk and make any changes deemed appropriate and retroactive to the anniversary date.*

A motion was made by Commissioner Jennings, seconded by Commissioner Calkins, that this matter be Approved, as shown above. The motion carried unanimously.

980925 **Annual Performance, Salary and Benefits Review for the City Attorney**

MOTION: Approve a 4.75% increase in salary retroactive to their anniversary date.

RECOMMENDATION *The City Commission review the salary and benefits of the City Attorney and make any changes deemed appropriate and retroactive to the anniversary date.*

A motion was made by Commissioner Jennings, seconded by Commissioner Calkins, that this matter be Approved, as shown above. The motion carried unanimously.

980926 **Annual Performance, Salary and Benefits Review for the City Auditor**

MOTION: Approve a 4.75% increase in salary retroactive to their anniversary date.

RECOMMENDATION *The City Commission review the salary and benefits of the City Auditor and make any changes deemed appropriate and retroactive to the anniversary date.*

A motion was made by Commissioner Jennings, seconded by Commissioner Calkins, that this matter be Approved, as shown above. The motion carried unanimously.

Commission Comments

C/B. Delaney - Pine Grove Banner Update (NB)

Commissioner B. Delaney asked for an update on the banner concerns from the Pine Grove Baptist Church.

City Manager Wayne Bowers stated that the banner location near the Pine Grove Baptist Church has been discontinued, but that banners that had been previously approved are continuing.

980993 Syracuse Gift Box - Chair P. DeLaney

RECOMMENDATION *The City Commission refer to the City Manager the possibility of creating a similar gift box.*

A motion was made by Commissioner Jennings, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Referred to the City Manager, due back on June 11, 1999. The motion carried unanimously.

Power Delivery System - C/Hanrahan (NB)

Commissioner Hanrahan shared concerns she has received from John Humprey of the Napier 3A Homeowners Association regarding the power delivery system location.

General Manager for Utilities Mike Kurtz stated that he would put together a field trip for individual Commissioners or the City Commission as needed.

Recess Until 6:00 PM

Pledge of Allegiance

Troop 307

Proclamations/Special Recognitions

980967 Arbor Day - Friday, January 15, 1999

RECOMMENDATION *City Beautification Board Chair Cindy Smith, College Park/University Heights Redevelopment Advisory Board Chair Arnall Downs, Gainesville Garden Center Youth Gardener Chair Ruthie Graybill, Gainesville Garden Club President Barbara Agee, City of Gainesville Horticulturist Susanna Hetrick and City of Gainesville Arborist Meg Niederhofer to accept the proclamations.*

This matter was Placed on File

980968 Braille Literacy Month - January 1999

RECOMMENDATION *Alachua County Chapter of the Florida Council of the Blind President Carol E. Massey and Member Lenora McGowan to accept the proclamation.*

This matter was Placed on File

980969 Martin Luther King, Jr. Week - January 12-18, 1999

RECOMMENDATION *Martin Luther King, Jr. Commission of Florida, Inc. President Rodney J. Long to accept the proclamation.*

This matter was Placed on File

Public Hearings**Ordinances - 1st Readings- ROLL CALL REQUIRED****Ordinances - 2nd Readings- ROLL CALL REQUIRED****970566 Ordinance No. 0-98-84**

An ordinance of the City of Gainesville, Florida, amending Division 1 of Article VII of the Land Development Code, consisting of sections 30-151 through 30-166 and relating to the development plan review process, increasing the threshold for development plan approval by staff and clarifying the process; 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 as amended.*

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

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

970804

Ordinance No. 0-99-20

An ordinance of the City of Gainesville, Florida, amending section 13-58 of the Code of Ordinances relating to authority to grant extensions of time to comply with citations for housing code violations, allowing extensions to be given by the city manager or designee rather than the board of adjustment; amending section 16-26 of the Code of Ordinances relating to service of notice of violations, allowing extensions of time to comply with citations for violation of the Dangerous Buildings and Hazardous Lands Code to be given by city manager or designee; amending section 16-27 of the Code of Ordinances relating to appeals from citations, removing the provision authorizing the Board of Adjustment to grant extensions of time to comply with citations for violation of the Dangerous Buildings and Hazardous Lands Code; 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 Calkins, seconded by Commissioner Jennings, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

980271

Ordinance No. 0-99-03, Petition No. 151LUC98PB

An Ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by changing the future land use category of certain property from "Single Family (up to 8 units per acre)" to "Office"; located in the vicinity of 1605 and 1617 N.W. 16th 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 Hanrahan, seconded by Commissioner Delaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney
Nay: Sande Calkins

980272

Ordinance No. 0-99-04, Petition No. 152ZON-98PB

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 "OF: General office district"; in the vicinity of 1605 and 1617 N.W. 16th 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 Commissioner Delaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney
Nay: Sande Calkins

980436

Ordinance No. 0-98-116

An ordinance of the City of Gainesville, Florida, amending ordinance 3778 to provide that the list of permitted uses for Boulware Springs Park includes veterinarian services for wildlife rehabilitation; providing that no preliminary development plan is required before the new use is permitted; 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 Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

980582

Ordinance No. 0-98-19

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to certificates of appropriateness for historic structures; amending section 30-112 to provide for emergency issuance of certificates of appropriateness in the event of imminent danger of structural failure or collapse; 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 Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

980665

Ordinance No. 0-99-14

An ordinance of the City of Gainesville, Florida, appointing Peter W. Alcorn, to fill a vacancy on the Gainesville Enterprise Zone Development Agency; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Sande Calkins, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney
Abstain: Bruce L. Delaney

980736

Ordinance No. 0-99-17

An ordinance of the City of Gainesville, Florida, amending chapter 9 of the Code of Ordinances relating to elections; updating the list of precincts in each district to match realignments approved by the Supervisor of Elections; repealing portions of the chapter concerning inspectors and clerks that duplicate state law; updating language on qualifying for office; providing minor modifications to clarify language; permitting absentee ballots to be run through tabulating equipment after polls open on election day; 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 Calkins, seconded by Mayor- Commissioner Pro Tem Hanrahan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

Resolutions- ROLL CALL REQUIRED

980294

(Quasi-Judicial) Petition 119SUB-98 DB, Eng, Denman and Associates, Inc., agent for Daisy B. Jones. Final plat approval of Breckenridge Cluster Subdivision, 30 lots on 9.43 acres more or less. Located in the vicinity of N.W. 37th Terrace and N.W. 39th Avenue, north side of street. Zoned: RSF-1

RECOMMENDATION *Planning Staff to City Commission - The City Commission adopt a Resolution approving the plat of "Breckenridge Cluster Subdivision," located in the vicinity of N.W. 37th Terrace and N.W. 39th Avenue, north side of the road; and providing an immediate effective date.*

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

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan and Edward L. Jennings, Sr.
Absent: Paula M. DeLaney

980962 Joint Participation Agreement with the Florida Department of Transportation (FDOT) to fund a Transit Passenger and Bicycle Commuter Facility on the University of Florida Campus

RECOMMENDATION *The City Commission: 1) approve the resolution authorizing the City Manager to execute a joint participation agreement with FDOT to fund a transit passenger and bicycle commuter facility on the University of Florida Campus; and 2) authorize the Mayor and 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 Calkins, seconded by Commissioner Delaney, that this matter be Adopted (Resolution). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan and Edward L. Jennings, Sr.
Absent: Paula M. DeLaney

980963 Joint Participation Agreement with the Florida Department of Transportation (FDOT) to Fund a Commuter Assistance Program

RECOMMENDATION *The City Commission: 1) approve the resolution authorizing the City Manager to execute a Joint Participation Agreement with FDOT to receive grant funds for a commuter assistance project; 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 Delaney, seconded by Commissioner Calkins, that this matter be Adopted (Resolution). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney
Absent: Bruce L. Delaney

980964 United Gainesville Community Development Corporation Application for Community Contribution Tax Credit Program

RECOMMENDATION *The City Commission adopt a resolution stating that the functions of the United Gainesville Community Development Corporation are consistent with the City of Gainesville's plans and regulations, including comprehensive plans, and that the*

City of Gainesville supports the organization's application to OTTED to become a sponsor under the CCTCP.

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

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

980965

Amendment to Local Housing Assistance Plan (LHAP)

Community Development Director Tom Saunders gave a brief presentation.

RECOMMENDATION *The City Commission: 1) approve the amended City of Gainesville's State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) for State Fiscal Years 1996-97, 1997-98 and 1998-99; 2) authorize the Mayor to execute all necessary documents and certifications pertinent to the LHAP, subject to the review and approval by the City Attorney as to form and legality; 3) authorize the submission of the LHAP for review and approval by the Florida Housing Finance Corporation; and 4) adopt a resolution approving the City of Gainesville's LHAP, as required by the S.H.I.P. program (A copy of the LHAP is on file in the Clerk of the Commission's office. After January 11, 1999 a copy of the Agreement will be on file in the Community Development Department.)*

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

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

Plan Board Petitions

980729

Legislative Matter No. 980729. (Formal Quasi-Judicial) Petition 210LUC-98 PB. Brown and Cullen, Inc., agent for Collier Venture One, LP. Amend the City of Gainesville Future Land Use Map of the Comprehensive Plan 1991-2001 from CON (Conservation) to RM (Residential Medium Density, 10-30 units per acre). Located in the vicinity of the 1200 block of N.W. 21st Avenue. Related to Petition 211ZON-98 PB.

Commissioner Hanrahan disclosed an ex parte communication.

Chair P. DeLaney disclosed an ex parte communication.

Chair P. DeLaney recognized Mrs. Lawton who stated she was testifying as an

affected party. The Commission and the City Attorney agreed.

Chair P. DeLaney recognized Dr. Paul Wheeler who stated he was previously approved as an affected party. The Commission and the City Attorney agreed.

NOTE: The minutes of December 14, 1998 reflect the omission of Dr. Paul Wheeler and Theodore Williams as affected parties; however, after relistening to the audio tape regarding the particular motion, they should be included as affected parties.

Clerk of the Commission Kurt Lannon swore in Mrs. Lawton and Mrs. Williams as affected parties.

Affected Party Dr. Wheeler gave testimony, including a slide presentation.

The City Commission accepted the slide presentation as an exhibit.

Petitioner Agent Stuart Cullen asked questions of Affected Party Dr. Wheeler.

Affected Party Eric Garland gave testimony.

Commissioner Jennings asked questions of Affected Party Eric Garland.

Affected Party Michael Lazin gave testimony.

The Commission asked questions to Affected Party Michael Lazin.

Affected Party Professor Bo Gustafson gave testimony.

Petitioner Representative Cullen asked questions to Affected Party Professor Bo Gustafson.

The Commission asked questions of Petitioner Agent Cullen.

Affected Party Steve Chamberlain gave testimony.

Affected Party Kathy Lawton gave brief testimony.

Affected Party Mrs. Theodore Williams gave testimony.

Petitioner Agent Cullen gave rebuttal testimony.

The Commission asked questions of Petitioner Agent Stuart Cullen.

City Planning Manager Ralph Hilliard gave rebuttal testimony.

The Commission asked questions of City Planning Manager Hilliard.

City Attorney Marion Radson asked questions of City Planning Manager Ralph Hilliard.

The Commission asked questions of Petitioner Agent Stuart Cullen.

The Chair declared a recess: 8:56pm

The Chair reconvened the meeting: 9:18pm

Chair P. DeLaney opened the public hearing

Chair P. DeLaney recognized Citizens Catlin Chamberlain, Stanley D. Harris and John Harris who spoke to the matter.

Chair P. DeLaney closed the public hearing.

The Commission deliberated.

Chair P. DeLaney recognized Petitioner Agent Stuart Cullen, Affected Party Eric Garland and Petitioner Nathan Collier.

Chair P. DeLaney declared a recess: (10:37pm).

Chair P. DeLaney reconvened the meeting (10:39pm).

Chair P. DeLaney recognized Petitioner Nathan Collier.

RECOMMENDATION *City Plan Board to City Commission - The City Commission deny Petition 210LUC-98 PB. Plan Board vote 6-1.*

Staff to Plan Board - Approve

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Continued (Petition) for January 25, 1999. The motion carried unanimously.

980730

Legislative Matter No. 980730. (Quasi-Judicial) Petition 211ZON-98 PB. Brown and Cullen, Inc., agent for Collier Venture One, LP. Rezone property from Conservation (CON) to RMF-6 (Multi-Family Residential (10-15 du/acre). Located in the vicinity of the 1200 block of N.W. 21st Avenue. Related to Petition 210LUC-98 PB.

RECOMMENDATION *City Plan Board to City Commission - The City Commission deny Petition 211ZON-98 PB. Plan Board vote 6-1.*

Staff to Plan Board - Approve

A motion was made by Commissioner Calkins, seconded by Mayor- Commissioner Pro Tem Hanrahan, that this matter be Continued (Petition). The motion carried unanimously.

Development Review Board Petitions

Scheduled Evening Agenda Items

Unfinished Business**Commission Comment****Auditorium Use by University of Florida - Chair P. DeLaney (NB)**

Chair P. DeLaney informed the Commission of the \$300.00 cost for the use of the City Hall Auditorium by the University of Florida Student Government.

Development Behind Holy Faith Church - C/Hanrahan (NB)

Commissioner Hanrahan asked staff to look into the lack of buffering behind Holy Faith Church.

Codes Enforcement Issue - C/Hanrahan (NB)

Commissioner Hanrahan asked staff to look into the unregistered vehicles issue.

Chain Link Fence Improvements - C/Hanrahan (NB)

Commissioner Hanrahan recommended funding the replacement of the chain link fences at Kirby Smith Center and Westside Park.

Community Development Director Tom Saunders informed the Commission of his meeting with the School Board Facilities Coordinator who stated he was not in favor of removing the fence.

Assistant City Manager Carl Harness informed the Commission of a comprehensive fencing study which is nearing completion.

Mexico Trip - C/Calkins (NB)

Commissioner Calkins gave the Commission an update on the improvements taking place in Mexico.

20th Street Road Improvements - C/Calkins (NB)

Commissioner Calkins detailed her experience on Hawthorne Road with the State Department of Environmental Protection.

Letter from Alachua County Commissioner Dave Newport - C/B. Delaney (NB)

Commissioner B. Delaney referred the letter to the General Manager for Utilities, City Manager and City Attorney for a report as part of the legislative package.

City Mayor/County Chair Meeting - Chair P. DeLaney (NB)

Chair P. DeLaney updated the Commission on the City Mayor/County Chair meeting.

Citizen Comment

Rev. Tim Keyes - Trader Tom's Follow-Up (NB)

Rev. Tim Keyes informed the Commission that Trader Tom's has not completed the work as required in the agreement.

City Manager Wayne Bowers gave an update on the compliance by Trader Tom's.

City Attorney Marion Radson suggested the City Manager establish a deadline for any improvements required in the agreement.

Adjournment - 11:25PM

Kurt M. Lannon, Clerk of the Commission