

City of Gainesville

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



Meeting Minutes

Monday, June 10, 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 - 1:05 PM**ROLL CALL**

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

INVOCATION**Reverend Kenneth Babin, First Lutheran Church of Gainesville****CONSENT AGENDA**

Commissioner Domenech moved and Commissioner Chestnut seconded to adopt the Consent Agenda with the following modifications:

- 1. File # 020033 - Housing Rehabilitation Loan to Herman Levy - Delete line under Fiscal Note: "\$90,136 is available in the City Commission Contingency Fund".*
- 2. File # 020036 Consulting Services for Old Landfill Slope Stabilization Project - Remove from Consent Agenda and place on the Regular Agenda.*

(VOTE: 5-0, MOTION CARRIED)

CITY MANAGER, CONSENT AGENDA ITEMS**020027 Application for FY 2002 HUD Continuum of Care Homeless Assistance Program Funding (NB)**

RECOMMENDATION *The City Commission: 1) authorize the City Manager or designee to apply for grant funding under the U.S. Department of Housing & Urban Development (HUD) Continuum of Care Homeless Assistance Program and to act on behalf of the City of Gainesville in all matters pertaining to said program; and 2) authorize the City Manager to execute subrecipient agreements with Meridian Behavioral Healthcare, Inc. and VETSPACE, Inc. if selected by HUD to receive funding through the Continuum of Care Homeless Assistance Program, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

020028 Firefighter Position Overhire Plan (NB)

RECOMMENDATION *The City Commission: 1) authorize the City Manager to implement a Firefighter Overhire Plan to hire employees up to 16 weeks prior to anticipated vacancies through December 31, 2005; and 2) recommend the City Manager transfer funds from the non-departmental Personal Services Contingency to cover expenses as needed.*

This Matter was Approved as Recommended on the Consent Agenda.

020029 Bleacher Replacements (B)

RECOMMENDATION *The City Commission approve the issuance of a purchase order to Contract Connection in an amount not to exceed \$34,148.00, for 16 sets of bleachers.*

This Matter was Approved as Recommended on the Consent Agenda.

020030 COPS Program Grant Application (NB)

RECOMMENDATION *The City Commission authorize the City Manager to apply for a Universal Hire Grant under the COPS Program for 20 police officers.*

This Matter was Approved as Recommended on the Consent Agenda.

020032 Renewal of Mutual Aid Agreements with the University of Florida Police Department, the Santa Fe Community College Police Department and the Alachua Police Department (B)

RECOMMENDATION *The City Commission authorize the City Manager to renew the Mutual Aid Agreements between the City of Gainesville Police Department and the University of Florida Police Department, the Santa Fe Community College Police Department and the Alachua Police Department, for a period of two years, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

020033 Housing Rehabilitation Loan to Herman Levy (NB)

RECOMMENDATION *The City Commission: 1) approve the award of an \$18,000 grant, \$18,000 deferred payment loan, \$5,000 SHIP Flexible Financing Grant, \$5,473 Contingency Grant, and \$545 closing costs grant to Herman Levy; 2) authorize the award of*

\$13,732 repayable loan to Herman Levy for a term of 20 years at no interest, payments beginning nine months after loan closing; 3) authorize the Housing Division to use the standard Housing 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, Hoffman Construction Inc., in an amount not to exceed \$54,732, plus a 10% contingency.

This Matter was Approved as Recommended on the Consent Agenda.

020034 Renewal of Southern Pine Beetle (SPB) Technical Advisory Committee (TAC) Appointments (NB)

RECOMMENDATION *The City Commission: Reappoint for an additional term of six months Dr. John Foltz (UF Entomology), Dr. Wayne Dixon (Bureau Chief, FL Division of Plant Industry), Don West (Division of Forestry), Michael Drummond (Alachua County, Environmental Protection) and Don Musen (Nature Assistant, Nature Operations). The State Entomologist with the Florida Division of Forestry has been a member of the TAC, but that position is currently vacant. It is recommended that Dr. Ed Barnard, Forest Pathologist and Supervisor of Forest Health, be appointed to fill the State Entomologist's position on the TAC, on an interim basis, until a new State Entomologist has been hired.*

This Matter was Approved as Recommended on the Consent Agenda.

020035 Demolition Funding (NB)

RECOMMENDATION *The City Commission: authorize a transfer of \$10,000 from the City Commission Contingency Fund to Code Enforcement for the demolition budget.*

This Matter was Approved as Recommended on the Consent Agenda.

020037 Interlocal Agreement Between Alachua County and City of Gainesville for Base Level Transit Service (B)

RECOMMENDATION *The City Commission: authorize the City Manager or designee to execute the Interlocal Agreement between the County of Alachua and the City of Gainesville for base level transit service.*

This Matter was Approved as Recommended on the Consent Agenda.

020038 Contract with Northeast Gainesville/Duval Area Neighborhood Front Porch Florida Community Inc., Revitalization Council for Housing Improvements (B)

RECOMMENDATION *The City Commission: 1) accept the grant award; 2) approve the subcontract in the amount of \$25,000; 3) authorize the Mayor to execute and the Clerk of the Commission to attest to the required closing documents to approve the grant awards for eligible homeowners; and 4) authorize the Housing Division to use the standard housing rehabilitation program documents for the FPF program funds.*

This Matter was Approved as Recommended on the Consent Agenda.

020039 Bid Award for Ironwood Golf Cars (B)

RECOMMENDATION *The City Commission approve the golf car bid award to E-Z GO Textron and authorize a General Fund loan to the Golf Course to cover the purchase price.*

This Matter was Approved as Recommended on the Consent Agenda.

020040 Sale of Soil Stabilizer (NB)

RECOMMENDATION *The City Commission: 1) declare the Caterpillar Soil Stabilizer #1500 surplus; and 2) accept the bid from Highland Tractor in the amount of \$60,000.*

This Matter was Approved as Recommended on the Consent Agenda.

020041 Florida Communities Trust Grant Application for Duval Stormwater Park (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to: 1) submit an FCT grant application for the 26.4 acre Duval Stormwater Park; and 2) execute all other related documents related to the FCT grant, if a grant award is made to the City.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

020046 Purchase Order for an Aerial Lift (B)

RECOMMENDATION *The City Commission approve the issuance of a purchase order to Altec Industries, Inc. for the purchase of one (1) aerial lift unit in the amount not to exceed \$30,269.*

This Matter was Approved as Recommended on the Consent Agenda.

020047 Purchase Order for Gravity Sewer Rehabilitation Hogtown Creek Sewer Interceptor System Phase VIII (B)

RECOMMENDATION *The City Commission authorize the issuance of a purchase order to Insituform Technologies, Inc. for the rehabilitation of 2,083 linear feet of 10 inch gravity sewer main in the Hogtown Creek Sewer Interceptor System in an amount not to exceed \$88,630.00.*

This Matter was Approved as Recommended on the Consent Agenda.

020049 Purchase Order for Parking Lot Resurfacing (B)

RECOMMENDATION *The City Commission approve the issuance of a purchase order to Andrews Paving, Inc. for resurfacing the parking lot and roads adjacent to the Process Plant at the Deerhaven Generating Station in the amount of \$26,840.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

020021 DISORDERLY CONDUCT WHICH THREATENS PUBLIC SAFETY OR BREACH OF THE PEACE (B)

RECOMMENDATION *Authorize the City Attorney to draft and the Clerk of the Commission to advertise, an ordinance amending the definition of disorderly conduct that interferes with pedestrian and vehicular traffic.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

002553 Water/Wastewater Service Operator Series (B)

RECOMMENDATION *The Personnel and Organizational Structure Committee recommends the City Commission approve reclassification and upgrade of the Water/Wastewater Service Operator series within the Water Distribution & Wastewater Collection Division as described in the accompanying back up.*

This Matter was Approved as Recommended on the Consent Agenda.

002654 Retitle and Upgrade Purchasing Manager Positions (B)

RECOMMENDATION *The Personnel and Organizational Structure Committee recommends the City Commission: 1) approve upgrading the Purchasing Manager from pay grade 72 (\$40,199 to \$60,452) to pay grade 76 (\$46,915 to \$70,551); and 2) add the title of Purchasing Manager, Utilities to the Occupational Index and establish the pay grade for the position at pay grade 76 (\$46,915 to \$70,551).*

This Matter was Approved as Recommended on the Consent Agenda.

002686 Upgrade of the Building Management Division Manager in the Facilities Management Department (B)

RECOMMENDATION *Personnel & Organizational Structure Committee recommend the City Commission approve title change to Facilities Maintenance Director and upgrade the job to managerial pay grade 76 (\$46,915 to \$70,552).*

This Matter was Approved as Recommended on the Consent Agenda.

002687 Reclassification of Audio Video Technicians in Facilities Management Department (B)

RECOMMENDATION *The Personnel and Organizational Structure Committee recommends the City Commission: 1) approve reclassification of one of the Audio Video Technicians to Broadcast Engineering Technician, CWA pay grade 16 (\$29,423 to \$38,605); 2) establish a new title of Lead Broadcast Engineering Technician in the Occupational Index; and 3) reclassify the other Audio Video Technician to the Lead position at pay grade 17 (\$30,912 to \$40,559).*

This Matter was Approved as Recommended on the Consent Agenda.

002688 Reclassification of Senior Planner in Planning Division of Community

Development Department (B)

RECOMMENDATION *The Personnel and Organizational Structure Committee recommends the City Commission approve adding the new job title of Neighborhood Planning Coordinator, Professional pay grade 46 (\$38,853 to \$57,503) to the Occupational Index and reclassification of a Senior Planner position to the new title.*

This Matter was Approved as Recommended on the Consent Agenda.

002689 Title Change and Upgrade of Cultural Building Supervisor in Cultural Affairs (B)

RECOMMENDATION *The Personnel and Organizational Structure Committee recommends the City Commission approve title change to Facilities Coordinator and upgrade of the job to CWA pay grade 18 (\$32,477 to \$42,613).*

This Matter was Approved as Recommended on the Consent Agenda.

002690 Title Change and Reclassification of Senior Account Clerk in Fleet Services Department (B)

RECOMMENDATION *The Personnel and Organizational Committee recommends the City Commission approve adding the title of Support Services Supervisor at CWA pay grade 18 (\$32,477 to \$42,613) to the Occupational Index and reclassifying the Account Clerk Senior, CWA pay grade 14 (\$26,656 to \$34,974) to same.*

This Matter was Approved as Recommended on the Consent Agenda.

AUDIT & FINANCE COMMITTEE, CONSENT**020007 Review of Internal Controls - GPD Special Investigations Division (B)**

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report and management's response.*

This Matter was Approved as Recommended on the Consent Agenda.

020009 Semi-Annual Report on the Status of Outstanding Audit Recommendations for May 2002 (B)

RECOMMENDATION *The Audit and Finance Committee recommends the City*

Commission accept the City Auditor's report.

This Matter was Approved as Recommended on the Consent Agenda.

020010 Fiscal Year 2002 Operating Funds Quarterly Monitoring Report - Quarter Ending March 31, 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 March 31, 2002.

RECOMMENDATION *The Audit and Finance Committee reviewed and recommends that the City Commission receive the quarterly budget monitoring report for the quarter ended March 31, 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

020012 Gainesville Regional Utilities Quarterly Financial Report as of March 31, 2002 (B)

RECOMMENDATION *The Audit and Finance Committee reviewed and recommends that the City Commission receive the quarterly financial report for GRU as of March 31, 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

REGIONAL UTILITIES COMMITTEE, CONSENT

Green Building Program (NB)

RECOMMENDATION *The Regional Utilities recommends the City Commission remove item #001584 - Green Building Program from the Regional Utilities Committee referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

020001 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of May 9, 2002 (Special Meetings - two (2) sets); May 13, 2002 Regular Meeting; May 20, 2002 (Special Meetings - two (2) sets); May 23, 2002 (Special Meeting - Swearing In); and May 28, 2002 Regular Meeting; as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**002289 Land Use and Zoning changes for FAPS Gateway project (B)**

RECOMMENDATION *CRA to the City Commission: Request the City Commission to direct the City Plan Board to initiate a petition for a land use change from Mixed Use Low to Public Facilities and that the zoning be changed from MUI to Public Service on City owned Parcels 14472, 14473 and 14474.*

This Matter was Approved as Recommended on the Consent Agenda.

002756 Southeast 2nd Avenue from Downtown to Waldo Road (NB)

RECOMMENDATION *The CRA to the City Commission: 1) Refer the issue of replanting the medians on Southeast 2nd Avenue; and 2) creation of a visual screening buffer and linear park on Southwest 2nd Avenue between 7th and 8th Streets item to the Public Works Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

990342 Newspaper Racks (NB)

RECOMMENDATION *The CRA to the City Commission: refer the alternatives regarding newspaper racks to the Community Development Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Domenech, 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

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 modifications:

- 1. Clerk of the Commission Category - New Item - Budget Dates.*
- 2. File # 020059 - City Manager Category - Request of Economic Development Committee - Additional back-up submitted.*
- 3. File # 020044 - City Manager Category - Request by the 300 Club for the City to Initiate a Rezoning Petition - Remove from the agenda.*
- 4. File # 002468 - Plan Board Petition 14WSU-02 CC - Remove from the agenda.*
- 5. Members of the City Commission Category - Commissioner Warren Nielsen - Orange Creek Basin Annual Work Plan - St. John's River Water Management District (SJRWMD) - (Resolution)*

(VOTE: 5-0, MOTION CARRIED)

CLERK OF THE COMMISSION

020062 Budget Presentations to the City Commission (B)

MOTION: Cancel the July 1& 2, 2002 Budget Meetings and add June 25, 2002, 1:00-5:00 PM; July 9, 2002 1:00 to 5:00 PM; and July 16, 9:00 AM to 12:00 Noon to the previously approved list.

RECOMMENDATION *The City Commission approve the date changes recommended by staff.*

A motion was made by Commissioner Domenech, seconded by Commissioner Chestnut, 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

020059 Request of Economic Development Committee (B)

Economic Development Advisory Committee Chair Bruce DeLaney, CEO Representative Brent Christensen and Economic Development Joint Ad Hoc Committee Chair Dave Newport gave presentations.

MAIN MOTION: Approve the recommendations in Commissioner Dave Newport's letter of May 7, 2002 to Mayor Tom Bussing as follows: Approve Recommendation 1: That both Commissions direct their managers to develop a memorandum of agreement between Alachua County and the City of Gainesville Commissions to coordinate economic development functions among the respective Economic Development Departments; and that the memorandum of agreement also be inclusive of increased coordination with the Alachua County School Board and the University of Florida; Deny Recommendation 2; and Approve Recommendation 3, That both Commissions consider co-location of their Economic Development Departments, possibly within the Alliance Offices.

*SECOND MOTION: Mayor-Commissioner Pro Tem Nielsen moved to ask the County to go ahead and reappoint members for the Economic Development Citizens Advisory Committee and the six City representatives.
(NO SECOND - MOTION FAILED)*

RECOMMENDATION *The City Commission hear a presentation from Chair Dave Newport and Bruce DeLaney, Former Chair, Alachua County Economic Development Advisory Committee.*

A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Nielsen, 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

020043 Funding Request from Alachua Regional Juvenile Assessment Center (B)

Alachua Regional Juvenile Assessment Center Director Marilyn Anderson and Wayland Clifton gave presentations.

MOTION: Allocate \$8,000 from the City Commission Contingency Fund to the Alachua Regional Juvenile Assessment Center.

NOTE; Refer FY 2003 - 2004 budget requests to the upcoming Budget Process.

RECOMMENDATION *Hear the request from the Alachua Regional Juvenile Assessment Center and take action deemed appropriate.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Nielsen, 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

020044 Request by the 300 Club for the City to Initiate a Land Use Amendment and Rezoning Petition (B)

RECOMMENDATION *The City Commission receive the request from the 300 Club and take action deemed appropriate.*

Withdrawn**020045 Regional Transit System Comprehensive Operational Analysis Presentation (B)**

City of Gainesville Regional Transit System Director Jeff Logan and Perteet Engineering, Inc. Consultant David Brown gave presentations.

RECOMMENDATION *The City Commission hear a presentation by Perteet Engineering on the findings and recommendations of the COA report.*

Heard**020042 Purchase of Property for the SW 5th Avenue Stormwater Park (B)**

City of Gainesville Public Works Department Director Teresa Scott gave a presentation.

RECOMMENDATION *The City Commission: authorize the City Manager to execute a Purchase Agreement and all related documents with the seller for the purchase of Tax Parcels 13395, 13399, 13405, 13405-001, 13406, 13407, 13411, 13413 and 13427, consisting of approximately 2.31 total acres, for the SW 5th Avenue Stormwater Basin.*

A motion was made by Commissioner Domenech, 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

020058 Metropolitan Transportation Planning Organization (MTPO) (NB)

City of Gainesville Public Works Traffic Engineering Manager Brian Kanely gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff regarding the June 13, 2002 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

Heard**020036 Consulting Services for Old Landfill Slope Stabilization Project (B)**

City of Gainesville Solid Waste Manager Steve Hiney gave a presentation.

RECOMMENDATION *The City Commission: 1) accept the ranking as recommended by the Selection Committee; 2) authorize the City Manager or*

designee to negotiate a contract in accordance with the State of Florida's Consultants Competitive Negotiation Act for consulting services for the Old Landfill Slope Stabilization Project; 3) authorize issuance of a purchase order not to exceed \$293,000; and 4) authorize the City Manager to execute all agreements, orders, and other documents related to the Project as deemed necessary by the Florida Department of Environmental Protection.

A motion was made by Commissioner Chestnut, seconded by Commissioner Braddy, 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

GENERAL MANAGER FOR UTILITIES

020050 Construction of Ironwood Power Delivery System (PDS) (B)

GRU Electric Engineering Manager Reid Rivers gave a presentation.

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute a contract with Aubrey Silvey Enterprises, Inc. to engineer, procure and construct the compact electric Power Delivery System (PDS), subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Aubrey Silvey Enterprises in an amount not to exceed \$1,422,875.00.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Nielsen, 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

020051 Kanapaha Water Reclamation Facility (KWRF) Secondary Clarifier (NB)

GRU Water/Wastewater Sr. Engineer Mike New gave a presentation.

RECOMMENDATION *The City Commission authorize the General Manager or his designee to execute a change order with Adams Robinson Enterprises, Inc. for the Construction of an additional Secondary Clarifier at the Kanapaha Water Reclamation Facility in the amount of \$1,110,865.00.*

A motion was made by Commissioner Domenech, 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 ATTORNEY**020024 CITY OF GAINESVILLE CHARTER AMENDMENT; EQUAL OPPORTUNITY DIRECTOR (B)**

City Attorney Marion Radson gave a presentation.

FIRST MOTION; Commissioner Domenech moved and Commissioner Braddy seconded to continue this item until the next City Commission Meeting, June 24, 2002.

Chair Bussing recognized Alachua County Commissioner & Blue Ribbon Committee for EEO Charter Officer Chair Rodney Long who spoke to the matter.

SUBSTITUTE MOTION: Mayor-Commissioner Pro Tem Nielsen moved and Commissioner Chuck Chestnut seconded to: 1) Approve the recommendation for language; and 2) ask the City Manager to bring back an itemized budget for the current and the proposed office.

(VOTE: 5-0, MOTION CARRIED)

THIRD MOTION: Commissioner Braddy moved and Commissioner Domenech seconded to move the previous question.

(VOTE: 5-0, MOTION CARRIED)

RECOMMENDATION *The City Commission approve the ballot language and the form of the proposed ordinance.*

Approved, as shown above

RE-ORGANIZATION OF AGENDA

Commissioner Chestnut moved and Commissioner Domenech seconded to waive the rules and move the remainder of the items to the end of the agenda; and to hear File # 020026 immediately after a recess to be held after the Proclamations.

(VOTE: 4-0, Mayor-Commissioner Pro Tem Nielsen - Absent)

CITY AUDITOR**COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION**

COMMISSION COMMENTS (if time available)

CITIZEN COMMENT (5:30pm)

020066 Neighborhood Nutrition Network (NNN)

Neighborhood Nutrition Network (NNN) Program Participants Ellen Huntley, Olivia Jones, Clyde McEady and GPD Officer Jeff McAdams gave presentations.

RECOMMENDATION *The City Commission hear a presentation and place document submitted on file.*

Heard

DORIS EDWARDS

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue.

Ted Nichols, Attorney

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue.

Marion J. Caffey

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue.

Vivian Filer

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue.

Nathaniel Jones

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue.

Andrew Lovett

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue.

John Carr

Pedestrian Safety

Gabe Kaimowitz - Attorney

Equal Opportunity Interlocal Agreement

See following item # 020067.

020067 Equal Oportunity Interlocal Agreement (B)

RECOMMENDATION *The City Commission hear a presentation and place the documents submitted on file.*

Heard

Debbie Martinez

- 1. Non-Partisan Election Issues*
- 2. City Commission Pay Issues*
- 3. Substance Abuse - Crime*

Cynthia Chestnut

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue.

Mary Anderson

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue.

COMMISSION COMMENTS

Commissioner Chuck Chestnut

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue - Provided Contact Information.

Commissioner Domenech

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue - Comments

Mayor-Commissioner Pro Tem Warren Nielsen

Bannum, Inc. - Proposal for Federal Prison Halfway House at 1604 SE 3rd Avenue.

See following referral #020063.

020063 Bannum, Inc. Development - Federal Prison Halfway House (B)

RECOMMENDATION *The City Commission direct the City Manger to research the City's options regarding the Bantam Development and report forthwith.*

A motion was made by Mayor-Commissioner Pro Tem Nielsen, seconded by Commissioner Domenech, that this matter be Referred to the City Manager, due back on December 10, 2002. The motion carried by the following vote:

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

PLEDGE OF ALLEGIANCE (6:00pm)

Gator Detachment of Marine Corps League

PROCLAMATIONS/SPECIAL RECOGNITIONS

020052 Lineman's Rodeo (NB)

RECOMMENDATION *The City Commission hear a presentation recognizing GRU's participation in the Annual Lineman's Rodeo.*

Heard

020057 Flag Day - June 14, 2002 (B)

RECOMMENDATION *Gator Detachment Marine Corps League Commandant Bob Gasche, Junior Vice Commandant Gary Powers and Junior Past Commandant Scott Dupree to accept the proclamation.*

Heard

RECESS - 6:27 PM

RECONVENE - 6:53

CITY ATTORNEY - (CONTINUED)

020026 CLAIM OF THE ESTATE OF COREY PAUL RICE (NB)

City Attorney Marion Radson and Special Counsel Attorney John Jopling gave presentations.

Chair Bussing recognized Citizen Johnny Godowski and Attorney for the Estate Rod

Smith who spoke to the matter.

AMENDMENT: Settlement amount \$708,024.26.

RECOMMENDATION *The City Commission 1) approve the terms of the mediation settlement; and 2) authorize Special Counsel to settle the claim of the Estate of Corey Paul Rice on behalf of the City and Officer James Hecksel.*

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

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

PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

020011 SECOND BUDGET AMENDMENT - FY 2002 (B)

ORDINANCE NO 0-02-25

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, 2001 AND ENDING SEPTEMBER 30, 2002; AMENDING ORDINANCE NOS. 001784 AND 002404, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by 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

ORDINANCES 2ND READING- ROLL CALL REQUIRED

000515 COMPREHENSIVE PLAN AMENDMENT - TRANSPORTATION MOBILITY ELEMENT (B)

ORDINANCE NO. 0-01-19; PETITION NO. 146CPA-00 PB

An ordinance of the City of Gainesville, Florida, amending the Transportation

Mobility Element of the City of Gainesville 1991-2001 Comprehensive Plan; adding a goal and related objectives and policies to promote transportation choices, compact development, and a livable city; adding a goal and related objectives and policies to promote walking; adding a goal and related objectives and policies to promote an accessible and comfortable community transit system; adding a goal and related objectives and policies to promote bicycling; making minor amendments throughout; adding a goal and related objectives and policies to develop a trails network; adding goals and related objectives and policies to create livable streets that promote safety and quality of life and minimize single-occupant vehicle travel; adding a goal and related objectives and policies to promote accessibility to people with disabilities; making minor amendments throughout; providing directions to the City Manager; stating intent to adopt the amended element as part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

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

Chair Bussing recognized Citizens Dian Deevey and Todd Cooper who spoke to the matter.

MOTION: Continued to 6:00 PM, June 17, 2002.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Domenech, seconded by Commissioner Braddy, that this matter be Continued (2nd Reading) for June 17, 2002. The motion carried by the following vote:

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

000882

COMPREHENSIVE PLAN AMENDMENT - CONSERVATION, OPEN SPACE AND GROUNDWATER RECHARGE ELEMENT (B)

ORDINANCE NO. 0-01-18; PETITION NO. 175CPA-00PB

An ordinance of the City of Gainesville, Florida, amending the Conservation, Open Space and Groundwater Recharge Element of the City of Gainesville 1991-2001 Comprehensive Plan; revising policies on wetlands; adding provisions concerning the Alachua County Forever program; adding provisions concerning the Alachua County Murphree Wellfield Protection Code; adding provisions concerning Floridan aquifer recharge areas; providing for an Environmentally Significant Land and Resources map series within the Future Land Use Map Series; adding Tumblin Creek and Hogtown Creek to the priority list for improving water quality; removing outdated provisions; amending provisions concerning NPDES permitting; making minor amendments throughout; providing directions to the City Manager; stating intent to adopt the amended element as part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an

effective date.

City of Gainesville Chief of Comprehensive Planning Dean Mimms, Community Development Director Tom Saunders and Senior Planner Ralph Hilliard gave presentations.

RECESS 8:00 PM

RECONVENE 8:10 PM

FIRST AMENDMENT: Commissioner Braddy moved and Commissioner Domenech seconded to remove the words "consideration of the feasibility of" in Policy 2.1.2, Page 6.

Chair Bussing recognized Citizen Phil Emmer, Dian Deevey, Harold Saive, Dink Henderson and Barry Rutenberg who spoke to the matter.

SUBSTITUTE MOTION - FIRST AMENDMENT: Mayor-Commissioner Pro Tem Nielsen moved and Commissioner Chestnut seconded to amend Page 6, Policy 2.1.2 - Each basin management plan shall include, insert "if technically and scientifically justifiable" creating one or more local mitigation banks....

(VOTE: 4-1, Mayor Bussing - No - MOTION CARRIED)

Commissioner Braddy moved and Mayor-Commissioner Pro Tem Nielsen seconded to move the previous question.

(VOTE: 4-1, Mayor Bussing - No - MOTION CARRIED)

MAIN MOTION: As amended with staff recommendations: 1) Policy 2.4.11 The City's land development regulations shall protect environmentally significant lands and resources by: d. Providing mandatory mitigation to ensure no net loss of acreage and functions when wetlands are unavoidably lost; 2) Policy 1.1.5 The City shall work with local, regional and state environmental agencies (including Alachua County and the St. John's and Suwannee River Water Management Districts) to develop basin management plans, which shall identify wetlands of special concern, disturbed wetlands, and appropriate sites for mitigation. The plans shall also consider those factors affecting the structure and functions of wetlands; and 3) Policy 2.2.2 The City shall adopt land development regulations that reduce the amount of impervious parking surface allowed within any environmentally significant area, as compared to impervious allowances outside these areas.

Chair Bussing recognized Citizens Dian Deevey, Doris Bardon, Bonnie O'Brien, Florence Clements, Barry Rutenberg, Dink Henderson, Paula Stahmer and Everett Wilcox who spoke to the matter.

SECOND AMENDMENT: Commissioner Braddy moved and Commissioner Chestnut seconded to amend, Page 2, Policy 2, to read "at least 1.5:1 and consistent with the mitigation ratios of the Water Management District having regulatory authority".

(VOTE: 1-4, Commissioner Braddy - Yes - MOTION FAILED)

Chair Bussing recognized Citizen Barry Rutenberg, Phil Emmer, Paula Stahmer, and

Everett Wilcox who spoke to the matter.

MOTION TO EXTEND THE MEETING:

Commissioner Domenech moved and Commissioner Chestnut seconded to extend the meeting for fifteen minutes to 11:15 PM.

(VOTE: 5-0, MOTION CARRIED)

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

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

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

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, Edward Braddy, Chuck Chestnut, Warren Nielsen 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 Fire Safety Management Assistant Chief Elmond "Tony" Taylor gave a presentation.

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

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 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

RESOLUTIONS- ROLL CALL REQUIRED

020022 AIRPORT INDUSTRIAL PARK SALE OF PROPERTY (B)

A Resolution of the City Commission of the City of Gainesville requesting release of certain real property from certain terms, conditions, reservations, obligations and restrictions contained in or referred to in existing grant agreements and instruments of transfer as they may relate to the property for purposes of sale and agreeing to use proceeds of such sale for developing and improving the Gainesville Regional Airport; and providing an immediate effective date.

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

020054 Resolution for Traffic Signal Maintenance and Compensation Agreement (B)

RECOMMENDATION *The City Commission approve the Resolution authorizing execution of the Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation.*

A motion was made by Mayor-Commissioner Pro Tem Nielsen, 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

EXTENSION OF MEETING

Commissioner Chestnut moved and Commissioner Domenech seconded to extend the meeting to 11:30 PM.

(VOTE: 5-0, MOTION CARRIED)

PLAN BOARD PETITIONS

002468 Petition 14WSU-02 CC (Quasi-judicial). Rory P. Causseaux, PE, agent for North Central Florida YMCA, Inc. A special use permit for wellfield protection for storage of pool chemicals. Zoned RSF-2 (single-family residential, 4.6 dwelling units per acre). Located at 1303 Northeast 23rd Avenue. Related to Petition 118SPA-01CD. (B)

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 14WSU-02 CC, with conditions. Plan Board vote 7-0.*

Staff to Plan Board - Approve Petition 14WSU-02 CC and approve Petition 118SPA-01CD with conditions.

City Plan Board

Petition 14WSU-02 CC

Withdrawn

002675 Petition 34PDA-02PB. (Quasi-judicial) C. David Coffey, Esq., agent for HCA Health Services of Florida, Inc. A planned development amendment to amend the text of existing approved PD ordinance to allow a total of 160,000 square feet

to be built in three phases of up to 59,995; 39,987 and 60,018 square feet each. Zoned PD (planned development district). Located at 6440 West Newberry Road. (B)

City of Gainesville Senior Planner Ralph Hilliard gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 34PDA-02 PB. Plan Board vote 5-0.*

Staff to Plan Board - Amend City Ordinance No. 950702 to read: "Total square footage for the PUD shall be up to 160,000 to be built in three phases of 59,995, 39,987 and 60,018 square feet each. The amount of square footage constructed in each phase can be more or less than the amount specified, provided the total square footage for the PUD is not exceeded. The maximum building height shall not exceed four stories for Phases I & II and two stories for Phase III, and the maximum building coverage shall be 30%. The phases may be developed in any sequence."

City Plan Board

Petition 34PDA-02 PB

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

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

Mayor-Commissioner Pro Tem Warren Nielsen

Orange Creek Basin Resolution - See following item # 020064.

020064 ORANGE CREEK BASIN ANNUAL WORK PLAN FOR FY 2002-2003

A Resolution in support of the continuation of funding for the Orange Creek Basin Annual Work Plan for FY 2002-2003 by the St. Johns River Water Management District.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Commissioner Domenech, 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

UNFINISHED BUSINESS**CITY ATTORNEY - (CONTINUED)****020025 2002 POPULATION COUNT FOR THE CITY OF GAINESVILLE (B)**

This item was continued to the June 17, 2002 Special City Commission Meeting at 5:30 PM.

RECOMMENDATION *1) Receive the official estimate of population of the City of Gainesville by the Bureau of Economic and Business Research of the University of Florida; 2) Authorize the City Attorney to prepare a resolution as required by Section 2.01(2) of the City Charter; and 3) Charge the Charter Review Committee to apportion the City into 4 election districts.*

Continued

002681 Charter Review Committee (B)

This item was continued to the June 17, 2002 Special City Commission Meeting at 5:30 PM.

RECOMMENDATION *The Mayor and members of the City Commission make appointments to the Charter Review Committee.*

Continued

ADVISORY BOARDS/COMMITTEES - (CONTINUED)**002630 Gainesville Community Playhouse (GCP) New Theater Facility, Request for City Support, Referral (B)**

This item was continued to the June 24, 2002 Regular City Commission Meeting.

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.*

Continued

OUTSIDE AGENCIES (CONTINUED)

020056 MTPO Citizen's Advisory Committee (B)

This item was continued to the June 24, 2002 Regular City Commission Meeting.

RECOMMENDATION *The City Commission refer the request of the MTPO Citizen's Advisory Committee to the Personnel and Organizational Structure Committee for consideration.*

Continued

COMMISSION COMMENT

020023 SWAT Proposals

This item was continued to the June 24, 2002 Regular City Commission Meeting.

RECOMMENDATION *Hear a presentation from Lynn Loewenthal, SWAT Coordinator and Students with Alachua County Students Working Against Tobacco.*

Continued

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:27 PM

Kurt M. Lannon, Clerk of the Commission