

City of Gainesville

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



Meeting Minutes

Monday, May 13, 2002

1:00 PM

City Hall Auditorium

City Commission

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

CALL TO ORDER - 1:08 PM

NOTE: Commissioner Barrow entered the meeting room at 1:09 PM.

INVOCATION

ROLL CALL

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

CONSENT AGENDA

Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner Nielsen seconded to adopt the Consent Agenda with the following modifications:

- 1. File No. - 002706 - Florida Food Service Contract Addendum for Option to Purchase Property in the Airport Industrial Park - Move to Regular Agenda.*
- 2. File No. - 002697 - Applications for Disability Retirement. - Split Item - Leave George E. Shaw Jr. on Consent with the same number and move Richard R. Jumpp to the Regular Agenda as first item under Advisory Boards and Committees with New File No. 002748.*
- 3. File No. - 002694 Arlington Square Phase III Loan Repayment - Move to the Regular Agenda.*

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

CITY MANAGER, CONSENT AGENDA ITEMS

002699 Agreement for Operation and Programming of the Wilhelmina Johnson Resource Center (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the Facilities Operation and New Programs Agreement for the Wilhelmina Johnson Resource Center.*

This Matter was Approved as Recommended on the Consent Agenda.

Summer Food Program Award of Contract (B)

RECOMMENDATION *The City Commission authorize the City Manager or his designee to execute a contract with the School Board of Alachua County for the Summer Food Service Program.*

This Matter was Approved as Recommended on the Consent Agenda.

002701 Off Leash Pilot Program (NB)

RECOMMENDATION *The City Commission: 1) approve the continuation of the "Off Leash Area" in Northeast Park; and 2) remove this item from the City Commission referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

002702 State Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Reichert House New Construction Fund (NB)

RECOMMENDATION *The City Commission approve the appropriation and expenditure of \$10,000 from the State Law Enforcement Contraband Trust Fund to the Black on Black Crime Task Force for construction of a new Reichert House facility.*

This Matter was Approved as Recommended on the Consent Agenda.

002704 Assignment of Technology Center Management and Operating Agreement from Alliance for Economic Development, Inc. to the Alliance for Economic Development, LLC (B)

RECOMMENDATION *The City Commission authorize the City Manager to sign the agreement assigning the Technology Enterprise Center Management and Operating Agreement from the Alliance for Economic Development, Inc. to the Alliance for Economic Development, LLC.*

This Matter was Approved as Recommended on the Consent Agenda.

002705 Award of Bid: Two Front End Loaders (B)

RECOMMENDATION *The City Commission award the purchase of two front end loaders to Highland Tractor Company in the amount of \$157,200 and authorize the City Manager or his designee to execute all related contractual agreements.*

This Matter was Approved as Recommended on the Consent Agenda.

002707 Award of Bid: 50 Foot Aerial Device and Chipper Body (B)

RECOMMENDATION *The City Commission: 1) award the purchase of a 50 foot aerial device and chipper body to Altec Industries, Inc.; 2) authorize the issuance of a purchase order for the equipment*

in the amount of \$57,792; and 3) authorize the City Manager or his designee to execute all related contractual agreements required.

This Matter was Approved as Recommended on the Consent Agenda.

002708 Byrne Grant Application (NB)

RECOMMENDATION *The City Commission authorize the City Manager to 1) apply to the Edward Byrne Memorial State and Local Assistance Grant Program for \$134,773.00 in grant funds, 2) appropriate \$44,924.00 from the Federal Law Enforcement Contraband Fund Trust Fund for the match, and 3) execute the grant agreement and any other necessary documents, pending review by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

002716 Contract for Marketing Services (B)

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a three-year contract with The Zimmerman Agency for marketing and communications services, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to The Zimmerman Agency for FY 2002 in the not to exceed amount of \$65,100 and during subsequent years of the initial contract term in amounts not to exceed approved budgets for these services.*

This Matter was Approved as Recommended on the Consent Agenda.

002717 Contract for Customer Satisfaction Survey Services (B)

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a one-year contract with RKS Research and Consulting for Customer Satisfaction and Loyalty research, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to RKS for the remainder of FY 2002 in a not to exceed amount of \$50,000 and during subsequent months of the initial contract term an amount not to exceed approved budgets for these services.*

This Matter was Approved as Recommended on the Consent Agenda.

002718 Contract for Installation of Gas Pipeline (B)

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute a three year contract with T.B. Landmark Construction, Inc., for the installation of gas pipelines, subject to the approval of the City Attorney as to form and legality, and 2) approve the issuance of purchase orders to T.B. Landmark Construction in amounts not to exceed \$350,000.00. for FY 2002 work.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC WORKS COMMITTEE, CONSENT

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

002691 Nature Operations Manager (B)

RECOMMENDATION *The City Commission approve upgrading the Nature Operations Manager from a managerial pay grade 70 (\$37,211 to \$55,958) to pay grade 73 (\$41,782 to \$62,833).*

This Matter was Approved as Recommended on the Consent Agenda.

002693 Grants Program Specialist (B)

RECOMMENDATION *The City Commission approve the establishment of the job title Grants Program Specialist in Cultural Affairs at a professional pay grade 43 (\$33,563 to \$49,673) in the Occupational Index and reclassify an Events Coordinator position (professional pay grade 40, \$28,993 - \$42,909) in Cultural Affairs to the same.*

This Matter was Approved as Recommended on the Consent Agenda.

002692 Outside Agency Funding Referral (B)

RECOMMENDATION *The City Commission remove this item from the Personnel and Organizational Structure Committee referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT & FINANCE COMMITTEE, CONSENT

LEGISLATIVE COMMITTEE, CONSENT

REGIONAL UTILITIES COMMITTEE, CONSENT

000953 Water Conservation Referral (NB)

RECOMMENDATION *The Regional Utilities Committee recommends the City Commission approve removing this item from the referral list and ask that the General Manager provide a status report to the Regional Utilities Committee within a year.*

This Matter was Approved as Recommended on the Consent Agenda.

002514 Wastewater Inverted Block Rate Referral Item (NB)

RECOMMENDATION *The Regional Utilities Committee recommends the City Commission not pursue an inverted rate structure for the wastewater system and remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

RECREATION AND CULTURAL AFFAIRS COMMITTEE, CONSENT

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

002672 Resignation - City Beautification Board (B)

RECOMMENDATION *The City Commission accept the resignation of member Robert Rieders from the City Beautification Board effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

002673 Gainesville Enterprise Zone Development Agency (NB)

RECOMMENDATION *The City Commission accept the resignation of member Jeannie McDonald from the Gainesville Enterprise Zone Development Agency effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

002685 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of April 22, 2002 (Regular Meeting), April 29, 2002 (Joint City/County) and May 2, 2002 (Special Meeting), as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**002695 Request for an Extension to the License Agreement for Construction Staging (B)**

RECOMMENDATION *CRA to the City Commission: 1) recommend the City Commission approve a one-year extension of the license agreement; and 2) authorize the City Manager to execute.*

This Matter was Approved as Recommended on the Consent Agenda.

002696 Issues on Southeast 4th Place (NB)

RECOMMENDATION *CRA to the City Commission: 1) request that Code Enforcement review St. Francis House's compliance with the City Board and Seal permit requirements and investigate trash-related issues; 2) refer to the Public Works Committee for consideration: a) the blocking Southeast 4th Place east from the exit of the St. Francis House driveway with a serpentine privacy wall to protect the residential areas to the east; and b) the current chain-link fence with barbed wire top be replaced with a serpentine privacy wall at the same time.*

This Matter was Approved as Recommended on the Consent Agenda.

DISABILITY REVIEW COMMITTEE, CONSENT**002697 Application for Disability Retirement for George E. Shaw, Jr. (NB)**

RECOMMENDATION *The City Commission approve the submitted application for disability retirement for George E. Shaw, Jr., Water Plant Operator II, GRU Water Plant.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Mayor-Commissioner Hanrahan Pegeen Hanrahan moved and Commissioner John Barrow seconded to adopt the Regular Agenda with the following modification:

1. File No. 002722 - Blue Ribbon Committee - Blue Ribbon Task Force Chair Rodney Long submitted additional back-up.

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

CLERK OF THE COMMISSION

CITY MANAGER

002709 ARTSREACH Exhibits (NB)

ARTSREACH Coordinator for the Department of Cultural Affairs Donna Born Drake 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

002710 Tallow Removal Partnership Program (B)

City Arborist Meg Niederhofer gave a presentation.

RECOMMENDATION *The City Commission approve the Tallow Removal Partnership Program.*

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

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

002698 Award of Bid: Construction Services for the Duck Pond Restoration Project (B)

City Engineer Stu Pearson gave a presentation.

NOTE: Commissioner Chestnut entered the meeting room at 1:28 PM.

RECOMMENDATION *The City Commission: 1) award a contract to Watson Construction, Inc., for bid packages A and C described above; and 2) authorize the City Manager or designee to issue a purchase order not to exceed \$771,300.00 to Watson Construction Co., Inc., for the Duck Pond renovation and the installation of the sediment traps.*

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

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

002711 Metropolitan Transportation Planning Organization (MTPO) (NB)

City Traffic Engineering Manager Brian Kanely gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff regarding the May 16, 2002 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

Heard

002706 Florida Food Service Contract Addendum for Option to Purchase Property in the Airport Industrial Park (B)

Chair Bussing recognized Florida Food Service, Inc. Representative Jim Islam who spoke to the matter.

MOTION: Continue this item for the May 20, 2002 Special City Commission Meeting.

RECOMMENDATION *The City Commission approve, and authorize the City Manager to execute, the First Addendum to the Contract for Purchase and Sale and Option Agreement between the City of Gainesville and Florida Food Service, Inc., extending an exclusive and irrevocable right and option to elect to purchase property located in the Airport Industrial Park. This agreement is contingent upon and the concurrence of the Gainesville-Alachua County Regional Airport Authority (GACRAA).*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Nielsen, that this matter be Continued for May 20, 2002. The motion carried by the following vote:

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

GENERAL MANAGER FOR UTILITIES

002719 Refunding of Utilities System Revenue Bonds, Series 1992B and Other Financing (NB)

Gainesville Regional Utilities (GRU) Finance Director Kim Simpson gave a presentation.

RECOMMENDATION *The City Commission: 1) Authorize the refunding of \$36,645,000 of the Utilities System Revenue Bonds, Series 1992B; 2) Authorize the refunding of \$15 - \$20 million of Utilities System Tax-Exempt Commercial Paper; 3) Authorize the issuance of \$15 - \$20 million of new money revenue bonds for payment of Costs of Acquisition and Construction (capital projects); 4) Authorize the selection of JP Morgan as underwriter and remarketing agent for these Bonds; and 5) Authorize the Clerk of the Commission, the General Manager and other Authorized Officers to execute such documents that may be necessary to close the transactions authorized in 1-4 above and take other actions that may be necessary or advisable to proceed with the issuance of these Bonds in accordance with this City Commission authorization.*

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

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

002720 Designation of an Elected Official and Staff Member to Represent the City of Gainesville in the Cities for Climate Protection Campaign (NB)

MOTION: Approve the recommendation and designate Commissioner Nielsen to be the elected official representative.

RECOMMENDATION *The City Commission designate 1) an elected official and 2) the General Manager for Utilities or his/her designee to represent the City of Gainesville in the Cities for Climate Protection campaign.*

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

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

CITY ATTORNEY**002681 REVIEW OF CITY COMMISSION ELECTION DISTRICTS (B)**

MOTION (MAIN MOTION): Approve the recommendation amending recommendation 2 to read; 2) re-establishing the Charter Review Committee and request that each Commissioner bring one appointee's name back to the next Regular City Commission Meeting.

*SECOND MOTION: Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner Barrow seconded to request the new Charter Review Committee to review again whether the issue of seven (7) Commissioners should be sent back to the voters and also review other matters related to elections as time permits.
(VOTE: 5-0, MOTION CARRIED)*

RECOMMENDATION *The City Commission: 1) hear a presentation from the City Attorney; 2) reactivate the Charter Review Committee and authorize the Clerk to seek applicants to serve on the Committee; 3) authorize the City Attorney to enter into a contract for professional services; and 4) charge the Charter Review Committee to review the election districts and submit reports and recommendations to the City Commission.*

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

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

CITY AUDITOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC WORKS COMMITTEE

PUBLIC SAFETY COMMITTEE

001688 UF Community Alcohol Committee (NB)

City of Gainesville Police Chief Norm Botsford gave a presentation.

Chair Bussing recognized University Community Alcohol Committee Chair Lohse Beeland and Coordinator for the Campus Alcohol and Drug Education Center Tavis Glassman who spoke to the matter.

RECOMMENDATION *The City Commission receive this report from the Public Safety Committee and approve the recommendation to instruct the City Attorney assist with the wording of legislation to be presented to the legislative delegation that will 1) prohibit irresponsible advertising of drink specials that promote binge drinking on a statewide basis, or 2) allow municipalities to*

regulate those advertisements in all establishments that serve alcoholic beverages.

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

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

REGIONAL UTILITIES COMMITTEE

RECREATION AND CULTURAL AFFAIRS COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

002748 Application for Disability Retirement for Richard R. Jumpp (NB)

City Human Resources Director Tom Motes gave a presentation.

RECOMMENDATION *The City Commission deny the submitted application for disability retirement for Richard R. Jumpp, Maintenance Mechanic II, GRU Kanapaha Water Reclamation Facility.*

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

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

002714 Public Art Master Plan (B)

Art in Public Places Chair Bobby Hom gave a presentation.

RECOMMENDATION *The City Commission: 1) hear a brief report by Bobby Hom, Chair of the Art in Public Places Trust; and 2) approve the Public Art Master Plan.*

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

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

002713 Amendment to Interest Rate Buy Down Program for Historic Commercial Property Rehabilitation in the Gainesville Enterprise Zone (B)

Commissioner John Barrow declared a conflict of interest.

RECOMMENDATION *The GEZDA Board recommends that the City Commission approve the proposed amendment to the Interest Rate Buy Down Program for Historic Commercial Property Rehabilitation in the Gainesville Enterprise Zone.*

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

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

OUTSIDE AGENCIES

002694 Arlington Square Phase III Loan Repayment (B)

RECOMMENDATION *CRA to the City Commission: 1) recommend the City restructure the existing debt retroactively to a 15-year repayment; 2) authorize the City to issue the CRA a refund on overpayments; 3) authorize the Mayor to execute the note; and 4) authorize the Clerk to attest.*

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

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

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

General Manager for Utilities Mike Kurtz/Fire Chief Richard Williams

002749 Report on Wildfires Affecting Murphree Well Field (B)

RECOMMENDATION *The City Commission hear a report from the General Manager for Utilities Mike Kurtz and Fire Chief Richard Williams regarding the wildfires near the Murphree Well Field.*

Heard

Commissioner John Barrow

Goals and Objectives of the City Commission

See following item # 002750.

002385 Goals and Objectives (NB)

Commissioner Barrow moved and Commissioner Chestnut seconded to move the previous question.

(VOTE: 5-0)

RECOMMENDATION *The City Commission adopt the Goals and Objectives as presented previously at the Commission Workshop on Thursday, May 9, 2002 and that the City Commission scratch from those Goals & Objectives any of the items that weren't tagged with a target date, or any of the other information; but that we adopt and approve all the rest.*

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

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

Commissioner Warren Nielsen

Restoration of Gainesville's Creek System

See following item # 002751

002751 Gainesville Creek System Community Summit (NB)

RECOMMENDATION *Refer to the City Manager an initiative to present options for the City to host a community summit on the state of the City's creek system, including strategies and costs for restoration.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Barrow, that this matter be Referred to the City Manager, due back on November 13, 2002. The motion carried by the following vote:

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

RECESS - 4:54 PM

RECONVENE - 5:41 PM

CITIZEN COMMENT (5:30pm)

Officer Jeff McAdams

National Law Enforcement Officer Memorial - Tallahassee

Germaine Ferguson

- 1. EEO Charter Officer*
- 2. Cedar Grove Road Closing*

D. J. Ferguson

Cedar Grove Road Closing

Arthur F. Camp, Jr.

Election/Ballot Issues

See following item #002752.

002752 New Proposed Voting Procedure (B)

RECOMMENDATION *The City Commission hear a proposal from Arthur F. Camp, Jr., and place the backup provided on file.*

Placed on File

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

*Girl Scout Daisy Troop # 1071
Teresa Davis, Troop Leader*

PROCLAMATIONS/SPECIAL RECOGNITIONS

002712 Downtown Festival and Art Show Poster Award (B)

City Cultural Affairs Manager Connie Gesualdi and Events Coordinator Linda Piper gave a presentation.

RECOMMENDATION *The City Commission be notified of this national recognition.*

Heard

002664 Annual Fifth Avenue Arts Festival - May 17-19, 2002 (B)

RECOMMENDATION *Cultural Arts Coalition Director Nkwanda Jah to receive the Proclamation.*

Heard

002665 National Historic Preservation Week - May 12-18, 2002 (B)

RECOMMENDATION *City of Gainesville Historic Preservation Board Chair Patrice Boyes and Preservation Planner D. Henrichs to receive the Proclamation.*

Heard

002666 National Homeownership Week - June 2-9, 2002 (B)

RECOMMENDATION *Alachua County Affordable Housing President Deneace M. Joshua to receive the Proclamation.*

Heard

002667 National Law Enforcement Officers Memorial Week - May 12-18, 2002 (B)

RECOMMENDATION *Fraternal Order of Police Gator Lodge 67 President David Lee to receive the Proclamation.*

Heard

002668 National Public Works Week - May 19-25, 2002 (B)

RECOMMENDATION *City of Gainesville Public Works Director Teresa Scott, Stormwater Services Manager Stu Pearson, Florida Chapter Santa Fe Branch APWA Past President Gib Peaslee to receive the Proclamation.*

Heard

002669 Wireless Safety Week - May 20-26, 2002 (B)

RECOMMENDATION *U.S. Cellular Director of Sales for North Florida/South Georgia Dana Dorcas to receive the Proclamation.*

Heard

002723 Solar Walk Day - May 18, 2002 (B)

RECOMMENDATION *Artist Elizabeth Indianos, Alachua Astronomy Club Member Mike Toomey, and Art in Public Places Trust Coordinator Amy Dickerson to receive the Proclamation.*

Heard

002670 Memorial Day - May 27, 2002 (B)

RECOMMENDATION *Gator Detachment Marine Corps League Commandant Bob Gasche, Senior Vice Commandant Gary Powers, and Junior Vice Commandant Dick Lester to receive the Proclamation.*

Heard

PUBLIC HEARINGS**ADOPTION READING - ROLL CALL REQUIRED****002026 COMPREHENSIVE PLAN AMENDMENT - YMCA (B)****ORDINANCE NO. 0-01-74, PETITION 116LUC-01PB**

An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan and the pending City of Gainesville 2000-2010 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property from "Single Family (up to 8 units per acre)" to "Recreation"; located in the vicinity of 1303 Northeast 23rd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

City Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition 116LUC-01PB; and 2) adopt the proposed ordinance.*

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

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**TIME CERTAIN ITEM 6:30 PM - EAST GAINESVILLE TEMPORARY MORATORIUM - FILE # 002682**

002682 **TEMPORARY MORATORIUM - EAST GAINESVILLE (B)****ORDINANCE NO. 0-02-19**

An Ordinance of the City of Gainesville, Florida, imposing a temporary moratorium on zoning permits, site plan approval and any other official action of the City of Gainesville permitting or having the effect of permitting the development or use of land, excluding approvals and permits for single-family dwellings, places of religious assembly, planned developments, educational services, day care centers, recreational areas, and the renovation or expansion of lawful existing buildings and uses; located within an area as more specifically described in this ordinance, generally bounded on the north by N.E. 39th Avenue, on the east by Waldo Road, S.E. 11th Street (South of E. University Avenue) and Williston Road, on the west and south by municipal boundaries of the City of Gainesville; providing a procedure for extraordinary hardship; providing a severability clause; and providing an immediate effective date.

City Planning Manager Ralph Hilliard gave a presentation.

Chair Tom Bussing recognized Citizens Tim Keyes, Alachua County Commissioner Rodney Long, Vivian Filer, Harvey Sullivan, Doris Edwards, Parker Lawrence, Jennings Development Group Representatives Odetta MacCleish White and Howard Wallace spoke to the matter.

AMENDMENT: Two scrivener's errors in title: ...on the "west" by Waldo Road instead of "east"; and ...on the "east" and south by municipal boundaries instead of "west"

SECOND MOTION: Commissioner Chestnut moved and Commissioner Nielsen seconded to have the second reading of this ordinance on Tuesday, May 28, 2002 at 6:00 PM Time Certain.

(VOTE: 4-1, Commissioner Barrow - No)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

002722 **Blue Ribbon Committee (NB)**

Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner Chestnut seconded to Table this item until later on in the meeting.

(VOTE: 5-0, MOTION CARRIED)

Commissioner Nielsen moved and Mayor-Commissioner Pro Tem Hanrahan seconded to move this item from the Table.

(VOTE: 5-0, MOTION CARRIED)

MAIN MOTION: The City Commission: 1) Direct the City Attorney to prepare and advertise for public hearings a charter amendment(s) for a referendum that accomplishes the objectives of the Special Act; a) the creation of a Charter Officer for Equal Opportunity; b) for Charter Officers to be responsible for equal opportunity and human relations in their respective departments; and c) for the City Auditor to perform compliance audits on implementation of the City's Human Relations and Equal Opportunity Programs and Ordinances; 2) consider placing this item before the voters in the November general election; and 3) hold in abeyance its April 22, 2002 referral to the Blue Ribbon Commission until after the November 2002 general election.

RECOMMENDATION *The City Commission hear a report from Blue Ribbon Committee Chair Rodney Long regarding Equal Opportunity Director.*

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

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

002568

POSTING OF BUILDING ADDRESS NUMBERS (B)

ORDINANCE NO. 0-02-16

An ordinance of the City of Gainesville, Florida, amending Chapter 23, Article 2, Section 23-30 of the Code of Ordinances of the City of Gainesville relating to Streets, Sidewalks and Other Public Places by adding minimum height requirements on numerals for all new and existing buildings and structures; making amendment to the Code of Ordinances of the City of Gainesville to be consistent with 2000 edition of the Florida Fire Prevention Code adopted by the Florida Legislature; providing an exception for existing number when approved by the City Fire Inspector; providing directions to the codifier; providing a severability clause; a repealing clause; and providing an immediate effective date.

City of Gainesville Fire Chief Richard Williams gave a presentation.

AMENDMENT: Scrivener's error in title on actual ordinance (back-up): ... by adding minimum height requirements on numerals for all buildings and structures.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

002644 CITY ELECTION DATES - 2003 (B)**ORDINANCE NO. 0-02-17**

An ordinance of the City of Gainesville, Florida, setting April 8 as the date for the 2003 regular city election and April 22 as the date for the 2003 run-off election, if necessary; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

002679 CLARIFYING AMENDMENTS TO CITY OF GAINESVILLE CODE OF ORDINANCES, AMENDING CHAPTER 27, ARTICLE V, STORMWATER MANAGEMENT UTILITY (B)**ORDINANCE NO. 0-02-20**

An ordinance of the City of Gainesville, Florida, amending Chapter 27, Article V, Stormwater Management Utility; clarifying the intent and application of the charges and fees; making certain other changes for consistency and clarification; 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 Nielsen, seconded by Commissioner Chestnut, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

002519 URBAN SERVICES REPORT - NORTH FLORIDA REGIONAL MEDICAL CENTER DOCTORS OFFICE PARK SUBDIVISION (B)**ORDINANCE NO 0-02-15**

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 known as the North Florida Regional Medical Center Doctors Office Park Subdivision, generally located 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; 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.

NOTE: New back-up was submitted for this item.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

ORDINANCES 2ND READING- ROLL CALL REQUIRED

002566 BOARD OF ADJUSTMENT REDUCTION IN FEES (B)

Ordinance No. 0-02-14

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

Board of Adjustment Chair Steven Reid gave a presentation.

AMENDMENT: Page 2, Section 5 of the ordinance insert after "all applications received after January 1, 2002", instead of "received on or after that date".

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: Pegeen Hanrahan

RESOLUTIONS- ROLL CALL REQUIRED

002715 Florida Strategy Subgrant Agreement for Equipment (B)

RECOMMENDATION *The City Commission: 1) adopt a Resolution authorizing the*

acceptance of the State of Florida, Department of Community Affairs subgrant funds for the State and Local Domestic Preparedness Equipment Program; and 2) authorize the City Manager to execute the subgrant agreement.

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

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

002684 ADOPTING ELEMENTS OF THE 2000-2010 COMPREHENSIVE PLAN (B)

A Resolution promulgating the City of Gainesville 2000-2010 Comprehensive Plan; incorporating the Future Land Use Element, the Recreation Element, the Housing Element, the Historic Preservation Element, the Capital Improvement Element, the Urban Design Element, the Cultural Affairs Element, the Intergovernmental Coordination Element, the Solid Waste Element, the Stormwater Management Element, the Potable Water/Wastewater Element, and the Concurrency Management Element as part of the City of Gainesville 2000-2010 Comprehensive Plan; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

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

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

000938 Petition 182SUB-00PB.(Quasi-Judicial) Final Plat of Gainesville Business and Technology Park Subdivision: located in the 4500 block of NW 6th Street (East Side) (B)

City of Gainesville Senior Planner Carolyn Morgan gave a presentation.

RECOMMENDATION *Planning Staff to City Commission - The City Commission adopt the following Resolution: A Resolution approving the Final Plat of Gainesville Business and Technology Park Subdivision.*

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

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

001397 Petition 48SUB-01DB. (Quasi-Judicial) Final plat approval of the Hillcrest

Residential Planned Development, located in the vicinity of the 5000 block of Northwest 8th Avenue, north side.(B)

City of Gainesville Planner Bedez Massey, Public Works Engineer Rick Melzer, and Planning Manager Ralph Hilliard gave presentations.

Chair Bussing recognized Agent for the Petitioner Ralph Eng who spoke to the matter.

RECOMMENDATION *Planning Staff to City Commission - The City Commission adopt the following resolution: A Resolution approving the final plat of "Hillcrest Residential Planned Development", located in the vicinity of the 5000 block of Northwest 8th Avenue, north side; authorizing the Mayor and Clerk of the Commission to execute a Tri-Party Agreement for the construction of improvements; and providing an immediate effective date.*

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

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

PLAN BOARD PETITIONS

002560 **Petition 26WSU-02 CC. (Quasi-Judicial). Request by Cinque Holdings, Inc. for a wellfield protection special use permit with associated development plan review for construction of a building for automotive repair located at 3300 Northeast 4th Street. (B)**

City of Gainesville Senior Planner Carolyn Morgan gave a presentation.

NOTE: Commissioner Nielsen left the meeting room at 10:17 PM.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 26WSU-02 PB with the associated development plan, with conditions, as modified by the Plan Board. Plan Board vote 5-0*

Staff to Plan Board - Approve, with Wellfield Special Use Permit conditions and Technical Review Committee conditions.

A motion was made by Commissioner Chestnut, seconded by Commissioner Barrow, that this matter be Approved (Petition - Design Plat). The motion carried by the following vote:

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

Jim Rocca

Hillcrest Subdivision

ADJOURNMENT - 10:28 PM

Kurt M. Lannon, Clerk of the Commission