

City of Gainesville

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



Meeting Minutes

Monday, September 9, 2002

1:00 PM

City Hall Auditorium

City Commission

*Mayor Tom Bussing (At-Large)
Mayor-Commissioner Pro Tem Warren Nielsen (At-Large)
Commissioner Chuck Chestnut (District 1)
Commissioner Edward Braddy (District 2)
Commissioner Tony Domenech (District 3)*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least 48 hours in advance.

CALL TO ORDER - 1:08 PM**ROLL CALL**

Present: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

INVOCATION

The City Commission had a moment of silence.

CONSENT AGENDA

*Mayor-Commissioner Pro Tem Nielsen moved and Commissioner Chestnut seconded to adopt the Consent Agenda with the following modification:
(VOTE: 5-0, MOTION CARRIED)*

File #020355 - City/County Traffic Engineering Services Agreement for Fiscal Year 2002-2003 - Pull from Consent and place on the Regular Agenda.

CITY MANAGER, CONSENT AGENDA ITEMS**020354 Florida Department of Transportation Grant for Operation Safe Streets (NB)**

RECOMMENDATION *The City Commission authorize the City Manager to apply for these funds and execute any additional documents as may be required.*

This Matter was Approved as Recommended on the Consent Agenda.

020361 Florida Department of Transportation Grant for DUI Enforcement Enhancement (NB)

RECOMMENDATION *The City Commission authorize the City Manager to apply for these funds execute any additional documents as may be required.*

This Matter was Approved as Recommended on the Consent Agenda.

020356 Third Extension for Group 5 Advertising - Regional Transit System Creative Services Management (B)

RECOMMENDATION *The City Commission: 1) authorize the City Manager or designee to execute the Third Extension of the agreement with Group 5 Advertising for the period of October 1, 2002*

through September 30, 2003; and 2) approve the issuance of a purchase order to Group 5 advertising in an amount not to exceed \$173,500 for FY 02-03, subject to the appropriation of funds.

This Matter was Approved as Recommended on the Consent Agenda.

020357 Increase Purchase Order to Alachua County for Solid Waste Disposal (NB)

RECOMMENDATION *The City Commission approve increasing the purchase order to Alachua County by \$175,000.*

This Matter was Approved as Recommended on the Consent Agenda.

020358 Award of Bid - RTS Uniforms (B)

RECOMMENDATION *The City Commission: 1) accept the selection of Harrison Uniforms as the uniform vendor for RTS and other City departments as desired; and 2) authorize the City Manager or designee to execute all contract documents and any other necessary documents.*

This Matter was Approved as Recommended on the Consent Agenda.

020359 Professional Services for the Depot Avenue Corridor Design Services (B)

RECOMMENDATION *The City Commission: 1) accept the selection of the four most qualified firms in the order of ranking; and 2) authorize the City Manager or designee to initiate contract negotiations for professional services in accordance with the Consultants' Competitive Negotiations Act (CCNA); and 3) authorize the City Manager or designee to execute all contract documents and any other necessary documents.*

This Matter was Approved as Recommended on the Consent Agenda.

020360 Sale of City Owned Properties in Cedar Grove II (NB)

RECOMMENDATION *The City Commission: 1) declare the properties located at 1120 Northeast 23rd Street and 1112 Northeast 23rd Street as surplus properties; 2) authorize the sale of the properties at market value to eligible low-income homebuyers that will be identified at a future date; 4) authorize the Housing Division to provide the grants and/or subsidies required to make the purchase of the properties affordable for the low-income homebuyers; 5) authorize the City Manager or designee to*

execute the required purchase and sale agreements, grant or subsidy agreements and any other certifications or assurances required to transfer ownership to the homebuyers that will be identified at a later date; 6) authorize the Mayor and Clerk of the Commission to execute the warranty deeds required to transfer titles to the low-income homebuyers that will be identified at a later date; 7) authorize the Housing Division to use the standard Cedar Grove II Program subsidy, and purchase and sale documents to consummate the transactions, subject to approval by the City Attorney as to form and legality; 8) authorize the City Manager or Designee to use a portion of the sale proceeds to build new Cedar Grove II model homes in Phase III and/or IV of the development; and 9) authorize the City Manager or Designee to use the remaining sale proceeds to establish a Cedar Grove II foreclosure acquisition reserve fund.

This Matter was Approved as Recommended on the Consent Agenda.

020362 Mutual Aid Agreement for Operational Assistance with the City of Gainesville Police Department, the Florida Highway Patrol - Jacksonville, the Florida Highway Patrol - Orlando, the Daytona Beach Police Department, the Orlando Police Department, the Tampa Police Department, and the Ocala Police Department (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the mutual aid agreement for operational assistance between the City of Gainesville Police Department and the Florida Highway Patrol - Jacksonville, the Florida Highway Patrol - Orlando, the Daytona Beach Police Department, the Orlando Police Department, the Tampa Police Department, and the Ocala Police Department.*

This Matter was Approved as Recommended on the Consent Agenda.

020364 First Extension -- Gainesville Police Department Uniform Purchase Contract with Service 1 Uniforms, Inc. (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute a contract with Service 1 Uniforms, Inc. of Orlando, Florida and authorize the issuance of a purchase order in an amount not to exceed \$100,000 annually, for the life of the agreement.*

This Matter was Approved as Recommended on the Consent Agenda.

020365 Agreement Between the School Board of Alachua County and the City of Gainesville for the School Resource Officer Program (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the Agreement Between the School Board of Alachua County and the City of Gainesville for the School Resource Officer Program for the period of October 1, 2002, through September 30, 2003.*

This Matter was Approved as Recommended on the Consent Agenda.

020366 Bid Award - Full Grounds Keeping and Maintenance of Ironwood Golf Course (B)

RECOMMENDATION *The City Commission: 1) award the contract for the full grounds keeping services to OneSource; and 2) approve the issuance of a purchase order in the amount of \$431,423.*

This Matter was Approved as Recommended on the Consent Agenda.

020367 Revision to Chapter 30, Article IX, Division 1, Sign Regulations of the City Gainesville Code of Ordinances (B)

RECOMMENDATION *The City Commission authorize the City Manager to initiate a petition to amend all applicable language of Chapter 30, Article IX, Division 1, Sign Regulations of the City of Gainesville Code of Ordinances to allow the name and/or logo of a commercial entity on any conforming sign or banner as a sponsor for a not-for-profit event.*

This Matter was Approved as Recommended on the Consent Agenda.

020368 Investment Ordinance Amendment (NB)

RECOMMENDATION *The City Commission instruct the City Attorney to draft and the Clerk of the Commission to advertise the proposed amendment to Section 2-438.*

This Matter was Approved as Recommended on the Consent Agenda.

020382 Airport Industrial Park Covenants and Sale of Lot 7B (NB)

RECOMMENDATION *The City Commission approve the preparation and execution of a Warranty Deed and other related documents by the Mayor or Mayor-Commissioner Pro Tempore of the City for conveyance of the two acre portion of Lot 7B in the Airport Industrial Park to Crestwood of Florida, LLC.*

This Matter was Approved as Recommended on the Consent Agenda.

020383 Extend Hippodrome State Theatre, Inc. Contract (B)

RECOMMENDATION *The City Commission: 1) approve a five-year contract extension to the lease agreement with the Hippodrome State Theatre, Inc.; and 2) authorize the City Manager or his designee to execute the appropriate documents.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**020369 Agreement for GRUCom Telecommunications Consulting Services - HIKE & Co., Inc (NB)**

RECOMMENDATION *The City Commission 1) Authorize the General Manager or his designee to negotiate and execute a contract amendment with HIKE & Company, as a specified source, for telecommunications consulting services on an as needed basis for a twelve-month term ending September 30, 2003, 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 \$65,000 for these services, subject to the final appropriation of the funds for FY 2003.*

This Matter was Approved as Recommended on the Consent Agenda.

020370 Extension for Banking and Trustee Services for Gainesville Regional Utilities and General Government (NB)

RECOMMENDATION *The City Commission authorize the General Manager or his designee and the City Manager or his designee to execute an extension to the contract with SunTrust Bank for the provision of the City's Banking and Trustee Services subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

020371 Approval of a Contract for Daily Mail, Supply and Laboratory Service (B)

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to execute a three year contract, subject to approval by the City Attorney, with Jerry P. Sosnowski Sr. d/b/a Personalized Postal Courier for the provision of daily mail, supply and laboratory service for GRU facilities and approve*

the issuance of a purchase order to Personalized Postal Courier in an amount not-to-exceed \$20,000 per year.

This Matter was Approved as Recommended on the Consent Agenda.

020372 Extension of Temporary Personnel Services Contracts (NB)

RECOMMENDATION *The City Commission: 1) Authorize the General Manager and the City Manager or their designees, to execute amendments to the contracts with Spherion, TempForce, and Manpower Temporary Services, extending the term of the contracts for temporary personnel services by 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 in amounts not to exceed the budgeted amounts for these services for the Fiscal Year 2003, subject to the final appropriation of funds for FY 2003.*

This Matter was Approved as Recommended on the Consent Agenda.

020373 Release of Easement (10815 SW 11th Lane) (B)

RECOMMENDATION *The City Commission: 1) approve the release of a public utilities Easement at 10815 SW 11th Lane to Ralph and Sandra Pratt; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC WORKS COMMITTEE, CONSENT

020279 Signage at Mini-Traffic Circles (NB)

RECOMMENDATION *The Public Works Committee recommends the City Commission approve the re-installation of the signs around the mini-traffic circles.*

This Matter was Approved as Recommended on the Consent Agenda.

AUDIT & FINANCE, CONSENT**020343 Gainesville Regional Utilities Quarterly Financial Report - Quarter Ended June 30, 2002 (B)**

RECOMMENDATION *The Audit and Finance Committee reviewed and recommends that the City Commission receive the GRU quarterly financial report for the quarter ended June 30, 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

020344 Fiscal Year 2002 Operating Funds Quarterly Monitoring Report - Quarter Ended June 30, 2002 (B)**...Explanation**

The City's General Government Budget Policy requires staff to prepare and submit a quarterly budget compliance report in substantially the same form as the final budget document, for all major operating funds, including the status of General Fund fund balances, to the Audit and Finance Committee.

...Recommendation

The Audit and Finance Committee reviewed and recommends that the City Commission receive the quarterly budget monitoring report for the quarter ended June 30, 2002.

RECOMMENDATION *The Audit and Finance Committee reviewed and recommends that the City Commission receive the quarterly budget monitoring report for the quarter ended June 30, 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

020346 Summary Report of Payroll Payoff Procedures for the Fiscal Year Ended September 30, 2002 (NB)

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report on payroll payoff procedures for Fiscal Year 2001-2002.*

This Matter was Approved as Recommended on the Consent Agenda.

020347 Petty Cash and Change Fund Counts for the Fiscal Year Ended September 30, 2002 (NB)

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission accept the City Auditor's report on Petty Cash and Change Fund Counts for the Fiscal Year Ended*

September 30, 2002.

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

020363 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of August 12 & 26, 2002 (Regular Meetings); and August 27, 28, 29, and September 3, 2002 (Special Meetings); as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF THE CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

*Mayor-Commissioner Pro Tem Nielsen moved and Commissioner Chestnut seconded to adopt the Regular Agenda with the following modification:
(VOTE: 5-0, MOTION CARRIED)*

File # 020384 - Alachua County's Transfer of Funds From the Solid Waste Enterprise Fund to the Self Insurance Fund - Additional back-up submitted by the City Manager.

CLERK OF THE COMMISSION

020385 Special City Commission Meeting (NB)

MOTION: Schedule a Special Meeting for the "Review of the City of Gainesville's Retirement System", Thursday, October 3, 2002, at 5:00 PM in the City Commission Auditorium.

RECOMMENDATION *The City Commission schedule a special meeting on Review of City of Gainesville's Retirement System.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

CITY MANAGER

020341 Report on Timeline for Northwest 17th Street Streetscape Project Completion (B)

City of Gainesville Public Works Manager Emery Swearingen gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff on the timeline for completion of this Project.*

Heard

020374 ARTSREACH Exhibits (NB)

City of Gainesville Cultural Affairs Manager Coni Gesualdi gave a presentation.

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 Alachua County Administration Building and*

Art in the Airport.

Heard

020375 Chapter 13 Code Changes - Dead Tree Debris and Abandoned Vehicles (NB)

City of Gainesville Community Development Director Tom Saunders gave a presentation.

RECOMMENDATION *The City Commission: 1) hear a brief explanation from staff; 2) authorize the City Attorney to draft an ordinance amending the minimum housing code; and 3) authorize the Clerk of the Commission to advertise the ordinance change.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Warren Nielsen and Tom Bussing
Absent: Chuck Chestnut

020376 Request from School Board for a School Board Member to serve as a voting member of the City Plan Board. (B)

City of Gainesville Community Development Director Tom Saunders gave a presentation.

Chair Bussing recognized Deputy Superintendent of Alachua County School Board Keith Burkette who spoke to the matter.

Chair Bussing passed the gavel to Mayor-Commissioner Pro Tem Nielsen in order to make the following motion:

AMENDMENT BY SUBSTITUTION: Mayor Bussing moved and Commissioner Chestnut seconded to send a letter to the School Board informing them and thanking them; but that the City Commission's intent is to go with an appointment of a non-voting member on the City Plan Board.

(VOTE: 2-3, Mayor Bussing and Commissioner Chestnut - Yes; Commissioner Domenech, Commissioner Braddy and Mayor-Commissioner Pro Tem Nielsen - No-MOTION FAILED)

RECOMMENDATION *The City Commission hear a brief presentation from staff. If the City Commission grants the School Board's request, direct the City Manager to: 1) inform the School Board that the City Commission has agreed to grant voting status to an assigned School Board member to the City Plan Board for comprehensive plan amendments or re-zonings that potentially increase residential density; and 2) prepare a petition for revisions to Chapter 30 of the Code of Ordinances required for the addition of a School Board representative to*

the City Plan Board.

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

Votes: Aye: Tony Domenech, Edward Braddy and Warren Nielsen
Nay: Chuck Chestnut and Tom Bussing

020384 Alachua County's Transfer of Funds From the Solid Waste Enterprise Fund to the Self Insurance Fund (B)

RECOMMENDATION *The City Commission: 1) receive a presentation from the City Auditor, City Manager, and City Attorney; and, 2) authorize the Mayor to write a letter to the Board of County Commissioners requesting the following: A) that Alachua County reimburse the Solid Waste System Enterprise Fund in the amount of \$2,250,000 - loan is acceptable, B) that Alachua County amend the 1998 Interlocal Agreement to restrict the use of all solid waste funds to be used only for solid waste purposes and C) that Alachua County agree to restrict the use of the balance of retained earnings in the solid waste enterprise fund for solid waste purposes only.*

Heard

020377 Transportation Concurrency in the Archer Road/Southwest 34th Street Area (B)

City of Gainesville Community Development Director Tom Saunders, Senior Planner Onelia Lazzari, and North Central Florida Regional Planning Council Director Marlie Sanderson gave presentations.

Chair Bussing recognized Citizen Phil Emmer who spoke to the matter.

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

Heard

020355 City-County Traffic Engineering Services Agreement for Fiscal Year 2002-2003 (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the Traffic Engineering Services Agreement between the City and Alachua County for the period of October 1, 2002 to September 30, 2003.*

Withdrawn

GENERAL MANAGER FOR UTILITIES**CITY ATTORNEY****020348 2002 Population Count for the City of Gainesville (B)**

University of Florida Department of Geography Consultant Joshua Comenetz, Ph.D. gave a presentation.

RECOMMENDATION *1)Receive the reports of the estimate of population of the City of Gainesville; and 2) Authorize the City Attorney to prepare a resolution as required by Section 2.01(2) of the City Charter.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

CITY AUDITOR**COMMITTEE REPORTS (PULLED FROM CONSENT)****RECREATION AND CULTURAL AFFAIRS COMMITTEE****001780 Boundary Fencing for Parks and Tot Lots (B)**

City of Gainesville Recreation Manager Pat Byrne gave a presentation.

RECOMMENDATION *The City Commission: 1) hear the presentation from staff on the proposed guidelines for boundary fencing at City parks and tot lots; 2) accept the proposed guidelines for fencing; and 3) remove this item from the referral list.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

002765 Update on Skateboard Park at Westside Park (B)

City of Gainesville Recreation and Parks Director Cliff Crawford and Community Development Director Tom Saunders gave presentations.

Chair Bussing recognized Citizens David Welch, Debbie Martinez, Brian Jackson and Jack Hughes who spoke to the matter.

RECOMMENDATION *The City Commission: 1) review the designs and plans for the construction for a skateboard park at Westside Park; 2) approve the transfer of \$20,000 from the Depot Skate Park project to this project for construction; 3) authorize the City Manager or his designee to develop usage agreements with the User Group(s) for the construction and maintenance of the Westside Skateboard Park facility; and 4) remove this item from the Recreation and Cultural Affairs Committee referral list.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

002630 Gainesville Community Playhouse (GCP) New Theater Facility, Request for City Support (B)

Gainesville/Alachua County Cultural Affairs Board Chair Doug Diekow and Gainesville Community Playhouse Representative Gerald Brewington gave presentations.

ADDITIONAL MOTION: Commissioner Chestnut moved and Commissioner Domenech seconded to direct staff to enter into discussions and negotiations with the Playhouse for the City to provide in-kind services, including moving the building, and to discuss the possibility of providing a loan towards construction of the new facility. (VOTE: 5-0, MOTION CARRIED)

RECOMMENDATION *The City Commission: 1) hear a report from the Gainesville/Alachua County Cultural Affairs Board Chair, Doug Diekow; and 2) remove this item from the referral list.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Mayor Tom Bussing

Meeting to discuss City Commission Meetings

City Manager Wayne Bowers

Southwest Annexation Transition

RECESS - 4:31 PM

RECONVENE- 5:35 PM

CITIZEN COMMENT

Dr. Mark Barrow

- 1. Matheson Museum - Sweetwater Park*
- 2. Planting Assistance from the City Parks Division*

NOTE: Commissioner Chestnut entered the meeting room at 5:38 PM.

Debbie Martinez

- 1. Maternity Shop - Parking Problems*
- 2. Parking Problems Downtown*
- 3. Toilet facilities in businesses downtown.*

Gabe Kaimowitz

EEO Charter Officer Issue on Ballot

Frederick Peterkin

Free Market Economy Issues

See following item # 020407

020407 Frederick Peterkin - Free Market Issues (B)

RECOMMENDATION *The City Commission hear a presentation and place back-up submitted on file.*

Placed on File

Sam Harvey

- 1. *Drought/Water Issues*
- 2. *Voting Issues*

COMMISSION COMMENTS (if time available)

RECESS - 5:56 PM

RECONVENE - 6:02 PM

PLEDGE OF ALLEGIANCE (6:00pm)

Gary Powers of the VFW

PROCLAMATIONS/SPECIAL RECOGNITIONS

020380 Constitution Week - September 17-23, 2002 (B)

RECOMMENDATION *Gainesville Chapter Regent Mrs. Onyx G. Shaffer, National Society of the Daughters of the American Revolution to accept the proclamation.*

Heard

020381 P.O.W./M.I.A. Recognition Day - September 20, 2002 (B)

RECOMMENDATION *Gator Detachment Marine Corp League Commandant Bob Gasche, Sr. Vice Commandant Gary Powers, and Jr. Vice Commandant Dick Lester to accept the proclamation.*

Heard

PUBLIC HEARINGS

020349 PROPOSED MILLAGE RATE RESOLUTION (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 2002-2003 FISCAL YEAR; ESTABLISHING A PROPOSED MILLAGE RATE; SETTING A PUBLIC HEARING; PROVIDING FOR THE PUBLICATION OF NOTICE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

City of Gainesville Office of Management and Budget Director Becky Rountree gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020350 TENTATIVE GENERAL GOVERNMENT BUDGET RESOLUTION (B)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003; ADOPTING AN AMENDED TENTATIVE GENERAL OPERATING AND FINANCIAL PLAN BUDGET; PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Chair Bussing recognized Citizens Debbie Martinez and Cindy Grant who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020351 GENERAL GOVERNMENT BUDGET (B)

ORDINANCE NO. 0-02-50

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, 2002 AND ENDING SEPTEMBER 30, 2003; 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 Nielsen, seconded by Commissioner Domenech, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020352 GAINESVILLE REGIONAL UTILITIES BUDGET (B)**ORDINANCE NO. 0-02-55**

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, 2002, AND ENDING SEPTEMBER 30, 2003; 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 Commissioner Chestnut, seconded by Commissioner Domenech, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**020275 DUTIES OF THE CULTURAL AFFAIRS BOARD (B)****Ordinance No. 0-02-56**

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article V, Division 3, Section 2-283 of the Code of Ordinances by amending the duties of the Cultural Affairs Board; 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 Chestnut, seconded by Commissioner Domenech, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020189 STREET VACATION (B)**ORDINANCE NO. 0-02-44, PETITION 57SVA-02PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a certain portion of the right-of-way located in the westerly 6 feet of S.W. 1st

Street from S.W. 1st Avenue to S.W. 2nd Avenue and the southerly 7 feet of S.W. 1st Avenue from S.W. 1st Street to S.W. 2nd Street; reserving a public utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

Chair Bussing recognized Citizens Tom Emmel and Steven Schlatchta who spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve petition 57SVA-02PB; and 2) adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020190

REZONING (B)

ORDINANCE NO. 0-02-45, PETITION NO. 58ZON-01PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RH-1: 8-43 units/acre residential high density district" to "RH-2: 8-100 units/acre residential high density district"; located in the vicinity of 811, 815 and 817 S.W. 11th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Bussing recognized Rory Causseaux who gave a presentation.

RECOMMENDATION *The City Commission: 1) approve petition no. 58ZON-01PB; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Chestnut, seconded by Commissioner Domenech, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020206

URBAN SERVICES REPORT - INTERSECTION OF SW 34th STREET AND ARCHER ROAD (B)

Ordinance No. 0-02-40

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area generally located north of the city limits, west of the city limits, south of the SW 34th Street right-of-way, and east of the city limits, more particularly the intersection

of Archer Road and SW 34th Street; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, as amended, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

City of Gainesville Strategic Planner Heidi Lannon gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing
Absent: Edward Braddy

020353 ELECTION DISTRICTS AMENDMENT (B)

ORDINANCE NO. 0-02-60

An ordinance of the City of Gainesville, Florida, Chapter 9, Elections; amending Section 9-1.1(a) of the Code of Ordinances changing the numbers of the election precincts that comprise the election districts of the City; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

002382 EXTENSION OF BOUNDARIES FOR ALCOHOL CONSUMPTION DURING EVENTS DOWNTOWN (B)

ORDINANCE NO.:0-02-58

An ordinance of the City of Gainesville, Florida, amending Article I, Sections 4-4(b)(1) and 4-4(b)(2) of the Code of Ordinances by providing for the extension of boundaries to allow for consumption of alcohol during certain events in the downtown area; provide a limit on the number of permits that may be issued by the city manager during any calendar year; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Bussing recognized Citizens Reverend Tim Keyes, Dr. Bob Casey, Harold Saive, Tavis Glassman, Steven Schlachta, Steve Hatch, Charles Grapski, Debbie Martinez, Vincent Mallet, Sam Harvey, Heath Wentz, and Cindy Grant who spoke to

the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut and Warren Nielsen
Nay: Tom Bussing

ORDINANCES 2ND READING- ROLL CALL REQUIRED

020104 ANNEXATION OF LOT 2, NORTH FLORIDA REGIONAL DOCTORS OFFICE PARK (B)

ORDINANCE NO. 0-02-37

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area north of the city limits in the vicinity of North Florida Regional Medical Center, west of the city limits and West Hills subdivision, south of the city limits and east of NW 69th Terrace, in particular Lot Two (2), NORTH FLORIDA REGIONAL DOCTORS OFFICE PARK, according to the plat thereof recorded in Plat Book "H", page 81, of the Public Records of Alachua County, Florida; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

002390 PLANNED DEVELOPMENT AMENDMENT (SORRENTO) (B)

Ordinance No. 0-02-22, Petition No. 84PDA-01PB

An Ordinance of the City of Gainesville, Florida; adopting a new Development Plan on property that is zoned "Planned Development" commonly known as "Sorrento"; generally located between N.W. 23rd Terrace and N.W. 20th Street

and south of Northwest 53rd Avenue; adopting new development plan maps and a planned development report; adopting additional conditions and restrictions; providing for penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Community Development Director Tom Saunders gave a presentation.

Chair Bussing recognized Capri Club Director Julie Fry and Sorrento Developer Phil Emmer who spoke to the matter.

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

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

Votes: Aye: Tony Domenech, Edward Braddy and Chuck Chestnut
Nay: Warren Nielsen and Tom Bussing

020202

**DISSOLUTION OF THE CONSOLIDATED RETIREMENT PLAN
ADVISORY COMMITTEE (B)**

ORDINANCE NO. 0-02-54

An ordinance of the City of Gainesville, Florida, amending Division 8 of Chapter 2 of the Code of Ordinances of the City of Gainesville, relating to the Consolidated Police Officers and Firefighters Retirement Plan relating to the advisory committee to the Board, providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020196

CODE ENFORCEMENT BOARD (B)

ORDINANCE NO. 0-02-18

An ordinance of the City of Gainesville, Florida, relating to the Code Enforcement Board; amending Article V, Division 8, of the Code of Ordinances of the City of Gainesville, eliminating redundancies and providing consistencies in accordance with Chapter 162, Florida Statutes, the "Local Government Code Enforcement Boards Act;" amending s. 2-376, to conform with Chapter 162,

Florida Statutes; amending s. 2-378, eliminating a definition; amending s. 2-379, allowing city commission to appoint up to two alternate members for each current board member; amending s. 2-380, to eliminate redundancies and replace part of existing section requiring an appointment of a chair and requirements for a quorum of the board; repealing s. 2-381, to eliminate redundancies; repealing s. 2-382, to eliminate redundancies; amending s. 2-383, providing powers to the board for adoption of rules for the conduct of its hearings; amending s. 2-385, providing code inspector rules and guidelines for enforcement procedures; repealing s. 2-386, to eliminate redundancies; amending 2-387, providing rules and guidelines for hearings conducted by the board and orders of findings issued by the board; repealing s. 2-388, to eliminate redundancies; creating s. 2-388.2, providing for duration of lien, providing for prevailing party to recover all costs, including reasonable attorney's fees in a foreclosure or money judgment action; amending s. 2-389, providing for an appeal of a final administrative decision by the board; amending s. 2-390, providing rules for notices to alleged violator; repealing s. 2-391, to eliminate redundancies; repealing 2-391.1, to eliminate redundancies; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020245 NATURAL GAS AND MECHANICAL INSPECTIONS (B)

Ordinance No. 0- 02-35

An ordinance of the City of Gainesville, Florida, amending Appendix A, "Schedule of Rates, Fees and Charges," BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances; increasing the permit fees for natural gas and mechanical inspections; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Chuck Chestnut and Warren Nielsen
Nay: Edward Braddy and Tom Bussing

002251 FLORIDA FIRE PREVENTION CODE (B)

ORDINANCE NO. 0-02-03

An ordinance of the City of Gainesville, Florida, amending Chapter 10, Article I, by repealing sections 10-7 through 10-11.1; renumbering Sections 10-12 through 10-13; renumbering and amending Chapter 10, Article II, Section 10-30 by adopting the Florida Fire Prevention Code; renumbering and amending Section 10-31 by amending the adopted Florida Fire Prevention Code relating to Fire Hydrants, Fire Protection Systems, and the Fire Safety Board of Adjustment; 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 Domenech, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

000863**EMERGENCY ACCESS ORDINANCE (B)****ORDINANCE NO. 0-01-11**

An ordinance of the City of Gainesville creating a new Article III, under Chapter 10, of the Gainesville Code of Ordinances to require emergency access for emergency vehicles and personnel to new and existing gated communities, certain business occupancies and other locations where vehicle gates and restricted access used for security obstruct emergency access; providing definitions, providing time 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 Domenech, seconded by Mayor-Commissioner Pro Tem Nielsen, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020266**RATES AND CHARGES - ELECTRICITY (B)****ORDINANCE NO. 0-02-47**

An ordinance amending Appendix A, Section Utilities (1) f. Electricity of the Gainesville Code of Ordinances by Revising the Rates and Charges for Electricity; Providing a Repealing Clause; Providing Directions to the Codifier; Providing a Severability Clause; and, Providing an Effective Date in Accordance

with the Schedule Provided Herein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut and Warren Nielsen
Nay: Tom Bussing

020267 RATES AND CHARGES - WASTEWATER (B)

ORDINANCE NO. 0-02-48

An ordinance amending Appendix A, Section Utilities (4) c Through f. Sewerage of the Gainesville Code of Ordinances by Revising the Rates and Charges for Wastewater; Providing a Repealing Clause; Providing Directions to the Codifier; Providing a Severability Clause; and, Providing an Effective Date in Accordance with the Schedule Provided Herein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020268 RATES AND CHARGES - NATURAL GAS (B)

ORDINANCE NO. 0-02-49

An ordinance amending Chapter 27, Utilities Article VI. Natural Gas Sec. 27-272 and Appendix A, Section Utilities (5) Natural Gas of the Gainesville Code of Ordinances by Creating a Manufactured Gas Plant Cost Recovery Factor; Providing a Repealing Clause; Providing Directions to the Codifier; Providing a Severability Clause; and, Providing an Effective Date in Accordance with the Schedule Provided Herein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

RESOLUTIONS- ROLL CALL REQUIRED

020378 City of Gainesville Emergency Operations Plan (B)

Fire Safety Management Assistant Chief Tony Taylor and Police Chief Norm Botsford gave presentations.

NOTE: Changed date in the recommendation from August 12, 2002 to September 9, 2002.

RECOMMENDATION *The City Commission: 1) receive the report from staff on the progress and direction that emergency management is taking within the City; 2) adopt by resolution the new City of Gainesville Emergency Operations Plan; and 3) authorize the City Manager to make annual updates to the adopted EOP as necessary. (A copy of the Plan is on file in the Clerk of the Commission's Office. After September 9, 2002, the Plan will be on file in the Gainesville Fire Rescue Department.)*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

PLAN BOARD PETITIONS**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS****UNFINISHED BUSINESS****COMMISSION COMMENT****CITIZEN COMMENT (If time available)****Debbie Martinez**

Special City Commission on Thursday, September 5, 2002 - City Commission Rules.

Reverend Tim Keyes

Public Service Responsibilities

Nora Gibbons

1. *Binge Drinking*
2. *September 11.*

ADJOURNMENT - 9:52 PM

Kurt M. Lannon, Clerk of the Commission