

City of Gainesville

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



Meeting Minutes

Monday, September 27, 1999

3:00 PM

City Hall Auditorium

City Commission

*Mayor Paula M. DeLaney (At-Large)
Mayor-Commissioner Pro Tem Bruce L. Delaney (At-Large)
Commissioner Edward L. Jennings, Sr. (District 1)
Commissioner John R. Barrow (District 2)
Commissioner Pegeen Hanrahan (District 3)*

Invocation

Present: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Reverend Willie Mayberry, Pleasant Hill Baptist Church

Board of Trustees of the General Employees Pension Plan

990495 Applications for Retirement (B)

RECOMMENDATION *The Board of Trustees for the General Employees' Pension Plan approve the submitted applications for retirement for the below listed employees:*

- 1. Freddy L. Taylor, Jr., Transit Operator, RTS*
- 2. Jimmy D. Upshaw, Coal/Ash Equipment Operator, GRU Energy Supply-Deerhaven*
- 3. Jerry J. Donaldson, Conservation Analyst III, GRU Conservation Services*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Consent Agenda

990507-Additional Back-up submitted, 990496-Additional Back-up submitted and remove 990501 and place on regular agenda

City Manager, Consent Agenda Items

990478 Software Purchase from Digital Equipment Corporation (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the purchase order to Digital Equipment Corporation, as a sole source provider, in the amount not to exceed \$37,782.00 for the purchase of Teamlinks software and licenses*

This Matter was Approved as Recommended on the Consent Agenda.

990479 Fred Cone Park (B)

RECOMMENDATION *The City Commission refer the Cone Park Project to the Recreation and Cultural Affairs Committee.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Jennings, that this matter be Referred to the Recreation and Cultural Affairs Committee, due back on March 27, 2000. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990480 Annual Services Contract - Ditch Bottom Inlets (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute an Extension Agreement with Taylor Precast, Inc. for the supply of Ditch Bottom Inlets and Appurtenances extending the term of the Agreement from October 1, 1999 to September 30, 2000, subject to approval of the City Attorney as to form and legality and subject to final appropriation of funds for FY 2000.*

This Matter was Approved as Recommended on the Consent Agenda.

990481 FY 2000 Roadway Resurfacing List (B)

RECOMMENDATION *The City Commission approve the FY 2000 Resurfacing Nominations List as recommended.*

This Matter was Approved as Recommended on the Consent Agenda.

990482 Professional Services - Drug Testing (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to negotiate and execute subject to the approval of the City Attorney as to form and legality, a contract with Preferred Services Guaranteed, Inc. for collection and laboratory technical and professional services. The term of the contract will be for one year from October 1, 1999 through September 30, 2000, with the option to extend the contract for two additional one-year extensions.*

This Matter was Approved as Recommended on the Consent Agenda.

990483 Contract - Complus Data Innovations, Inc. (NB)

RECOMMENDATION *The City Commission: 1) approve and authorize the City Manager to execute a one year extension to the contract with Complus Data Innovations, Inc., for parking system management subject to the approval of the City Attorney as to form and legality; and 2) authorize the issuance of a purchase order subject to final appropriation of funds for FY 2000.*

This Matter was Approved as Recommended on the Consent Agenda.

990484 Grant - Diversionary Program for Minority Youths (B)

RECOMMENDATION *The City Commission authorize the City Manager 1) to accept the second year of grant funds (\$70,000) from the Florida Department of Juvenile Justice under the "Diversionary Program for Minority Youths" grant program, and, 2) to execute the sub-grant contract with the Corner Drug Store, pending approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

990486 Contract - Marilyn Berry Thompson (Consultant) (B)

RECOMMENDATION *The City Commission: 1) authorize an extension of the existing contract with Marilyn Berry Thompson (consultant) of the law firm of Jorden, Burt, Berenson & Johnson in Washington, D.C. for one additional year as the provider of professional Federal lobbying services for both General Government and Gainesville Regional Utilities at the current rates of compensation as defined in the contract which expires September 30, 1999; and 2) authorize the City Manager and General Manager to execute the appropriate contractual documents for professional lobbying services subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

990487 Purchase of Traffic Signal Mast Arm Poles - Waldo Road and NE 49th Avenue (NB)

RECOMMENDATION *The City Commission authorize the City Manager to approve a purchase order for the purchase of four traffic signal mast arm poles for the intersection of Waldo Road and NE 49th Avenue (Airport Industrial Park entrance).*

This Matter was Approved as Recommended on the Consent Agenda.

990488 Thomas Center West Lawn Fountain Brick Enhancement Project (NB)

RECOMMENDATION *The City Commission: 1) authorize the City Manager or his designee to recognize revenues received from contributions and to allocate revenues for expenditure for the Thomas Center West Lawn Fountain Brick Enhancement operating expenses; and 2) instruct the Office of Management and Budget to establish a new Special Projects account in the 107 Cultural Affairs Fund for the revenues and expenditures associated with the Thomas Center Brick Enhancement project.*

This Matter was Approved as Recommended on the Consent Agenda.

990507 Technology Incubator Site Work and the Bottoms Road Improvement Services (NB)

RECOMMENDATION *The City Commission authorize the City Manager to execute the contract for the site work for the Gainesville Technology Enterprise Center and the Bottoms road improvements to the lowest responsive bidder subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

990514 Annual Public Education for Recycling and Waste Reduction at Commercially Serviced Properties (B)

RECOMMENDATION *The City Commission: 1) authorize the City Manager or his designee to execute a contract with Group 5 & Associates, Inc., for the period October 1, 1999 through September 30, 2000, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Group 5 & Associates, Inc. in an amount not to exceed \$30,000 for public education services for recycling and waste reduction at commercial properties and at residential properties serviced privately, subject to the availability of funds.*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items**990496 Annual Contract for Small Diameter Jack and Bore and Directional Boring (B)**

RECOMMENDATION *The City Commission: 1) authorize the General Manager or*

his designee to execute a contract for small diameter jack and bore and directional boring services with Hogtown Underground, subject to the approval of the City Attorney as to form and legality; 2) and approve the issuance of a purchase order to Hogtown Underground in the amount of \$215,000.

This Matter was Approved as Recommended on the Consent Agenda.

990497

Extension of Elevator Maintenance Contract (NB)

RECOMMENDATION *The City Commission: 1) authorize the General Manager and the City Manager or their designees, to negotiate and execute an amendment to the contract with Miami Elevator Company, extending the term of the contract for elevator and manlift maintenance services for a period of twelve months, subject to the approval of the City Attorney as to form and legality and 2) approve the issuance of purchase orders to Miami Elevator Company in amounts not to exceed \$12,700. for General Government and \$18,700. for GRU to fund these services.*

This Matter was Approved as Recommended on the Consent Agenda.

990498

Extension of Temporary Personnel Services Contracts (NB)

RECOMMENDATION *The City Commission authorize the General Manager and the City Manager or their designees, to negotiate and execute amendments to the contracts with Norrell Services, TempForce, and Wal-Staf Temporary Services, extending the term of the contracts for temporary personnel services by a period of six months, in a total amount not to exceed the sum of the individual department budgets for such services, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

990499

Purchase Order for Dual Axle Cargo Trailers (B)

RECOMMENDATION *The City Commission approve the issuance of a purchase order to Baker Equipment Engineering Company for the purchase of six (6) Dual Axle Cargo Trailers for the Electric Transmission and Distribution Department in the amount of \$47,490.*

This Matter was Approved as Recommended on the Consent Agenda.

990500 Contract for Janitorial Services (NB)

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to execute an amendment to the contract for janitorial services extending the term through FY 2000 with the Florida Association of Rehabilitative Facilities, Inc. d/b/a RESPECT of Florida, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to RESPECT of Florida in an amount not to exceed \$160,000.*

This Matter was Approved as Recommended on the Consent Agenda.

990502 Settlement Agreement Related to the PCB Treatment Inc. Site (NB)

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute the Cash-Out Settlement Agreement, in the form on file with the Clerk of the Commission, subject to the approval of the City Attorney, and 2) authorize payment to the PCB Treatment, Inc. PRP Trust Fund in the amount of \$ 57,750.00.*

This Matter was Approved as Recommended on the Consent Agenda.

990503 Colocation Agreement - Trunking Radio System (NB)

RECOMMENDATION *Authorize the General Manager or his designee to negotiate and execute an agreement subject to City Attorney approval with Gillen Broadcasting, Inc., substantially in the form on file with the Clerk of the Commission, to lease antenna and equipment space required as part of the City's new public safety trunking radio system.*

This Matter was Approved as Recommended on the Consent Agenda.

990504 Partial Release of Easement (NB)

RECOMMENDATION *The City Commission: 1) approve the partial release of a public utilities easement; and 2) authorize the Mayor 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.

990505 Extension of the Underground Electric Distribution System Contract (NB)

RECOMMENDATION *The City Commission: (1) authorize the General Manager or his designee, to negotiate and execute an amendment to the contract with All Florida Electric Company Inc., extending the term of the contract for the installation of underground and underground related distribution assemblies, equipment, foundations, electric cable, transformers, switchgear, and other related equipment for the underground electric distribution system in various locations of GRU's service area, for a period of three (3) months, subject to the approval of the City Attorney as to form and legality and 2) approve the issuance of a purchase order to All Florida Electric Company Inc., in a total amount not to exceed \$200,000.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

990508 REQUEST FOR EXTENSION OF VACATION HOURS (B)

RECOMMENDATION *The City Commission authorize the extension of 25.57 vacation hours for the City Attorney in accordance with the City of Gainesville's Personnel Policy No. 9.*

This Matter was Approved as Recommended on the Consent Agenda.

Committee Reports, Consent Agenda Items

Public Works Committee, Consent

Personnel & Organizational Structure Comm, Consent

Audit & Finance Committee, Consent

Recreation and Cultural Affairs Committee, Consent

Clerk of the Commission, Consent Agenda Items

990513 Special City Commission Meetings (NB)

RECOMMENDATION *The City Commission schedule meetings as follows:
October 4, - Greenways Gainesville work-shop; 9:00am;
October 18 -2nd Reading of Ordinance 0-99-63 (990062),*

Petition 69PSA-99PB (Health Center); 2:30pm; and authorize Clerk of Commission to identify dates for Budget meetings July 2000 and refer to next meeting for approval.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

End of Consent Agenda

Adoption of the Agenda

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

Debbie Martinez-Rave Issue

Karl Ashley-Gainesville Symphony Band

Vincent Mallet-Rave Issue

990578 Heart Walk Funding

RECOMMENDATION *The City Commission co-sponsor the Heart Walk and appropriate \$1,230 out of the City Commission contingency fund.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

City Commission Comment (If time available)

Clerk of the Commission

City Manager**990489 ARTSREACH Exhibits (NB)**

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

Placed on File

990490 Metropolitan Transportation Planning Organization (MTPO) (NB)

Chair P. DeLaney recognized Teresa Scott Public Works Director who gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff regarding the October 4, 1999 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

Heard

990491 FY 98-99 Neighborhood Planning Program Update and Proposal for FY 99-00 (B)

Chair P. DeLaney recognized Community Development Director Tom Saunders and Senior Planner Kathy Winburn who gave presentations.

Ammendment: Selected neighborhoods Lincoln Estates and Hibiscus Park

RECOMMENDATION *The City Commission hear an update on the FY 98-99 Pilot Neighborhood Planning Program, designate two neighborhoods for participation in the FY 99-00 program, authorize the distribution of FY 99-00 grant funds in the amount of \$30,000 for neighborhood projects to be designated, and authorize the City Manager to establish inter-departmental neighborhood action teams for each neighborhood.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990492 Contracts for Architectural Services for Small Projects (B)

Chair P. DeLaney recognized Building Manager Larry Abbott who gave a presentation

RECOMMENDATION *The City Commission approve the renewal of contracts to Skinner and Associates, Inc. and Karl Thorne Associates for Architectural Services.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990493 Twenty-year lease agreement on the Hippodrome Theatre (B)

Chair P. DeLaney recognized Mark Sexton Hippodrome Executive Director who made comments

Amendment: Article 6a changed to Lessee

RECOMMENDATION *The City Commission approve a lease agreement with the Hippodrome State Theatre, Inc.*

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

Votes: Aye: Pegeen Hanrahan, Bruce L. Delaney, John R. Barrow and Paula M. DeLaney
Nay: Edward L. Jennings, Sr.

990379 Program for Moving Historically Significant Houses(B)

RECOMMENDATION *The City Commission approve the proposed house moving program.*

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

Votes: Aye: Pegeen Hanrahan, Bruce L. Delaney and John R. Barrow
Nay: Edward L. Jennings, Sr. and Paula M. DeLaney

990585 Additional Historic House Moving Programs

NOTE: The Clerk was asked to remove this item from the City Manager's Referral List at the May 9, 2002, Special City Commission Meeting.

RECOMMENDATION *Refer to staff the idea of either in addition to or instead of this*

adopted program we look at a low interest loan program and other potential considerations for saving historic properties.

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem B. Delaney, that this matter be Referred to the City Manager, due back on March 27, 2000. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

General Manager for Utilities

990501 Contract Extension for Electric Distribution Line Clearance, Tree-Trimming, Right-of-Way Maintenance, Weed Control, and Related Work (NB)

Amendment: Approve 45 day extension of contract and a pro-rata rate of payment for 45 days.

RECOMMENDATION *The City Commission: 1) Authorize the General Manager or his designee to execute an amendment extending the contract for electric distribution line clearance, tree-trimming, right-of-way maintenance, weed control and related work with Asplundh Tree Expert Company for a twelve-month period, commencing October 1, 1999, and ending September 30, 2000, subject to the approval of the City Attorney as to form and legality; and 2) Approve payments to Asplundh Tree Expert Company for the provision of these services for FY00 for amounts not to exceed \$1,103,450.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990579 Contract Referral

RECOMMENDATION *Refer to Charter Officers the issue of where to keep official contracts signed by City Manager and General Manager for Utilities.*

A motion was made by Commissioner Jennings, seconded by Commissioner Hanrahan, that this matter be Referred to the Charter Officers, due back on March 27, 2000. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Committee Reports (Pulled from Consent)

Public Safety Committee

Recreation & Cultural Affairs Committee

Advisory Boards/Committees (Appointments/Reports)

990946 Water Management Advisory Committee Request to Address the City Commission (B)

RECOMMENDATION *The City Commission receive a presentation by the Water Management Advisory Committee seeking approval for the Committee to begin efforts to modify its charter and name.*

Postponed

Outside Agencies

990512 Alachua County Charter Review Commission (B)

Chair P. DeLaney recognized Susan Wright and Mark Stowe from the Alachua County Charter Review Commission

Motion: Refer to Legislative Committee, schedule all five Commissioners to attend and refer to City staff for professional recommendations

RECOMMENDATION *The City Commission hear a presentation on the Charter Review Commission.*

A motion was made by Mayor-Commissioner Pro Tem B. Delaney, seconded by Commissioner Hanrahan, that this matter be Referred to the Legislative Committee, due back on March 27, 2000. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Members of the City Commission

990510 Mayor Paula M. DeLaney (B)

Commssioner Barrow may go if possible

RECOMMENDATION *The City Commission consider voting delegate for National*

League of Cities meeting.

Discussed

990511 Mayor Paula M. DeLaney (B)

The Mayor recognized Elsie Allen and Emily Browne from the Living Wage Coalition

RECOMMENDATION *The City Commission refer the living wage item to the Personnel and Organizational Committee.*

A motion was made by Commissioner Jennings, seconded by Commissioner Hanrahan, that this matter be Referred to the Personnel and Organizational Structure Committee, due back on March 27, 2000. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Mayor Paula M. DeLaney

Youthbuild Program

Commission Comments

Recess Until 6:00 PM

Pledge of Allegiance

Troop #84

Proclamations/Special Recognitions

990515 Earth Charter Day - Sunday, October 3, 1999 (B)

RECOMMENDATION *Soka Gakkai International (SGI-USA) Men's Division Leader Tim Duncanto accept the proclamation*

Placed on File

990516 National French Week - November 4-10, 1999 (B)

RECOMMENDATION *AATF and Ecole Francaise Gainesville Madame Judy Dharini Charudattan to accept the proclamation.*

Placed on File**990517 Respiratory Care Week - October 3-9, 1999 (B)**

RECOMMENDATION *Respiratory Care and Surgical Technology Year 2000
Graduating Class President Alan Horne to accept the
proclamation.*

Placed on File**Public Hearings****990509 FINAL MILLAGE RATE (B)**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL
MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 1999-2000
FISCAL YEAR; ADOPTING THE FINAL MILLAGE RATE; DIRECTING
THE TRANSMITTAL OF CERTIFIED COPIES; AUTHORIZING A
SPECIFIED ADJUSTMENT TO THE FINAL MILLAGE RATE; PROVIDING
FOR THE PUBLICATION OF NOTICE; AND PROVIDING AN IMMEDIATE
EFFECTIVE DATE.**

*Chair DeLaney recognized Assistant City Manager for Administrative Services
Glenda Currie who gave a presentation*

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula
M. DeLaney

990417 GENERAL GOVERNMENT BUDGET ORDINANCE (B)**Ordinance No. 0-99-78**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT
BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1999 AND
ENDING SEPTEMBER 30, 2000; ADOPTING THE GENERAL OPERATING
AND FINANCIAL PLAN BUDGET; AND PROVIDING AN IMMEDIATE
EFFECTIVE DATE.**

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990418 GAINESVILLE REGIONAL UTILITIES BUDGET ORDINANCE (B)

Ordinance No. 0-99-76

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE BUDGET FOR THE CITY OF GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1999, AND ENDING SEPTEMBER 30, 2000; PROJECTING REVENUES AND ADOPTING A BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES, FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Ordinances - 1st Readings- ROLL CALL REQUIRED

990267 FIRE HYDRANTS (B)

Ordinance No. 0-99-72

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING SECTION 10-9 OF THE CODE OF ORDINANCES, TO REQUIRE THAT FIRE HYDRANTS HAVE AT LEAST A THREE (3) FOOT AREA CLEAR OF OBSTRUCTIONS; REQUIRING PROTECTIVE POSTS FOR CERTAIN FIRE HYDRANTS WHEN REQUIRED BY FIRE CHIEF OR DESIGNEE; PROVIDING A SCHEDULE FOR COMPLIANCE; 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 B. Delaney, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Ordinances - 2nd Readings- ROLL CALL REQUIRED

981083 DELINQUENT COLLECTION PRACTICES (B)

Ordinance No. 0-99-81

AN ORDINANCE AMENDING CHAPTER 27 OF THE GAINESVILLE CODE OF ORDINANCE RELATING TO UTILITIES; AMENDING SECTION 27-6(E), PROVIDING AN EXCEPTION FOR WITHHOLDING SERVICE FOR PRIOR INDEBTEDNESS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Bruce L. Delaney, John R. Barrow and Paula M. DeLaney
Nay: Edward L. Jennings, Sr.

981308 PLANNED DEVELOPMENT AMENDMENT - 1701 NW 17 LANE (COLONY PARK) (B)

Ordinance No. 0-99-59, Petition No. 38PDA-99PB

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA; AMENDING A PORTION OF THE PLANNED DEVELOPMENT COMMONLY KNOWN AS THE "COLONY PARK" AS ORIGINALLY ADOPTED BY ORDINANCE NO. 3041 AND AMENDED BY ORDINANCE NOS. 3304 & 3397; CHANGING THE YARD SETBACK FOR LOT 1 OF COLONY PARK BY ADOPTING A REVISED DEVELOPMENT PLAN MAP; LOCATED IN THE VICINITY OF 1701 N.W. 17TH LANE; 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 Commissioner Barrow, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990209 LIENS FOR DEMOLITION AND CLEARING (B)

Ordinance No. 0-99-74

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING SECTION 16-29 OF THE CODE OF ORDINANCES RELATING TO ASSESSING LIENS FOR WORK DONE DEMOLISHING DANGEROUS STRUCTURES OR CLEANING HAZARDOUS LANDS, PROVIDING FOR NOTICE OF A LIEN FOR THE OUT-OF-POCKET COSTS OF WORK DONE AND RECORDING OF THE LIEN IN THE PUBLIC RECORDS; REPEALING PROVISIONS MANDATING A HEARING BEFORE THE CITY COMMISSION AND LEVY OF A SPECIAL ASSESSMENT; 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 B. Delaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990306 SOLID WASTE COLLECTION FRANCHISE REQUIREMENTS (B)

Ordinance No. 0-99-80

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING SECTION 27-79 OF THE CODE OF ORDINANCES RELATING TO COMMERCIAL SOLID WASTE COLLECTION FRANCHISE REQUIREMENTS; PROVIDING FOR FRANCHISES TO EXPIRE ON SEPTEMBER 30, 2004; PROVIDING GOALS FOR COMMERCIAL FRANCHISEES RELATED TO PARTICIPATION OF COMMERCIAL CUSTOMERS IN RECYCLING; SETTING QUALITY STANDARDS AND PROVIDING FOR FINES FOR FAILURE TO MEET THE STANDARDS; PROVIDING EACH FRANCHISEE TO REPORT ITS DISPOSAL SITE FOR CONSTRUCTION AND DEMOLITION DEBRIS; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Chair P. DeLaney recognized citizens Paul Florence and Ron Carpenter who spoke to the matter.

RECOMMENDATION *The City commission adopt the proposed ordinance, as amended.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990339 THIRD AMENDATORY BUDGET (B)

Ordinance No. 0-99-75

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1998 AND ENDING SEPTEMBER 30, 1999; AMENDING ORDINANCE NO. 980398 AS AMENDED, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990371 STORMWATER MANAGEMENT UTILITY RATE INCREASE (B)

Ordinance No. 0-99-79

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING SUBSECTION 27-241(A) OF THE CODE OF ORDINANCES RELATING TO THE STORMWATER MANAGEMENT UTILITY CHANGING THE UTILITY FEE TO \$5.50/ERU; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990390 UNIVERSITY OF FLORIDA WATER RATES INCREASE (B)

Ordinance No. 0-99-82

AN ORDINANCE AMENDING APPENDIX A OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING SUBSECTION UTILITIES (3)G.3. BY REVISING RATES AND CHARGES FOR UNIVERSITY OF FLORIDA WATER SERVICE; PROVIDING A REPEALING CLAUSE; PROVIDING 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 Commissioner Jennings, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and Paula M. DeLaney
Absent: John R. Barrow

990391 NATURAL GAS RATE INCREASE (B)

Ordinance No. 0-99-83

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (5) NATURAL GAS OF THE GAINESVILLE CODE OF ORDINANCES BY REVISING THE RATES AND CHARGES FOR NATURAL GAS; PROVIDING A REPEALING CLAUSE; PROVIDING 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 B. Delaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

980735 LAND DEVELOPMENT CODE AMENDMENTS TO MINIMUM DENSITY REQUIREMENTS (B)

Ordinance No. 0-99-29; Petition No. 216TCH-99PB

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA; AMENDING SECTION 30-41 OF THE LAND DEVELOPMENT CODE, LOWERING THE MINIMUM NUMBER OF UNITS PER ACRE FOR CERTAIN RESIDENTIAL DISTRICTS; AMENDING SECTION 30-53 OF THE LAND DEVELOPMENT CODE PERTAINING TO MULTIPLE-FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICTS, PROVIDING AN EXEMPTION FROM MINIMUM DENSITIES FOR SMALL PARCELS EXISTING ON NOVEMBER 13, 1991; AMENDING SECTION 30-55 OF THE LAND DEVELOPMENT CODE PERTAINING TO RESIDENTIAL HIGH DENSITY DISTRICTS, PROVIDING AN EXEMPTION FROM MINIMUM DENSITIES FOR SMALL PARCELS EXISTING ON NOVEMBER 13, 1991; ALLOWING SINGLE-FAMILY DWELLINGS AS A USE BY RIGHT AND PROVIDING DIMENSIONAL REQUIREMENTS FOR SINGLE-FAMILY AND ACCESSORY STRUCTURES IN THOSE DISTRICTS; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

This item was continued at the August 9, 1999 City Commission meeting to September 27, 1999 so that staff could meet with Mr. Robert Pearce to discuss possible modifications to the ordinance. Staff and Mr. Pearce have met and concurred that the ordinance as proposed-with no additional modifications-should be considered by the City Commission at this time. Staff and Mr. Pearce also concurred that further changes to some of these residential districts will be needed, in the future, to effectively implement the proposed University Heights Special Area Plan draft prepared by Dover, Kohl & Partners. These further changes will be considered as staff finalizes the draft University Heights Special Area Plan for public hearing by the Plan Board in October.

The proposed revisions to the Land Development Code are required to implement the corresponding amendments to the Future Land Use Element that were adopted by Ordinance No. 0-99-26 on August 9, 1999. These code revisions, if approved, will establish a minimum density of eight units per acre in the RMF-6, RMF-7 and RMF-8 multiple-family density residential districts, which currently allow density ranges of 10-15, 14-21 and 20-30 dwelling units per acre, respectively. They will also establish a minimum density of eight units per acre for the RH-1 and RH-2 residential high density districts, which currently allow density ranges of 20-43 and 44-100 dwelling units per acre, respectively. In addition, the amendments will exempt lots of 0.5 acres or smaller from minimum density requirements, add single-family dwelling as a use by right in the RH-1 and RH2 districts, and establish dimensional requirements for single-family principal and accessory structures in the RH-1 and RH-2 districts.

Staff recommended that the Plan Board approve the Petition. By a vote of 3-1, the Plan Board approved the petition. Public notice was published in the Gainesville Sun on December 1, 1998. The Plan Board held a public hearing December 17, 1998.

Chair P. DeLaney recognized Chief of Comprehensive Planning Dene Mimms who gave a presentation.

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

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Resolutions- ROLL CALL REQUIRED

990085 **Legislative Matter No. 990085. Petition 76SUB-99 PB, Mary Day Coker. Final plat approval of Colony Park Lot 1, a re-plat of one lot on .29 acres more or less. Located at 1701 Northwest 17th Lane. Zoned PD. Related to Petition 38PDV-99 PB. (B)**

RECOMMENDATION *Planning staff to City Commission - The City Commission adopt the following resolution: A resolution approving the replat of a portion of the "Colony Park Lot 1"; by replatting Lot 1 of the plat, located in the vicinity of 1701 Northwest 17th Lane; and providing an immediate effective date.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990506 **Resolution Requesting an Easement from the State of Florida (B)**

RECOMMENDATION *The City Commission: 1) adopt a resolution, subject to approval by the City Attorney as to form and legality, requesting the State of Florida Department of Environmental Protection obtain authority from the Trustees of the Internal Improvement Trust Fund to grant an easement to the City of Gainesville; and 2) authorize the General Manager or his designee to execute and accept the easement document on behalf of the City of Gainesville, subject to approval as to form and legality by the City Attorney.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Plan Board Petitions

Development Review Board Petitions

990494 **Petition 109SUB-99 DB, Brown & Cullen, Inc., agent for Ronald J. Shema, Carl Pickett and Michael Baker. Design plat approval of Lot 3, Northwest Industrial Park, Unit 3, totaling 2.53 acres more or less. (B)**

RECOMMENDATION *Development Review Board to City Commission - The City Commission approve Petition 109SUB-99 DB, with staff conditions. DRB vote 4-0*

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

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Scheduled Evening Agenda Items

Unfinished Business

Commission Comment

Commissioner Pegeen Hanrahan

- 1. Meeting at U.F. and conflict with the Historic Preservation Grant meeting in Tallahassee*
- 2. Anticipated absence at October 25, 1999 meeting*
- 3. Depot Avenue Project*

990580 **Water Re-use**

RECOMMENDATION *Refer this issue to the Utilities Committee*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem B. Delaney, that this matter be Referred to the Regional Utilities Committee, due back on March 27, 2000. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Commissioner Ed Jennings Sr.

Establishment closing time

Citizen Comment**Rev. Tim Keyes**

- 1. Partying in Gainesville*
- 2. Pornography viewing in the Library*
- 3. How Commissioners prefer to communicate*
- 4. New Fence at Northeast Park*
- 5. Junk cars at East University Avenue location*

990582 Alcohol on the Downtown Plaza on New Year's Eve

Chair P. DeLaney recognized Assistant City Manager Carl Harness and citizens Tim Keyes, Fred Peterkin and Mary Anderson who spoke to the matter.

RECOMMENDATION *The City Commission direct staff to allow no sale or consumption of alcohol on the Downtown Plaza on New Year's Eve for this year*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and Paula M. DeLaney
Nay: John R. Barrow

990583 Downtown Event Update

RECOMMENDATION *The City Commission receive a report from staff on the New Year's event at the next meeting.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990584 East Side Gas Lines

Chair P. DeLaney recognized citizen Fred Peterkin who spoke to the matter.

A motion was made by Commissioner Jennings, seconded by Commissioner Hanrahan, that this matter be Referred to the Regional Utilities Committee, due back on March 27, 2000. The motion carried by the following vote:

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Adjournment 8:08PM

Items Pending in Committee (for information only)

Kurt M. Lannon, Clerk of the Commission