

City of Gainesville

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



Meeting Minutes

Monday, September 23, 1996

3:00 PM

City Hall Auditorium

City Commission

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

Consent Agenda

With the following modifications: Moved File No. 960432 (Easement) from the Consent Agenda and placed on the Regular Agenda under the City Manager category; Moved File No. 960433 (Appeal in Bankruptcy Case) from the Consent Agenda to the Regular Agenda and placed under the City Attorney category; Moved File No. 960417 (Appointment - John Barrow) from the Consent Agenda to the Regular Agenda and placed under the Advisory Boards/Committees category.

City Manager, Consent Agenda Items

960374 Diversity Training for City of Gainesville Employees

RECOMMENDATION *The City Commission: 1) authorize the City Manager or designee to negotiate and execute a contract with Human X Factor, Inc., for the delivery of a diversity training program for City employees and officials; subject to approval of the City Attorney as to form and legality; and, 2) approve the expenditure of up to \$62,790 for this contract.*

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

960375 Office Supplies Contract

RECOMMENDATION *The City Commission: 1) approve the selection of DOCS as the supplier of office supplies for the City; 2) authorize the City Manager or his designee to execute the agreement with DOCS for the period of October 1, 1996 to September 30, 1997 subject to the approval of the City Attorney as to form and legality.*

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

960376 Public Education for Recycling and Reduction of Solid Waste and Yard Trash

RECOMMENDATION *The City Commission: 1) approve the ranking of firms for the provision of public education for recycling and reduction of solid waste and yard trash for the City of Gainesville/Alachua County program; and, 2) authorize the City Manager or designee to begin negotiations with Alachua County and Group 5, Inc., the top-ranked firm, and continue in order of*

ranking until a successful tri-party contract is negotiated and executed in an amount not to exceed \$70,000, subject to approval of the City Attorney as to form and legality and subject to availability of funds

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

960377 First Extension to the Contract for Parking Management Information System

RECOMMENDATION *The City Commission authorize the Mayor to execute the first extension to the contract for Parking Management Information System between the City of Gainesville and Data Ticket, Inc., subject to the approval by the City Attorney, in an amount not to exceed \$75,000 for services contained within the original agreement.*

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

960378 Contract for citywide paging services

RECOMMENDATION *The City Commission authorize the City Manager to negotiate and execute a contract with Air Touch Paging Incorporated to provide citywide paging services subject to approval by the City Attorney as to form and legality.*

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

960379 Modification of Purchase Order to A-Turner Moving & Storage, Inc.

RECOMMENDATION *The City Commission approve a modification to the Purchase Order to A-Turner Moving & Storage, Inc., for moving services associated with the City's Building Utilization Program, in the amount of \$8,000, increasing the Purchase Order from \$24,000.00 to \$32,000.00.*

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

960380 Transfer between Funds

RECOMMENDATION *The City Commission : 1) authorize a transfer of \$1,000 from the Department of Cultural and Nature Operations' Special Projects and \$1,500 from General Operating funds to the Miscellaneous Gifts and Grants fund for a greenway promotional brochure grant project; and 2) instruct staff to establish a Miscellaneous Gifts and Grants account for the Greenway promotional brochure project, for a total amount of \$2,500.*

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

951573

Legislative Matter No. 951573. Ordinance No. 951573

An ordinance of the City of Gainesville, Florida; providing a temporary moratorium on building permits, zoning permits, subdivision approvals, special exceptions, variances, site plan approvals or any other official action of the City of Gainesville permitting or having the effect of permitting back-out parking as provided in the Master Plan and Land Development Regulations for the College Park Neighborhood located north of West University Avenue and south of NW 5th Avenue, between NW 20th Terrace and NW 20th Street between NW 3rd Avenue and NW 5th Avenue on the west side and NW 15th Street on the east side; and that area north of West University Avenue and south of NW 7th Avenue, between NW 15th Street on the west side and NW 13th Street on the east side, located within the City of Gainesville and as more specifically described in this ordinance; providing a procedure for extraordinary hardship; providing a severability clause; and providing an immediate effective date.

RECOMMENDATION *City Manager to the City Commission - The City Commission authorize the City Attorney to extend the moratorium on permitting back-out parking in the College Park Neighborhood for an additional 120 days.*

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

960381

Contract with Alachua County for Public Transportation Services

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute a contract between the City of Gainesville and Alachua County for public transportation services to be provided by the Regional Transit System for the period of October 1, 1996 to September 30, 1997; subject to approval of the City Attorney as to form and legality.*

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

960382 **FY 1997 CDBG Subrecipient Agreement with the Boys & Girls Club of Alachua County, Inc. for youth programs at the S.E. Unit.**

RECOMMENDATION *The City Commission authorize the City Manager to execute the Agreement between the City and the Boys & Girls Club of Alachua County, Inc., for youth programs at the S.E. Unit in the amount of \$40,000 effective for the period October 1, 1996 to September 30, 1997; subject to approval of the City Attorney as to form and legality. (A copy of the Agreement is on file in the Clerk of the Commission Office. After September 23, 1996, the Agreement will be on file in the Block Grant Office.)*

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

960383 **FY 1997 CDBG Subrecipient Agreement with St. Francis House, Inc., for emergency shelter and services for the homeless.**

RECOMMENDATION *The City Commission authorize the City Manager to execute the Agreement between the City and the St. Francis House, Inc., for emergency shelter and services for the homeless in the amount of \$30,000 effective for the period October 1, 1996 to September 30, 1997; subject to approval of the City Attorney as to form and legality. (A copy of the Agreement is on file in the Clerk of the Commission Office. After September 23, 1996, the Agreement will be on file in the Block Grant Office.)*

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

960384 **Housing Rehabilitation Grant and City Loan to Mary Marshall**

RECOMMENDATION *The City Commission: 1) approve the award of a \$13,000 Housing Rehabilitation grant, \$13,000 deferred payment loan, \$298.74 closing cost grant and \$800 insulation and venting grant to Mary Marshall; 2) authorize the award of a \$11,067.50 City loan to Mary Marshall for a term of 15 years and an interest rate of 5%, payments beginning nine months after loan closing; 3) authorize the Housing Division to use the standard Rehabilitation Program grant and loan closing*

documents to consummate the grant and loan awards, subject to approval by the City Attorney as to form and legality; and 4) authorize the issuance of a purchase order to the contractor, M.Z. Faison., in an amount not to exceed \$34,425.

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

960385**Housing Rehabilitation Grant and City Loan to Carleton Thomas**

RECOMMENDATION *The City Commission: 1) approve the award of a \$13,000 Housing Rehabilitation grant, \$13,000 deferred payment loan, \$2,500 SHIP flexible financing grant, \$312.40 closing cost grant and \$1,050 insulation and venting grant to Carleton Thomas; 2) authorize the award of a \$15,025 City loan to Carleton Thomas for a term of 15 years and an interest rate of 3%, payments beginning nine months after loan closing; 3) authorize the Housing Division to use the standard Rehabilitation Program grant and loan closing documents to consummate the grant and loan awards, subject to approval by the City Attorney as to form and legality; and 4) authorize the issuance of a purchase order to the contractor, S.L. Construction, Inc., in an amount not to exceed \$40,725.*

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

960386**Housing Rehabilitation Grant and City Loan to Eartha Ferguson**

RECOMMENDATION *The City Commission: 1) approve the award of a \$13,000 Housing Rehabilitation grant, \$13,000 deferred payment loan, \$356.45 closing cost grant and \$1,700 insulation and venting grant to Eartha Ferguson; 2) authorize the award of a \$21,550 City loan to Eartha Ferguson for a term of 30 years and an interest rate of 0%, payments beginning nine months after loan closing; 3) authorize the Housing Division to use the standard Rehabilitation Program grant and loan closing documents to consummate the grant and loan awards, subject to approval by the City Attorney as to form and legality; and 4) authorize the issuance of a purchase order to the contractor, R-ONE Investments, Inc., in an amount not to exceed \$46,650.*

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

960387 Housing Rehabilitation Grant and City Loan to Frankie Walden

RECOMMENDATION *The City Commission: 1) approve the award of a \$13,000 Housing Rehabilitation grant, \$13,000 deferred payment loan, \$312.07 closing cost grant and \$1,000 insulation and venting grant to Frankie Walden; 2) authorize the award of a \$13,535 City loan to Frankie Walden for a term of 20 years and an interest rate of 5%, payments beginning nine months after loan closing; 3) authorize the Housing Division to use the standard Rehabilitation Program grant and loan closing documents to consummate the grant and loan awards, subject to approval by the City Attorney as to form and legality; and 4) authorize the issuance of a purchase order to the contractor, R-ONE Investments, Inc., in an amount not to exceed \$36,850.*

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

960388 Rental Rehabilitation Grant and City Loan to Marcella Hussin Jacobs

RECOMMENDATION *The City Commission: 1) approve the award of a \$39,000 Rental Rehabilitation grant, \$780.05 closing cost grant and \$2,300 insulation and venting grant to Marcella Hussin Jacobs; 2) authorize the award of a \$72,600 City loan to Marcella Hussin Jacobs for a term of 15 years and an interest rate of 5%, payments beginning twelve months after loan closing; 3) authorize the Housing Division to use the standard Rehabilitation Program grant and loan closing documents to consummate the grant and loan awards, subject to approval by the City Attorney as to form and legality; and 4) authorize the issuance of a purchase order to the contractor, R-ONE Investments, Inc., in an amount not to exceed \$139,000.*

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

960389 Rental Rehabilitation Grant and City Loan to Felischa Redding

RECOMMENDATION *The City Commission: 1) approve the award of a \$43,000 Rental Rehabilitation grant, \$554.00 closing cost grant and \$7,500 insulation and venting grant to Felischa Redding; 2) authorize the award of a \$27,500 City loan to Felischa Redding for a term of 15 years and an interest rate of 5%, payments beginning twelve months after loan closing; 3) authorize the Housing Division to use the standard*

Rehabilitation Program grant and loan closing documents to consummate the grant and loan awards, subject to approval by the City Attorney as to form and legality; and 4) authorize the issuance of a purchase order to the contractor, S.L. Construction, Inc., in an amount not to exceed \$110,000.

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

960390 Stormwater Treatment Pilot Project Grant

RECOMMENDATION *The City Commission authorize the City Manager to : 1) receive a grant award from the St. Johns River Water Management District (SJRWMD), for a Stormwater Treatment Pilot Project, and 2) execute the grant agreement, subject to approval of the City Attorney as to form and legality.*

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

General Manager for Utilities, Consent Agenda Items

960391 Release of Public Utilities Easement located at 3600 N.W. 43 Street, Tax Parcel No. 6121-002-000

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

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

960392 Annual Professional Land Surveying Services Contracts

RECOMMENDATION *The City Commission: 1) approve the ranking of the qualified surveying firms in the given order of preference for provision of land surveying services; 2) authorize the General Manager or his designee to initiate negotiations and, upon successful negotiations, execute annual contracts for professional land surveying services for FY 97, subject to the approval of the City Attorney as to form and legality; and 3) approve the issuance of purchase orders to these firms in total amounts*

not to exceed the budgeted amounts for these services, subject to the final appropriation of funds.

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

960393 Renewal of Lease Agreement with Alachua County

RECOMMENDATION *The City Commission authorize the General Manager or his designee to execute a renewal lease agreement for the lease of a .938 acre parcel of City owned property to Alachua County at fair market rental value for use as a security post for a three year term, substantially in the form on file, subject to approval by the City Attorney as to form and legality.*

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

960394 Contract for Elevator and Manlift Maintenance (Contract No. 97-11)

RECOMMENDATION *The City Commission authorize: (a) the City Manager and the General Manager, or their respective designee, to execute a three (3) year contract with Miami Elevator Company for elevator and manlift maintenance, subject to the approval by the City Attorney as to form and legality; and (b) approve the issuance of purchase orders to Miami Elevators Company in amounts not exceeding \$ 12,000.00 for General Government and \$ 26,000.00 for GRU, per fiscal year, subject to the final appropriation of funds.*

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

960395 Approval of a Purchase Order to Crescent Propane, Inc. for the annual requirement of L.P. Gas for FY96/97

RECOMMENDATION *The City Commission approve the issuance of a purchase order for the supply and delivery of L.P. gas for FY 96/97 to Crescent Propane, Inc. in an amount not to exceed \$100,000.00, subject to the final approval of funds for FY96/97.*

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

960396 Approval of Purchase Orders to Office Depot for Office Supplies for FY 97

RECOMMENDATION *The City Commission approve the issuance of blanket purchase orders to Office Depot for the provision of office supplies for various departments of GRU in amounts not to exceed the budgeted amounts for office supplies for FY 97.*

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

960397 Approval of Purchase Orders to Limestone Products Inc. for the Annual Requirement of Limerock for FY 1996/97

RECOMMENDATION *The City Commission approve the issuance of blanket purchase orders to Limestone Products, Inc. for limerock for FY 97 in not to exceed amounts totaling \$63,500.00, subject to final appropriation of funds for FY 97.*

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

960399 Amendment to the Contract for Security Services (Contract No. 4-154)

RECOMMENDATION *The City Commission: (a) authorize the General Manager or his designee to execute an Amendment to the contract with Securex, Inc. for security services, extending the term of the contract through FY 97, subject to the approval of the City Attorney as to form and legality, and (b) approve the issuance of purchase orders to Securex, Inc. for these services in amounts not exceeding \$ 320,000.00, subject to the final appropriation of funds for FY 97.*

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

960400 Contract Amendment for the Installation of Overhead Electric Facilities

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to negotiate and execute a Contract Amendment, subject to the approval of the City Attorney, which will extend the term and conditions of the existing Annual Contract with Dillard Smith Construction Company for the installation of electric distribution facilities for the period beginning*

October 1, 1996 and ending November 30, 1996, and 2) approve the issuance of a purchase order to Dillard Smith Construction Company in an amount not to exceed \$200,000, subject to the final appropriation of funds for FY 1997.

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

960401 Line Clearance and Tree Trimming Contract Extension

RECOMMENDATION *The City Commission 1) authorize the General Manager or his designee to execute amendments, extending the term of the current contracts with Asplundh Tree Expert Company and Monroe Tree Service for a twelve month period, commencing October 1, 1996 and ending September 30, 1997, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to Asplundh Tree Expert Company and Monroe Tree Service for line clearance and tree trimming services for the twelve month period for amounts not to exceed \$643,745 and \$753,093 respectively, subject to the final approval and appropriation of funds for the FY 96/97 budget.*

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

960402 Extension of Installation of Gas Pipeline Contract

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute an amendment to the annual contract with Hamlet Construction Company, Inc., as primary contractor for gas pipeline installation extending the term of the contract through FY 97, subject to the approval of the City Attorney as to form and legality, and (2) approve the issuance of purchase orders in amounts not exceeding \$250,000.00.*

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

City Attorney, Consent Agenda Items

960369 Request for authorization to file an action for declaratory judgment in the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida

RECOMMENDATION *The City Commission authorize the City Attorney to file a petition for declaratory judgment in the Circuit Court, Eighth Judicial Circuit in and for Alachua County, against The Gainesville Sun relating to a public records request.*

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

960370 **Waiver of a conflict of interest for the law firm of Dell, Graham, Wilcox, Barber, Jopling, Schwait & Gershow and Specie, P.A., in a mortgage foreclosure case.**

RECOMMENDATION *The City Commission waive the conflict of interest for the law firm of Dell, Graham, Wilcox, Barber, Jopling, Schwait & Gershow and Specie, P.A., in a mortgage foreclosure case.*

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

Clerk of the Commission, Consent Agenda Items

960362 **City Commission Minutes of April 3, August 29 (2 sets) and September 9, 1996**

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

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

960415 **Gainesville/Alachua County Cultural Affairs Board**

RECOMMENDATION *The City Commission accept the resignation of member Katrina D. Rolle from the Gainesville/Alachua County Cultural Affairs Board effectively immediately.*

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

960416 **Bicycle/Pedestrian Advisory Board**

RECOMMENDATION *Appoint Veronika Thiebach to a term on the Bicycle/Pedestrian Advisory Board to expire December 31, 1999.*

*Commissioner Sande Calkins - Thiebach
Commissioner P. DeLaney - Thiebach
Commissioner Pegeen Hanrahan - Thiebach
Mayor Pro Tem. B. Delaney - Thiebach
Mayor-Commissioner Edward Jennings, Sr - Richter*

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

960418 Fire Safety Board of Adjustment

RECOMMENDATION *Appoint Douglas Wilcox, Jr. to a vacancy on the Fire Safety Board of Adjustment to expire November 1, 1997.
Commissioner Sande Calkins - Wilcox
Commissioner P. DeLaney - Wilcox
Commissioner Pegeen Hanrahan - Wilcox
Mayor Pro Tem. B. Delaney - Wilcox
Mayor-Commissioner Edward Jennings, Sr - Wilcox*

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

960419 Gainesville Code Enforcement Board

RECOMMENDATION *Reappoint Tom Donahue and Hugh Rhea to terms on the Gainesville Code Enforcement Board to expire August 1, 1999.
Commissioner Sande Calkins - Donahue and Rhea
Commissioner P. DeLaney - Readvertise
Commissioner Pegeen Hanrahan - Donahue and Rhea
Mayor Pro Tem. B. Delaney - Donahue and Readvertise
Mayor-Commissioner Edward Jennings, Sr - Donahue and Rhea*

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

960420 Gainesville Energy Advisory Board

RECOMMENDATION *Appoint Donald W. Denniston and reappoint Ken Fonorow and Howard K. Wallace, Jr. to terms on the Gainesville Energy Advisory Committee to expire September 30, 1999.
Commissioner Sande Calkins - Denniston, Fonorow and Wallace
Commissioner P. DeLaney - Denniston, Fonorow and Wallace*

Commissioner Pegeen Hanrahan - Denniston, Fonorow and Wallace
Mayor Pro Tem. B. Delaney - Denniston, Fonorow and Wallace
Mayor-Commissioner Edward Jennings, Sr - Denniston and Wallace

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

960421 Gainesville/Alachua County Cultural Affairs Board

RECOMMENDATION *Reappoint Deborah Holmes-Howard to a term on the Gainesville/Alachua County Cultural Affairs Board to expire September 30, 1999.*
Commissioner Sande Calkins - Holmes-Howard
Commissioner P. DeLaney - Holmes-Howard
Commissioner Pegeen Hanrahan - Holmes-Howard
Mayor Pro Tem. B. Delaney - Holmes-Howard
Mayor-Commissioner Edward Jennings, Sr - Holmes-Howard

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

Community Redevelopment Agency

960423 Noise Ordinance Permit

RECOMMENDATION *The Agency refer the letter from Linda McGurn to the City Commission to forward to staff for review.*

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

960290 Downtown Canopy--Final Approval

RECOMMENDATION *The agency approve issuance of a purchase order to R.O. Camp for \$50,725 to construct the specified metal canopy in Forest Green color with the fascia alternate.*

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

960358 Historic Signs for 5th Ave./Pleasant St.

RECOMMENDATION *The Fifth Avenue/Pleasant Street Redevelopment Advisory Board (FA/PS) to the Community Redevelopment Agency (CRA): The CRA recommend to City Commission to direct staff to change street signs in the 5th Ave./Pleasant St. Redevelopment District to black and white showing the original street names as has been done in the downtown area.*

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

End of the Consent Agenda**Adoption of the Agenda**

The Agenda was adopted with the following modifications: 1) Moved File No. 960406 to the evening portion of the Agenda under Time Certain category; 2) Additional back up was submitted from the Public Safety Committee for File No. 960338; 3) New item from City Manager - Re: Grant (Economic Development); 4) New recommendation for File No. 951277 (Petition)

Special Presentations**Charter Officer Updates****Clerk of the Commission****960372 Veteran's Day - November 11, 1996**

RECOMMENDATION *The City Commission consider cancelling or moving the City Commission meeting scheduled for November 11, 1996 and consider the meeting scheduled for December 23, 1996*

A motion was made by Commissioner DeLaney, seconded by Commissioner Delaney, to reschedule the November 11, 1996, meeting to the 12th of November and to cancel the December 23rd meeting. The motion carried unanimously.

City Manager**960404 Gainesville Urban Reserve Area Redesignation**

RECOMMENDATION *The City Commission: 1) hear a brief presentation from staff on the process for redesignating the Gainesville Urban Reserve Area; and 2) authorize the City Clerk to advertise the public hearing, to be held October 14, 1996.*

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

960434 Grant application for an Economic Development Transportation Fund Grant Through the Florida State Office of Tourism, Trade and Economic Development

RECOMMENDATION *The City Commission: 1) authorize staff to develop an application for the Economic Development Transportation Fund Grant for an amount not to exceed \$250,000.00 for the construction of Northeast 47th Street in the Airport Industrial Park (AIP); and 2) authorize the Mayor-Commissioner and the Clerk of the Commission to execute the proper documents.*

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

960432 Tivoli Apartment Complex Stormwater Outfall Easement

RECOMMENDATION *The City Commission authorize the Mayor-Commissioner to execute a 20 foot Easement to the Emmer Development Corporation for stormwater discharge, subject to approval of the City Attorney as to form and legality.*

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

General Manager for Utilities

960407 Approval of Broker Contracts for Natural Gas Futures with Smith Barney and Merrill Lynch Futures, Inc.

RECOMMENDATION *The City Commission authorize 1) the General Manager or his designee to execute agreements with Smith-Barney and Merrill Lynch Futures, Inc. for the purchase and sale of natural gas futures, subject to approval by the City Attorney as to form and legality and 2) approve the expenditure of funds under these agreements.*

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

City Attorney

960371 Report on Metamorphosis House

Chairman Jennings recognized Citizens Jerry Barnes, Mary Rowe, and Michael Bailey who spoke to the matter.

RECOMMENDATION *The City Commission receive a report regarding Metamorphosis House.*

This matter was Placed on File

960433 Appeal in the bankruptcy case styled: In re: Janet Presley, Debtor, Case No.: 95-00306, Chapter 13

RECOMMENDATION *The City Commission authorize the City Attorney to file an appeal in the case styled In re: Janet Presley, Debtor, Case No.: 95-00306, Chapter 13, and retain the services of Karen Specie of the law firm of Dell, Graham, Willcox, Barber, Jopling, Schwait, Gershow & Specie, P.A., to serve as special counsel as needed.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Calkins, To: 1) continue the matter to the next Regular meeting of October 14, 1996; and 2) Direct the City Attorney to find out the history of lawsuits by employees in which the City recovered Attorney's fees. for October 14, 1996. The motion carried unanimously.

City Auditor

Committee Reports

Public Works Committee

951288 Speeding - NW 40 Street 7 NW 34 Place

RECOMMENDATION *The City Commission direct the City Manager (Traffic Engineering) to conduct a neighborhood meeting to explain the project and obtain neighborhood input regarding traffic calming techniques*

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

Personnel & Organizational Structure Committee

960343 City Personnel Policy 11 Revision

RECOMMENDATION *The City Commission adopt the revisions to Personnel Policy 11.*

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

960354 Addition to the Occupational Index of two new titles resulting from the reclassification of three positions in Customer Billing Information Services in GRU.

RECOMMENDATION *The City Commission approve the addition to the Occupational Index of two new positions; Systems Integration Analyst and Systems Integration Manager.*

Personnel & Organizational Structure Committee further recommend reclassification of one Utility Analyst II at professional paygrade 48 (\$35,696-\$52,830) to Systems Integration Manager at managerial paygrade 74 (\$36,189-\$54,421); and reclassification of one Meter Services Supervisor at CWA paygrade 21 (\$31,386-\$41,181) and one Account Clerk III at CWA paygrade 12 (\$20,123-\$26,404) to Systems Integration Analysts at CWA paygrade 21.

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

Public Safety Committee

960338 Scheduling of Events on Plaza

Move the proposal to the wish list at the 6:00 portion of the Regular Agenda.

Chairman Jennings recognized Citizen Grant Thrall, Gainesville Downtown Owners' and Tenants President Linda McGurn, McGurn Investment Company Representative Ken McGurn and Hippodrome Director, Mark Sexton who spoke to the matter.

RECOMMENDATION *The City Commission hear a report.*

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

Audit & Finance Committee

Legislative Committee

Economic Development Committee

Regional Utilities Committee

Advisory Boards/Committees

960368 City Beautification Board

Chairman Jennings recognized Chair of the City Beautification Board Arnall Downs who spoke to the matter.

1) Ask the Clerk to come back with a recommendation on staggering terms for board members; and 2) The City Commission waive or consider waiving its own policy and allow people to serve seven years by virtue of an extra three year term.

RECOMMENDATION *The City Commission: 1) consider the request of the City Beautification Board and 2) Make appointments as deemed appropriate.*

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

960417 City Plan Board

ADDITIONAL MOTION: A motion was made by Commissioner Paula DeLaney, seconded by Commissioner Pegeen Hanranhan, to have the Clerk's office notify advisory board members of their term limits and afford them the opportunity to re-apply. The motion carried unanimously.

ADDITIONAL MOTION: A motion was made by Commissioner Pegeen Hanrahan, seconded by Commissioner Sande Calkins to appoint Brad Guy to the City Plan Board. The motion carried by the following vote:

Aye 3 Commissioner Hanrahan, Commissioner Calkins, Commissioner B. Delaney

Nay 2 Mayor-Commissioner Edward Jennings and Commissioner Paula DeLaney

RECOMMENDATION *Appoint John R. Barrow and to a term on the City Plan Board to expire November 1, 1999.
Commissioner Sande Calkins - Barrow and Guy
Commissioner P. DeLaney - Readvertise
Commissioner Pegeen Hanrahan - Barrow and Muni
Mayor Pro Tem. B. Delaney - Barrow and Guy
Mayor-Commissioner Edward Jennings, Sr - Readvertise*

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

Outside Agencies

960136 Revisions to Union Street Station Proposal

Chairman Jennings recognized Citizen Vincent Mallet, McGurn Investment Representative Ken McGurn, Citizen Daniel McCarthy and Citizen Michael Bailey who spoke to the matter.

NOTE: Ken McGurn agreed to include a clause that if another project comes along in one of the districts, he agrees to reduce the amount he will get for the Union Street Project.

RECOMMENDATION *In order to allow the Union Street Station project to proceed through the site plan approval and loan application processes, the CRA recommends the following actions to the City Commission:*

- 1. Sponsor an application through the Community Development Block Grant Office for a Federal Section 108 Economic Development Loan to the maximum level available to the City to finance the development of the Union Street Station Project.*
- 2. Extend the Parking Facilities Management Agreement for six additional years through an appropriate contract amendment.*
- 3. Finance the permitting fees, system development charges, and other related City or GRU fees not to exceed \$250,000 for a period of 13 years beginning at the end of the second year of operation for a moderate rate of interest.*
- 4. Submit an application to St. John's Water Management District to build an interim storm water retention pond in the locality of Union Street Station while plans are being made to*

build a central stormwater retention facility for the downtown area, or submit an application for a central stormwater retention facility with a conceptual plan, or submit both.

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

Members of the City Commission/Commission Comment

960373 Waiver Policy

Chairman Jennings recognized Jane Burman Holten who spoke to the matter.

RECOMMENDATION *The City Commission consider the waiver policy*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Calkins, that this matter be Assigned to the Personnel and Organizational Structure Committee, due back on March 23, 1997. The motion carried unanimously.

Adjourn Until 6:00 PM

Invocation and Pledge of Allegiance

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

Dr. Otto Spangler, Baptist Campus Ministry

Cadette Troop #278

Resolutions/Public Hearing

960408 Millage Rate Resolution

AMENDMENT: Commissioner Bruce Delaney moved and Commissioner Paula Delaney seconded to amend the resolution to roll back the millage rate to 4.9416 The motion Carried by the following vote:

Aye 3 Commissioner Bruce Delaney, Commissioner Paula DeLaney, Commissioner Hanrahan

Nay 2 Commissioner Calkins, Mayor-Commissioner Jennings

RECOMMENDATION *The City Commission adopt the resolution*

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

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

960409 General Government Budget Resolution

Chairman Jennings recognized Team Florida University of Florida Cycling Team Secretary Jerry Zimlan, Cycling Team Treasurer Dave Daniels, Chair of City Beautification Board, Arnall Downs and Hippodrome Theatre Director Mark Sexton.

AMENDMENT: A motion was made by Commissioner Paula DeLaney, seconded by Commissioner Bruce Delaney to amend the budget resolution to reduce the Revenue/Expenditure account to \$48, 209. The motion Carried by the following vote:

Aye 3 Commissioner Bruce Delaney, Commissioner Paula DeLaney, Commissioner Hanrahan

Nay 2 Commissioner Calkins, Mayor-Commissioner Jennings

RECOMMENDATION *The City Commission adopt the resolution*

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

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

960410 Regional Utilities Budget Resolution

RECOMMENDATION *The City Commission adopt the Resolution.*

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, Bruce L. Delaney, Paula M. DeLaney, Pegeen Hanrahan and Edward L. Jennings, Sr.

Proclamations

960363 Crime Prevention Month - October 199

RECOMMENDATION *Crime Prevention Specialist Gainesville Police Department Officer Sterling Keys accept a proclamation on behalf of the*

Gainesville Police Department.

This matter was Placed on File

960364 National Arts and Humanities Month - October 1996

RECOMMENDATION *City of Gainesville Cultural Affairs Manager Coni Gesualdi receive a proclamation.*

This matter was Placed on File

960365 Red Ribbon Week

RECOMMENDATION *Corner Drug Store Prevention Partnership Administrators Charlotte Patterson and Gwen Love receive a proclamation.*

This matter was Placed on File

960366 Respiratory Care Wee

RECOMMENDATION *Class of 1997 Respiratory Care President Mary Schneider receive a proclamation.*

This matter was Placed on File

960367 International Extrication '96 Wee

RECOMMENDATION *Gainesville Fire Chief Richard Williams, Interim Deputy Fire Chief William E. Irby, Jr. and Fire District Chief Murry R. Smith receive a proclamation.*

This matter was Placed on File

960403 10th Annual Public Power Week; October 6 - 12, 1996; Recipient: General Manager for Utilities, Mike Kurtz

This matter was Placed on File

Time Certain Items

960406 ARTSREACH Exhibits

RECOMMENDATION *The City Commission hear a brief presentation by Donna*

Born Drake, ARTSREACH Coordinator for the City's Department of Cultural and Nature Operations, introducing the exhibitions of Art in City Hall, Art in the County Administration Building, and Art in the Airport.

This matter was Placed on File

Citizen Comment

960435 Ebony CB Radio Club - Operation of the Emergency Channel

RECOMMENDATION *The City Commission approve of the Ebony CB Radio Club operating and maintaining the Gainesville Emergency Channel React.*

This matter was Placed on File

960436 Crime in Gainesville

RECOMMENDATION *The City Commission hear remarks and take action deemed appropriate.*

This matter was Placed on File

960437 City Ordinance

The Clerk was instructed to notify Mr. Geison in writing as to when the Public Safety Committee will meet to discuss Ordinance 17-2.

RECOMMENDATION *The City Commission repeal ordinance 17-2 (Posting signs on Utility Poles)*

This matter was Placed on File

960438 Students of Advisory Boards

RECOMMENDATION *The City Commission approve high school students be invited to apply for City Commission advisory boards.*

A motion was made by Commissioner Delaney, seconded by Commissioner DeLaney, that this matter be Assigned to the Personnel and Organizational Structure Committee, due back on March 23, 1997. The motion carried unanimously.

960439 Drugs in the Community

This matter was Placed on File

Public Hearings

960405 Sustainable Communities Demonstration Project Application

Chairman Jennings recognized Cindy Smith who spoke to the matter.

RECOMMENDATION *City Manager to the City Commission - The City Commission hear a presentation from staff on the Sustainable Communities Demonstration Project Application, allow time for public comment on the application, and authorize the City Manager to submit the application to the State Department of Community Affairs.*

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

Ordinances - 1st Readings- ROLL CALL REQUIRED

960055 Ordinance No. 0-96-65, Petition No. 94PDA-96PB

An Ordinance of the City of Gainesville, Florida; amending the Planned Development for the Florida Department of Health and Rehabilitative Services as adopted by Ordinance No. 3633 and amended by Ordinance No. 3793; located in the vicinity of 1730 N.E. 31st Avenue; repealing the previously adopted development plan maps and report; adopting revised development plan maps and report; amending certain conditions; declaring Ordinance No. 3793 moot; correcting a scrivener's error in the legal description in Ordinance No. 3633; 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 DeLaney, seconded by Commissioner Hanrahan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

960122 Ordinance No. 0-96-70; Petition No. 122ZON-96PB

An ordinance of the City of Gainesville, Florida, amending the zoning map atlas and rezoning certain lands within the City from "Planned Development District"

to "RMF-6: 10-15 units/acre multiple-family residential district", located in the vicinity of 4229 N.W. 43rd Street, declaring the Planned Development approved by Ordinance No. 3715 void; providing a severability clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

960216 Ordinance No. 0-96-72

An ordinance of the City of Gainesville, Florida, amending section 9-1.1 of the Code of Ordinances relating to election districts, removing certain precincts from the districts to conform to amendments made by the Supervisor of Elections due to annexations; 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 DeLaney, seconded by Commissioner Delaney, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

Ordinances - 2nd Readings- ROLL CALL REQUIRED

951277 Ordinance No. 0-96-63; Petition No. 17TCH-96PB

An ordinance of the City of Gainesville, Florida, amending section 30-338(5) of the Land Development Code; changing the required standard minimum distances between buildings; 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 DeLaney, seconded by Commissioner Delaney, that this matter be Continued (2nd Reading) for October 14, 1996. The motion carried unanimously.

951410 Ordinance No. 0-96-39, Petition No. 24SVA-96PB

An ordinance of the City of Gainesville, Florida; to vacate, abandon and close a portion of S.W. 8th Place located between S.W. 8th Street and S.W. 9th Street; 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 DeLaney, seconded by Commissioner Hanrahan, that this matter be Continued (2nd Reading) for October 14, 1996. The motion carried unanimously.

960059 Ordinance No. 0-96-61, Petition No. 107ZON-96PB

An ordinance of the City of Gainesville, Florida, amending the zoning map atlas and rezoning certain lands within the City from "RC: (12 units/acre residential conservation district)" to "OF: General office district", located in the vicinity of 625 N.W. 6th Street; providing a severability clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

960270 Ordinance No. O-96-67

AN ORDINANCE AMENDING CHAPTER 27, SECTION 27-21, OF THE GAINESVILLE CODE OF ORDINANCES BY PROVIDING FOR DEFINITIONS OF CURTAILABLE ELECTRIC SERVICE AND INTERRUPTIBLE ELECTRIC SERVICE; PROVIDING THE RATES, TERMS AND CONDITIONS FOR CURTAILABLE ELECTRIC SERVICE AND INTERRUPTIBLE ELECTRIC SERVICE; AND AMENDING APPENDIX A, SECTION UTILITIES (1)a. THROUGH (1)n., ELECTRICITY, REVISING RATES AND CHARGES FOR RETAIL ELECTRIC SERVICE; RELOCATING THE PROVISIONS OF THE PRE-EXISTING SUBSECTION (1)n., METER TESTING, OF APPENDIX A TO APPENDIX A, UTILITIES, SUBSECTION (6)b.; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

960267 Ordinance No. O-96-66

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (5)a. THROUGH (5)h., NATURAL GAS, OF THE GAINESVILLE CODE OF ORDINANCES BY REVISING RATES AND CHARGES FOR NATURAL GAS; REPEALING SUBSECTION (5)i. AND RELOCATING ITS PROVISIONS TO APPENDIX A, UTILITIES SUBSECTION (6)b.; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

960268 Ordinance No. O-96-68

AN ORDINANCE AMENDING APPENDIX A, OF THE GAINESVILLE CODE OF ORDINANCES BY REPEALING SUBSECTION UTILITIES (3)f., METER TESTING CHARGES AND RELOCATING ITS PROVISIONS TO APPENDIX A , UTILITIES SUBSECTION (6)b.; AMENDING SUBSECTION UTILITIES 3(g) BY REVISING RATES AND CHARGES FOR RETAIL WATER SERVICE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

960269 Ordinance No. O-96-69

AN ORDINANCE AMENDING APPENDIX A, OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING SUBSECTION UTILITIES (6)b. REVISING GENERAL UTILITY SERVICE CHARGES TO INCLUDE DELINQUENT PAYMENT CHARGES, INCREASED SPECIAL VISIT CHARGES, INCREASED ELECTRIC METER TESTING CHARGES, AND WATER AND GAS METER TESTING CHARGES; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

960332 Ordinance No. 0-96-64

An ordinance of the City of Gainesville, Florida, amending Appendix A of the Code of Ordinances, Section "Utilities," relating to solid waste and recyclables, by increasing the rates for residential service; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Chairman Jennings recognized Boone Waste Representative Bubba Bassard, Citizens Dwight Adams (378-5129), Wesley Kibler and Frederick Peterkin who spoke to the matter.

RECOMMENDATION *The City Commission receive the attached report of the City Attorney and adopt the proposed ordinance.*

A motion was made by Commissioner DeLaney, 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 and Edward L. Jennings, Sr.
Nay: Paula M. DeLaney and Pegeen Hanrahan

Resolutions- ROLL CALL REQUIRED

960411 Natural Gas Purchase and Potential Need for Financing

RECOMMENDATION *The City Commission: 1) Authorize the General Manager, or his designee, to negotiate and execute long-term contracts with selected, qualified natural gas suppliers for a "fixed-price" supply; and 2) Adopt the Resolution substantially in the form on file, subject to the approval of the*

City Attorney as to form and legality, which Resolution (i) adopts the Second Amendment to the Second Supplemental Subordinated Utilities System Revenue Bond Resolution attached thereto in order to increase the aggregate principal amount of Series C Commercial Paper Notes and associated Series A Bank Bonds authorized to be outstanding at any time to \$85 million and (ii) authorize certain City officials to negotiate, execute and deliver, subject to the approval of the City Attorney as to form and legality, amendments to the Credit Agreement, the Amended and Restated Issuing and Paying Agency Agreement, the Dealer Agreement and the DTC Letter of Representations relating to the Series C Commercial Paper Notes in connection therewith; and 3) Authorize the Mayor and Clerk, and the General Manager, or his designee, to execute such other documents as may be necessary to complete the contemplated amendments, subject to the approval of the City Attorney.

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

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

960412

A resolution of the City of Gainesville, Florida, adopting a Development Order for the Oaks Mall, a DRI, incorporating the DRI Development Order adopted by the Board of County Commissioners of Alachua County on July 1, 1975 as amended by resolution no. 79-52 on December 11, 1979; specifying the City Manager as the responsible official for monitoring compliance with this order; providing for the filing of annual reports with the Department of Community Development as the local government; providing for the application of City of Gainesville ordinances and regulations; providing directions to the Clerk; providing for recording of this order; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

960413

A resolution setting forth reasons for, and authorizing a hearing to consider removing Tim Good from the Gainesville Enterprise Zone Agency for missing five consecutive meetings.

RECOMMENDATION *The City Commission consider the resolution.*

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, to accept the letter of resignation from Tim Good from the Gainesville Enterprise Zone Development Agency and strike the resolution from the Regular Agenda. The motion carried unanimously.

960414

A resolution setting forth reasons for, and authorizing a hearing to consider removing Clevern Sharpe, Jr. from the Gainesville Enterprise Zone Agency for missing five consecutive meetings.

Chairman Jennings recognized Gainesville Enterprise Zone Agency Member Clevern Sharpe who spoke to the matter. Mr. Sharpe stated for the record that he wanted to continue his affiliation with the Gainesville Enterprise Zone Agency.

1) Send letters to each City Commission boards (Airport Authority, Consolidated Police Officer and Firefighter Retirement Plan, Governing Board of Alachua District, Gainesville Housing Authority and GEZDA) notifying them of the attendance requirements and requesting that they keep track of the attendance requirements; 2) From this time forward they will be notified if they are close to not meeting the attendance requirements and they will be enforce from this point forward and 3) Strike the resolution from the Agenda.

RECOMMENDATION *The City Commission consider the resolution.*

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

Plan Board Petitions

Development Review Board

Unfinished Business (from 3:00 PM Session)

Commission Comment

C/P. DeLaney - Traffic along 34th Street Wall

Chairman Jennings recognized Citizen Wesley Kibler who spoke to the matter.

C/Hanrahan - Garbage

A motion was made by Commissioner Hanrahan, seconded by Commissioner Delaney, to have Ordinance No. 960332 regarding Solid Waste and Recyclables to come back before the City Commission in 60 days (11/25/96).. The motion carried unanimously.

Citizen Comment

Adjournment (10:00 PM; motion needed to continue)

A motion was made by Commissioner Delaney, seconded by Commissioner DeLaney. The motion carried unanimously.

Items Pending in Committee (for information only)

Kurt M. Lannon, Clerk of the Commission