

The City Commission met in regular session and took the following action:

**Item 1** – Received a Power Point presentation update, presented by Ms. Cynthia Barber, Director of Utility Business and Customer Services, on the City's Green Program; and accepted the presentation of the City of Tallahassee's Green City Certification from the Florida Green Building Coalition, presented by Ms. Suzanne Cook, Executive Director of the FGBC

**Item 2** – Received a Power Point presentation progress report, presented by Ms. Peggy Brady, Executive Director of the Council on Culture and Arts (COCA), regarding the Arts on Gaines Project, including a summary of the results of a survey conducted by COCA and Artspace Projects Inc., for the purpose of determining the level of interest among artists and art related businesses in the proposed Gaines Street Project

Ms. Brady announced that representatives of Artspace would be in Tallahassee for a press conference on January 22, 2008, at 10 a.m., at the top of the Capitol Building, and would be available January 22-23, 2008, to meet with individuals on this issue.

The Commission acknowledged the need to at some point make a decision on the site and financial commitment of the City to the Arts on Gaines Project.

**Item 3** – Mayor Marks presented a proclamation recognizing the City of Tallahassee Electric Utility's Arvah B. Hopkins Power Plant employees for an exceptional safety achievement milestone.

The Commission recognized and applauded members of the Hopkins Plant Safety Committee.

**Items 4-9** – Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 4-9, taking the following action:

Item 4 – Approved the purchase of the replacement fuel oil transfer pumps (RFQ #0043-08-RM-QP) to Hudson Pump and Equipment, sole bidder meeting specifications, in an amount not to exceed \$74,020 (Option 1 as recommended by Electric Utility)

Item 5 – Approved the purchase of required operational spare parts for the Fisher Control Valves, necessary for the Hopkins Unit 2 Repowering Project, from Key Controls, sole provider, in an amount not to exceed \$200,000 (Option 1 as recommended by Electric Utility)

Item 6 – Approved the purchase of six Electric Utility replacement vehicles from Ward International, pursuant to Contract #1285, consisting of six (6) 2008 International 7300 SBA 4x2 chassis, at a cost of \$67,040.51 each, for a total amount of \$402,243.06; and six (6) bodies and 40-foot squirt booms from Terex Utilities, pursuant to Contract #1555, for a total amount of \$83,313 – the total cost for each vehicle being \$150,353.51, for a grand total of \$902,121.06 (as recommended by Fleet)

Item 7 – Approved the purchase of four Electric Utility replacement vehicles, totaling \$879,832.56, including a total purchase of \$417,303.24 from Ward International, and a total of \$462,529.32 from Terex Utilities, as follows (as recommended by Fleet):

From Ward International, pursuant to Contract #1285, two (2) International 7400 SFA 4x4 65-foot Bucket Truck chassis, at a cost of \$104,501.76 each, with the two (2) bodies purchased from Terex Utilities, pursuant to Contract #1555, at a cost of \$118,963.88 each, for a total cost per vehicle of \$223,465.64

From Ward International, pursuant to Contract #1285, two (2) International 2574 6x4 Bucket Truck chassis, at a cost of \$104,149.86 each, with the two (2) bodies purchased from Terex Utilities, pursuant to Contract #1555, at a cost of \$112,300.78, for a total cost per vehicle of \$216,450.64

Item 8 – Approved the Murphy Oil #6913 subdivision plat, containing 0.68 acres, bounded on the north, east and west by the remaining part of Lot 1 of Bull Run PUD Lot 9, and on the south by Kerry Forest Parkway, planned for development as a single commercial lot by Wal-Mart Stores East, LP, with Roy Covert as its representative (recommended by Public Works/Engineering)

Item 9 – Approved Change Order No. 4, in the amount of \$15,694.91, to Contract #1203 with Sawcross, Inc. of Jacksonville, Florida, to install additional electrical equipment and complete the installation of iron/manganese treatment facilities at Well 26, for a contract total of \$2,732,622.10 (Option 1 as recommended by Water Utility)

**Item 10** – Concurred in approving a request, presented by Commissioner Gillum, to partner with the American Council of Young Political Leaders (ACYPL) in hosting a delegation from Japan to Tallahassee from January 20 through January 24, 2008, which would involve guidance and assistance from in-house contacts; meeting with the Mayor and Commission during their dinner break at the January 23, 2008, Commission meeting; meeting with various departmental leaders and/or tours of Hopkins Power Plant and Fire Department; and providing transportation service (two 15-passenger vans) through the City's Fleet, and Parks and Recreation Departments

Commissioner Gillum requested that individual Commissioners advise him if they were interested in further involvement in hosting this delegation.

**Items 11-13** – By consensus, introduced Ordinances Nos. 08-O-04, 08-Z-01 and 08-Z-02, as presented:

Item 11 was the introduction of Land Development Code Amendment Ordinance No. 08-O-04, which would amend the development standards in Section 10-253 Office Residential (OR-3) zoning district by changing the general intent of the district to reflect the updated Comprehensive Plan and to allow uses listed in the C-2 district in the first floor of a multi-story building containing office and/or residential uses above the first floor, and set the ordinance for two public hearings to be held on January 23 and February 27, 2008 (Option 1 as recommended by Planning).

Item 12 was the introduction of Harmony Oaks Planned Unit Development (PUD) Rezoning Ordinance No. 08-Z-01, which would rezone a 17.32-acre parcel, located at the northwest corner of Crawfordville Highway and Whittaker Road, from the R-3 (Single Family and Two-Family Residential) and MH (Manufactured Home Park) zoning district to the Harmony Oaks PUD zoning district (PRZ 070028) (applicant: Bricey A. Moody; agent: GPI Southeast, Inc.), and set the ordinance for public hearing on January 23, 2008 (Option 1 as recommended by Planning).

Item 13 was the introduction of Heritage Oaks PUD Rezoning Ordinance No. 08-Z-02, which would rezone a 5.79-acre parcel, located on the southeast side of Shannon Lakes West directly across from the intersection of Kerry Forest Parkway and Shannon Lakes West, from the OR-2 (Office Residential 2) zoning district to the Heritage Oaks PUD zoning district (PRZ 070027) (Heritage Oaks Senior Housing, LLC; agent: Poole Engineering & Surveying, Inc.), and set the ordinance for public hearing on January 23, 2008 (Option 1 as recommended by Planning).

**Item 14** – Received a Power Point presentation from Ms. Lynn Putnam, Water Utilities, on the status of central sewer extensions and septic tank retrofits within the Urban Services Area (USA)

Voted 5-0 to direct the staff to provide specific recommendations based on Commission feedback on a plan to address these issues at the Commission's March Target Issue Workshop (Option 1 as recommended by Water Utility)

Commissioner Lightsey offered some suggestions for additional information to be provided, including 1) whether the Health Department has a process in place so that companies understand the need to report on septic tank pump-outs and repairs to that department; 2) to compare with the City's existing septic tank retrofit projects, provide identification of the number and location of all existing septic tanks within the LAVA areas, identification of the number and location of all existing septic tanks within a specified number of feet of natural water bodies, and an overlay on the Wakulla Springs contributing area showing existing septic tanks – inclusive of Leon and Wakulla Counties; and 3) consider the management entity as a potential revenue stream to fund capital projects.

**Item 15** – Discussed a proposed Fixed Based Operator (FBO) agreement with Eagle Aircraft Group, LLC, to provide a full service FBO facility at the Tallahassee Regional Airport

Voted 3-2 (Commissioners Marks and Lightsey opposed) to authorize staff to execute the Amended and Restated Airport Construction and Lease Agreement between the City of Tallahassee and Eagle amended to include language provided by the City Attorney that would change the construction schedule to allow an interim fueling operation upon commencement of construction of the fuel farm facilities to be completed by an agreed upon date (Option 2 brought forward by Aviation, and amended)

**Item 16** – Voted 5-0 to adopt Resolution No. 08-R-01, approving Comcast Cablevision's maximum permitted rates for basic tier service, installation service and rental fees for 2008 (Option 1 as recommended by Utility Business & Customer Service)

**Item 17** – Voted 5-0 to approve the purchase of overhead structures for the Eastern Transmission Line, Phase I from the following low bidders meeting specifications, and authorize the City Manager to approve change orders in an amount not to exceed 25% of the initial purchase orders (Option 1 as recommended by Electric Utility):

- Transamerican Power Products, in the amount of \$1,616,773.20, for the steel structures
- Valmont Industries, in the amount of \$991,366.76, for the concrete and hybrid structures

**Item 18** – Voted 4-1 (Commissioner Katz opposed) to approve the extension of the end date for TEC and Southern Power to complete the assignment of the purchase and sale agreements

to April 15, 2008, and authorize the City Manager to execute the appropriate documents needed to facilitate this extension (Option 1 as recommended by Electric Utility)

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### **Unagendaed Business**

Mayor Marks thanked Mr. Alan Williams, the Mayor's former Aide, for his service to the City and the people of Tallahassee, and the Commission wished Mr. Williams well in his future endeavors.

The Commission recognized Mr. Sam Davis on his retirement from 24 years of City employment, leaving his position as General Manager of the City's Gas Utility to be General Manager of the Lake Apopka Natural Gas District in Central Florida. The Commission thanked Mr. Davis for his service and wished him well in his future endeavors.

Commissioner Mustian recognized and welcomed two Eagle Scouts in the audience -- Knox Culpepper and Preston Wilson.

Commissioner Katz announced the International Council for Local Government Initiatives would be meeting in Tallahassee on March 27, 2008, to attempt to get a commitment from as many local governments and public institutions as possible to become involved in understanding the impacts of carbon footprints.

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### **Unagendaed Speakers**

Mr. O. C. Allen, 2509 Limerick Drive, appeared before the Commission relative to Item 18, requesting an opportunity to have his proposal considered for assignment of the TEC land.

Mr. Mac Langston, 8845 Glen Abby Drive, representing Flightline, appeared before the Commission and expressed concern with the Commission action taken regarding Item 15 and how it would impact the Flightline FBO at the Airport.

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### **Target Issue Updates**

#### Financial Viability –

Commissioner Mustian gave a brief report on the staff's analysis of the potential adverse financial impacts of the current Legislative tax reform initiative on City government. He also reported that the School Crossing Guard funding issue had been discussed and staff had been directed to provide an analysis of potentially implementing a parking fines surcharge to cover part of the cost, and to prepare a letter asking that the School Board sponsor a volunteer program to provide part of the cost of this service.

#### Environmental and Energy Resources –

Mayor Marks gave a brief presentation on City initiatives, including Green City Certification, providing developer incentives for build green buildings, and the demand side management (DSM)/automated meter infrastructure.

Commissioner Lightsey reported on discussions relative to providing watershed/springshed protection through land use controls, and on the stormwater and wastewater program. She advised that the role of local government would be discussed at the next watershed meeting to be held in the next two-three weeks.

City Commission Information and Sharing of Ideas

Mayor Marks suggested the need for some discussion on the Legislative Tax Reform issue being presented on the January 29th ballot, and the Commission concurred to discuss this at the Commission Retreat scheduled for the following day.

CTC:RM:ecg:01-14-08

## City Commission Meeting Summary - January 10, 2008

### City Commission Retreat Workshop

The City Commission met in special retreat workshop session with Leadership Staff and took the following action, with Dr. Roger Kaufman facilitating the workshop:

Began the process of identifying short-term measurable goals, i.e. one-year target issues, and measurable performance criteria for the City organization, and concurred on the following:

Financial viability as an overarching issue for all areas (taking stock of all of the assets) and identifying strategies to maximize all assets.

#### Control Indices

1. Health Index
2. Environmental Index
3. Safety Index
4. Quality of Life Index

#### Supporting Indices

1. Employment Index
5. Housing Index
2. Transportation Index
6. Economic Diversity Index
3. Tax Index/Cost of Living/Growth
7. Education Index
4. Wealth Index

Discussed process and concurred with the following direction:

1. City Auditor McCall and City Treasurer-Clerk Herndon to research and define national and state metrics for the core indices. Understand national/state, define what data we have to have to make useful decisions and define/select those that are meaningful for Tallahassee/Leon County/metropolitan service area.
2. Define what we are spending and doing now with programs that would fall under the indices. Keep list of those programs that don't fall under the core indices and track where we don't have necessary data.

Concurred in directing the staff to bring back information and a recommendation for getting involved in the process of addressing the infant mortality rate in this community

Voted 5-0 to adopt a resolution in opposition to Amendment 1 on the upcoming ballot referendum

Brief discussion focused on an awards ceremony scheduled for Thursday, January 31, 2008, at 3:30 p.m., at the Florida Supreme Court, at which time the City Attorney's Office would be presented with the 2008 Law Firm Commendation for the delivery of legal services on a pro bono basis.

Commissioner Katz invited participation in the Village Square Organization on the Property Tax Reform Issue.

CTC:RM:ecg:02-12-08

### City Commission Meeting Summary - January 15, 2008

The City Commission met in special joint workshop session with the Board of Leon County Commissioners and took the following action (with City Commissioner Katz absent):

Received a Power Point presentation on the Comprehensive Plan Urban Service Area (USA) and Urban Fringe, presented by Ms. Wendy Grey, Consultant

City Commissioner Lightsey, with Mayor Marks' endorsement, recommended adding the following language to the last sentence of the Plan's first objective, 2.2.1, Role of USA (page 2 of 9 of the agenda attachment) for clarification of the kinds of things to be protected:

"..., and the present environmentally sensitive lands, groundwater, and spring shed protection."

County Commissioner Thael recommended re-evaluating and having further dialogue on the significance of imposing central sewer versus using the higher performing septic tank systems.

City Commissioner Lightsey recommended that Rural not be defined by the infrastructure - to delete that part and charge the staff with developing language that supports and defines Rural based on the value of maintaining low intensity uses with value segments attached such as green belts, keeping the value of this property for tax purposes at a level where farmers and others who were making those types of uses of the land could afford and hold on to their land.

Ms. Grey summarized the following issues and options as discussed by the Joint Commission:

1. Some support for clarifying the Urban Fringe and Rural Future Land Use categories to refine their definition so that they were not solely linked to the availability of central sewer and urban services. They, in and of themselves, have a purpose and value to the community. This may need to come back to Commissions with more information.
2. The USA appears to accommodate 20 years of population growth.
3. To the extent that there is a conclusion on what can be accommodated in the USA that will drive decisions about timing for development in the Urban Fringe, Urban Fringe representing areas of the community designated for future growth. The horizon in which they come into play would be partly dependent upon refining the assumptions under item 2 and they should be considered separately, as some are much close to sewers and urban areas, and some have more development - it is not a question of whether urban fringe is or is not.
4. Evaluate strategies improving water quality in the urban fringe separate from (and not only) looking at the central sewer package plant. Does it mean central sewer? Look at the issue somewhat independently of the fact of driving central sewer and potential densities. Try to separate the water quality issue from where central sewer goes. Come back with strategies and ways of dealing with that.
5. There has been some work that says the cost of housing and the cost of living can be analyzed, i.e., the quality of life for people, status in the community, what people are paying to maintain a certain quality of life. The criteria for evaluating these types of things should be

added since there are better indicators and monitors, and it should be an interactive kind of process.

With regard to Ms. Grey's summary of #2, County Commissioner Proctor disagreed and Ms. Grey stated that she would review the assumptions based on the best available planning data.

City Commissioner Gillum requested that the staff bring Ms. Grey's summary of #2 back with projections taking out the St. Joe and English properties.

City Commissioner Lightsey directed staff to bring back information on the items listed, using additional data, and requested that clustering in Urban Fringe also be brought back and added to the list with possible alternatives.

City Commissioner Mustian requested additional discussion on clustering and urban infill.

CTC:RM:ecg:04-22-08

### City Commission Meeting Summary - January 16, 2008

The City Commission met in regular target issue workshop session and took the following action:

Voted 5-0 to confirm the Commission's position of opposing the January 29th constitutional amendment on property tax reform

**Item 1** – Discussed the state of the City's pedestrian infrastructure and how associated programs could be configured so as to more effectively and efficiently provide sidewalks that were accessible to people with disabilities (brought forward by Public Works)

Voted 5-0 to approve the first part of the policy recommendation addressing existing developments that do not meet Americans with Disabilities Act (ADA) requirements, related to "when no sidewalks had been constructed and were technically infeasible; and, for the second part, related to "when sidewalks have been constructed", create a fee-in-lieu-of payment proposal for sidewalks that could not be brought up to standard to be used solely for ADA compliance projects

By consensus, directed staff to bring back a recommendation for a single priority list of sidewalk projects for City streets proposed for funds available that could be completed in the next few years, based on the Commission discussion

By consensus, directed staff to identify a few specific Neighborhood Infrastructure Enhancement Program (NIEP) projects and re-evaluate some others to determine if some consensus could be reached before presenting them as a tentative list of NIEP projects at a public hearing

Requested that staff bring back information on specific sidewalk projects identified by the Commission, a copy of the County's Capital Improvement Program list of sidewalk projects, and a Providence Neighborhood map identifying homeownership and family demographics

Requested that staff bring back information on a scaled-down version of the Bradford Road PASS project and the Lonnbladh Road PASS project

**Item 2** – Received a staff update on current developments of regional impact (DRI), including the Southside, Pinnacle at Cross Creek, and Capital Circle Office Complex (CCOC) DRIs (brought forward by Planning)

Requested that the staff bring back a report on how the proportionate share payment revenues would be used

CTC:RM:ecg:01-30-08

### City Commission Meeting Summary - January 23, 2008

The City Commission met in regular session and took the following action:

**Item 1** – Mayor Marks presented a proclamation to Mr. Quincy Griffin, Band Director, and members of the Rickards High School Band, in recognition of the band's performance at the Orange Bowl in Miami, Florida on January 3, 2008

Recognized Band Member Brandon Wiggins, the son of City employee Angie Wiggins

Mr. Sean Pittman, member of the Orange Bowl Committee, and the Orange Bowl Mascot, appeared before the Commission relative to this item.

**Item 2** – Mayor Marks presented a proclamation to the American Council of Young Political Leaders – Japanese Delegation proclaiming Wednesday, January 23, 2008, as "International Friendship Day" in Tallahassee, Florida; he also presented the Delegation with an American Flag and a gift basket

**Item 2.1** – Mayor Marks presented a proclamation in recognition of National Arbor Day to the following City employees:

- Mr. Perry Odom, Electric Utility Department
- Mr. Cris Revell, Public Works - Right of Ways
- Mr. Brian Wiebler, Planning Department

Mr. Wiebler invited participation in the public tree plantings scheduled for Saturday, January 26, 2008, starting at 9:00 a.m., on the Alford Arm Greenway

**Items 3-10** – Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 3-10, taking the following action:

Item 3 – Approved amendments to the Downtown Improvement Authority (DIA) Bylaws relating to attendance of members, as presented (Option 1 as recommended by the City Attorney)

Item 4 – Approved the award of a five-year contract for protective relay testing utilized at the City's electric substations and power plants (RFP #0041-08-RM-BC) to Industrial Electronics Group, Inc., low bidder meeting specifications, in an amount not to exceed \$228,650 per year, for a total cost not to exceed \$1,143,250 for the term of the contract; and approved a budget transfer of \$100,000 from Project 05005 Fund 401 – Electric Utility RR&I Fund to Fund 400 – Electric Utility Operating Fund for Fiscal Year 2008 (Option 1 as recommended by Electric Utility)

Item 5 – Approved the purchase of seven (7) replacement vehicles at a total cost of \$888,352.90, as follows (as recommended by Fleet):

- From Ward international, pursuant to Contract #1285, totaling \$841,232.90:
- One (1) International 7300 SBA 4x2 Bucket Truck (for Electric Utility) chassis, for a cost of \$67,040.51, with the body purchased from Terex Utilities, pursuant to Contract #1555, for a cost of \$83,313.00, for a total vehicle cost of \$150,353.51
- One (1) International 7400 SFA 4x4 Digger Derrick (for Electric Utility) chassis, for a cost of \$103,671.86, with the body purchased from Terex Utilities, pursuant to Contract #1555, for a cost of \$156,794.00, for a total vehicle cost of \$260,465.86
- Two (2) International 7300 SBA 4x2 Bucket Trucks (for Public Works) chassis, for a cost of \$67,040.51, with a 40-foot bucket truck body purchased from Terex Utilities, pursuant to Contract #1555, for a cost of \$80,796.00, for a total vehicle cost of \$147,836.51 each
- One (1) International 7300 SBA 4x2 Terex Challenger 2900 Aerial Truck (for Public Works) chassis, for a cost of \$67,040.51, with the body purchased from Terex Utilities, pursuant to Contract #1555, for a cost of \$67,700.00, for a total vehicle cost of \$134,740.51
- From Ring Power, pursuant to Florida Sheriffs Association Contract #06-14-0821, totaling \$47,120.00:
- One (1) Caterpillar CB224E Street Roller (for Public Works), for a cost of \$38,473.00
- One (1) Leeboy L250T Tack Distributor Trailer (for Public Works), a sole source purchase, at a cost of \$8,647.00

Item 6 – Authorized Human Resources to enter into negotiations with UnumProvident to serve as the provider for a fully employee-paid short-term and long-term disability plan, and authorized the City Manager to approve and execute the contract (Option 1 as recommended by Human Resources)

Item 7 – Approved a supplemental appropriation, in the amount of \$80,000, for sidewalk refunds for new developments, for a total budgeted amount of \$150,000 for FY2008 (Option 1 as recommended by Public Works/Traffic Engineering)

Item 8 – DELETED FROM THE AGENDA the award of a construction contract for the Conradi Street Stormwater Improvements Project (IFB #0031-08-ER-BC) (brought forward by Public Works/Stormwater Management)

Item 9 – Approved a two-year agreement with Tallahassee Community College (TCC) to provide transit services to enrolled students under the C-Pass Program for FY2008-2009, for estimated revenues of \$150,000 in FY2008 and \$150,000 in FY2009; and authorized the City Manager to execute the TCC "C-Pass" Agreement (Option 1 as recommended by StarMetro)

Item 10 – Approved the minutes of the following City Commission meetings, as distributed (as recommended by the City Treasurer-Clerk/Records Management Officer):

- October 9, 2007 Special Meeting (Joint City-County Commission Workshop on Proposed Cycle 2007-2 Comprehensive Plan Amendments)
- November 1, 2007 Special Meeting (Joint City-County Commission Transmittal Public Hearing on Cycle 2007-2 Comprehensive Plan Amendments)
- December 4, 2007 Regular Meeting
- December 12, 2007 Regular Meeting

**Item 10.1** – Received a briefing from Mayor Marks on plans for the first annual Big Bend Cycling Festival scheduled for April 5-6, 2008, with in-kind assistance from the City such as complimentary parking in Kleman Plaza and possibly the Floridan lot (brought forward by Mayor Marks)

**Item 10.2** – By consensus, authorized Commissioner Lightsey to establish a staff group to review the statewide Task Force report and model ordinance on restricting fertilizer use, and draft an ordinance for review by the Environmental & Energy Resources Target Issue Workgroup, which could then recommend to the full Commission either No Action or Adoption (brought forward by Commissioner Lightsey)

**Item 11** – DELETED FROM THE AGENDA a discussion of proposed Business Tax Amendment Ordinance No. 07-O-54, which would increase the City's Business Tax rates by five percent (5%) (brought forward by the City Treasurer-Clerk and Interim Director of Management & Administration [DMA])

**Item 12** – Received a Power Point presentation on the Gaines Street Corridor Implementation Plan and the FAMU Way Extension Preliminary Engineering Study

Voted 5-0 to accept the status report as presented (Option 1), and authorize a change order, in the amount of \$89,845.60, to the contract with Genesis Group, for the FAMU Way Extension Preliminary Engineering Study, to allow additional analysis from Wahnish Way to Lake Bradford Road (Option 2) (as recommended by Public Works/Project Management)

Discussed the ArtSpace redevelopment proposal for the City-owned Sallie property and requested more information on the proposal, including cost data with comparisons of other City subsidies per unit to determine the appropriate subsidy amount, a cost analysis of a potential bridge to Railroad Square, acreage and budget requirements for the ancillary uses

**Item 13** – Voted 5-0 to approve the Historic Property Grant and Loan Program (HPGLP) Finance Committee recommendation to use \$377,780.35 in Historic Preservation funds currently on hold to fund new renovation projects, authorize annual funding of a minimum of \$50,000 per year beginning in FY2009, authorize a maximum fund balance of \$300,000 to be carried forward from a previous fiscal year, and manage the loan portion of the program as a true revolving loan program (Option 1 as recommended by Economic Development)

**Item 14** – Voted 5-0 to approve the execution of a three-year agreement, for on-going Marketing, Communications and Public Relations Consulting assistance to increase transit system ridership as part of the Tallahassee Transit Renaissance (RFP #0058-07-SB-RC), with ThinkCreative Inc., the highest ranking firm, at an estimated contract expenditure of \$166,000 over the three-year period, including an expense of \$25,000 for the Strategic Marketing Plan development (Option 1 as recommended by StarMetro)

Requested more information on the details of the point system used by the evaluation committee in ranking the vendor responses to this RFP

**Item 15** – Voted 5-0 to approve three-year collective bargaining agreements covering the bargaining units represented by the Police Benevolent Association (PBA) (brought forward by Human Resources)

**Item 16** – Took no action on adopting Resolution No. 08-R-05, as the Commission's position was already on the record as opposing Amendment No. 1, the Legislature's Tax Reform Proposal, on the January 31, 2008, ballot referendum (brought forward by the City Attorney)

**Item 17** – Voted 5-0 to approve the City's participation in a public-private partnership encompassing the staff's recommendations with the Community Workforce Housing Innovation Pilot (CWHIP) proposal selected for funding by the Florida Housing Finance Corporation, including Bay Tree Cottages, for a fiscal impact of \$299,976; All Saints Square, \$737,008; and Oak Commons, \$299,051, as presented (Option 1 as recommended by Neighborhood & Community Services [NCS])

**Item 18** – DELETED FROM THE AGENDA a public hearing on Business Tax Amendment Ordinance No. 07-O-54 (brought forward by the City Treasurer-Clerk/DMA)

**Item 19** – Held the first of two public hearings on Governor's Park Rezoning Ordinance No. 07-Z-66, introduced on December 4, 2007, which would rezone six City-owned parcels around the intersection of Park Avenue and Blair Stone Road from TPA (Target Planning Area) and R-3 (Single- and Two-family Residential) zoning districts to the OS (Open Space) zoning district (PRZ #070032)

By consensus, scheduled the second and final public hearing on Ordinance No. 07-Z-66 for February 27, 2008 (Option 1 as recommended by Planning)

There were no speakers on this item.

**Item 20** – Held a public hearing on Harmony Oaks PUD Rezoning Ordinance No. 08-Z-01, introduced on January 9, 2008

Voted 5-0 to adopt Ordinance No. 08-Z-01AA, rezoning a 17.32-acre parcel, located at the northwest corner of Crawfordville Highway and Whittaker Road, from the R-3 (Single Family and Two-Family Residential) and MH (Manufactured Home Park) zoning district to the Harmony Oaks PUD zoning district (PRZ #070028) amended to include the Planning Commission's recommendation (applicant: Bricey A. Moody; agent: GPI Southeast, Inc.) (Option 1 as recommended by Planning as amended)

There were no speakers on this item.

The following persons did not appear before the Commission, but indicated their availability to answer questions relative to this item:

- Mr. Luis Serna, 3559 Timbertlane School Road, representing GPI Southeast and Matt Raitz
- Mr. Matt Raitz, 1438 Mitchell Avenue

**Item 21** – Held a public hearing on Heritage Oaks PUD Rezoning Ordinance No. 08-Z-02, introduced on January 9, 2008

Voted 5-0 to adopt Ordinance No. 08-Z-02, rezoning a 5.79-acre parcel, located on the southeast side of Shannon Lakes West directly across from the intersection of Kerry Forest Parkway and Shannon Lakes West, from the OR-2 (Office Residential 2) zoning district to the Heritage Oaks PUD zoning district (PRZ #070027) (Heritage Oaks Senior Housing, LLC; agent: Poole Engineering & Surveying, Inc.) (Option 1 as recommended by Planning)

There were no speakers on this item.

**Item 22** – Held the first of two public hearings on Ordinance No. 08-O-04, introduced on January 9, 2008, which would amend the development standards in Section 10-253 Office

Residential (OR-3) zoning district by changing the general intent of the district to reflect the updated Comprehensive Plan and to allow uses listed in the C-2 district in the first floor of a multi-story building containing office and/or residential uses above the first floor

By consensus, confirmed the second public hearing on Ordinance No. 08-O-04 set for February 27, 2008 (Option 1), and amended the ordinance to add the conditions recommended by the Planning Commission (Option 2) (as recommended by Planning)

There were no speakers on this item.

**Item 23** – Held a public hearing on CNL Mixed Use PUD Rezoning Ordinance No. 07-Z-43, introduced on August 29, 2007, and continued from October 24, 2007, which would rezone a 508-acre parcel in the eastern part of the Welaunee Toe property, located on the south side of Centerville Road, in the east 1/2 section of 15 and the west 1/2 section of 14 of the Welaunee Plantation (east of Fleischman Lane and north of Miccosukee Road), from Critical Planning Area (CPA) to Mixed use Planned Unit Development (CNL Mixed Use PUD) (PRZ #070015) (applicant: CNL Tallahassee I, LLC; agent: Moore Bass Consulting, Inc.)

By consensus, continued the public hearing on Ordinance No. 07-Z-43 to April 23, 2008 (Option 1 as recommended by Planning)

There were no speakers on this item.

**Item 24** – Held a public hearing on Capital Walk/Rich Annexation Ordinance No. 07-O-38, introduced on December 12, 2007, which would provide for the voluntary annexation of 24 acres into the City, located west of Capital Circle Northwest and south of Commonwealth Boulevard, including Capital Walk Apartments and adjacent FDOT property

Voted 5-0 to close the public hearing on Ordinance No. 07-O-38 and bring the ordinance back on the Consent Agenda for final action, pending review of the proposed annexation by the Leon County Board of Commissioners (County Commission) (Option 2 as recommended by the Office of the Mayor)

There were no speakers on this item.

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#### **Unagendaed Speakers:**

Ms. Cooper Perlman and Mr. Jesse Bigbie appeared before the Commission and invited the Commission to attend a play entitled "The Gift of Peace", by playwright/actress Stacey Martino, endorsing The Peace Alliance campaign to establish a U. S. Department of Peace. They also distributed copies of a January 20, 2008, article in Tallahassee Democrat on the play.

The following persons appeared before the Commission and expressed concern with the potential alternative route of the FAMU Way Extension over their Stearns Street neighborhood:

- Mr. Robert C. Brannan, 9601-39 Miccosukee Road, Attorney and Managing Member of 1200 Stearns Street LLC
- Ms. Rosalind Osterbye, 3961 Loblolly Lane, representing 1200 Stearns Street LLC
- Mr. Troy Simon, 1200 Stearns Street Apt. B1
- Ms. Kate Price, 1200 Stearns Street Apt B11
- Mr. Justin Pogge, 1200 Stearns Street Apt C4

Ms. Stephanie Samsky, Mr. Brooks Edwards, Mr. Adam Taylor and Ms. Kate Price, of 1200 Stearns Street, did not appear before the Commission but indicated their endorsement of the prior speakers' comments.

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### **City Commission Information and Sharing of Ideas**

Commissioner Katz expressed concern with the significant change in personnel situation with the Red Cross involving long-time local Director Chris Floyd.

CTC:RM:ecg:01-25-08

### **City Commission Meeting Summary - January 28, 2008**

The City Commission, sitting with four members of the Board of Leon County Commissioners as the Tallahassee Community Redevelopment Agency Board (CRA Board), took the following action:

**Item 1** – Voted 8-0 (Mayor Marks absent) to approve in concept an agreement with the Florida Center for Performing Arts and Education Inc., in the amount of \$562,500, for the period January 1, 2008 through September 30, 2009, with more detailed information to be provided relating to operating expenses and implementation of the overall performing arts center plan

**Item 2** – Voted 8-0 (Mayor Marks absent) to approve the reimbursement of \$21,850 in tax increment payments made by the Downtown Improvement Authority (DIA) to the Downtown District Trust Fund in FY 2007, and authorize staff to determine the appropriate project supported by FY 2007 funds from which to make the reimbursement

**Item 3** – Voted 8-0 (Mayor Marks absent) to adopt the proposed FY 2008 Tallahassee CRA Capital Budget Items, and authorize the City Manager, the Agency Executive Director, and/or the Agency Program Director to approve expenditures consistent with the proposed budget

**Item 4** – Voted 8-0 (Mayor Marks absent) to authorize the City Manager or her designee to enter into a partnership agreement with All Saints Square LLC to provide up to \$400,000 in CRA funding to support the CWHIP application and the construction of the All Saints Square Workforce Housing Development

**Item 5** – Voted 8-0 (Mayor Marks absent) to adopt proposed program guidelines and application for both the Greater Frenchtown/Southside Community Redevelopment Area Commercial Painting Pilot Program and the Downtown District Community Redevelopment Area Commercial Painting Pilot Program, and authorize the City manager and/or Executive Director of the CRA to make minor modifications to the program procedures to assist in implementation

**Item 6** – Voted 8-0 (Mayor Marks absent) to adopt the proposed program guidelines and application for the Downtown District Community Redevelopment Area Commercial Façade Improvement Pilot Program Guidelines and authorize the City Manager and/or Executive Director of the CRA to make minor modifications in the program procedures to assist in implementation

CTC:RM:ecg:02-04-08

### **City Commission Meeting Summary - February 13, 2008**

The City Commission met in regular session and took the following action:

**Item 1** – Presented a proclamation recognizing the month of February as American Heart Month to Mr. Joshua Pierce, Executive Director of the Big Bend Heart Association

**Item 2** - Recognized participants of the Tallahassee Active Lifelong Learners Program

**Item 3** - Presented a proclamation recognizing the Leon High School Cross Country Team winning the State Championship, accepted by Coach Allison Eagen on behalf of the team

**Item 4** - Presented a proclamation recognizing February 17-23, 2008, as National Engineers Week

**Item 5** - Presented a proclamation recognizing the employees of the Corn Hydroelectric Power Plant and the Sam O. Purdom Power Plant on achieving exceptional safety milestones

**Items 6-19** – Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 6-19, taking the following action:

**Item 6** – Adopted Ordinance No. 07-O-38, introduced on December 12, 2007, with public hearing held on January 23, 2008, annexing into the City the Capital Walk Apartments and adjacent property, consisting of approximately 17 acres located west of Capital Circle Northwest and south of Commonwealth Boulevard, plus an adjacent seven (7) acres owned by the Florida Department of Transportation and used as a stormwater facility for Capital Circle Northwest roadway improvements, with the effective date of the annexation delayed until the Capital Walk Apartments development has been accepted by the County (the development consists of nine three-story apartment buildings, office, pool, maintenance building and parking areas, which will be accessed via the western extension of Commonwealth Boulevard) *(Option 1 as recommended by the Mayor's Office)*

**Item 7** – Adopted Resolution No. 08-R-04, authorizing the initiation of eminent domain action to acquire Parcels 101 and 701 from the estate of Cornelia Porter Hillard, necessary for the Wahnish Way and Orange Avenue Intersection Improvement Project *(as recommended by the City Attorney)*

**Item 8** – Approved the award of a three-year contract for carpet cleaning services at the Tallahassee Regional Airport Main Terminal Facility to Associated Services and Supplies, Inc., low bidder meeting specifications, in the amount of \$240,240 for the contract term, with two one-year options to extend the agreement for a total of five (5) years *(Option 1 as recommended by Aviation)*

**Item 9** – Approved the award of a contract for the power transformer rewiring portion of the Hopkins Unit 2 Repowering Project (IFB #0187-07-RM-BC) to Emerson Process Management Electrical Reliability Services, Inc., low bidder meeting specifications, in an amount not to exceed \$325,000, including a contingency of \$35,458, and approved the appropriation of funding from the RR&I Undesignated Fund balance *(Option 1 as recommended by Electric Utility)*

**Item 10** – Approved the purchase of six (6) single-phase regulators (Quote #0045-08-RM-QP), including optional Envirotemp FR3 insulating fluid, from HD Supply, low quote meeting specifications based on local preference, at a cost of \$97,572.18 *(Option 1 as recommended by Electric Utility)*

**Item 11** – Approved funding for additional emergency work due to concealed damage in the Substation BP-10 Transformer Bank 2 LTC, in the amount of \$3,197.52, and approved the

revised total purchase order to Waukesha Electric Systems, Inc., in the amount of \$53,097.52 (P. O. #0001026074) *(Option 1 as recommended by Electric Utility)*

**Item 12** – Approved (i) ratification of the City Manager's emergency authorization to award repairs to Elliot, in the amount of \$193,882, and transfer of \$80,000 from Project 08010 – Purdom Major/Minor to Project 07092 – Purdom Unit 7 Overhaul; (ii) award of the steam turbine generator (STG) reassembly to Elliott, in the amount of \$118,620; (iii) approved additional supplemental funding, in the amount of \$250,000 (including \$80,000 reimbursement to Project 08010 – Purdom Major/Minor and \$170,000 to Project 07082 – Purdom Unit 7 Turbine Overhaul) *(Option 1 as recommended by Electric Utility)*

**Item 13** – Approved the award of three-year contracts for the purchase of safety shoes (IFB #0033-08-ER-BC) to Carroll's Boot Country of Tallahassee, Inc., and The Shoe Box of Tallahassee, Inc., low bidders meeting specifications, for total combined estimated expenditures of \$360,000 for the life of the contracts *(Option 1 as recommended by Procurement Services)*

**Item 14** – Approved the award of a contract for the completion of glass block repairs at the Tallahassee Police Department (TPD) Headquarters Building to Rippee Construction, the company already performing services at that site, in the amount of \$53,967, and authorized the transfer of \$60,000 from the TPD Gating and Fencing Project to support this expenditure *(Option 1 as recommended by TPD)*

**Item 15** – Authorized an expenditure of \$75,000 from the Federal Asset Forfeiture Fund to support the second phase of renovations to the TPD forensic crime laboratory *(Option 1 as recommended by TPD)*

**Item 16** – Approved the award of a construction contract for the Governor's Square Boulevard Widening Project (Bid #0047-08-ER-BC) to M of Tallahassee, Inc., low bidder meeting specifications, in the amount of \$917,964.75 for the Base Bid; also approved a non-scope construction change order contingency in the amount of \$80,000 and \$148,005.83 for the Additive Alternate, to be awarded by the City Manager if needed for these contractual services *(Option 1 as recommended by Public Works/Engineering)*

**Item 17** – Adopted Resolution No. 08-R-03, requesting two easements from the Florida A & M University Board of Trustees through the Florida Department of Environmental Protection, Division of State Lands, on behalf of the Board of Trustees of the Internal Improvement Trust Fund – necessary for the Orange Avenue and Wahnish Way Intersection Project *(Option 1 as recommended by Public Works/Real Estate)*

**Item 18** – Approved the award and execution of a construction contract for the C. K. Steele Bus Terminal Driveway Repair Project (IFB #0057-08-ER-BC) to Allen's Excavation, Inc., low bidder meeting specifications, in the base bid amount of \$317,250 *(Option 1 as recommended by StarMetro)*

**Item 19** – Approved the minutes of the following City Commission meetings as distributed *(as recommended by the City Treasurer-Clerk/Records Management)*:

- January 9, 2008 Regular Meeting
- January 15, 2008 Regular Target Issue Workshop Meeting

**Items 20-23** – By consensus, introduced Ordinances Nos. 08-O-07, 08-O-11, 08-O-12 and 08-O-15, as follows:

**Item 20** was the introduction of Ordinance No. 08-O-07, which would amend the Water and Sewer Affordable Housing Exemption Provisions of the City of Tallahassee Code of General Ordinances, set for public hearing on February 27, 2008 (*Option 1 as recommended by Neighborhood and Community Services [NCS]*).

**Item 21** was the introduction of Ordinance No. 08-O-11, which would amend the DI Institutional/Cultural/University Transition areas District, designating additional properties subject to design review by the Urban Design Commission (UDC) and establishing UDC procedures in the Land Development Code, set for public hearings on February 27 and March 26, 2008 (*Option 1 as recommended by Planning*).

**Item 22** was the introduction of Ordinance No. 08-O-12, which would expand the notice requirements for land use map changes and rezonings from 500 feet to 1,000 feet in the Land Development Code, set for public hearing on February 27, 2008 (*Option 1 as recommended by Planning*).

**Item 23** was the introduction of Ordinance No. 08-O-15, which would revise the Board of Adjustment and Appeals hearing procedures, set for public hearing on February 27, 2008 (*Option 1 as recommended by the City Attorney*).

**Item 24** – Voted 5-0 to confirm the City's commitment to co-sponsor the Leon County Climate Action Summit scheduled for March 28, 2008 at the Tallahassee-Leon County Civic Center from 8:30 a.m. to 5 p.m., for the purpose of creating awareness and promoting conservation strategies in Tallahassee to help reduce the region's contribution to global warming, and the City's pledge of \$10,000 from the City's Demand Side Management (DSM) Program as an "Ocean" level sponsor for this Summit

**Item 25** – Voted 5-0 to accept the proposed 2009 Federal Legislative Priorities, as presented, including the following (*as recommended by the Mayor's Office*):

- StarMetro Buses \$11,730,000
- Advanced Water Treatment for Wakulla Springs Watershed and related programs -- \$4 million
- Innovative Energy Initiatives -- \$10 million

**Item 26** – Voted 5-0 to approve the termination of the Use Agreement and the execution of a new agreement to accept easements and improvements from The Danna Co. for the Betton Hills Nature Center, a linear park (*Option 1 as recommended by the Parks and Recreation Department [PRD]*)

Mr. Marvin Weinberger, President of The Danna Co., appeared before the Commission relative to this item.

**Item 27** – Voted 5-0 to authorize staff to apply for allocated funds, in the amount of \$1,507,678, for StarMetro's Intelligent Transportation System (ITS) Project, which includes an assortment of software, hardware and system components to improve operational safety, operational efficiencies, customer information and customer amenities, and upon receipt of such funds, execute a grant with the Federal Transit Administration (FTA) – to be matched with Toll Revenue Credits for the City's 20% match (*Option 1 as recommended by StarMetro*).

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## Target Issue Committee Updates

**Environmental and Energy Resources** – Commissioner Lightsey reported the Committee was looking into whether a dog park at the Cascades Park would adversely impact the runoff into the water system, and had also discussed the green building incentives program, potentially to start with residential development using existing programs before moving into the more difficult commercial development incentives. She reported that additional issues

under review included groundwater protection efforts, the EAR spring protection zone, the wastewater treatment and disposal master plan, working to increase water reusage, and the Demand Side Management (DSM) Design Plan, which would be presented to the Commission on February 20th, including existing and additional rebate programs. Commissioner Lightsey stated that the Committee was pleased with the Florida Department of Environmental Protection's issuance of a permit for the Tom P. Smith Wastewater facility.

**Long Range Planning** - Commissioner Gillum reported the Committee had offered to assist staff with the Community Redevelopment Agency (CRA) review of funding proposals, and was reviewing the Multimodal Transportation District to ensure that it was consistent with being pedestrian friendly and with the new urbanism planning concepts. He reported that additional issues under review included affordable rental housing rehabilitation proposals from a developer in the Providence Neighborhood, i.e., Magnolia Court and Chelsea Apartments, and the City's sidewalk program.

Commissioner Mustian ascertained that the Planning Department was evaluating the Council of Neighborhood Associations (CONA) proposals for protecting neighborhoods and was channeling them through the Long Range Target Issue Committee before submitting them to the full Commission, and Commissioner Gillum requested that Planning staff send the Commissioners information on how those proposals were prioritized.

The Commission concurred in requesting that the staff provide information and examples of the impacts of the rezoning notice change from 500 feet to 1,000 feet.

**Economic Development** - Mayor Marks reported this Committee was evaluating a proposed relocation to Tallahassee of a technology incubator business, which was the only producer of selenium in the U.S.

**Financial Viability** - Commissioner Mustian advised that this Committee would be meeting soon and might want to expedite some possible savings, particularly in view of the passage of Amendment 1, and he encouraged fellow Commissioners to study the potential Tax Reform imposition of spending caps for local governments.

Mayor Marks reported that the Florida League of Cities was studying the proposed Tax Reforms, and stated that he would be meeting with County Commissioner Dailey and School Board Superintendent Pons relative to some functional consolidations. He also distributed copies of a handout from the National League of Cities relative to funding concerns.

City Commission Information and Sharing of Ideas - Briefly discussed the City Commission representation on the Capital Region Transportation Planning Agency (CRTPA) and the potential of reducing the number of CRTPA meetings to meet less than once a month.

CTC:RM:ecg:02-15-08

### City Commission Meeting Summary - February 20, 2008

The City Commission met in regular target issue workshop session and took the following action (*with Commissioners Lightsey and Mustian absent*):

**Item 1** - Received a Power Point presentation by Energy Services Director David Byrne, on a proposed Five-Year Demand-Side Management (DSM) Plan, developed with the aide of Navigant Consulting to achieve electric energy and demand reductions that were determined to be the least-cost way of providing electric service to Tallahassee Electric Utility customers, and designed to reduce customers' demand for energy and achieve a reduction of 59 MW of peak demand and 146,000 MW of annual energy by the year 2012.

Discussed various aspects of the plan and the potential for creating a green economy requiring new job skills that could have a positive impact on all segments of the community, encouraged the development of DSM customer choices with price sets, and provided the following suggestions:

- investigate creating a series of property tax rebates as incentives for the owners of green rental housing for low income individuals
- keep the Commissioners apprised on the City's consistency with State energy policies
- present the DSM Plan to the community in a variety of forms
- designate someone to help coordinate the DSM Plan and utilization of all City resources
- develop a process for measuring and evaluating progress achieved with the DSM Plan
- measure the community's carbon footprint and research how it compared with other cities
- move towards regulations that promote a green community

Voted 3-0 (Commissioners Lightsey and Mustian absent) to approve the DSM Plan as presented (*Option 1 as recommended by Energy Services*)

Mr. Steve Hastie, of Navigant Consulting, appeared before the Commission relative to this item.

CTC:RM:ecg:02-21-08

#### City Commission Meeting Summary - February 20, 2008

The City Commission met in regular target issue workshop session and took the following action (*with Commissioners Lightsey and Mustian absent*):

**Item 1** - Received a Power Point presentation by Energy Services Director David Byrne, on a proposed Five-Year Demand-Side Management (DSM) Plan, developed with the aide of Navigant Consulting to achieve electric energy and demand reductions that were determined to be the least-cost way of providing electric service to Tallahassee Electric Utility customers, and designed to reduce customers' demand for energy and achieve a reduction of 59 MW of peak demand and 146,000 MW of annual energy by the year 2012.

Discussed various aspects of the plan and the potential for creating a green economy requiring new job skills that could have a positive impact on all segments of the community, encouraged the development of DSM customer choices with price sets, and provided the following suggestions:

- investigate creating a series of property tax rebates as incentives for the owners of green rental housing for low income individuals
- keep the Commissioners apprised on the City's consistency with State energy policies
- present the DSM Plan to the community in a variety of forms
- designate someone to help coordinate the DSM Plan and utilization of all City resources
- develop a process for measuring and evaluating progress achieved with the DSM Plan
- measure the community's carbon footprint and research how it compared with other cities
- move towards regulations that promote a green community

Voted 3-0 (Commissioners Lightsey and Mustian absent) to approve the DSM Plan as presented (*Option 1 as recommended by Energy Services*)

Mr. Steve Hastie, of Navigant Consulting, appeared before the Commission relative to this item.

CTC:RM:ecg:02-21-08

#### Tallahassee Community Redevelopment Agency Board Meeting Summary - February 25, 2008

The City Commission, sitting with four members of the Board of Leon County Commissioners as the Tallahassee Community Redevelopment Agency Board (CRA Board), took the following action:

**Item 1** – Voted 8-1 (City Commissioner Katz opposed) to authorize the City Manager or her designee to execute an agreement with the Florida Center for Performing Arts and Education, Inc., (FCPAE), in the amount of \$562,500, to fund the FCPAE operations for the period January 1, 2008 through September 30, 2009

**Item 2** – Voted 9-0 to rotate the Chair and Vice-Chair of the CRA Board between the Mayor and the County Chair starting with the Mayor serving as Chair the first year, with the caveat that the County Chair would be a member of the CRA Board

**Item 3** – Voted 9-0 to approve the use of the remaining FY2005 funding for Downtown Promotional Activities, a current balance of \$3,437.16, with the remaining Tallahassee Film Festival funds coming from the Downtown District Community Redevelopment Area Trust Fund as part of the CRA's FY2008 Capital Budget; and authorize the City Manager, the Agency Executive Director, and/or the Agency program Director to approve expenditures consistent with the proposed budget

City Commissioner Lightsey requested more detailed written information on the Film Festival, i.e., how it was supported by Florida State University, members of the Board, the theme, and how large the event was expected to be.

CTC:RM:ecg:03-03-08

#### City Commission Meeting Summary - February 27, 2008

The City Commission met in regular session and took the following action:

**Item .1** – Recognized the City Attorney's Office as the recipient of the Chief Justice's Law Firm Commendation for 2008, recognizing the delivery of legal services on a pro bono basis

The following persons appeared before the Commission relative to this item:

- The Honorable R. Fred Lewis, Chief Justice of the Florida Supreme Court
- Ms. Chriss Nabb, Florida Legal Aid Services
- Staff of the Office of the City Attorney

**Items 1-3 and 7-19** – Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 1-3 and 7-19, taking the following action:

**Item 1** – Approved the reappointment of Mr. Darrin Holloman to serve on the Sinking Fund Commission to a term expiring June 2010 (*as recommended by Mayor Marks*)

**Item 2** – Approved the reappointment of Mr. Murray Wadsworth, Jr. to serve on the Environmental Code Enforcement Board to a term expiring November 2010 *(as recommended by Mayor Marks)*

**Item 3** – Adopted Resolution No. 08-R-07, authorizing the Chief of Police to obtain prior written approval from the Florida Department of Transportation for the temporary closure of state roads for special events in 2008 *(as recommended by the City Attorney)*

**Item 4** – PULLED FROM CONSENT the award of a contract for the Airport Enhanced Taxiway Centerline Pavement Marking Project – SEE BELOW

**Item 5** – PULLED FROM CONSENT the award of a construction contract for the Airport Terminal Cooling Tower Replacement Project – SEE BELOW

**Item 6** – PULLED FROM CONSENT the selection committee's ranking for the Land Planning Services for Welaunee Plantation – SEE BELOW

**Item 7** – Approved an increase of \$150,000 in the Magnet Lab Feeders Project #06115 to complete its construction, and authorized a supplemental appropriation of \$150,000 from the RR&I Fund balance, for a total revised project budget of \$1,650,000 *(Option 1 as recommended by Electric Utility)*

**Item 8** – Authorized the City Manager to accept a Sam's Club Community Grant in the amount of \$1,000 for the purchase of supplies to support the Fire Department's Incident Management Team during deployments *(Option 1 as recommended by the Tallahassee Fire Department [TFD])*

**Item 9** – Approved the purchase of six Fleet replacement vehicles for Solid Waste Services from Kenworth of Central Florida, pursuant to Florida Sheriffs Contract #07-15-0827, for a total purchase cost of \$1,296,950 *(as recommended by Fleet Management)*:

- Three (3) 2008 Autocar WX64 front loader chassis with an E-Z pack Hercules 40-yard body, at a cost of \$241,814 each, totaling \$725,442
- Two (2) 2009 Autocar WX64 with a Galbreath U50OR-175 hoist, at a cost of \$165,289 each, totaling \$330,578
- One (1) 2009 Autocar WX64 chassis with a Hiel DPF python side loader body, at a cost of \$240,940

**Item 10** – Approved the purchase of 11 Fleet replacement vehicles for the Water Utilities Department, for a total cost of \$703,928.72, as presented *(as recommended by Fleet Management)*:

From Ward International, pursuant to Contract #1285 --

- Two (2) 2008 International 6x4 chassis, at a cost of \$106,093.29 each, totaling \$212,186.58, with 2008 12-yard bodies purchased from Alabama Truck Body, pursuant to Contract #1494, totaling \$12,036.26, for a total vehicle cost of \$118,129.55 each, totaling \$236,259.10 for the two vehicles From Orville Beckford, pursuant to Florida Sheriffs Contract #06-14-0821 –
- One (1) 2008 F150 extended cab 4x2, with safety lighting purchased from Dana Safety Supply, pursuant to Contract #1489, at a cost of \$760.84, for a total vehicle cost of \$18,785.84
- Three (3) 2008 Ford F250 4x2 diesel chassis, at a cost of \$22,331 each, with a 2008 Reading service body U98ASW-PC purchased from Alabama Truck Body, pursuant to Contract #1494, at a cost of \$4,870.17 each, totaling \$14,610.51; and safety lighting installed by Dana Safety Supply, pursuant to Contract #1489, at a cost of \$760.84

each, totaling \$2,282.52; for total vehicle costs of \$27,962.01 each, totaling \$83,886.03

- One (1) 2008 F150 crew cab 4x2, at a cost of \$25,270, with safety lighting installed by Dana Safety Supply, pursuant to Contract #1489, at a cost of \$760.84, for a total vehicle cost of \$26,030.84
- One (1) 2008 Ford sport trac 4x4, at a cost of \$22,459, with safety lighting installed by Dana Safety Supply, pursuant to Contract #1489, at a cost of \$760.84, for a total vehicle cost of \$23,219.84
- One (1) 2008 Ford F250 4x4 diesel extended cab chassis, at a cost of \$27,810, with a 2008 Reading service body U98XHH purchased from Alabama Truck Body, pursuant to Contract #1494, at a cost of \$8,721.58; and with safety lighting installed by Dana Safety Supply, pursuant to Contract #1489, at a cost of \$760.84, for a total vehicle cost of \$37,292.42
- One (1) 2008 Ford F250 4x2 diesel chassis, at a cost of \$24,141, with a 2008 Reading service body U98ASW-PC purchased from Alabama Truck Body, pursuant to Contract #1494, at a cost of \$4,870.17, for a total vehicle cost of \$29,011.17

From Flint Equipment Company, pursuant to Florida Sheriffs Association Construction Equipment Contract #07-15-0827:

- One (1) 2008 650J XLT John Deere Dozer, at a cost of \$249,443.48

**Item 11** – Approved the award of a five-year term contract for the testing of aerial devices (IFB 0003R-08-BM-BC) on the City Fleet, for the period March 1, 2008 through March 1, 2013, to Structural Technology, Inc., of Searcy, Arizona, low bidder meeting specifications, in the estimated annual amount of \$36,455; and authorized an extension period of up to five (5) years provided if mutually agreeable at the time of extension (*Option 1 as recommended by Fleet Management*)

**Item 12** – Approved the award of a five-year term continuing price agreement for the purchase of petroleum products (IFB #0233-07-BM-BC), i.e., gas and diesel for the City Fleet, for the period March 1, 2008 through March 1, 2013, to Eli Roberts & Sons, Inc., sole bidder meeting specifications, in the estimated annual amount of \$4,250,000; and authorized an additional five-year continuation if mutually agreeable (*Option 1 as recommended by Fleet Management*)

**Item 13** – Approved the award of a five-year term continuing price agreement for the purchase of lubricants and automotive fluids (IFB #0030-08-BM-BC) for the City Fleet, for the period March 1, 2008 through March 1, 2013, to Crawford & Sons Oil Company, sole bidder meeting specifications, in the estimated annual amount of \$230,166.78; and authorized an additional five-year extension if mutually agreeable (*Option 1 as recommended by Fleet Management*)

**Item 14** – Approved the award of a three-year term contract for truck hauling services (IFB #0002-08-ER-BC) to Tim's Hauling & Tractor Service, Inc. (Havana, FL), low bidder meeting specifications, in the amount of \$300,000 over the term of the contract (*Option 1 as recommended by the Department of Management and Administration [DMA]/Procurement Services*)

**Item 15** – Approved the award of three-year term contracts for the purchase of underground electrical materials and connectors (Bid #0010-08-AB-TC) to the following five firms, meeting specifications, for estimated annual expenditures of \$384,377.04; and authorized contract extensions for two one-year periods should service prove to be satisfactory at the end of the initial three-year term (*Option 1 as recommended by DMA/Procurement Services*):

1. Tri-State Utility Products

2. HD Supply Utilities
3. Gresco Utility Supply, of Wildwood, FL
4. Wesco Distribution, Inc., of Orlando, FL
5. Mayer Electric Supply, of Tampa, FL

**Item 16** – Approved the award of a consultant contract for the College Avenue Drainage Analysis and Conceptual Design engineering services (RFQ #0003-07-ER-RC) to WilsonMiller, Inc., the consultant providing engineering services for the College Avenue Revitalization Project, in the amount of \$71,500; and authorized funding in the amount of \$100,000 from the 2005 Sales Tax Fund (304) unallocated balance for these consultant engineering services as well as staff costs for field survey and project management expenses (*Option 1 as recommended by Public Works/Engineering*)

**Item 17** – Approved an engineering services task order for the final design and permitting of the Emory Court/Dupont Drive Area Flood Relief Project to Singhofen and Associates, Inc., through continuing consulting Contract #868, in the amount of \$284,518.01 (*Option 1 as recommended by Public Works/Stormwater*)

**Item 18** – Approved the proposed amended Transit Advisory Committee (TAC) ByLaws as presented (*Option 1 as recommended by StarMetro*)

**Item 19** – Approved the minutes of the following City Commission meetings as distributed (*as recommended by the City Treasurer-Clerk/Records Management*):

- January 9, 2008                      Special Pension Board Disability Hearing
- January 23, 2008                    Regular Meeting

**Items 4-6** (pulled from Consent) – Clarified that these items were exempt from the City's Charitable Contributions Preference Policy, and voted 5-0 to approve the staff's recommendations presented in Agenda Items 4, 5 and 6, taking the following action:

**Item 4** – Approved the award of a contract for the Airport Enhanced Taxiway Centerline Pavement Marking Project (IFB #0064-08-KR-BC) to Hi-Lite Markings Inc., sole bidder meeting specifications, in an amount not to exceed \$80,000 (*Option 1 as recommended by Aviation*)

**Item 5** – Approved the award of a construction contract for the Airport Terminal Cooling Tower Replacement Project (Bid #0063-08-KR-BC) to Kelly Brothers Sheet Metal, Inc., low bidder meeting specifications, in the amount of \$207,978 (*Option 1 as recommended by Aviation*)

**Item 6** – Approved the selection committee's ranking for the Land Planning Services for Welaunee Plantation (RFP #0049-08-KR-RC), as follows; and authorized staff to negotiate and execute an agreement with the top-ranked firm, and if unable to negotiate an acceptable agreement, initiate negotiations with the next highest ranked firm (*Option 1 as recommended by Electric Utility*):

1. Wood & Partners, Inc.
2. Genesis Group

**Items 20-22** – By consensus, introduced Ordinances Nos. 08-Z-05, 08-Z-06 and 08-O-16, and set the ordinances for public hearing on March 11, 2008, as recommended:

**Item 20** was the introduction of Ordinance No. 08-Z-05, which would rezone 50 acres located at the northeast corner of Weems Road and Easterwood Drive from OS Open Space to M-1 Light Industrial District (allowing a prospective joint dispatch center on approximately 6.1 acres of the site and including the existing Animal Service Center on the easterly 8 acres of the site, and implementing Large Scale Comprehensive Plan Map Amendment PCM 070206, which is proposed for adoption on March 11, 2008), set for public hearing on March 11, 2008, at 6:00 p.m., in the Leon County Courthouse Commission Chambers (*Option 1 as recommended by Planning*).

**Item 21** was the introduction of Ordinance No. 08-Z-06, which would rezone 1.12 acres located along Springsax Road near its intersection with Springhill Road from RP2 Residential Preservation 2 to MR-1 Medium Density Residential District (implementing Large Scale comprehensive Plan Map Amendment PCM 070207, which is proposed for adoption on March 11, 2008) (owners: Augustus Aikens, jr., Lawrence and Marva Carter, and James M. and Rosa L. Proctor Trustees), set for public hearing on March 11, 2008, at 6:00 p.m., in the Leon County Courthouse Commission Chambers (*Option 1 as recommended by Planning*).

**Item 22** was the introduction of Ordinance No. 08-O-16, which would adopt the Cycle 2007-2 Amendments to the Comprehensive Plan, set for public hearing on March 11, 2008, at 6:00 p.m., in the Leon County Courthouse Commission Chambers (*Option 1 as recommended by the City Attorney*).

**Item 23** – Voted 5-0 to approve an Affordable Housing Trust Fund Grant, in the amount of \$125,000, to Lutheran Social Services of North Florida (LSSNF) to be used in conjunction with \$125,000 funding provided by the Leon County Housing Finance Authority for the purchase of a 3.4-acre site on Balkin Road at Capital Circle Southwest, at a cost of approximately \$250,000, to build 39 accessible and affordable low-income apartments for disabled citizens in the Tallahassee area; and to direct the staff to place a 15-year land use restriction on the property acquired with these funds as it relates to the 27 units not funded with the HUD 811 funding (*Option 1 as recommended by Neighborhood & Community Services [NCS]*) Commissioner Lightsey requested that staff provide information on public transit available to this site.

**Item 24** – Voted 5-0 to approve the acquisition of 9.07 acres located between Messer Park and an existing Electric Utility warehouse/storage facility on Jackson Bluff Road across from the Utility Operations Center from the Rosenberg Family (Rose Printing Company) for the negotiated purchase price of \$800,000, plus estimated closing costs of \$10,000, for a total expenditure of \$810,000, to be funded from Electric Utility Project Acquisition Project #02031 (*Option 1 as recommended by Public Works/Real Estate*).

**Item 25** – Voted 5-0 to approve the acquisition of 0.6 acres of improved property containing a 2,182 square foot block building that was previously used as Church's Fried Chicken, located at 823 Lake Bradford Road, for the negotiated purchase price of \$486,500 plus estimated closing costs of \$10,000, for a total expenditure of \$496,500, from the FSU Campus Development Agreement Fund 300 (*Option 1 as recommended by Public Works/Real Estate*)

**Item 26** – Voted 5-0 to approve the ranking of firms to be awarded a four-year term contract for the City's purchase of distribution transformers, authorize staff to enter into negotiations with firms in the order of ranking to the extent necessary to select multiple firms, authorize the City Manager to approve and execute the contracts for a four-year period, and authorize staff to extend the contract for an additional three years of one-year each beyond the initial expiration date (*Option 1 as recommended by DMA/Procurement*):

For pole type transformers:

1. Tri-State Utilities
2. Electric Supply of Tampa

3. Hughes Supply
4. GRESKO

For pad mount transformers:

1. Tri-State Utilities
2. GRESKO
3. Hughes Supply
4. Electric Supply of Tampa

**Item 27** – Voted 5-0 to approve the FY2008-FY2009 funding request for Cascades Park in the amount of \$525,262, plus a 15% contingency of \$78,789, totaling \$604,051; appropriate this funding from the General Government Capital Improvement Fund Undesignated Balance; and authorize the receipt of funds from the State of Florida that reimburses prior expenditures by the City in the amount of approximately \$145,686 (*Option 1 as recommended by Utility Business & Customer Service*)

**Item 28** - Held a public hearing on Ordinance No. 08-O-07, introduced on February 13, 2008, and voted 5-0 to adopt the ordinance, amending the Water and Sewer Affordable Housing Exemption Provisions of the City of Tallahassee Code of General Ordinances, and related policy amendments (*Option 1 as recommended by Neighborhood and Community Services [NCS]*). There were no speakers on this item.

**Item 29** - Held the second and final public hearing on Governor's Park Rezoning Ordinance No. 07-Z-66, introduced on December 4, 2007, with the first public hearing being held on January 23, 2008, and voted 5-0 to adopt the ordinance, rezoning six City-owned parcels around the intersection of Park Avenue and Blair Stone Road from TPA (Target Planning Area) and R-3 (Single- and Two-family Residential) zoning districts to the OS (Open Space) zoning district (PRZ #070032) (*Option 1 as recommended by Planning*). There were no speakers on this item.

**Item 30** – Held the second and final public hearing on Ordinance No. 08-O-04AA, introduced on January 9, 2008, with the first public hearing being held on January 23, 2008, and voted 5-0 to adopt the ordinance as amended, amending the development standards in Section 10-253 Office Residential (OR-3) zoning district by changing the general intent of the district to reflect the updated Comprehensive Plan and to allow uses listed in the C-2 district in the first floor of a multi-story building containing office and/or residential uses above the first floor, previously amended to add the conditions recommended by the Planning Commission (*Option 1 as recommended by Planning*). There were no speakers on this item.

**Item 31** - Held the first of two public hearings on Ordinance No. 08-O-11, introduced on February 13, 2008, which would amend the DI Institutional/Cultural/University Transition areas District, designating additional properties subject to design review by the Urban Design Commission (UDC) and establishing UDC procedures in the Land Development Code; announced the second and final public hearing was set for March 26, 2008 (*Option 1 as recommended by Planning*). There were no speakers on this item.

**Item 32** - Held a public hearing on Ordinance No. 08-O-12, introduced on February 13, 2008, and voted 5-0 to adopt the ordinance, expanding the written notice requirements to property owners from 500 feet to 1,000 feet of properties subject to rezoning, including Planned Unit Developments (PUDs), and adopt Notification Fee Resolution No. 08-R-06, increasing the filing fee for rezoning, including PUDs and Comprehensive Plan Map amendment applications (*Option 1 as recommended by Planning*). There were no speakers on this item.

**Item 33** - Held a public hearing on Ordinance No. 08-O-15, introduced on February 13, 2008, (Commissioner Lightsey sponsored the ordinance.) which would revise the Board of

Adjustment and Appeals hearing procedures; by consensus, the public hearing was continued to April 23, 2008, allowing time for the Planning Commission to review the ordinance for consistency with the Comprehensive Plan (*Option 1 as recommended by the City Attorney*). There were no speakers on this item.

#### **City Commission Information and Sharing of Ideas:**

**Commissioner Lightsey** commended City Manager Thompson on the well-deserved honor of being one of 11 African American women recognized for Excellence in Leadership.

**Commissioner Gillum** requested that the staff bring back a written explanation of the Rooming House Fee calculation.

**Unagendaed:** Mayor Marks complimented an article in the *Tallahassee Democrat* regarding citizen centric budgeting, which had been promoted by City Auditor Sam McCall and Assistant to the City Manager Michelle Bono.

CTC:RM:ecg:02-29-08

### **City Commission Special Budget Meeting Summary - February 27, 2008**

#### **Budget Meeting**

The City Commission met in special budget meeting session and took the following action:

Received a Power Point update presentation on the FY2008 City of Tallahassee Budget and General Fund projected deficit, and preliminary budget projections for FY2009 and beyond

Voted 5-0 to approve the staff's recommendation on the 2008 Budget adjustment, with the exception of the Other Post Employment Benefits (OPEB) liability, and suggested that some options be brought back in that regard (Staff clarified that this eliminated the 34 frozen positions; directed staff to bring back some recommendations on the deobligation of the General Fund portion of OPEB liability, which would eliminate \$822,000 from the General Fund; authorized a transfer from GG/CPA to GG/CIF using the fund balance for capital projects instead of a cash transfer; and froze all operating expenses of the General Fund by 5% until further notice.)

**Commissioner Lightsey** suggested that staff:

- bring back an analysis of providing 1 ½% salary enhancements for the General Fund employees so as to provide some level of parity in the wage scales;
- work out arrangements with the County regarding the Fire Service Fee contract in FY09 which would not require City subsidy;
- evaluate the Take Home Vehicle Policy, and include Police;
- analyze the privatization of Fleet maintenance;
- analyze privatizing first and selling the Hilaman Golf Course second;
- move forward with creating a Regional Transit Authority with a goal of cutting the City's subsidy to StarMetro;
- relating to special events, continue with Spring Time, Celebrate America, and the Winterfest, and charge half the cost of Police and Solid Waste services;
- increase fees to cover Adult Sports costs;
- sell the Utilities Drive-Thru facility;

- re-evaluate the Neighborhood Infrastructure Enhancements Program (NIEP) to adjust for percentage cost increases and reduce the funding of NIEP projects to cover the increased costs, possibly rebidding some projects to obtain more accurate costs.

**Commissioner Katz** cited the following for consideration:

- do the short term actions recommended;
- reduce the travel budget by one-half and make it essential travel only, letting the City Manager make that determination;
- sell the Utilities Drive-Thru facility;
- agreed with the suggestion to enhance the salaries for existing employees, as they would be asked to do more, although he was unsure of the percentage;
- opposed to reducing the NIEP funding;
- supported selling the Hilaman Golf Course property;
- support reducing the amount available for special events;
- consider functional consolidation in a significant way and have a working group on that;
- support eliminating security costs at City Hall and the Gemini Building;
- increase Adult Sports fees so that it is self supporting;
- oppose closures of community centers;
- do something about the non-social service donations;
- opposed to collapsing the Community Redevelopment Agencies (CRAs)
- take no action on the retirement issue;
- need more information on a Transportation Utility Fee;
- investigate consolidating the TV stations of the City, County and School Board;
- indicated the need for information to help identify priorities and areas for funding reductions; and,
- requested that the staff bring back some modification and real numbers on the OPEB issue.

**Commissioner Mustian** requested that the staff bring back:

- a chart showing the fluctuations of transfers to the General Fund;
- expressed a preference for paying the OPEB liability to the General Fund rather than pushing it out;
- indicated that he would be willing to consider selling some properties;
- requested a re-evaluation of the items previously retained in the FY2008 budget; and,
- no objections to Commissioner Lightsey's or Commissioner Katz's suggestions.

**Mayor Marks** requested that the staff provide:

- written information on the rationale for establishing reserves and their importance, for the benefit of the public;
- information distinguishing between the impacts of Amendment 1 and the economic downturn;
- information on the relationship between revenues and what they were used for; and,
- cost analyses of all suggestions.

**Commissioner Gillum** requested that the staff bring back:

- a report on customer usage of the Utilities Drive-Thru facility;
- that StarMetro be asked to develop some creative routes before making any reductions in that area;

- noting that a Regional Transit Authority would take some time but would expand opportunities for federal and state funding, suggested the need for more information on that issue;
- requested information on how the Fire Services deficits were being projected and the level of services that would be provided absent a contract with Leon County, and what the Fire deficit is with and without the County;
- information on the potential for collaboration with Leon County on the Northwest Park; and,
- include streamlining essential services, to also include quality of life issues as well as human and social services.

CTC:RM:ecg:02-29-08

### City Commission Meeting Summary - March 11, 2008

The City Commission met in special joint session with the Board of Leon County Commissioners (County Commission) and took the following action (Mayor Marks was absent):

Received public input on the Proposed Cycle 2007-2 Amendments to the Tallahassee-Leon County Comprehensive Plan.

Mr. Ken Foster, 213 Crest Street, and Mr. Sam Frazier, 1945 N. Barnway, indicated their availability to answer questions regarding Map Amendment PCM 070201.

The County Commission voted 7-0 to approve the County's previous position on Map Amendment PCM 070201, changing 10.83 acres on the Future Land Use Map from Residential Corridor to Residential Corridor Node.

The Joint Commission concurred to take action in mass on all amendments on which the City and County Commissions were consistent following the public hearings.

The County Commission voted 7-0 to withdraw Text Amendment PCT 070204, which would have established an Urban Service Boundary as a subset of the Urban Service Area.

The City Commission voted 4-0 (Mayor Marks absent) on a like motion to withdraw Text Amendment PCT 070204.

Dr. Pamela Hall, 5051 Quail Valley Road, appeared before the Joint Commission and spoke in opposition to Text Amendment PCT 070206, which would replace the optional Education Element with the required Public School Facilities Element. She also spoke against Text Amendment PCT 070204.

The County Commission voted 7-0 to adopt a County ordinance amended to eliminate PCT 070204, incorporating as part of the 2010 Tallahassee-Leon County Comprehensive Plan Cycle 2007-2 Amendments PCM 070201, 070202B, 070206 and 070207, and PCT 070202, 070203, 070205 and 070207 as transmitted, and PCT 070206 as modified to meet FDCA's objections.

The City Commission voted 4-0 (Mayor Marks absent) to adopt City Ordinance No. 08-O-16AA, amended to eliminate PCT 070204, incorporating as part of the 2010 Tallahassee-Leon County Comprehensive Plan Cycle 2007-2 Amendments PCM 070201, 070202B, 070206 and 070207, and PCT 070202, 070203, 070205 and 070207 as transmitted to FDCA, and PCT 070206 as modified to meet FDCA's objections:

## Cycle 2007-2 Amendments to the Tallahassee-Leon County Comprehensive Plan

Amendment	Amendment To:	Nature of Proposed Amendment
PCM 070201	FUTURE LAND USE MAP (Mahan Drive & Dempsey Mayo Road)	From: Residential Corridor To: Residential Corridor Node 10.83 acres
PCM 070202B	FUTURE LAND USE MAP (SE corner of Baum & Buck Lake Roads)	From: Rural To: Recreation-/Open Space 328.6 acres
PCM 070205	FUTURE LAND USE MAP (SW corner of Ox Bottom & Thomasville Roads)	From: Residential Preservation To: Urban Residential 2.09 acres
PCM 070206	FUTURE LAND USE MAP (Easterwood Drive & Weems Road)	From: Recreation/Open Space To: Government Operational, as modified to limit buildings to a 10.67 acre site only 42 acres
PCM 070207	FUTURE LAND USE MAP SE corner of Springhill & Springsax Roads)	From: Residential Preservation To: Urban Residential 2
PCT 070202	TEXT AMENDMENT	Changes to the Land Use Element Policies to remove the restriction on CU category that density on a local street is limited to 16 dwelling units per acre
PCT 070203	TEXT AMENDMENT	Changes to the Land Use Element & disengagement from the Land Development Matrix to remove the restriction limiting density in UT to 25 dwelling units per acre on local streets
PCT 070205	TEXT AMENDMENT	Changes to the Land Use Element clarifying timing of development under the cluster option when urban services are available in UF - changing the date only
PCT 070206	TEXT AMENDMENT	Changes would replace the optional Education Element with the required Public School Facilities Element
PCT 070207	TEXT AMENDMENT	Changes modify Policy 2.1.9 of the Land Use Element providing a sunset date for 2.1.9 subdivisions and modify Comp Plan language related to family heir subdivisions, as amended by changing the sunset date to 2010

The City Commission held a public hearing and voted 4-0 (Mayor Marks absent) to adopt Ordinance No. 08-Z-05, introduced on February 27, 2008, rezoning 50 acres located at the northeast corner of Weems Road and Easterwood Drive (owned by Leon County) from OS Open Space to M-1 Light Industrial District, and implementing Large Scale Comprehensive Plan Map Amendment PCM 070206 (PRZ070033).

- There were no speakers on this item.

The City Commission held a public hearing and voted 4-0 (Mayor Marks absent) to adopt Ordinance No. 08-Z-06, introduced on February 27, 2008, rezoning 1.12 acres located along Springsax Road near its intersection with Springhill Road (owned by Augustus Aikens, Jr., Lawrence and Marva Carter, and James M and Rosa L. Proctor Trustees) from RP2 Residential Preservation 2 to MR-1 Medium Density Residential District, and implementing Large Scale Comprehensive Plan Map Amendment PCM 070207 (PRZ070034).

- There were no speakers on this item.

The County Commission held the first and only quasi-judicial public hearing and voted 7-0 to adopt a County ordinance rezoning 10 acres located at the northeast corner of the intersection of Mahan Drive and Dempsey Mayo Road (owned by Patricia G. Currie and John W. Shuff; agents: Sam Frazier and Ken Foster) from RP Residential Preservation and Mahan Residential Corridor to Mahan Residential Corridor Node, and implementing Comprehensive Plan Map Amendment PCM 070201 (PRZ070000).

- There were no speakers on this item.

The County Commission held the first of two quasi-judicial public hearings on an ordinance, which would rezone 328 acres located on the eastern and western sides of Baum Road in eastern Leon County from Rural to OS Open Space (PZR070036), and would implement Comprehensive Plan Amendment PCM070202B. The property comprises Phases II and III of the St. Marks headwaters green space properties purchased by local government for the purpose of establishing a resource-based (passive) recreation park, stormwater facilities, and preservation/conservation of any onsite environmental features.

- There were no speakers on this item.

The County Commission voted 7-0 to close the public hearings.

CTC:RM:ecg

#### City Commission Meeting Summary - March 12, 2008

The City Commission met in regular session and took the following action:

**Item 1** – Presented a proclamation proclaiming the week of March 16-22, 2008, to be Florida Surveyors and Mappers Week in the City of Tallahassee  
Mr. W. Lamar Evers, PLS, representing the Bureau of Survey & Mapping, Division of State Lands, appeared before the Commission and accepted the proclamation on behalf of the State and National Society of Surveyors.

**Item 2** – Presented a proclamation proclaiming March 2008 as Purchasing Month in the City of Tallahassee

Ms. Janice Pursley, President of the Tallahassee Area Chapter of the National Institute of Governmental Purchasing, appeared before the Commission and accepted the proclamation.

**Items 3-11 and 13** – Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 3-11 and 13, taking the following action:

**Item 3** – Approved the Historic Property Grant and Revolving Loan program (HPGLP) Finance Committee recommendation of a HPGLP grant/loan award of \$11,355 (\$5,677.50 grant and \$5,677.50 loan) to John Rawlings for the remaining repair of 27 original windows and replacement of six (6) aluminum windows at 1320 Golf Terrace Drive (Option 1 as recommended by Economic Development)

**Item 4** – Authorized the establishment of a FY2008 work order with an appropriation of \$2,800 from the Animal Control Training Reserve Account #272249 (Option 1 as recommended by Neighborhood & Community Services [NCS])

**Item 5** – Approved the award of a construction contract for the Conradi Street Stormwater Improvements Project (IFB #0031-08-ER-BC) to Dixie Paving & Grading, Inc., second low bidder meeting specifications, based on the City's MBE Policy, in the amount of \$119,970 (Option 1 as recommended by Public Works/Stormwater)

**Item 6** – Approved a Tri-Party Agreement between the Florida Department of Transportation (FDOT), the Florida Department of Environmental Protection (FDEP) and the City of Tallahassee to effectuate the transfer of the operation and maintenance responsibility and the stormwater permit for the Weems Pond Stormwater Facility from the FDOT to the City, and authorized the City Manager to execute the Agreement (Option 1 as recommended by Public Works/Stormwater)

**Item 7** – Approved an engineering services task order for the final design and permitting of the East Georgia at Meridian Flood Mitigation Project with Capital Engineering & Surveying, Inc., under Continuing Services Contract No. 862, in the amount of \$102,813.25 (Option 1 as recommended by Public Works/Stormwater)

**Item 8** – Approved a purchase order for the construction of two test water wells – one on Old St. Augustine Road north of the Southwood development and the second on Kerry Forest Parkway near Ox Bottom Road – to Rowe Well Drilling, pursuant to Annual Price Agreement #0111-02-RM-TC/Contract No. 1078 for Water Well Maintenance and Repair, for a total price of \$267,500 (Option 1 as recommended by Water Utility)

**Item 9** – Approved the award of a contract for the roof replacement and other facility repairs needed at Water Wells 6 and 7 (IFB #0066-08-ER-BC) to Council Contracting, Inc., Florida, low bidder meeting specifications, in the amount of \$110,586 (Option 1 as recommended by Water Utility)

**Item 10** – Approved a task order for design services to replace Pumping Station #53 and a 10-inch diameter gravity sewer outfall (from the intersection of Aksarben Drive and Sutor Road to Old Plantation Loop in Piney Z) to effectively abolish Pumping Station #101, to Capital Engineering & Surveying, Inc. (CES), under Contract No. 1050-A, in the amount of \$125,577 (Option 1 as recommended by Water Utility)

**Item 11** – Approved the purchase of a portable building to provide new office space for the (AWT) Program Management and Design staff (City and consultant staff) at the T. P. Smith Water Reclamation facility to Williams Scotsman, Inc., Tallahassee, Florida, pursuant to School District of Osceola County, Florida Bid #SDOC 07-005NM, at a cost not to exceed \$157,102.50 (Option 1 as recommended by Water Utility)

**Item 12** – PULLED FROM CONSENT the adoption of a bond issuance resolution for Tallahassee Memorial Healthcare, Inc. – Sleep Lab, Series 2008 – SEE BELOW

**Item 13** – Approved the minutes of the following City Commission meetings as distributed (as recommended by the City Treasurer-Clerk/Records Management):

- January 10, 2008 City Commission Retreat
- February 13, 2008 Regular Meeting
- February 20, 2008 Regular Target Issue Workshop

**Item 12** – Voted 4-0 (Commissioner Mustian abstained) to adopt Resolution No. 08-R-09, authorizing the issuance of \$1 million in Healthcare Facilities Subordinated Revenue Bonds for Tallahassee Memorial Healthcare, Inc. – Sleep Lab, Series 2008 (Option 1 as recommended by the City Attorney and the City Treasurer-Clerk)

Mr. Randy Hanna, the City's Bond Counsel, appeared before the Commission relative to this item.

**Items 14-15 and 17.1** – By consensus, introduced Ordinances Nos. 08-O-18, 08-Z-17 and 08-O-25, and set the ordinances for public hearings as recommended:

**Item 14** – The staff's recommendation was to introduce Ordinance No. 08-O-18, which would annex into the City approximately 14 acres located on Capital Circle Southwest, adjacent on the west to the Airport Industrial Park, petitioned by Jack Green, of Linderand, planned for a mixed use development with office/commercial and residential units, and set the ordinance for public hearing on March 26, 2008 (Option 1 as recommended by the Mayor's Office/City Manager).

**Item 15** – The staff's recommendation was to introduce Ordinance No. 08-Z-17, which would rezone properties presented as part of the Residential Preservation 1 Map Series from R-1 Single-Family Detached Residential, R-2 Single-Family Detached Residential, R-3 Single and Two-Family Residential, and C-1 Neighborhood Commercial to Residential Preservation 1, implementing Comprehensive Plan Map Amendment 2006-2-M-010, and set the ordinance for public hearings on March 26 and April 23, 2008 (Option 1 as recommended by the Mayor's Office/City Manager).

**Item 16** – DELETED FROM THE AGENDA the proposed introduction of Ordinance No. 08-O-19, which would implement the Providence Neighborhood Overlay (PNO) to properties zoned Central Urban within the Providence Neighborhood and limit allowed uses within the PNO (brought forward by Planning)

**Item 17** – DELETED FROM THE AGENDA the proposed introduction of Ordinance No. 08-Z-20, which would implement the zoning classifications as designated on the Providence Neighborhood Site Specific Zoning Map (brought forward by Planning)

**Item 17.1** – The staff's recommendation was to introduce Ordinance No. 08-O-25, which clarifies that right-of-way abandonments and closures of roads are legislative decisions by removing them from the portion of the rezoning process that authorizes quasi-judicial proceedings, and set the ordinance for public hearing on March 26, 2008 (Option 1 as recommended by the City Attorney).

**Item 18** – Voted 5-0 to approve a task order to provide engineering services for improvements to the Southeast Spray Field irrigation system, in accordance with the City's wastewater operating permit, to Post, Buckley, Schuh & Jernigan (PBS&J), of Tallahassee, Florida, under the current Continuing Services Agreement for Engineering Consulting Services, City Contract #1949, in the amount of \$79,800 (Option 1 as recommended by Water Utility)

**Item 19** – Received Power Point presentations on the results of rate studies conducted by R. W. Beck Consultants, and the resulting proposed rate increases for the Water and Sewer System, and Natural Gas System

Mr. Ted Symankiewicz and Mr. Craig Shepherd, of R. W. Beck Consultants, appeared before the Commission and gave the presentations.

By consensus, introduced Ordinances Nos. 08-O-08, 08-O-09 and 08-O-10, and set the ordinances for public hearing on March 26, 2008, as recommended (Options 1, 2 and 3 by Utility Business & Customer Services):

- **Option 1:** The staff's recommendation was to introduce Ordinance No. 08-O-10, which would increase base sewer revenues by 15% effective April 1, 2008; 14% effective January 1, 2009; and 14% effective April 1, 2010; and set the ordinance for public hearing on March 26, 2008.
- **Option 2:** The staff's recommendation was to introduce Ordinance No. 08-O-09, which would create a conservation rate structure for residential and irrigation customers, and a reuse water rate; increase base water revenues by 12.9% effective January 1, 2009; and by an additional 11% effective October 1, 2010; and set the ordinance for public hearing on March 26, 2008.
- **Option 3:** The staff's recommendation was to introduce Ordinance No. 08-O-08, which would increase natural gas revenues by 4.1% effective April 1, 2008; by 2.2% effective October 1, 2009; and by the change in CPI each October thereafter; and set the ordinance for public hearing on March 26, 2008.

Commissioner Katz requested that the staff provide more information on the impacts of these proposed rate adjustments on future utility transfers to the General Fund.

**Item 20** – Voted 5-0 to approve the use of up to \$76,990 in funding available in the Think About Personal Pollution Campaign (TAPP) (Project No. 1000782) until a grant contract with the FDEP is executed, and authorize the City Manager or her designee to execute the grant contract once it is received from FDEP (Option 1 as recommended by Public Works/Stormwater)

**Item 21** – Held a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing on the issuance of Children's Home Society Bonds by Palm Beach County to refinance a Children's Home Society facility located in Tallahassee, as well as finance or refinance the acquisition, construction and equipping of certain social service centers in Palm Beach County, Jacksonville, Indian River County, and Collier County, Florida (collectively the Project)

Voted 3-0 (Commissioners Katz and Mustian abstained) to adopt Resolution No. 08-R-10, approving the issuance of the Bonds for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, and authorizing the execution of an Interlocal Agreement with Palm Beach County to authorize the issuance of the Bonds in an aggregate principal amount not to exceed \$17 million and to loan the proceeds to The Children's Home Society of Florida to finance the Project (as recommended by the City Attorney and the City Treasurer-Clerk)

There were no speakers on this item.

Unagended Speaker: Ms. Ann Bidlingmaier, 1920 Harriet Drive, appeared before the Commission and urged modification of the City's Environmental Management Ordinance (EMO) to provide better protections for the community's trees. She distributed copies of her written concerns.

Mayor Marks requested that the staff bring back information on potential revisions to the EMO and at the suggestion of Commissioner Lightsey, directed staff to take the issue to the Environmental and Energy Target Issue Committee before bringing it to the full Commission.

#### **City Commission Information and Sharing of Ideas:**

Commissioner Mustian requested a status report on the Capitol Office Complex development project by the next Commission meeting.

Commissioner Lightsey stressed the importance of having a full-fledged public information campaign on the water and sewer rate adjustments.

Mayor Marks announced that he was replacing Commissioner Mustian as a City representative on the Capital Region Transportation Planning Agency (CRTPA) and Commissioners Lightsey and Gillum would remain on the CRTPA while Commissioner Katz would rotate with him onto the CRTPA during the next rotation cycle, not to occur less than a year after the last effective rotation date.

Mayor Marks also thanked everyone involved and the business community sponsors of the Legislative Reception held on March 4th, and he clarified that this had not been a City-funded event.

Commissioner Katz referenced a recent news article regarding Progress Energy filing for two new nuclear energy plants in Levy County and he observed that about 5 million tons of CO2 had been saved by not going forward with the Taylor Energy Center in Perry, Florida.

CTC:RM:ecg:03-13-08

### City Commission Meeting Summary - March 26, 2008

The City Commission met in regular session and took the following action:

Mayor Marks recognized and welcomed students from a Florida A & M University Political Science class.

**Item 1** - Mayor Marks presented a proclamation proclaiming the month of March to be Women's History Month in the City of Tallahassee, and County Commissioner Desloge, representing the Board of Leon County Commissioners, presented a similar proclamation. Ms. Shonda Knight, Anchor/Reporter for WCTC, introduced each of the following former and current City and County female Commissioners, who were recognized and honored with a reception:

- **City Commissioners**
  - Joan Heggen (served 1972-1974)
  - Carol Bellamy (in memoriam; served 1980-1986), represented by Dr. Ray Bellamy
  - Betty Harley Barry (served 1985-1989)
  - Dorothy Inman Johnson (served 1986-1994)
  - Penny Herman (served 1992-1996)
  - Commissioner Debbie Lightsey (served 1989-present)
- **County Commissioners**
  - Gayle Nelson (served 1978-1992)
  - Marjorie Turnbull (served 1988-1994)
  - Anita Davis (served 1990-1996)
  - Carol Kio Green (served 1992-1996)
  - Commissioner Jane Sauls (served 1996-present)

**Item 2** - Voted 5-0 to formally accept for retention as a public record the "FY2007 Comprehensive Annual Financial Report (CAFR)" and the "Financial and Compliance Audit of Federally Assisted Programs", reporting on the annual financial audit of the records and accounts of the City of Tallahassee for the fiscal year ended September 30, 2007 (brought forward by the City Auditor/Department of Management and Administration)

Ms. Kathleen Brothers, Chairperson of the Audit Committee, appeared before the Commission and reported that the City's Audit Committee had given its unqualified acceptance of this report, noting that a few items for improvement had been reviewed with staff. She commended DMA Director Raoul Lavin and Manager of Accounting Services Rick Feldman, and their staff.

The Commission thanked members of the Audit Committee and the staff for their contribution to this report.

City Manager Thompson announced that Raoul Lavin's official appointment as Director of DMA was effective April 1, 2008.

**Items 4-9 and 12-14** - Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 4-9 and 12-14, taking the following action:

Item 3 - PULLED FROM CONSENT the proposed adoption of Condemnation Resolution No. 08-R-12, to acquire parcels needed to construct the Raymond Diehl P.A.S.S. Project -- SEE BELOW

Item 4 - Accepted the Tallahassee Community Redevelopment Agency's (CRA) FY 2007 Annual Report (Option 1 as recommended by Economic Development)

Item 5 - Approved the award of rental of trailer-mounted demineralizer units needed for the Hopkins Unit 2 Repowering Project from Siemens, in an amount not to exceed \$120,000, and authorized staff to enter into a contract with Siemens for an initial one-year term, with an automatic one-year renewal containing a 30-day termination notice provision (Option 1 as recommended by Electric Utility)

Item 6 - Authorized the City Manager to accept a State Farm Insurance Community cash grant, in the amount of \$1,173.67, for the City's Fire Prevention Program (Option 1 as recommended by the Tallahassee Fire Department [TFD])

Item 7 - Authorized the City Manager to accept the transfer of the following equipment from the Leon County Sheriff's Office, purchased from funding provided by the State Homeland Security Grant Program, to the City of Tallahassee Fire Department for utilization by the Urban Search and Rescue Team (Option 1 as recommended by TFD):

A Western Shelter portable HVAC system for use in a sheltering tent during team deployments (valued at \$5,000)

A 16-foot Pace utility trailer for the transportation of equipment during deployment (valued at \$7,500)

Item 8 - Approved the purchase of one 4-way Oracle Internet license, one 8-way Oracle Internet license, and 500 named user licenses from the Oracle Corporation in an amount not to exceed \$495,816, which includes the first year's support for the product, upgrading the City's applications and database (Option 1 as recommended by Information Systems)

Item 9 - Approved the appropriation of \$1,110,000 for intersection improvements at Orange Avenue and Wahnish Way, -- a requirement of the

FAMU Campus Development Agreement (Option 1 as recommended by Public Works/Traffic Engineering)

Item 10 - DELETED FROM THE AGENDA a request to approve the award of a construction contract for the Bond Community Neighborhood Infrastructure Enhancement Project (NIEP), Phases II and III (Bid #0059-08-ER-BC) (an item brought forward by Public Works/Project Management) - RESCHEDULED FOR APRIL 9, 2008

Item 11 - DELETED FROM THE AGENDA a request to approve a Joint Participation Agreement (JPA) with Florida Department of Transportation (FDOT) for the purchase and operation of a Vehicle Training Simulator (a StarMetro Renaissance project), and authorizing Resolution No. 08-R-11 (an item brought forward by StarMetro) - RESCHEDULED FOR APRIL 9, 2008

Item 12 - Approved a request to apply for, execute, and expend funding in the amount of \$2,402,351 from a 2008 Federal Transit Administration (FTA) Section 5307 grant to support public transit (Option 1 as recommended by StarMetro)

Item 13 - Authorized the City Treasurer-Clerk to approve a negotiated contract for armored courier services with Loomis Fargo, the current provider, for a three-year period begin April 1, 2008, and authorized staff to extend the contract for up to three additional years on a year-by-year basis (Option 1 as recommended by the City Treasurer-Clerk/Liability Management)

Item 14 - Approved the minutes of the following City Commission meetings as distributed (as recommended by the City Treasurer-Clerk/Records Management):

- January 15, 2008 - Joint City-County Commission Workshop on USA/Urban Fringe Boundaries
- February 13, 2008 - Regular Meeting
- February 27, 2008 - Special Budget Meeting
- February 27, 2008 - Regular Meeting

**Item 3** (pulled from Consent) - By consensus, deferred a request to adopt Resolution No. 08-R-12, which would authorize the use of condemnation proceedings to initiate an eminent domain lawsuit to acquire parcels needed to construct the Raymond Diehl P.A.S.S. Project, and directed staff to bring back a complete report on the Raymond Diehl PASS Project to include a review of the overall cost, the neighborhood's position and the Commission's last directive, some prioritization and status of the project (brought forward by the City Attorney)

**Item 15** - Discussed the Neighborhood Infrastructure Enhancement Program (NIEP) allocation strategy and voted 5-0 to approve proceeding with a hybrid NIEP allocation, consisting of the following (brought forward by Public Works/Project Management):

<b>NIEP Allocation Strategy</b>	<b>Amount</b>
Balance Available	\$42.9M
Retired Funds	-5.0M
Reserved Funds	-2.5M

Balance Available	\$35.4M
Site #9 Richmond Street	-0.4M
Site #26 Jackson Bluff Road	-4.0M
Site #44 Joe Louis Street	-1.8M
Providence (less Iamonia)	-10.7M
Lonnbladh Road (w/o bike lanes)	-5.1M
Balance Available for future allocation	\$13.4M

A prior motion failed on a vote of 1-4 (Commissioners Marks, Lightsey, Mustian and Gillum opposed), which would have set the retired funds amount at \$5 M without the additional reserved fund of \$2.5 M.

**Item 16** - Voted 5-0 to approve the sale of Floridan Block properties to McKibbon Hotel Group and the Tallahassee Community Redevelopment Agency (CRA), including Options 1, 2, 3 and 4, as follows (brought forward by Economic Development):

- Option 1 - Approve the sale of the .83 acre Parcel B of the Floridan Block to McKibbon Hotel Group for \$1,696,552
- Option 2 - Approve the execution of an Option Agreement for the sale of the .63 acre Parcel A of the Floridan Block for \$1,303,448
- Option 3 - Approve the sale of the .98 acre Parcel C of the Floridan Block to the CRA for \$2,100,000
- Option 4 - Direct staff to develop a funding agreement with the CRA that will provide for the funding for the construction of a parking garage

**Item 17** - Voted 5-0 to approve a contract for the design of Advanced Wastewater Treatment (AWT) improvements at the Lake Bradford Road (LBR) Plant with Carollo Engineers, for a total fee of not to exceed \$3.43 million, and authorize the City Manager or designee to approve any contract amendments not to exceed 12% of the contract value, facilitating the timely completion of the LBR AWT design to meet the compliance schedule in the wastewater facility permit (Option 1 as recommended by Water Utility)

**Item 18** - Received an update on the Capital Circle Office Complex (CCOC) negotiations (brought forward by the City Manager)

Recognized the attendance of Mr. Tom Berger, of the Florida Department of Management Services, and thanked him for his help on this issue.

**Item 19** - Held a public hearing and voted 4-0 (Commissioner Katz absent) to adopt Ordinance No. 08-O-18, annexing into the City approximately 14 acres located on Capital Circle Southwest, adjacent on the west to the Airport Industrial Park, petitioned by Jack Green, of Linderand, planned for a mixed use development with office/commercial and residential units (Option 1 as recommended by the Mayor's Office/City Manager)

There were no speakers on this item.

**Item 20** - Held a public hearing and voted 5-0 to adopt Resolution 08-R-02, converting a portion of Gaines Street and Bloxham Street from vehicular use to pedestrian use (for

Cascades Park). The staff's recommendation was to adopt the resolution based on the findings of the Planning Commission (Option 1 as recommended by Planning).

There were no speakers on this item.

**Item 21** - Held a public hearing on Ordinances Nos. 08-O-08, 08-O-09AA and 08-O-10, introduced on March 12, 2008, reflecting natural gas, water and sewer system rate increases, with Ordinance No. 08-O-09AA amended to clarify the manner in which the water rates apply to customers; voted 5-0 to adopt Ordinance No. 08-O-08; voted 5-0 to adopt Ordinance No. 08-O-09AA; voted 5-0 to adopt Ordinance No. 08-O-10; and requested more information on the portion going to increase transfers to the General Fund (Options 1, 2 and 3 recommended by Utility Business & Customer Services):

- Option 1: Adopted Ordinance No. 08-O-10, increasing base sewer revenues by 15% effective April 1, 2008; 14% effective January 1, 2009; and 14% effective April 1, 2010
- Option 2: Adopted Ordinance No. 08-O-09AA, creating a conservation rate structure for residential and irrigation customers, and a reuse water rate; increasing base water revenues by 12.9% effective January 1, 2009; and by an additional 11% effective October 1, 2010
- Option 3: Adopted Ordinance No. 08-O-08, increasing natural gas revenues by 4.1% effective April 1, 2008; by 2.2% effective October 1, 2009; and by the change in CPI each October thereafter

There were no speakers on this item.

**Item 22** - Held the second and final public hearing on Ordinance No. 08-O-11, introduced on February 13, 2008, the first public hearing was held on February 27, 2008; voted 5-0 to adopt the ordinance, amending the DI Institutional/Cultural/University Transition areas District, designating additional properties subject to design review by the Urban Design Commission (UDC) and establishing UDC procedures in the Land Development Code (Option 1 as recommended by Planning)

There were no speakers on this item.

**Item 23** - Held the first of two public hearings on Ordinance No. 08-Z-17, introduced on March 12, 2008, which would rezone properties presented as part of the Residential Preservation 1 Map Series from R-1 Single-Family Detached Residential, R-2 Single-Family Detached Residential, R-3 Single and Two-Family Residential, and C-1 Neighborhood Commercial to Residential Preservation 1, implementing Comprehensive Plan Map Amendment 2006-2-M-010. Announced the second public hearing on this ordinance, set for April 23, 2008 (Option 1 as recommended by the Mayor's Office/City Manager).

There were no speakers on this item.

**Item 24** - Held a public hearing on Ordinance No. 08-O-25, introduced on March 12, 2008, and sponsored by Commissioner Lightsey; voted 5-0 to adopt the ordinance, clarifying that right-of-way abandonments and closures of roads are legislative decisions by removing them from the portion of the rezoning process that authorizes quasi-judicial proceedings (Option 1 as recommended by the City Attorney)

There were no speakers on this item.

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**Unagendaed Speaker:**

Mr. Michael Price, 501 Blairstone Road, Apt. 4104, appeared before the Commission and objected to the public towing policies at apartment complexes with inadequate visitor parking.

Mayor Marks suggested that Mr. Price discuss the City's Towing Ordinance with the City Attorney.

Commissioner Gillum clarified with City Attorney English that private lots had the right to contract with a tow truck company to remove vehicles that were not permitted, and he recommended that Mr. Price discuss the matter with the management of the apartment complexes, particularly those that did not provide adequate visitor parking. He suggested that the City's permitting process for new apartment complexes be reviewed to ensure that adequate visitor parking was provided.

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### **City Commission Information and Sharing of Ideas:**

Mayor Marks congratulated the Tallahassee Regional Airport administration on receiving approximately \$408,000 as the first year installment of a total over five years of \$2.4 million from the Federal Transportation Security Administration (TSA).

Commissioner Gillum requested a staff report on the timeline around converting Gaines Street from a state road to a City road and collecting on some of the state funds associated with that, as well as the timeline and some options for replacing the two lanes that were being removed from Gaines Street.

Commissioner Lightsey requested a report on when some of the Gaines Street projects, such as the ArtSpace Project and a mixed use project near the Marriott Hotel, would be brought to the Commission as well as the demolition schedule for anything coming down in that area.

City Manager Thompson advised that the ArtSpace Project was scheduled for the Commission Agenda of April 9, 2008.

Commissioner Katz advised that the CHSP Joint Planning Board had met and he anticipated that a proposal would be brought to the Commission for a needs assessment with financial participation by Leon County, Florida State University and the United Way. He opined that this information would help with the allocation of social service spending, noting that there had been no reassessment of the priority percentages of spending for social services in this community for 10 years.

CTC:RM:ecg:03-28-08

### **City Commission Meeting Summary - April 9, 2008**

The City Commission met in regular session and took the following action:

**Item .5** - Mayor Marks presented a proclamation proclaiming April 2008 as Child Abuse Prevention Month in the City of Tallahassee

The following persons appeared before the Commission relative to this item:

- Mr. Walt Cook, Department of Children and Families Regional Director
- Mr. Angel Trejo, Circuit Administrator
- Ms. Pat Smith, Regional Communications Manager
- Ms. Anisha Little, Operations Program Administrator
- Ms. Darlene Seay, Support Services Director

- Ms. Allison Austin, Supervisor for Brehon

**Items 1-7** - Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 1-7, taking the following action:

Item 1 - Approved the reappointment of Ms. Mary Miaisha Mitchell to the Tallahassee Housing Authority to a term expiring April 2012 (as recommended by Mayor Marks)

Item 2 - Approved the purchase of batteries for the Purdom Unit 8 steam turbine generator uninterruptible power supply (Bid #0103-08-RM-QP) from Nolan Power Group, LLC, low bidder meeting specifications, in an amount not to exceed \$60,662 (Option 1 as recommended by Electric Utility)

Item 3 - Approved contract amendment #1 to Contract #1523 with Emerson Ovation, for additional technical field assistance and potential hardware costs, in an amount not to exceed \$56,650 (Option 1 as recommended by Electric Utility)

Item 4 - Approved Phase I of the Welaunee Plantation Land Planning Services Agreement with Wood+Partners Inc. (WPI), for an estimated cost of \$85,000, and a supplementary appropriation in the amount of \$100,000 to Project #06119 - Welaunee Land Purchase from the RR&I Fund balance (Option 1 as recommended by Electric Utility)

Item 5 - Approved the renewal of the Street Sweeping Agreement with Leon County for an additional period of two years, providing for an annual payment to the City of \$52,682.42 to be paid quarterly, and authorized the City Manager or her designee to execute an appropriate amendment to that agreement (Option 1 as recommended by Public Works/Streets & Drainage)

Item 6 - Approved the award of a construction contract for Bond Community Neighborhood Infrastructure Enhancement Project (NIEP) Phases II/III (Bid No. 0059-08-ER-BC) to North Florida Asphalt, Inc., low bidder meeting specifications, in the amount of \$2,483,753.50, and a non-scope construction change order contingency, in the amount of \$124,187.68, to be awarded by the City Manager if needed for these contractual services; and authorized the City Manager to execute a Continuing Services Engineering Study for Geotechnical Investigation to Environmental and Geotechnical Specialists, Inc., in the amount of \$34,927, to also be paid out of Project No. 03066 (Option 1 as recommended by Public Works/Project Management)

Item 7 - Approved the minutes of the March 12, 2008, Regular City Commission Meeting as distributed (as recommended by the City Treasurer-Clerk/Records Management)

**Item 8** - Discussed the First Annual Tallahassee Film Festival, and voted 4-0 (Commissioner Katz absent) to conceptually approve providing in-kind support for this event with more specifics to be provided (brought forward by Mayor Marks)

Ms. Gloria Pugh, of Man with a Truck Company, appeared before the Commission relative to this item.

Congratulated Ms. Pugh on her company being the only company in the tri-state area to be nominated for the National Independent Moving Company of

the Year, and for being asked to serve on the American Moving and Storage Association Board

Discussed reducing the number of City-sponsored special events and requested that the staff develop a proposed formula so that City support would be phased out in the expectation that such events would become self supporting

**Item 9** - Received an update on negotiations on the Fire Services Agreement with Leon County, and discussed the need to eliminate the funding inequity

Voted 4-0 (Commissioner Katz absent) to approve further negotiations on the conceptual framework for a joint Fire and Emergency Medical Services (EMS) service delivery (brought forward by Commissioner Gillum

**Items 10-15** - By consensus, introduced Ordinances Nos. 08-Z-14, 08-Z-21, 08-Z-22, 08-O-23, 08-O-26 and 08-O-29, as follows, and set the ordinances for public hearings as recommended:

Item 10 was a staff recommendation to introduce Ordinance No. 08-Z-14, which would modify the Capital Circle Office Complex PUD and rezone a total of 149.93 acres from CPA (Critical Planning Area) to PUD (Planned Unit Development) (PRZ #06022) (applicant: Florida Department of Management Services; agent: Hatch Mott MacDonald), and set the ordinance for public hearing on April 23, 2008 (Option 1 as recommended by Planning).

Item 17 was a staff recommendation to introduce Ordinance No. 08-Z-21, which would rezone a site located on the south side of Ridge Road approximately 2,600 feet west of Crawfordville Highway from R-3 (Single and Two-Family Residential) to MR-1 (Medium Density Residential) (RZ #080004) (agent: Synergy Design and Engineering, Inc.), and set the ordinance for public hearing on April 23, 2008 (Option 1 as recommended by Planning).

Item 12 was a staff recommendation to introduce Ordinance No. 08-Z-22, which would rezone 1.21 acres at the northwest corner of East Park Avenue and Magnolia Drive from OR-3 (Office Residential) to C-2 (General Commercial) (RZ #080005) (applicants/owners: PESCO Inc., Public Employees SC, and Ben F. Betts, Jr.; agent: Canter Group Planning and Design), and set the ordinance for public hearing on April 23, 2008 (Option 1 as recommended by Planning).

Item 13 was a staff recommendation to introduce Ordinance No. 08-O-23, which would require animal owners to remove and properly dispose of animal fecal matter in all places other than the premises of the owner of the animal, and set the ordinance for public hearing on April 23, 2008 (Option 1 as recommended by the City Attorney).

Item 14 was a staff recommendation to introduce Ordinance No. 08-O-26, which would amend the City Code to provide for some clean-up/housekeeping and compliance issues, and provide for Police Officer's Pension Plan enhancements and the establishment of a Deferred Retirement Option Plan (DROP) plan pursuant to bargaining unit contract agreement; and set the ordinance for public hearing on April 23, 2008 (Option 1 as recommended by the City Treasurer-Clerk).

Item 15 was a staff recommendation to introduce Ordinance No. 08-O-29, which would adopt Comprehensive Plan Amendments related to the Capital Center Office Complex (CCOC) Development of Regional Impact (DRI), and set the ordinance for public hearing on April 23, 2008 (Option 1 as recommended by the City Attorney).

**Item 16** - Discussed the Public Safety Wireless Network and voted 3-0 (Mayor Marks abstained; Commissioner Katz absent) to approve the rankings of the RFP Evaluation Committee for a renewable one-year contract for implementation of a cellular-based data system for Police and Fire personnel (RFP #0022-08-JAG-C-C-RC), and authorize execution of renewable one-year contracts with AT&T as the cellular provider within the City limits for Police and with Alltel as the cellular provider for service countywide for Fire, requiring recurring annual operating costs of approximately \$195,000 starting with Fiscal Year 2010 (Option 1 as recommended by Police)

**Item 17** - Discussed and voted 4-0 (Commissioner Katz absent) to authorize the execution of Mutual Aid Agreements for Fire Service between the City of Tallahassee and interested parties throughout the Big Bend Region, including Gadsden, Jefferson, Franklin, Wakulla, Taylor and Madison Counties (Option 1 as recommended by Fire)

**Item 18** - Voted 4-0 (Commissioner Katz absent) to adopt amended language to provide clarity to the 2004-2007 State Housing Initiatives Partnership (SHIP) program Local Housing Assistance Plan (LHAP) Purchase Assistance strategy for affordable housing (Option 1 as recommended by Economic and Community Development)

**Item 19** - Discussed the "Arts on Gaines" development proposal to build affordable housing and an "Arts Incubator" on Gaines Street, as presented by the Council on Culture & Arts (COCA) and Artspace, Inc.; emphasized the need to make an effort to lower the City's cost contribution; requested a calculation on the City's return through ad valorem taxes; and expressed a desire for the County government to become involved

Voted 5-0 to approve the proposed "Arts on Gaines" development concept, including exploration of the proposed alternate site located along Railroad Avenue north of the Amtrak Station (brought forward by Economic and Community Development)

Mr. Greg Handberg, Vice President of Artspace, Inc., appeared before the Commission relative to this item.

**Item 20** - Voted 4-0 (Commissioner Katz absent) to approve the Evening Rose PUD Phase II Concurrency Development Agreement, as presented, for an inclusionary housing mixed-use community being developed by K2 Urbancorp, LLC, on 36 acres near the intersection of Mahan drive and Capital Circle Northeast (Option 1 as recommended by the City Attorney)

**Item 21** - Discussed a proposed partnership agreement with Leon County and Innovation Park for the development of a 10,000 square foot BioTech Incubator, which would include 4,100 square feet to house Cypress Systems Inc, a corporate relocation candidate, and would foster new biotechnology businesses by providing "wet lab" space and other amenities for new business developing in conjunction with research work being done at Florida State University and Florida A & M University

Voted 4-0 (Commissioner Katz absent) to authorize the City Manager to develop the partnership agreement with a City contribution of \$500,000 from a capital item in the City's Budget, looking to a partner to reduce the City's investment (brought forward by Department of Economic & Community Development)

Ms. Beth Kirkland and Mr. Kim Williams, of the Tallahassee Chamber's Economic Development Council (EDC), appeared before the Commission relative to this item.

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## **Target Issue Committee Updates**

### **Long Range Planning**

Commissioner Gillum reported that the affordable housing portion of the Comprehensive Plan Evaluation & Assessment Report (EAR) would be brought to the Commission on April 16, 2008. He also advised that staff would be bringing forward Capital Improvement Element (CIE) Comprehensive Plan Amendments for projects prioritized in the 10-15 year schedule.

### **Environmental and Energy Resources**

Commissioner Lightsey reported that RFP's had been issued for Construction Manager of the Lake Bradford Road Wastewater Improvements Project, the first phase of Smart Metering Plan would be going in at Piney Z in the near future, and the City's Green Initiative would be brought to the Commission on April 23, 2008.

Mayor Marks noted that a three-county workshop would be held at Wakulla Springs the next day, beginning at 10 a.m., regarding how the contamination of Wakulla Springs should be addressed.

Commissioner Gillum advised that the BECOM's request to change its ground floor space on Kleman Plaza from Retail to Office had been postponed.

CTC/RM/ecg:04-11-08

## **City Commission Meeting Summary - April 9, 2008**

The City Commission met in special budget workshop session and took the following action:

Reviewed revised downward revenue estimates and revised projected deficits of (\$628,777) in FY08 and (\$8.5 million) in FY09, as well as the staff's responses to a number of issues previously raised by the Commission and the staff's recommendations on actions that could be taken to address the projected deficits.

Discussed and voted 5-0 to approve the Take Home Vehicle reductions as recommended by staff, for an annual savings of \$99,903 (\$10,500 to the General Fund); and requested that the staff provide information on

- the impact that eliminating that privilege for some of the Police non-union employees would have on crime prevention;
- the impact on vehicle depreciation;
- the potential for impacting employees' job performance; and,
- clarification of the long-term FY09 impact to the General Fund.

Discussed and voted 3-2 (Commissioners Marks and Gillum opposed) to approve the staff's recommendation to reduce the City's funding of the School Crossing Guard Program by \$50,000

Voted 5-0 to approve the staff's recommendation to implement, by June 1, 2008, a \$2 surcharge on every parking violation issued, with the proceeds dedicated to the School Crossing Guard Program, and the proposed implementation of a \$5 surcharge on every traffic violation issued, with the proceeds to be deposited in the City General Fund

Discussed making expenditure reductions to meet the cost recovery shortfall of (\$130,778) in the Adult Sports Program, and voted 5-0 to direct staff to bring back a recommendation for some cost reductions and fee increase to allow full cost recovery of the Adult Sports Program

Discussed providing some additional compensation to City employees, and voted 3-2 (Commissioners Katz and Mustian opposed) to approve a 1.5% salary increase for non-union employees, effective April 1, 2008

Voted 4-1 (Commissioner Katz opposed) to approve the staff's recommendation to use a portion of the Floridan Lot sales proceeds, in the amount of \$927,256, in the General Fund in FY2008

Voted 5-0 to approve the City Manager's reorganization, including the elimination of two director positions, i.e., Economic Development Director, and Gas Utility General Manager, for a FY08 savings of \$76,905 in the General Fund.

Discussed cuts in the travel budget in recent years and directed staff to bring back some analysis of reducing travel to fund 50% of the employee increase in FY2008

Voted 4-1 (Commissioner Katz opposed) to use \$5 million to defease the Neighborhood Improvement Enhancement Program (NIEP) debt service by \$1 million annually for five years beginning in FY2009, with the expectation that the issue would be brought back if the economy improved

Discussed selling some excess City properties and concurred to proceed with the sale of the properties over the next two to five years at a fair market rate, not expecting all to be sold

Voted 5-0 to approve the recommendation to relocate the North Monroe Street Drive-thru Utilities Payment facility to the old drive-through facility adjacent to the Civic Center, contingent on locating a buyer for the North Monroe Street location

Ascertained that the issue of Utilities transfers to the General Fund would be analyzed by the Financial Viability Target Issue Committee and brought to the Commission

Requested some analysis of potentially selling Hilaman Golf Course before issuing an RFP for management/operational privatization

Discussed reducing the City's costs expended for the Friday night "Downtown Get Downs"

Reviewed the Northwest Park development issue

Ascertained that the staff was evaluating the permitting staffing level in relation to the downturn in the development industry

CTC:RM:ecg:04-11-08

#### City Commission Meeting Summary - April 10, 2008

The City Commission met in special joint session with the Leon County Board of Commissioners and the Wakulla County Board of Commissioners for a workshop on taking a regional approach to addressing concerns with Wakulla Springs and the aquifer. Consultant Wendy Grey and Planning staff from all three governments gave a Power Point presentation on related studies, reports, proposed springs protection policies and practices. (A copy of the

Power Point presentation and a CD recording of the meeting have been placed on file in the Office of the City Treasurer-Clerk.)

CTC:RM:ecg

### City Commission Meeting Summary - April 16, 2008

The City Commission met in regular target issues workshop session and took the following action:

**Item 1** - Voted 4-1 (Commissioner Katz abstained) to approve staff comments on the conceptual design for a Florida State University (FSU) biomass plant (the BG&E Biomass Plant) to be incorporated into the FSU 2007 Master Plan Update, and forward the comments to FSU (Option 1 as recommended by Planning)

Commissioner Lightsey suggested that the City Attorney make sure that regulatory restrictions would not allow heavy trucks to access this project through residential neighborhoods.

**Item 2** - Received a staff presentation on the carbon footprint update/greenhouse gas (GHG) inventory for Tallahassee and the surrounding area, providing a measure of the impact human activities have on the environment in terms of the amount of greenhouse gases produced, measured in units of carbon dioxide (brought forward by Environmental Policy and Energy Resources [EPER])

Suggested that it was important the community understood its contribution to this issue

**Item 2.1** - Received a staff presentation on the start-up phase of the City Utilities Smart Metering Project, indicating that a phased approach was being taken to the installations of smart meters that would provide up-to-date consumption and pricing information tools such as Smart Thermostats and on-line energy audits to facilitate energy and water conservation (brought forward by Utility Business & Customer Services [UBCS])

Commissioner Lightsey requested a briefing paper on how citizens handled the purchase and installation of solar power strips on their homes and businesses, and what incentives were available for that purpose.

**Item 3** - Received a staff update on the revised preferred Electric Resource Plan (ERP) for the period 2008-2017, consisting of the repowering of Hopkins Unit 2, an aggressive Demand Side Management (DSM) portfolio, green energy purchase agreements with BG&E and Renewable Fuels Tallahassee (RFT), and two new 50 MW gas turbines, one to be placed in service by the summer of 2016, and the second to be in service by the summer of 2017 (brought forward by Electric Utility)

Briefly discussed bringing this issue back with a more comprehensive discussion on capacity needs and options; suggested that consideration be given to developing a strategy aimed at overriding some of the voluntary DSM choices so that portions of the DSM Program could be counted as a supply resource by the North American Electric Reliability Corporation (NERC); confirmed the intent to schedule additional in-depth discussions of these issues; and requested another presentation in the fall explaining the issues associated with transmission capacity for import and export of power

**Item 4** - Received a staff report on the status of the Gaines Street Corridor Implementation Plan and transfer of facilities from the Florida Department of Transportation (FDOT), and a visual recap of the Rick Hall Plan for Gaines Street (presented by Public Works)

Voted 5-0 to adopt Resolution No. 08-R-22 (revised), and authorize the City Manager to negotiate and execute an agreement with FDOT transferring the following roadway segments to the City:

- SR 371 (Gaines Street) from SR 157 (Woodward Avenue) to US 27/SR 61 (Monroe Street)
- SR 366 (St. Augustine Road/W Madison Street) from Railroad Avenue to US 27/SR 61 (Monroe Street)
- SR 366 (W. Pensacola Street/Stadium Drive/W. St. Augustine Street) from Chieftain Way/Champions Way to Railroad Avenue
- SR 371/157 (Lake Bradford Road/Woodward Avenue) from Stadium Drive to Park Avenue
- SR 366 (E. Jefferson Street/ W. Pensacola Street) from SR 61/63 (S. Monroe Street) to W. Jefferson Street/Stadium Drive

Discussed the importance of focusing on completing the Stadium Drive intersection before discussing the re-striping of the Gaines Street lanes; suggested that maximum effort should focus on obtaining right-of-ways to relocate and bury the power lines on an earlier timeline; suggested that the Commission should be prepared to make a decision on the FAMU Way route when staff brought that to the Commission within 90 days and that, in the meantime, some landscaping of Gaines Street be started so that the Commission could see something visually

**Item 5** - Received a staff update on the Taylor Energy Center (TEC) assignment, and voted 4-1 (Commissioner Katz opposed) to approve an extension of the end date for the TEC assignment to Southern Power Company to July 15, 2008 (Option 1 as recommended by Electric Utility)

CTC:RM:ecg:04-21-08

#### City Commission Meeting Summary - April 23, 2008

The City Commission met in regular session and took the following action (with Commissioner Katz participating by telephone and Commissioner Gillum absent):

Mayor Marks welcomed Mayor Pegeen Hanrahan, of the City of Gainesville, Florida, and announced a half-time report on the Mayor's Energy Conservation Challenge, indicating that Gainesville would be the losers when the final results of the competition are announced prior to the 2008 FSU/UF football game on November 29th.

**Item 1** - Mayor Marks presented a proclamation to Water Utilities proclaiming the week of May 4-10, 2008, as Drinking Water Week in the City of Tallahassee in honor of National Drinking Water Week

**Items 2-11, 13, 15-16 and 18-19** - Voted 4-0 (Commissioner Katz voting telephonically and Commissioner Gillum absent) to approve the staff's recommendations presented in Consent Agenda Items 2-11, 13, 15-16 and 18-19, taking the following action:

Item 2 - Approved the proposed bylaws for the Board of Adjustment and Appeals, as presented, contingent upon the City Commission's adoption of Ordinance No. 08-O-15 (Option 1 as recommended by the City Attorney)

Item 3 - Adopted Resolution No. 08-R-23, updating City Code violations enforceable by citations from Code Enforcement Officers, with an effective date of June 1, 2008 (Option 1 as recommended by the City Attorney)

Item 4 - Authorized staff to award a task assignment/enter into an agreement with RS&H, Inc., an Airport General Engineering Consultant, to provide design services for the Airport's In-Line Baggage Screen System (COT Project No. 07130) for \$450,500 (Option 1 as recommended by Aviation)

Item 5 - Authorized staff to award a task assignment/enter into an agreement with Kimley Horn Associates, Inc., an Airport General Engineering Consultant, to provide design services for taxiway improvements (COT Project Nos. 07128, 08123 and 08126) for \$424,631, which includes \$50,000 of Airport RR&I funds to Project 07128 (Option 1 as recommended by Aviation)

Item 6 - Approved the award of contract for printing the City's utility bill Insight newsletter (Bid #0098-08-KR-BC) to Durra-Print, low bidder meeting specifications, in the amount of \$150,274.08 for a three-year period, with an option to extend the contract for two additional years (Option 1 as recommended by the Assistant to the City Manager)

Item 7 - Approved/authorized staff to execute a one-year extension of the General Service Agreement (GSA) with Mead & Hunt for hydro electric consulting, engineering and related services (Contract 1055) (Option 1 as recommended by Electric Utility)

Item 8 - Approved/authorized staff to execute a one-year extension of the GSA with Sargent & Lundy for Production Division engineering services (Contract 1056) (Option 1 as recommended by Electric Utility)

Item 9 - Approved the award of contract for the Purdom Generating Station elevated water tank repairs, cleaning and painting (Bid #0039-08-08-RM-BC) to Utility Service Co., Inc., low bidder meeting specifications, in an amount not to exceed \$92,000 (Option 1 as recommended by Electric Utility)

Item 10 - Approved the award of contract for the purchase of caustic soda used in the City's electric generating boiler feedwater systems (IFB #0073-08-RM-BC) to Brenntag Mid-South, Inc., low bidder meeting specifications, in the estimated amount of \$225,000 over three years, and authorized staff to enter into a contract for a period of three years from the date the contract is fully executed (Option 1 as recommended by Electric Utility)

Item 11 - Approved the purchase of the Hopkins Unit 2 uninterruptible power supply (UPS) replacement (RFQ #0099-08-RM-QP) from Ametek Solidstate Controls, low bidder meeting specifications, in the amount of \$63,437 (Option 1 as recommended by Electric Utility)

Item 12 - PULLED FROM CONSENT a recommendation to approve a negotiated settlement with Southern Wholesale Energy (Southern) for the partial reimbursement of a refund paid by Southern to the City for disputed reactive power charges included in a prior Unit Power Sale (UPS) Agreement (brought forward by Energy Services) - SEE BELOW

Item 13 - Approved the award of a construction purchase order for sealing of the City Hall north side facade to Berigan Painting Contractors Inc., low bidder meeting specifications under a City Annual Price Agreement Contract for Painting Contracting Services, in the amount of \$68,980, to include the Base Bid and Alternates #1, #2, #3, #4, and approved a project contingency amount of \$3,449 (5% of the contract) (Option 1 as recommended by the Assistant to the City Manager)

Item 14 - PULLED FROM CONSENT a recommendation to approve a retroactive two-year extension of the contract with Randy Wheeler d/b/a Georgia-Florida Bark & Mulch for the purchase of cypress mulch (brought forward by Parks, Recreation and Neighborhood Affairs) - SEE BELOW

Item 15 - Approved the Commerce Green Subdivision Plat containing 69.62 acres subdivided into three lots bounded on the north, east and west by unplatted land, and on the south by Capital Circle Southwest (State Road No. 263), planned for development as mixed use (residential and/or commercial lots) by Linderand, Inc., with Jack Green as its president (as recommended by Public Works/Engineering)

Item 16 - Approved the FY2008-2009 Florida Commission for the Transportation Disadvantaged Trip & Equipment Grant submittal, allowing the City, as designated Community Transportation Coordinator (CTC) for Leon County to receive grant funding of \$427,379 to provide non-sponsored transportation services to disabled, elderly or limited mobility citizens traveling within Leon County (Option 1 as recommended by StarMetro)

Item 17 - PULLED FROM CONSENT a recommendation to approve the ranking of proposals for construction management at risk services for the Advanced Wastewater Treatment (AWT) upgrades at the City's two wastewater treatment plants (brought forward by Underground Utilities) - SEE BELOW

Item 18 - Authorized staff to purchase telecommunications systems software applications and hardware upgrades from Siemens Business Communications Systems, Inc. and Verint Systems Inc., under State Contract No. 740-650-99-1, totaling \$362,460 (Option 1 as recommended by Utility Business & Customer Services [UBCS])

Item 19 - Approved the minutes of the March 26, 2008, Regular City Commission Meeting as distributed (as recommended by the City Treasurer-Clerk/Records Management)

**Item 12, pulled from Consent** - Discussed and voted 4-0 (Commissioner Katz voting telephonically and Commissioner Gillum absent) to authorize the City Manager to approve a negotiated settlement with Southern Wholesale Energy (Southern) for the partial reimbursement of a refund paid by Southern to the City for disputed reactive power charges included in a prior Unit Power Sale (UPS) Agreement, pay Southern \$900,000 from the deferred revenue account established in 1999, and determine the disposition of the remaining \$1.2 million in that account (Option 2 as recommended by Energy Services)

Requested a staff analysis of the required Electric Utility reserve levels

**Item 14, pulled from Consent** - Discussed and voted 4-0 (Commissioner Katz participating telephonically and Commissioner Gillum absent) to approve a retroactive two-year extension of the contract with Randy Wheeler d/b/a Georgia-Florida Bark & Mulch (IFQ #0024-05-JAG-QP), for the purpose of purchasing mulch, directing the staff to further explore the option of

using engineered wood fiber (EWF) mulch -- utilizing none of the melalucca mulch, while discontinuing the use of cypress mulch when cost feasible, and report back to the City Manager (brought forward by Parks, Recreation and Neighborhood)

**Item 17, pulled from Consent** - Received a Power Point presentation on the construction management at risk (CMAR) process and discussed the need to ensure that local firms had a chance to participate in the work, particularly in view of the economic downturn

Voted 4-0 (Commissioner Katz voting telephonically and Commissioner Gillum absent) to approve the ranking of CMAR proposals for the Advanced Wastewater Treatment (AWT) upgrades at the City's two wastewater treatment plants (RFQ/P #0001-08-KR-RC and #0012-08-KR-RC), and authorize the City Manager or her designee to negotiate and enter into a contract with MWH Constructors, the first-ranked firm, at a combined fee not to exceed \$795,000 for both projects; and, if agreement cannot be reached on a satisfactory contract with MWH, to authorize the City Manager or her designee to attempt contract negotiations with the second-ranked firm, Alberici Constructors (Option 1 as recommended by Underground Utilities)

**Item 20** - Voted 4-0 (Commissioner Katz voting telephonically and Commissioner Gillum absent) to approve a Florida Department of Transportation (FDOT) Service Development Joint Participation Agreement (JPA) for the Starmetro Vehicle Training Simulator Project, for FDOT funding in the amount of \$271,000, with a local match and revenue in the amount of \$400,600; and adopt Resolution No. 08-R-11, authorizing execution of the JPA (Option 1 as recommended by StarMetro)

**Item 21** - Voted 4-0 (Commissioner Katz voting telephonically and Commissioner Gillum absent) to approve a FDOT Supplemental JPA for Service Development funds to supplement the operations of Route 80X, extending a bus route to Southwood, for FDOT funding in the amount of \$125,000, with a local match of \$125,000; adopt authorizing Resolution No. 08-R-21; and authorize the transfer of the remaining \$75,000 from Project 07135 to Project 06093, to construct training space for the new vehicle simulator (Option 1 as recommended by StarMetro)

**Item 22** - Held a public hearing on CNL Mixed Use PUD Rezoning Ordinance No. 07-Z-43, introduced on August 29, 2007, and continued from October 24, 2007, and January 23, 2008, which would rezone a 508-acre parcel in the eastern part of the Welaunee Toe property, located on the south side of Centerville Road, in the east 1/2 section of 15 and the west 1/2 section of 14 of the Welaunee Plantation (east of Fleischman Lane and north of Miccosukee Road), from Critical Planning Area (CPA) to the Canopy Planned Unit Development (PUD) (PRZ #070015) (applicant: CNL Tallahassee I, LLC; agent: Moore Bass Consulting, Inc.); and, by consensus, continued the public hearing to the June 25, 2008, Commission meeting (as recommended by Planning)

**Item 23** - Held a public hearing and voted 3-0 (Commissioners Katz and Gillum absent) to find the proposed Development Order (DO) for Substantial Deviation to the Capital Circle Office Complex (CCOC) Development of Regional Impact (DRI) (applicant: State of Florida Department of Management Services) consistent with the Tallahassee-Leon County Comprehensive Plan and approve the DO, as revised by staff to add section 16c and to correct scrivener's errors, with the following condition of approval (Option 1 as recommended by Planning):

Modify the language of the Transit Oriented Design section to address transit funding.

8(c). By the time Phases 3 and 4 are occupied, the City, via StarMetro, will work with CCOC to provide no fewer than two transit routes to the CCOC at

least twice each work day, and will have a transit stop within 1,200 feet of a building on each Phase as measured via a walkable route, provided a funding mechanism can be identified.

**Item 24** - Held a public hearing and voted 3-0 (Commissioners Katz and Gillum absent) to adopt Ordinance No. 08-O-29AA, introduced on April 9, 2008, adopting Comprehensive Plan Amendments related to the Capital Center Office Complex (CCOC) Development of Regional Impact (DRI) as transmitted with modifications as noted in the agenda item (Option 1 as recommended by Planning)

**Item 25** - Held a public hearing and voted 3-0 (Commissioners Katz and Gillum absent) to adopt Ordinance No. 08-Z-14, introduced on April 9, 2008, modifying the Capital Circle Office Complex PUD and rezoning 149.93 acres from CPA (Critical Planning Area) to PUD (Planned Unit Development) (PRZ #06022), based on the findings and conditions of the DRC and the Planning Commission (applicant: Florida Department of Management Services; agent: Hatch Mott MacDonald) (Option 1 as recommended by Planning).

**Item 26** - Held a public hearing and voted 3-0 (Commissioners Katz and Gillum absent) to adopt Ordinance No. 08-O-15, introduced on February 13, 2008, and continued from February 27, 2008, revising the Board of Adjustment and Appeals hearing procedures to incorporate quasi-judicial procedures for review of variance applications into the Land Development Code (Option 1 as recommended by the City Attorney)

**Item 27** - Held the second of two public hearings, having held the first public hearing on March 26, 2008, and voted 3-0 (Commissioners Katz and Gillum absent) to adopt Ordinance No. 08-Z-17, introduced on March 12, 2008, rezoning properties presented as part of the Residential Preservation 1 Map Series from R-1 Single-Family Detached Residential, R-2 Single-Family Detached Residential, R-3 Single and Two-Family Residential, and C-1 Neighborhood Commercial to Residential Preservation 1, implementing Comprehensive Plan Map Amendment 2006-2-M-010 (Option 1 as recommended by the Mayor's Office/City Manager)

**Item 28** - Held a public hearing on Ordinance No. 08-Z-21, introduced on April 9, 2008, which would rezone a site located on the south side of Ridge Road approximately 2,600 feet west of Crawfordville Highway from R-3 (Single and Two-Family Residential) to R-4 (Urban Residential) (RZ #080004) (agent: Synergy Design and Engineering, Inc.); and, by consensus, closed the public hearing and deferred action on this ordinance to the May 28, 2008 Commission meeting (brought forward by Planning)

The following persons appeared before the Commission relative to this item:

- Mr. Marc C. Phelps, 2811-E Industrial Plaza, representing Synergy Design and Engineering, Inc. (proponent)
- Mr. Scott Seckinger, representing Southport Financial Services, Inc., 2430 Estencia Blvd., Suite 101, Clearwater, FL 33761 (proponent)
- Ms. Sheila Williams, 4153 Ridge Haven Road, Vice President of the Villages of Wilson Greene (opponent)
- Mr. Horace Edwards, 4154 Ridge Haven Road, representing Villages of Wilson Greene (opponent)
- Mr. John Morris, 4282 Ridge Haven Road, representing Villages of Wilson Greene (opponent)
- Mr. Keith Griffin, 4270 Ridge Haven Road, representing Villages of Wilson Greene (opponent)
- Mr. Mark Taul, 2912 Ivanhoe Road (proponent/owner)

**Item 29** - Held a public hearing on Ordinance No. 08-Z-22, introduced on April 9, 2008, which would rezone 1.21 acres at the northwest corner of East Park Avenue and Magnolia Drive from OR-3 (Office Residential) to C-2 (General Commercial) (RZ #080005) (applicants/owners: PESCO Inc., Public Employees SC, and Ben F. Betts, Jr.; agent: Canter Group Planning and Design); and, by consensus, continued+ the public hearing on this ordinance to the May 28, 2008, Commission meeting, at the request of the applicant (Option 1 as recommended by Planning)

**Item 30** - Held a public hearing on Ordinance No. 08-O-23, introduced on April 9, 2008, which would require animal owners to remove and properly dispose of animal fecal matter in all places other than the premises of the owner of the animal; and, by consensus, closed the public hearing and deferred action on the ordinance to the June 11, 2008, Commission meeting (brought forward by the City Attorney)

The following persons appeared before the Commission relative to this item:

- Ms. Katharine Moulton, 1416 Crestview Avenue (proponent)
- Mr. Gerald Jaski, 901 Hillcrest Court (opponent)
- Ms. Glenda Sears, 2022 Seminole Drive (proponent)

**Item 31** - Held a public hearing and voted 3-0 (Commissioners Katz and Gillum absent) to adopt Ordinance No. 08-O-26, introduced on April 9, 2008, amending the City Code to provide for some clean-up/housekeeping and compliance issues, and provide for Police Officer's Pension Plan enhancements and the establishment of a Deferred Retirement Option Plan (DROP) plan pursuant to bargaining unit contract agreement (Option 1 as recommended by the City Treasurer-Clerk)

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#### **City Commission Information and Sharing of Ideas:**

Mayor Marks and Commissioner Lightsey suggested that staff investigate the extent of bottled water being purchased by City government and whether those purchases ought to be discontinued since Tallahassee had the best tasting water in the state

Commissioner Katz announced that the Village Square would be hosting a couple of speakers on nuclear energy on Tuesday evening, April 29th, with details available on the Village Square website

Mayor Marks gave a favorable report on the recent joint meeting with Wakulla County and Leon County on Wakulla Springs, indicating that there was agreement on the need for some consistent standards and to also obtain some involvement of Jefferson and Gadsden Counties as well.

Commissioner Lightsey commended the Planning staff on their intergovernmental coordination and good relationship with the Wakulla County staff, and announced that she was working through Assistant to the City Manager Michelle Bono and 1000 Friends of Florida, and the Florida Department of Environmental Protection to reconvene the Wakulla Springs Symposium, which appeared to be the appropriate next step.

Commissioner Lightsey confirmed with Assistant City Manager Coe that Cypress Systems Inc. was no longer interested in relocating their biotechnology center to Florida.

Commissioner Katz suggested that consideration be given to using the funds borrowed to build the Turbocor building, which would no longer be needed for financial support of the Cypress Systems relocation project, to defease some of the City's debt; and Assistant City Manager Coe indicated the staff would bring that issue back with some options.

Commissioner Mustian announced that the City had two representatives at the final table of the Alliance Club Charity Poker Tournament, his Aide, Kevin Carey, and Commissioner Katz, and on behalf of the Commission, Mayor Marks congratulated them on their showing.

Mayor Marks recognized Mr. Phillip Wong-Kuon, WCOT student intern, who was graduating and leaving the City. He also announced that Ms. Andrea Candrian, the Channel 6 WCTV reporter assigned to cover City government, had accepted another position in Washington, D.C. On behalf of the Commission, Mayor Marks thanked them for their work and wished them well.

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