

City Commission Summaries – May – August 2010

City Commission Meeting Summary - May 12, 2010

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

Item 1 - Presented a proclamation to Mr. Gabe Menendez, Director of Public Works and Mr. Jon Yarbrough, Maintenance Construction Chief, Public Works Department, recognizing May 16-22, 2010 as Public Works Week. (Recommended by the Mayor's Office)

Item 2 - Presented a proclamation to the Civitan Club, recognizing May as Civitan Awareness Month (Recommended by the Mayor's Office)

Item 3 - Presentation by Mr. Ken Foster, Tallahassee Mountain Bike Association, to the City Commission and recognition and presentation to Chuck Goodheart of the Parks, Recreation and Neighborhood Affairs for the implementation of the Bikes in the Parks Program. (Recommended by the Mayor's Office)

Item 4 - Received an update on the 2010 Census, by Ms. Marion McGee, US Census Bureau. (Recommended by the Mayor's Office)

Item 4.1 - Presented a proclamation to Mr. Michael Monroe, President and Founder of the Buffalo Soldiers Club and Mr. Roger Allen along with additional members, recognizing the Buffalo Soldiers (Recommended by the Mayor's Office)

Item 4.2 - Presented a proclamation to Mr. Mike Weems recognizing Historic Preservation Month. (Recommended by the Mayor's Office)

Item 5 and items 7-11 - Voted 4-0 (Commissioner Lightsey absent) to approve the staff's recommendations presented on Consent Agenda Items 5 and 7-11, taking the following action:

Item 5 - Ratified the City Manager's appointment of a three-year term for Karl Scheurman, Risetta Posey, and Susan Rae Lange to the Code of Magistrate with each term expiring July 2011. (Recommended by Economic and Community Development)

Item 6 - (Deleted from the Agenda) Approval to award a three-year contract to John Deere Landscaping, Cleveland, Ohio, and authorize staff to execute a contract to provide and deliver pine bark mulch to the City of Tallahassee. (Recommended by the Public Works Department)

Item 7 - Approved the FDOT I-10 at Thomasville Road Interchange Maintenance Memorandum of Agreement and authorized the City Manager or her designee to execute that agreement. (Recommended by the Public Works Department)

Item 8 - Approved the Southwood Unit 35, Phase II Subdivision plat. (Recommended by the Public Works Department)

Item 9 - Approved the Summit East, Phase IIB subdivision plat. (Recommended by the Public Works Department)

Item 10 - Authorized the City Manager to negotiate and execute a Joint Participation Agreement with Leon County to include the relocation of water and sewer infrastructure in the County's construction contract for the widening of Buck Lake Road, Phases II and III, at an approximate cost of \$837,000. (Recommended by Underground Utilities)

Item 11 - Approved minutes from the February 17, 2010 Target Issue Workshop. (Recommended by the Treasurer Clerk's Office)

Item 12 - Introduced Ordinance No. 10-Z-21, proposed amendment to the Innovation Park Planned Unit Development Concept Plan, and set the public hearing date for May 26, 2010. (Recommended by the Planning Department)

Item 13 - Introduced Ordinance No. 10-O-22, amending the Business Tax Ordinance and set Public Hearing for May 26, 2010. (Recommended by Treasurer-Clerks Office)

Item 14 - Introduced Ordinance No. 10-O-24, proposed amendments to City Code Relating to General Employee Pension Benefits and set Public Hearing for May 26, 2010. (Recommended by the Treasurer-Clerk's Office)

Item 15 - Introduced Ordinance No. 10-O-29, amending Chapter 20 of the Code of General Ordinances relating to the Red Light Camera Safety Program and set the public hearing for May 26, 2010. (Recommended by Legal)

Item 16 - Voted 4-0 (Commissioner Lightsey absent) to accept the updated status report and approved the award of a construction contract to Sandco, Inc., in the amount of \$3,763,867.49, as the lowest, responsive, responsible bidder for the Gaines Street Improvements - Segment I Project. Ms. Roxanne Manning, Community Redevelopment Agency, presented a power point presentation. Mr. Gabe Menendez also provided a brief review of the project. (Recommended by the Public Works Department)

Item 17 - Voted 4-0 (Commissioner Lightsey absent) to approve and authorize staff to expend \$1,330,000 in FSU Mitigation funds to match a \$490,000 Intelligent Transportation System Federal Grant to purchase transit scheduling and route planning software and automatic vehicle locators. (Recommended by the City Manager's Office)

Item 18 - Voted 4-0 (Commissioner Lightsey absent) to approve allocation of the City's Recovery Zone Facility Bond allocation of \$6,213,000 to Gateway Tallahassee LLC., accepted the transfer of the County's \$3,582,000 in Recovery Bond allocation to the City to be awarded to Gateway Tallahassee LLC., and scheduled a TEFRA public hearing for June 23, 2010 to formally authorize the allocation of the bonds. (Recommended by Economic and Community Development)

Item 19 - Voted 4-0 (Commissioner Lightsey absent) to approve the establishment of and funding for a Project Coordinator position for the Public Safety Complex Project in partnership with Leon County. (Recommended by the Public Works Department)

Item 20 - Voted 4-0 (Commissioner Lightsey absent) to authorize staff to close the SCNC Project (#1000273) and return the funding to the State Housing Initiative Program (SHIP) Master Project (#1000258). Then provide \$50,000.00 in SHIP funds from the SHIP Master Project to the EHRP Project (#1000268) and authorized staff to expend the funds. (Recommended by Economic and Community Development)

Item 21 - Voted 4-0 (Commissioner Lightsey absent) to authorize the allocation of \$50,000, to be received from ACS State & Local Solutions, Inc., (ACS), for a communication and education campaign as required by the approved agreement for the Red Light Camera Safety Program. Said funds will be used by the Department of Communications to create and implement this campaign for the project. (Recommended by the Public Works Department)

Item 22 - Voted 4-0 (Commissioner Lightsey absent) to authorize the City Manager to execute an agreement to provide interruptible natural gas to St. Marks Powder, Inc. (Recommended by Underground Utilities)

Target Issue Updates

Long Range Planning - Commissioner Mustian provided an update on the following issues:

- Timberlane Sidewalk and Trail Proposal
- Affordable Housing Trust Fund (AHTF) City Commission Policy
- StarMetro nova2010 Bus Stop Analysis Update
- LRTI Future Agenda Items

Environmental & Energy Resources - Commissioner Ziffer provided an update on the following issues:

- Lake Bradford Special Development Zones
- 2009 Green Initiatives Annual Report
- Septic Tanks
- Smart Grid Update & Rebate Incentives

Unagendaed Business/Speakers

Mr. Bob Fulford, 231 Westridge Drive, appeared before the Commission to express concern with the process for unagendaed speakers.

Mr. Johan Van Tol, 1215 Burlingham Drive, appeared before the Commission to express concern with the bicycle/pedestrian overpass on Martin Luther King Road and the CSX Railroad. The Public Works Department Staff was directed to meet with Mr. Van Tol to discuss this issue.

Mr. Curtis Baynes, 1323 E. Tennessee Street, appeared before the Commission to express appreciation for the search function being added to the City Commission Agenda website. Mr. Baynes also expressed concern with filling of positions at the Public Safety Complex. The Commission directed staff to provide Mr. Baynes with a list of positions to be filled along with the duties and responsibilities of each position.

Mr. Erwin Jackson, 1341 Jackson Bluff, appeared before the Commission express concern with the personal use of city credit cards, also presented policy recommendations for the use of city credit cards.

Dr. Saff, appeared before the commission to express concern with the City's water quality. Dr. Saff presented the Commission with the President's Cancer Panel. He stated that Tallahassee's Tap water has 18 chemicals that exceed health guidelines and 37 chemical pollutants that have been found. Requested that the City investigate the findings and also suggested that the City recommend to its customers to filter their tap water.

Dr. Tom Termotto, 1306 Sumerlin Drive, representing the Coalition Against Chemical Trespass, appeared before the Commission to express concern with the City's water quality and supports the recommendations made by Dr. Saff. Dr. Termotto expressed concern with the use of sodium fluoride in the drinking water, which is toxic to the body, and stated continued exposure will cause a host of illnesses and diseases.

City Commission Information and Sharing of Ideas

Mayor Marks shared with the Commission information that he received from a sustainability conference in which the City co-sponsored with the County, held at the Turnbull Conference Center.

Mayor Marks announced the 2010 winners of the CONA Neighborhood Recognition Program as follows:

- City - Large Neighborhood of the year: Lafayette Park Neighborhood Association
- County - Large Neighborhood of the year: Woodland Drive Neighborhood Association
- City - Small Neighborhood of the year: Carolina Oaks Homeowners Association
- County - Small Neighborhood of the year: Avondale Homeowners Association
- County - Outstanding Neighbor of the year: Pat Bruner of Avondale Homeowners Association
- Unincorporated County Neighborhood of the year: Killlearn Lakes Plantation
- City-Outstanding Neighbor of the year: Grover Rivers of Township One North Homeowners Association.
- Public Servant of the Year: Youth Center Development Team for the Palmer-Munroe Juvenile Justice and Youth Activities Center.

Mayor Marks commented on the oil spill in the Gulf of Mexico and the potential effect that it may have on the coastline. Mayor Marks encouraged staff to set up a list so that people can sign up to volunteer with the clean-up efforts.

Commissioner Gillum expressed support for efforts to clean up the oil spill in the Gulf of Mexico.

City Commission Meeting Summary - May 26, 2010

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

Items 1-9 - Voted 5-0 to approve staff's recommendation presented on Consent Agenda Items 1-9, taking the following action:

Item 1 - Reappointed Mr. Daniel Parker as a member of the Tallahassee-Leon County Planning Commission/Local Planning Agency. Mr. Parker's term will expire June 2013. (Recommended by the Mayor's Office)

Item 2 - Reappointed Mr. James Murdaugh to serve on the City's Audit Committee. Mr. Murdaugh term will expire June 2013. (Recommended by the Mayor's Office)

Item 3 - Adopted Resolution No. 10-R-17 with Royal Bank of Canada, which authorizes the City Manager to execute the Natural Gas Supply Agreement with the bond-issuing gas supply agent, Main Street. (Recommended by Energy Services)

Item 4 - Directed staff to draft an Active Community Transportation Application for the Tallahassee-Leon County Multimodal Transportation District. (Recommended by the Planning Department)

Item 5 - Approved the purchase of 10 Crown Victoria cars through the State of Florida contract #071-000-10-1 along with associated emergency equipment and prisoner containment modules for a total of \$287,114.40. (Recommended by the Police Department)

Item 6 - Approved the purchase of five Solid Waste Services trash trucks to facilitate collection of residential yard waste and bulk items. The total estimated purchase price for the five trucks is \$544,755.50 (\$108,953.30 per truck) (Recommended by Solid Waste Services)

Item 7 - Approved the 2010 Transit Development Plan Minor Update, which will allow the City's transit system to continue to provide service to the community and offset the use of City funds. (Recommended by StarMetro)

Item 8 - Approved and authorized staff to execute a two-year extension of the Term Contract for Underground Utilities, Gas Mains and Electric Conduit, Contract # 1101, with R. A. W. Construction, LLC. The contract would be extended through September 30, 2012. (Recommended by Underground Utilities)

Item 9 - Approved the minutes of the February 24, 2010 Regular Commission Meeting.
(Recommended by the Treasurer-Clerk's Office)

Item 10 - Received the 2010 End of Session Report. Presented by Ms. Carrie Blanchard, Intergovernmental Relations, Mr. Ron Book, Ron Book P.A., Mr. Sean Pittman, Pittman Law Group and Ms. Karen Peterson, Bill Peebles, P.A. (Recommended by the Mayor's Office)

Item 11 - Received an update on the FY10 Budget and FY11 Preliminary Budget, and voted 5-0 to approve a supplemental appropriation in the amount of \$150,000 from the set aside funding for this program in the deficiencies fund to the Parks and Recreation and Neighborhood Affairs Department for the City's first year commitment for Palmer Monroe Restorative Justice and Youth Activities Center from the Deficiencies Fund (set-aside for Health and Human Services). Presented by Mr. Raoul Lavin, Director, Budget & Policy. (Recommended by the Office of Budget & Policy)

Item 12 - Voted 4-1 (Commissioner Mustian opposed) to approve the Demand Side Management (DSM) rebate changes for the period of May 27, 2010 through September 30, 2010. Estimated to be \$750,000 during FY2010. Actual amount cannot be quantified at this time, as it will depend on customer participation. Funding is available from the Electric Utility Operating Reserve fund. (Recommended by Energy Services)

Item 13 - Received an update on Energy Smart Plus (e+) Programs and Customer Outreach. Presented by Ms. Sandra Manning, Utility Marketing Manager and Mr. Reese Goad, Director of Utility Business and Customer Service. (Recommended by Utility Business and Customer Services)

Item 14 - (Deleted from the Agenda) Approval of the Development Review Improvements and Customer Service Initiative and directed staff to begin implementation in accordance with the recommended priorities. (Recommended by the Growth Management Department)

Item 15 - Voted 5-0 to adopt Resolution No. 10-R-16 and authorized StarMetro to submit application for Section 5311 Federal Transit Administration grant. Upon award, approve expenditure of \$229,883 for the purchase of up to 28 MDTs and related ITS equipment and training. Introduced Mr. Ivan Maldonado the new Paratransit/CTC Superintendent. (Recommended by StarMetro)

Item 16 - Voted 4-1 (Commissioner Lightsey opposed) to approve option 1 Parkway Baptist Church Day Care Conditional Concurrency Certificate Agreement. The current request is to accept an alternative traffic study, which reduces the mitigation dollars required to \$6,437 with no enhancements. Directed staff to review the concurrency policy to ensure that it is being applied in the most efficient and effective manner possible. (Recommended by the Growth Management Department)

Item 17 - Voted 5-0 to approve a Loan to Flightline Inc. to finance construction of facilities to support ITER Project. (Recommended by Economic and Community Development)

Item 18 - Held the first of two public hearings on the proposed development agreement with the Leon County Research and Development Authority, and set the second public hearing for Wednesday, June 23, 2010, at 6:00 P.M. (Recommended by the Legal Department)

There were no speakers on this item.

Item 19 - Held the first and only public hearing on Ordinance No. 10-Z-21, which amends the Innovation Park Planned Unit Development Concept Plan and voted 5-0 to adopt Ordinance No. 10-Z-21. (Recommended by the Planning Department)

There were no speakers on this item.

Item 20 - Held the first and only public hearing on Ordinance No. 10-O-22 amending the Business Tax Ordinance. Voted 5-0 to adopt Ordinance No. 10-O-22. (Recommended by the Treasurer-Clerks Office)

There were no speakers on this item.

Item 21 - Held the first and only public hearing on Ordinance No. 10-O-24, which amends the City Code relating to General employee pension benefits, and voted 5-0 to adopt Ordinance No. 10-O-24. (Recommended by the Treasurer-Clerk's Office)

There were no speakers on this item.

Item 22 - Held a public hearing on Ordinance No. 10-O-29AA, which amends Chapter 20 of the code of General Ordinances Relating to the Red Light Camera Safety Program. Voted 5-0 to adopt Ordinance No. 10-O-29AA. Also authorized the City Manager to execute the amended contract. (Recommended by the Legal Department)

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

- Mr. Curtis Baynes, 1323 E. Tennessee Street, appeared before the Commission to express concern with the Red Light Camera Program.

Unagendaed Business/Speakers

Mr. Erwin Jackson, 1341 Jackson Bluff, appeared before the commission to express concern with improving transparency and accountability in City Government. Expressed concern with citizens being allowed to have input in the budget process.

Commissioner Mustian stated that he did not feel that meetings between staff are open to the public, asked staff to look into the process in which citizens can follow the budget process and provide input.

Commissioner Gillum commented that he did not feel that the budget is not done in a non-transparent way. He stated that the process is done in the sunshine. Commissioner Gillum stated that subjecting the professional staff that run the City government to politics and political campaigns was inappropriate. Commissioner Gillum encouraged the City Manager not be bullied or intimidated.

Commissioner Ziffer stated that meetings are open to the public and stated that staff and commissioners are available for citizens to communicate.

Commissioner Lightsey commented that the budget process last year was delayed and encouraged citizens to attend the budget meetings and workshops to provide input.

Mayor Marks commented on the sunshine law and stated that he did not feel that the budget process needed to be changed.

Mr. Joe Schreiber, 566 Beverly Court, appeared before the Commission to express concern regarding options for unagendaed speakers and rules of conduct regarding citizen participation. Stated that he feels that citizens must show respect and that the safety of the public officials should come first.

City Commission Information and Sharing of Ideas

Mayor Marks commented about the reception that was held instead of the usual dinner. He indicated that the reception was a good idea and that it offered citizens the opportunity to interact with the Commissioners and Staff and suggested that it is done periodically.

City Commission Meeting Summary - June 9, 2010

The City Commission met in regular session and took the following action (with Senior Assistant City Attorney Linda Hudson filling in for City Attorney Jim English, and Deputy Treasurer-Clerk Jim Cooke filling in for Treasurer-Clerk Gary Herndon):

Ms. Linda Hudson, Senior Assistant City Attorney, provided a report on orders received from the Commission on Ethics regarding eight pending ethics complaints that had been filed and stated that those complaints had been dismissed due to being legally insufficient.

Item 1 - Presented a proclamation recognizing June as Caribbean American Heritage month. (Recommended by the Mayor's Office)

Item 2 - Presented a proclamation recognizing June 17, 2010 as "Dump the Pump Day" in cooperation with StarMetro and the American Public Transportation Association. (Recommended by the Mayor's Office)

Items 3-12 - Voted 5-0 to approve the staff's recommendations presented on Consent Agenda Items 3-12, taking the following action:

Item 3 - Appointed Candace Charlene Dawson and Kenneth D. Pratt to serve on the Tallahassee Housing Authority. Terms will expire April 2014. (Recommended by the Mayor's Office)

Item 4 - Approved the budget transfers and project amendments in the amount of \$14,000 from Project 08119 to Project 07127 Airport General Aviation Access Road. (Recommended by Aviation)

Item 5 - Authorized staff to add design-engineering services for the Runway 9-27 Reconstruction and Runway 18-36 Extension (COT No. 07129) to the FY10 FAA AIP Grant application and accept and execute the Federal Aviation Administration (FAA) Grant agreement. (Recommended by Aviation)

Item 6 - Approved the supplemental appropriation from RR&I undesignated fund balance in the amount of \$400,000 for the Electric Utility Master Project 10031, recurring replacements and upgrades. (Recommended by the Electric Utility Department)

Item 7 - Provided initial approval to apply for the FY10 Justice Assistance Grant (JAG) based on the recommended allocations of funding and scheduled a public hearing on June 23, 2010, to meet federal program requirements. (Recommended by the Police Department)

Item 8 - Approved the award of a construction contract to Concrete Services of Quincy, Inc. in the amount of \$153,911.00 as the lowest responsive, responsible bidder for the Apalachee Parkway Sidewalk Improvement Project, Bid No. 0009-10-ER-FT and a contingency in the amount of \$15,391.10 for additional non-scope construction contingencies. (Recommended by the Public Works Department)

Item 9 - Approved the Subdivision Plat - Oak Grove Plantation, Unit 3, Phase I. (Recommended by the Public Works Department)

Item 10 - Authorized the City Manager to execute a Joint Project Agreement with the Florida Department of Transportation for the installation of a traffic signal at Capital Circle Northeast (State Road 261) and Easterwood Drive. With this Agreement, the Florida Department of Transportation will be providing \$135,000 towards the installation of the new signal on a cost reimbursable basis. (Recommended by the Public Works Department)

Item 11 - Authorized the City Manager to execute the Amendments to Joint Project Agreement with the Florida Department of Transportation for construction of the Regional Transportation Management Center, and future amendments. (Recommended by the Public Works Department)

Item 12 - Approved the minutes of the following City Commission meetings:

- March 10, 2010 Regular Commission Meeting
- March 17, 2010 Comprehensive Plan Amendment Workshop
- March 24, 2010 Regular Commission Meeting

(Recommended by the Office of the Treasurer-Clerk's Office)

Item 13 - Introduced Ordinance No. 10-Z-25; proposed amendment to the Official Zoning Map changing the zoning classification from the Residential Preservation-2 (RP-2) to the Residential Preservation-1 (RP-1) Zoning District, and set the first public hearing for July 14, 2010 and the second public hearing date for August 25, 2010. (Recommended by the Planning Department)

Item 14 - Introduced Ordinance No. 10-Z-26; proposed amendment to the Official Zoning Map changing the zoning classification from the Single Family Detached, Attached Two-Family Residential (R-3) to the Open Space (OS) Zoning District, and set the first and only public hearing for July 14, 2010. (Recommended by the Planning Department)

Item 15 - Introduced Ordinance No. 10-Z-27; proposed addition of 469 St. Francis Street to the Local Register of Historic Places and amendment of the Official Zoning Map to change the zoning classification from the All Saints Neighborhood-B (ASN-B) Zoning District to the All Saints Neighborhood-B (ASN-B) Zoning District with Historic Preservation Overlay (HPO) and set the first and only public hearing for July 14, 2010. (Recommended by the Planning Department)

Item 16 - Introduced Ordinance No. 10-Z-28; proposed addition of 621 North Calhoun Street to the Local Register of Historic Places and amendment of the Official Zoning Map to change the zoning classification from the Central Urban-45 (CU-45) and Central Urban-26 (CU-26) Zoning Districts to the Central Urban-45 (CU-45) and Central Urban-26 (CU-26) Zoning Districts with Historic Preservation Overlay (HPO) and set the public hearing for July 14, 2010. (Recommended by the Planning Department)

Item 17 - Ms. Karen Jumonville, Growth Management Department, provided a power point presentation on the Development Review Improvements and Customer Service Initiative. No action was required at this time. Additional agenda items related to policy revisions will be brought to the City Commission in August for consideration. (Recommended by the Growth Management Department)

Item 18 - Voted 5-0 to adopt the concurrency agreement, which provides a 75% reduction in transportation concurrency mitigation dollars required for the Lofts on Gaines Street. (Recommended by the Growth Management Department)

Item 19 - Received a report on the FAMU Way route and design recommendations, communications outreach and funding. No action was required at this time. A public hearing for consideration of the preferred alternatives will take place at the June 23, 2010 City Commission meeting. (Recommended by the Public Works Department)

Item 20 - Voted 5-0 to approve a supplemental appropriation to Project 0100402 - St. Marks Refinery, in the amount of \$174,608.80 from Electric undesignated RR&I. (Recommended by the Electric Utility Department)

Item 21 - Voted 5-0 to approve the appropriation of an additional \$1.75 million to the FY2010 budget for Residential Energy Conservation project #10074, increasing the total appropriation to \$4.77 million. Appropriated an additional \$200,000 to the FY2010 budget for Commercial Energy Conservation project #10075, increasing the total appropriation to \$825,000.00. (Recommended by the Energy Services Department)

Item 21.1 (added to the agenda) - Voted 4-0 (Commissioner Mustian abstained) to authorize, through a negotiated sale, the issuance of fixed-rate bonds to refund certain outstanding Energy System Bonds by adopting Resolution No. 10-R-19 authorizing the issuance of not to exceed \$45 million City of Tallahassee, Florida Energy System Revenue Refunding Bonds, Series 2010A, delegating certain responsibilities to the Mayor and City Treasurer-Clerk, delegating to the Mayor the authority to approve the final official statement with respect to the Series 2010A Bonds, appointing a registrar and paying agent, providing certain other covenants and agreements in connection therewith, and providing an effective date. Appointed Bank of America/Merrill Lynch as senior manager with flexibility given to the Treasurer-Clerk to select a different senior manager from of the City's Investment Banking Team if market conditions dictate a delay in issuance. (Recommended by the Treasurer-Clerk's Office)

Target Issue Updates

Long Range Planning Update - Provided by Commissioner Mustian on the following issues:

- Proposed Consolidated Plan and Annual Action Plan for 2010-2011 Entitlement Grants
- System Wide Trail Connections
- Proposed Rescission of the Huntington Woods DRI Development Order
- Thomasville Road/I-10 Pedestrian Interconnections
- Proposed Changes to Criteria Used by the Board of Adjustment and Appeals for Variances
- Sidewalks

Financial Viability (deleted from the agenda)

Unagendaed Business/Speakers

Rev. Stanley B. Sims, 9217 Miccosukee Road, appeared before the Commission to express concern with the policy regarding energy loan qualifications, requested that the Commission look into the current policy. Also commented about citizens showing respect for elected officials when coming before the Commission to speak.

Mr. Stephen N. Martin, 2625 Stonegate Drive, appeared before the Commission to express opposition to agenda item 17. Also expressed concern with the policy relating to public speaking. Mr. Martin stated that 3 minutes was not enough time to speak.

Mr. Erwin Jackson, 1341 Jackson Bluff Road, appeared before the Commission to request that Deferred Compensation funds that were paid to elected officials be returned to the City with interest also expressed concern with the appointment of Commissioner Ziffer by the City Commission.

Mr. Ron Saff, M.D., 7066 Heartland Circle, appeared before the Commission to express concern with the possible contamination of the City's tap water. Also presented the Commission with an article printed in the New York Times relating to pollution of tap water.

City Commission Information

Commissioner Lightsey would like to see an updated map regarding the Parks and Recreation Trails.

Commissioner Lightsey requested a report on the estimated economic impact to the City of Tallahassee and Leon County relating to the events of the oil spill in the Gulf Coast.

Commissioner Gillum stated that he would like to look at the "turn off" policy relating to energy loans.

Commissioner Mustian commented on the concerns that were brought forward by Dr. Saff relating to the possible contamination of the City's tap water. He stated that he would like for staff to respond to the statements that were made.

City Commission Meeting Summary - June 23, 2010

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

Item 1 - Presentation by Mr. Shawn Shepherd, Proprietor of Harry's Seafood, Bar & Grille and Mr. Lee Daniel, Executive Director of Visit Tallahassee, a request for the City Commission to co-sponsor the 1st annual Big Bend Freedom Fest to be held on Saturday, July 3rd, in recognition of Independence events by waiving fees and services due to the City's economic interest and involvement on Kleman Plaza and voted 5-0 to provide in-kind match services.

Mayor Marks took a moment to recognize a group present in the audience known as Determined Individuals Vying for Awareness in Society (DIVAS). Mayor Marks indicated that this was a girl-mentoring program with a focus on character and leadership development through community service and civic awareness. Mayor Marks stated that the purpose of the DIVAS is to provide a venue for young women to discover their purpose and place, and to put them on a path to finer womanhood. Mayor Marks stated that the organization was based at the Smith-Williams Service Center.

Commissioner Gillum introduced to the City Commission Ms. Tomica Smith as the new Director of the Palmer Munroe Restorative Justice and Youth Activities Center to begin July 1, 2010.

Ms. Smith appeared before the Commission and thanked them for the opportunity and encouraged people to come by the center and to participate in the activities. Mr. Dee Crumpler, Director of Parks, Recreation and Neighborhood Affairs, also welcomed Ms. Smith.

Item 2-4 - Voted 5-0 to approved the staff's recommendations presented on Consent Agenda Items 2-4, taking the following action:

Item 2 - Approved the proposed personal injury claim settlement of Mr. Robert Hudson who was struck by a City Solid Waste collection vehicle in the amount of \$75,000. (Recommended by the Legal Department)

Item 3 - Approved Resolution 10-R-15 requesting five (5) easements from the State of Florida, Department of Environmental Protection. (Recommended by the Property Management Department)

Item 4 - Approved the minutes from the April 14, 2010 regular Commission Meeting. (Recommended by the Office of the Treasurer-Clerk)

Item 5 - Received a report on the quality of the City's drinking water from Mr. John Buss, Underground Utilities and a power point presentation by Mr. John Pope, Supervisor of the Northwest District Drinking Water Section, Florida Department of Environmental Protection (DEP), on water quality standards and FDEP's role in regulating public water systems. (Recommended by Underground Utilities)

Mr. Buss also introduced the following individuals who contributed to the analysis of on the quality of the City's drinking water:

- Mr. John Pope, Supervisor of the Northwest District Drinking Water Section, DEP
- Mr. Sean Isaac, Senior Health Services Analyst with Florida Department of Health (DOH) Public Health Dental Program
- Ms. Tamika Fields, Community Fluoridation Specialist with DOH Public Health Dental Program
- Mr. Robert M. Macdonald, Director of Dental Care and Health, Florida Dental Association
- Dr. Michael Hartley, Fluoridation Advocacy Chair for the Leon County Dental Association
- Dr. Ed Zapart, Leon County Health Department Dental Director
- Dr. Gregory McClure, the new DOH Public Health Dental Director

Mr. Buss also recognized Mr. Jamie Shakar, Water Quality Lab Manager, who was instrumental in the water analysis and the collection of data and Mr. Bill Leseman, a former City employee who is knowledgeable in water operations and water quality, and who also conducted research on this matter.

Commissioner Mustian stated that he had requested that the citizens who presented the issue to provide some additional information, however he did not receive any additional information. Commissioner Mustian also stated that he was concerned about the statement that indicated that because the City's drinking water contained contaminants, but at levels below the Maximum Contaminant Level (MCL), the City's drinking water was more polluted than the national average. Commissioner Mustian inquired if this was a true statement. Mr. Buss responded by stating that neither FDEP nor the US-EPA has such an average. Mr. Buss stated that the notion of a national average level of pollution was developed by an environmental advocacy group called the Environmental Working Group. Mr. Buss stated that their statistical process has been soundly criticized by several technical agencies. A brief discussion continued this regard.

Commissioner Lightsey stated that she never had any doubts about the drinking water quality, but felt that the presentation and information was necessary to reassure the public.

Mayor Marks asked that the Department continue monitoring the water quality.

No action was required; this item was for informational purposes only.

Item 6 - Voted 5-0 to approve the selection committee's recommendation of Pinnacle Construction Support Group LLC for the rehabilitation of Chelsea Apartments, located at 1602 Stuckey Avenue, and directed staff to enter into negotiations with Pinnacle Construction Support Group to renegotiate the total cost of the project downward to fall within the originally projected rehabilitation costs of \$1.5 million. (Recommended by Economic and Community Development)

Item 7 - Voted 5-0 to authorize the City Manager to execute grant modifications between the City and the Department of Community Affairs and to receive and appropriate any additional Neighborhood Stabilization Program (NSP) funds. (Recommended by Economic and Community Development)

Item 8 - Voted 5-0 to approve the Temporary Economic Emergency Concurrency Relief Agreement for the Mahan Villages/New Horizon Development, which provides a 75% reduction in transportation concurrency mitigation dollars that is required for the project. (Recommended by the Growth Management Department)

Ms. Karen Jumonville, Growth Management Department stated that representatives for the Mahan Village/New Horizon Development have submitted an application for a modified agreement to change the timing of the concurrency payment and the amount for transportation concurrency mitigation dollars collected by \$2,030,661.71 (from \$2,707,549 to \$676,887.25), and also to provide clarity regarding certain issues.

Mayor Marks inquired about the job component as it relates to the changes. Ms. Jumonville stated that the Economic Development Council (EDC) conducted an analysis and indicated that the jobs are estimated to be 168 permanent jobs and 568 construction jobs.

Commissioner Mustian commented about an email that had been distributed earlier in the day from a neighboring property owner who was in opposition to the project and asked that Ms. Jumonville state the neighbor's comments for the official record. Ms. Jumonville stated that the nature of the comments related to the site plan process and consisted mainly of concerns related to urban forests storm water, fire protection, impervious surfaces, access points and other items considered during the site plan and environmental review process that do not relate to concurrency. Ms. Jumonville also stated that there was an appeal component of the site plan approval process, should someone feel that they would be adversely affected.

Commissioner Gillum inquired as to how the EDC calculated the job numbers and whether this was a net or gross number.

Ms. Beth Kirkland for the EDC stated that the numbers were developed using the FSU Economic Forecasting Calculator and that it was a total number. Ms. Kirkland stated that the relocation of the grocery store would result in a net increase.

A brief discussion continued.

Item 9 - Voted 5-0 to accept the five-year Consolidated Plan and the Annual Action Plan for 2010-2011 as presented; also authorized staff to proceed with the second public hearing as scheduled for the July 14, 2010, City Commission meeting and authorized staff to finalize both plans with the inclusion of City Commission and public comments received during the mandatory review period and the public hearings. (Recommended by Economic and Community Development)

Item 10 - Voted 5-0 to adopt Resolution No. 10-R-33, rescinding the Huntington Woods DRI development order. (Recommended by the Legal Department)

Item 11 - Voted 5-0 to approve entering into a Funding Memorandum of Agreement for the Palmer Munroe Restorative Justice and Youth Activities Center with Leon County and the Leon County School Board and adopted the proposed by-laws for Community Executive Committee established by Memorandum of Understanding (MOU). Ms. Ashley Edwards presented information regarding the revenue resources and noted that \$100,000 had been received from the Department of Juvenile Justice based on the Restorative Justice aspect, and that the Center was looking forward to its Grand Opening. (Recommended by Parks, Recreation and Neighborhood Affairs)

Commissioner Lightsey inquired about funding for transportation. Ms. Edwards discussed that the existing plan involved using vans from Star-Metro.

Commissioner Gillum noted that in addition to the \$100,000 from the State, a metal detector had been donated by the United Way, that the School Board is contemplating using an Activities Bus and providing transportation scholarships.

Mayor Marks noted that funding was key to the success of the Center.

Mr. Dee Crumpler assured the Commission that one of the new Director's duties entailed fundraising.

Item 12 - Voted 5-0 to approve the recommended route, street section, streetscape design and funding approach as presented by City staff for the FAMU Way Project, and also approved the recommended Capital Cascades Trail alternative to be submitted to Blueprint 2000 for consideration. Held a public hearing on FAMU Way Proposed Route and Design Recommendations, Capital Cascades Trail alternative and recommended funding approach. Received a review of the project from Ms.

Roxanne Manning and video presentation starring Ms. Michelle Bono. (Recommended by the Public Works Department)

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

- Ms. Jeanie Conner, 534 Oakland Avenue, representing the Myers Park Neighborhood Association, appeared before the Commission to express support in making Oakland Avenue a one-way street and asked the Commission to help preserve the Myers Park Neighborhood.
- Mr. Michael Hervey, 2661 Noble Drive, appeared before the Commission to compliment staff and express support for the Proposed Route #3 of the FAMU Way Project.
- Dr. Charles U. Smith, 3039 Cloudland Drive, appeared before the Commission to express support of the FAMU Way Project and also expressed concerns with making FAMU more visible.
- Ms. Ruth Wharton, 1200 Stearns Street, B-5, former Chair of the Gaines Street Revitalization Committee, appeared before the Commission to express support of the Proposed Route #3 of the FAMU Way Project.
- Mr. Johan Van Tol, 1215 Buckingham Dr., representing Capital City Cyclists, appeared before the Commission to express concern with the bicycle connectivity plan within FAMU Way and Capital Cascade Trail.
- Mr. Darryl Jones, 1994 Darryl Drive, appeared before the Commission to express support of the FAMU Way Project.
- Mr. Cornelius D. Jones, 1211 Floral Street, expressed concern with the displacement of residents in the neighborhood, also expressed support of the FAMU Way Project.
- Mr. Josh Kasper, 1311 Jackson Bluff Road, expressed concern with the west side where the project ends and the increase of traffic and storm water. He hoped that the plan did not disrupt businesses on Epp Street or Hadon Road.
- Ms. Michelle Bono, Assistant to the City Manager, appeared before the Commission to introduce the following members of the Citizen Advisory Committee and asked the Commission to allow the committee members to continue to serve until the project is complete:
 - Mr. Darryl Jones
 - Ms. Edwina Stephens
 - Ms. Pam Hightower
 - Mr. Daryl Parks
 - Mr. Terrence Hinson
 - Mr. Gallop Franklin
 - Ms. Shauna Smith
 - Mr. Michael Hervey
 - Mr. Vaughn Wilson
 - Mr. Derrick Danzy
 - Mr. Cornelius Jones
 - Ms. Ruth Wharton
 - Mr. Steven Beasley
 - Ms. Mary Fredrick
 - Ms. Joelilian Hunter
 - Mr. Robert Olmstead
 - Ms. Janie Reddings
 - Rev. Marion Bellamy Gibbons

The Commission concurred in allowing the current committee members to continue to serve until the project is complete.

Item 13 - Held a public hearing on the Tax Equity and Financial Responsibility Act (TEFRA) for Industrial Development Revenue Bonds (Gateway Tallahassee Project), Series 2010. (Recommended by the Office of the Treasurer-Clerk)

The following person appeared before the Commissioner relative to this item.

Mr. Ken Morris, 301 S. Monroe Street, Director of the Legislative Affairs and Economic Development for Leon County, appeared before the Commission to express the County's support for this item.

There was no action required at this time; staff to bring back a resolution for consideration at a later date.

Item 14 - Voted 4-0 (Commissioner Mustian left the room at 6:59 and returned at 7:12) to approve the development agreement with the Leon County Research and Development Authority related to Innovation Park. This was the second public hearing on the proposed development agreement. (Recommended by the Legal Department)

There were no speakers on this item.

Item 15 - Held a public hearing and voted 4-0 (Commissioner Mustian left the room at 6:59 and returned at 7:12) to approve recommendations for allocation of the FY10 Justice Assistance Grants, and authorized the Police Department to expend U.S. Department of Justice JAG funds and approximately \$2,000 in interest earnings. (Recommended by the Police Department)Ã

Item 16 - Held a public hearing on the proposed FY11 Operating and Capital Budgets.

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

- Ms. Penny Herman, 1596 Marion Avenue, appeared before the Commission to express concern with the City's FY11 Operating and Capital budget, feels the budget is irresponsible, and also expressed concern with the possible increase in utility rates.
- Mr. Curtis Baynes, 1323 E. Tennessee Street, appeared before the Commission to express concern with the City's proposed FY11 Operating and Capital Budgets. Mr. Baynes stated that he was please to see that there was no millage rate increase. Also concerned with the increase in utility rates.
- Commissioner Lightsey requested that an internal memo that was distributed to the Commission also be distributed to the general public, which relates to utility rate studies. She clarified that a utility rate study dose not mean that there would be an increase in utility rates.
- Mr. Erwin Jackson, 1341 Jackson Bluff, appeared before the Commission to express concern with the City's proposed FY11 Operating and Capital Budgets, also expressed concern with continued spending and borrowing of reserve funds.
- Ms. Nancy Miller, 4437 Shannon Lakes Drive, appeared before the Commission to express concern with the City's FY11 Operating and Capital Budgets. Ms. Miller also expressed concern with over budgeting.
- Mr. Michael Rosenthal 4045 Kilmartin Drive, appeared before the Commission to express concern with the City's FY11 Operating and Capital Budgets, expressed concern with employee pay raises and employee costs.
- Ms. Beth Kirkland, 2961 Golden Eagle Drive, Director of the Economic Development Council (EDC), appeared before the Commission to express the need to restore funding to the EDC. Ã

Mayor Marks indicated that no action was required at this time and also noted that the next budget workshop was scheduled for Thursday, June 24, 2010 at 9:00 a.m. in the Commission Chambers.

Unagendaed Speakers

Ms. Kim Ross 1603 Sauls Street, representing Crude Awakening Tallahassee (a grassroots organization) appeared before the Commission to request the City sponsor the Hands Across the Sand Rally to be held at 11:30 at Lake Ella on Saturday June 26, 2010. She stated that this event provides information relating to the oil spill and keeps people aware of the impacts of the oil spills. She also indicated that the County was in support of this event. Ms. Ross stated that if the City sponsors the event, the organization would not have to pay for liability insurance.

Commissioner Ziffer inquired about the liability insurance and City Manager Thompson noted that if the event was a City sponsored event then the liability insurance would not be required. Commissioner Ziffer stated that he would be in support of the event. Commissioner Gillum concurred with Commissioner Ziffer in supporting the event.

Mayor Marks indicated a desire to have more time to analyze the event and also stated that he did not wish to take a stand for or against new off shore oil drilling or off shore drilling. He also stated that he did not feel that a full ban on drilling would be in the best interest of a lot of people.

City Manager Thompson indicated that staff had been assured that this event was a Tallahassee version of supporting the concerns about the oil spill and the impact on the environment, the animals and the people. She asked Ms. Ross to confirm her statement. Ms. Ross stated that the primary focus was on renewable energies. She also stated that Hands Across the Sand is concerned with the expansion of oil drilling.

Commissioner Lightsey stated that she did want to see the City endorsing something that was much broader than what is stated.

Mayor Marks inquired if the organization supported a moratorium or a ban on drilling. Ms. Ross stated that the organization does not take a specific stand on a ban or a moratorium. She stated that their focus was on renewable energy.

Commissioner Mustian stated that it was difficult to support an item with no written data and that he was not clear on the meaning of sponsorship. He stated that he was unsure of what the organization was all about. Commissioner Mustian also stated that he had been resistant to the City signing on to various national or international issues. Commissioner Mustian stated that he did not feel that it was the City's place to take positions on national issues.

Commissioner Mustian suggested sending the issue back to the City Manager and the Energy Services Department to look into it more and to determine if it is within the scope of what they are doing. A brief discussion continued.

Mayor Marks suggested that the Commission indicate in a letter their support of the Hands Across the Sand event, however the Commission would not be making a policy statement.

City Attorney English stated that the Commission could authorize the City Manager to fund the \$350 for the liability insurance without sponsoring the event. A brief discussion continued in this regard.

Commissioner Mustian made a motion to authorize staff to look into the issue more. If it is determined that the event meets the criteria and guidelines that have been set for the Energy and Services Department, then the staff are authorized to sponsor the event. Upon second by Commissioner Gillum the vote was unanimous in favor thereof.

Erwin Jackson, 1341 Jackson Bluff Road, appeared before the Commission comment on the Ethics Complaint ruling. Mr. Jackson presented the ethics complaint ruling for the record along with a copy of the State Attorney's ruling.

Ms. Penny Herman, 1596 Marion Avenue, appeared before the Commission to express concern with the budget process and requested that internal documents relating to the budget be made available to the public. Also expressed concern with citizens being able to provide input on the budget.

Mr. Michael Rosenthal, 4045 Kilmartin Drive, appeared before the Commission to express concern with City sponsored anti-oil drilling events, which are not City issues. He stated that the Commission should focus more on government issues. Mr. Rosenthal also commented that the City Government spending was out of control.

Mayor Marks indicated that he agreed with Ms. Herman's point that the City needs to ensure that the public have a chance to review internal documents as they relate to the budget. He also stated that the documents that are produced from June 24, 2010 Budget Workshop would be available until the final budget hearing in September.

Commissioner Gillum stated that the budget has been a year-around process and is available online year-around.

Nancy Miller, 4437 Shannon Lakes Drive, appeared before the Commission and stated that she had requested to sit in on the staff workshop and was told that she could not attend the staff workshop, because she was a candidate for office and that there was a concern that her presence would change the dynamic of the conversation.

Commissioner Gillum stated that staff budget workshops are not open to the public; however the City Commission workshops are open to the public.

Sharing of Ideas

Commissioner Ziffer expressed his appreciation to the Commission, staff and citizens for all the well wishes for his wife.

Commissioner Lightsey stated that she would like for the public to have access to the internal document that she referenced earlier relating to the budget.

Commissioner Gillum inquired if the budget is available online year around. City Manager Thompson stated that the budget is available year around. Commissioner Gillum requested that City Commission questions and information also be made available online.

City Commission Meeting Summary - July 7, 2010

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

Item 1 - Presented a proclamation to Mr. John M. Walkup, Tallahassee Circuit Administrator, Florida Department of Corrections, Community Corrections, Region I, recognizing July 18 - 24, 2010, as Probation, Parole and Community Corrections Appreciation Week. (Recommended by the Mayor's Office)

Mr. Walkup accepted the proclamation with thanks and recognized his staff that was present in the audience.

Police Chief Dennis Jones, Tallahassee Police Department, expressed his appreciation to the Probation, Parole and Corrections Officers who were present.

Commissioner Mustian stated that he had attended a graduation ceremony for dogs graduating from the Undergoing Training and Obedience in Prison to Increase Adoptability (UTOPIA) program at the Taylor Correctional Institution in Perry, Florida. He noted that it was a remarkable program and encouraged people to adopt dogs that had been trained.

Item 2 - Presented the following Underground Utilities Awards (Recommended by the Mayor's Office)

Mayor Marks presented the William D. Hatfield Award from the Florida Water Environment Association to Ms. Donna Nichols, Program Engineer, City of Tallahassee Underground Utilities.

Mr. Mike Tadros congratulated Ms. Nichols for receiving the award and expressed his appreciation for her 17 years of service with the City of Tallahassee.

Ms. Nichols accepted the award with thanks.

Mayor Marks presented the Florida Water Environment Association Award for the City's Fats, Roots, Oil and Grease (FROG) Program to the City of Tallahassee Underground Utilities Department.

Mr. Tadros accepted the award with thanks and expressed his appreciation and also recognized staff for their hard work.

Item 3 - Presented awards to the winners of the 2010 Water Conservation poster contest. (Recommended by the Mayor's Office)

Mayor Marks presented certificates to the following winners:

- Jozsef Rohrbacher, Ms. Edwards' class at Desoto Trail Elementary - 3rd Place
- Niyah Leverett, Ms. Stafford's class at WT Moore Elementary - 2nd Place
- Brittany Watley, Ms. Sabin's class at Desoto Trail Elementary - 1st Place

Item 4-6 - Voted 5-0 to approve the staff's recommendations presented on Consent Agenda Items 4-6, taking the following action:

Item 4 - Reappointed Ms. Beverly DeMello to serve on the Tallahassee-Leon County Board of Adjustment and Appeals. Term will expire June 2013. (Recommended by the Mayor's Office)

Item 5 - Approved the award of a construction contract to Peavy and Son Construction Co., Inc., in the amount of \$312,911.00, as the lowest, responsive, responsible bidder for the Campbell Connector Shared Use Path Improvement Project, Bid No. 0010-10-ER-FT, and a contingency in the amount of \$31,291.10 for additional non-scope construction contingencies. (Recommended by the Public Works Department)

Item 6 - Authorized the City Manager or her designee to award a contract to Quality Traffic Data, LLC, Bid Number 0073-10-ER-BC, for the implementation of the TMC program and Concurrency Counts, for a three-year contract in the amount of \$230,190 not to exceed \$250,000 for the three-year contract life. (Recommended by the Public Works Department)

Item 7 - By consensus, introduced Ordinance No. 10-Z-31, which adds 822 South Martin Luther King Jr. Boulevard to the Local Register of Historic Places and amends the official zoning map to change the zoning classification from the All Saints Neighborhood-A (ASN-A) zoning district (PRZ100014) to the All Saints Neighborhood-A (ASN-A) zoning district with Historic Preservation Overlay (HPO). Set the first and only public hearing for August 25, 2010. (Recommended by the Tallahassee-Leon County Planning Department)

Item 8 - By consensus, introduced Ordinance No. 10-Z-32, which amends the official zoning map to change the zoning classification from the Manufactured Home Park (MH) to the Urban Residential (R-4) zoning district (PRZ 100015). Set the first and only public hearing for August 25, 2010. (Recommended by the Tallahassee-Leon County Planning Department)

Item 9 - By consensus, introduced Ordinance No. 10-Z-33, which adds 222 Osceola Street to the Local Register of Historic Places and amends the official zoning map to change the zoning classification from the Residential Preservation-2 (RP-2) Zoning District to the Residential Preservation-2 (RP-2) Zoning District with Historic Preservation Overlay (HPO) (PRZ100016). Set the first and only public hearing for August 25, 2010. (Recommended by the Tallahassee-Leon County Planning Department)

Item 10 - Voted 5-0 to adopt the concurrency agreement, which provides a 25% reduction in transportation concurrency mitigation dollars required for the Dollar General/Ace Hardware project located at the intersection of Swatts Road and North Monroe Street. (Recommended by the Growth Management Department)

Ms. Karen Jumonville, Growth Management Department, provided a brief review. She indicated that the application was a request for 75% reduction to the concurrency mitigation payment. She stated that the required payment is \$7,533. Ms. Jumonville stated that the applicant requested a 75% reduction, but staff is recommending a 25% reduction. She stated that the reason for the recommendation is because of the level of improvements proposed by the applicant in terms of enhancements to the project beyond code requirements were minimal. Ms. Jumonville stated that staff feels that job creation was the most significant benefit associated with the project, but that the enhancements for the property were minimal. She stated that the applicants proposed the following enhancements:

- Trees removed from the site are recycled as wood pellets
- The use of paints, adhesives and flooring materials with low volatile organic compounds
- Low-e windows that block UV and IR light

Ms. Jumonville stated that staff recommended the following additional enhancement:

- Provide front loading recycling container in addition to the front loading dumpster

Commissioner Lightsey noted that in the future she would like to see more enhancements.

Item 11 - Voted 5-0 to approve the appropriation of donations in the amount of \$55,000 for the Community Neighborhood Renaissance Partnership (CNRP). (Recommended by the Department of Management and Administration)

Item 12 - Voted 5-0 to approve the City's participation in Florida State University's (FSU) application for Florida Department of Energy (DOE) DE-FOA-0000313, Smart Grid Research, Development, and Demonstration, Areas of Interest 2 & 3 and authorized the City Manager to execute the agreement with FSU setting forth mutually acceptable terms and conditions relating to the City's participation, including the provision of the in-kind services and requiring that all other costs incurred by the City for work and services be reimbursed to the City. (Recommended by the Electric Utility Department)

Item 13 - Voted 5-0 to authorize the City Manager to execute an amendment to the Real Estate Option Agreement with Artspace Inc. and the Council on Culture and Arts (COCA) for City Parcels located on Railroad Avenue to extend the term of the agreement to August 31, 2011 and to add additional performance requirements during the agreement extension period. (Recommended by Economic and Community Development)

Item 14 - Voted 5-0 to approve a reduction in the Rainbow Rehabilitation Affordable Housing Trust Fund loan repayment amount from \$78,000 to \$67,000 due to the decline in the housing market. (Recommended by Economic and Community Development)

Item 15 - Voted 5-0 to adopt the current millage rate of 3.7000 mills as the FY 2011 tentative millage rate for the City, and 1.0000 mills for the Downtown Improvement Authority, also approved September 15 and 29, 2010, as the dates for the public hearings to begin at 6:00 p.m. in the City Commission Chambers at 300 South Adams Street. (Recommended by the Department of Management and Administration)

Target Issue Update

Long Range Planning Target Issue Update - Provided by Commissioner Mustian on the following:

- Comp Plan Policies to Slope Exemptions
- Amendment #4 (Hometown Democracy)
- Greening America's Capital Cities Technical Assistance Grant
- Billboard Ordinance Revisions

Economic Development Target Issue Update - Provided by Mayor Marks on the following:

- Madison Street Project - The Committee had a presentation by the Seminole Boosters Inc. on a proposed \$20 million mixed use project on the Gaines St. corridor

Unagendaed Business/Speakers

Mr. Erwin Jackson, 1341 Jackson Bluff, appeared before the Commission and commented about the Independence Day Celebration held at Tom Brown Park. Mr. Jackson stated that he was disappointed that the City Commission decided that City employees should not participate with the rest of the community in what was the most important date in our country's history in order to save a few thousand dollars. Mr. Jackson stated that as City Commissioner he would work to rescue and promote democracy within the City by preventing the recent practice of appointing a person to a Commission seat. Mr. Jackson further stated that he would also support all citizens, including City employees, in observance of the 4th of July. Mr. Jackson challenged the City's spending priorities and noted that the City had enough money to fund \$500,000 in deferred compensation, cars for senior management and aides, working lunches for senior staff, and \$600 for a photo of Commissioner Ziffer for display at City Hall, yet the City did not have enough money to allow employees to celebrate the 4th of July with the rest of the community. Mr. Jackson also commented that Commissioner Ziffer did not financially support the 4th of July Celebration. Mr. Jackson stated that each candidate was invited by the City Parks & Recreation Department to participate in the Tom Brown Park Celebration. A \$125 fee was requested from each candidate who wanted to post signs and distribute campaign material during the event at Tom Brown Park. Mr. Jackson stated that Commissioner Ziffer posted signs without paying the required fee.

Commissioner Ziffer responded to comments made by Mr. Jackson. He stated that he paid the fee but did not have a campaign tent, also noted that Mr. Jackson's comments were untrue.

Mr. Curtis Baynes, 1323 E. Tennessee Street, appeared before the Commission to express concerns about the Commission controlling property taxes and millage rates. He requested that the Commission try to reduce property taxes and the millage rates. Mr. Baynes also expressed concerns with balancing the budget on the backs of utility rate customers. Mr. Baynes wanted to clarify the statements he made during the previous Commission meeting and wanted to state for the record that he did not want any customers paying higher utility rates, not just the tenants of his rental properties.

Mr. Michael Rosenthal, 4045 Kilmartin Drive, appeared before the Commission to state that he was not in support of reducing the repayment amount for Rainbow Rehabilitation Inc. Affordable Housing Trust Fund loan. Mr. Rosenthal commended the City Commission for not paying the \$350 insurance liability fee for Hands Across the Sands held at Lake Ella. Mr. Rosenthal also requested that the Commission roll the millage rate back to 3.2115 mills and make appropriate spending cuts to balance the budget. Mr. Rosenthal also commented about citizen input into the budget. Mr. Rosenthal also suggested that the Commission establish a Citizen Advisory Board to help reduce government spending.

Commissioner Lightsey commented that when she was elected in 1989 the millage rate was 2.9. Twenty-one years later, the millage rate has increased by less than 1 mill. Commissioner Lightsey noted that all of the services that the City provides have an associated cost. She also stated that the City of Tallahassee has one of the lowest property tax rates in the State of Florida.

City Commission Information and Sharing of Ideas

Mayor Marks wished Gail Ziffer (Commissioner Ziffer's wife) well and asked Commissioner Ziffer for an update of his wife's recovery.

Commissioner Ziffer stated that his wife was home and was doing well and thanked everyone for their concern.

City Commission Meeting Summary - July 14, 2010

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

Mayor Marks presented Dr. Carrie Blanchard, Chief of Staff, Mayor's Office, with a memento recognizing her 5 years of outstanding service with the City of Tallahassee. Mayor Marks noted that Dr. Blanchard had accepted a position outside of the City and would be leaving the Mayor's Office.

Dr. Blanchard accepted the gift with thanks and expressed her appreciation. Dr. Blanchard also noted that Mr. Greg Frost would be serving as interim Chief of Staff until a permanent replacement is selected.

Items 1-6 - Voted 5-0 to approve the staff's recommendations presented on Consent Agenda Items 1-6, taking the following actions:

Item 1 - Appointed Mr. Nevins C. Smith Jr. to the Environmental Code Enforcement Board. Term will expire November 2013. (Recommended by the Mayor's Office)

Item 2 - Appointed Mr. Richard L. Erlich to the Environmental Code Enforcement Board. Term will expire November 2013. (Recommended by the Mayor's Office)

Item 3 - Reappointed Mr. Rob Rinehart and Mr. Carlos Rey to the Municipal Code Enforcement Board. Terms will expire June 2013. Also reappointed Mr. Perry West. Term will expire June 2011. (Recommended by the Mayor's Office)

Item 4 - Approved the appropriation of the Florida Bar grant award of \$1,666.67 to the Mission Road Project #95039 to be used for a part-time, temporary summer intern in the City Attorney's Office. (Recommended by the Legal Department)

Item 5 - Approved the appropriation of \$7,500 in donations for expenses related to the "What Makes Tallahassee-Leon County Beautiful 2011 Calendar Art Contest". Any remaining funds will be used for associated environmental outreach programs. (Recommended by Environmental Policy & Energy Resources)

Item 6 - Approved and authorized the City Manager or her designee to execute an amendment to the Florida State University Seminole Express Agreement, providing the City with a total of \$2,225,815 in funding for the transit system. (Recommended by StarMetro)

Item 7 - (Deleted) Approved the revised Non-Pension Investment Policy CP 234. (Recommended by the Treasurer-Clerk's Office)

Item 8 - (Deleted) Approved the revised Pension Investment Policy 236 to provide for Emerging Market Securities. (Recommended by the Treasurer-Clerk's Office)

Item 9 - Voted 5-0 to award RFP 0057-10-JAG-RC to DCR Engineering Services Inc. for a new Fire Station Alerting System and authorized the City Manager to execute a contract not to exceed \$427,501. (Recommended by the ISS Department)

Item 10 - Voted 5-0 to approve the purchase of the Shaker Heights Apartment in the amount of \$1,782,500.00 plus closing cost estimated at \$20,000, for a total expenditure of \$1,802,500.00 for the proposed FAMU Way Extension Project. (Recommended by the Public Works Department)

Item 11 - Voted 5-0 to authorize the City Manager to execute contracts with Home Rehabilitation Development, Inc. (HRD) for up to eight owner-occupied rehabilitation projects for a total amount not to exceed \$310,400. (Recommended by the Economic and Community Development Department)

Mayor Marks noted that Commissioner Lightsey would not be returning after the break for the public hearings.

Item 12 - Held a public hearing on the Consolidated Plan 2011-2015 and Annual Action Plan for FY 2010-2011 and voted 4-0 (Commissioner Lightsey absent) to adopt the 2011-2015 Consolidated Plan and the Annual Action Plan with the inclusion of public comments and approved the submittal of both plans to the US Department of Housing and Urban Development (HUD) and approved the appropriation of funding and authorized staff to negotiate and execute contracts for the activities and programs listed in FY 2010-2011 Proposed Funding Summary. (Recommended by The Economic and Community Development Department)

There were no speakers on this item.

Item 13 - Held the first of two public hearings on Ordinance No. 10-Z-25, proposed amendment to the Official Zoning Map changing the zoning classification from the Residential Preservation-2 (RP-2) to the Residential Preservation-1 (RP-1) zoning district for the Settler's Spring Subdivision, which is part of the Huntington Woods Development of Regional Impact (DRI) (PRZ #100010) and set the second and final public hearing for August 25, 2010. (Recommended by the Tallahassee-Leon County Planning Department)

There were no speakers on this item.

Item 14 - Held the first and only public hearing on Ordinance No. 10-Z-26, proposed amendment to the Official Zoning Map changing the zoning classification from the Single-Family Detached, Attached Two-Family Residential (R-3) to the Open Space (OS) Zoning District for a 1.57 acre parcel on the north side of Catawba Street (PRZ #100011). Voted 4-0 (Commissioner Lightsey absent) to adopt Ordinance No. 10-Z-26. (Recommended by the Tallahassee-Leon County Planning Department)

There were no speakers on this item.

Item 15 - Held the first and only public hearing on Ordinance No. 10-Z-27, proposed addition of 469 St. Francis Street to the Local Register of Historic Places and amendment of the Official Zoning Map to Change the Zoning Classification from the All Saints Neighborhood-B (ASN-B) Zoning District to the All Saints Neighborhood-B (ASN-B) Zoning District with Historic Preservation Overlay (HPO) (PRZ #100012). Voted 4-0 (Commissioner Lightsey absent) to adopt Ordinance No. 10-Z-27. (Recommended by the Tallahassee-Leon County Planning Department)

There were no speakers on this item.

Item 16 - Held the first and only public hearing on Ordinance No. 10-Z-28, proposed addition of 621 North Calhoun Street to the Local Register of Historic Places and amendment of the Official Zoning Map to change the zoning classification from the Central Urban-45 (CU-45) and Central Urban-26 (CU-26) Zoning Districts to the Central Urban-45 (CU-45) and Central Urban-26 (CU-26) Zoning Districts with Historic Preservation Overlay (HPO) (PRZ #100013). Voted 4-0 (Commissioner Lightsey absent) to adopt Ordinance No. 10-Z-27. (Recommended by the Tallahassee-Leon County Planning Department)

There were no speakers on this item.

Unagendaed Business/Speakers

Mr. Joe Schreiber, 566 Beverly Court, appeared before the Commission to express concern about accusations made by Mr. Erwin Jackson at previous Commission meetings and Mr. Jackson's lack of respect for Commissioners by referring to Commissioners by name without using titles. Mr. Schreiber also quoted a recent Tallahassee Democrat blog written by Bob Gabordi that stated Mr. Jackson wrongly and viciously attacked Mrs. Jane Marks (Mayor Mark's wife) of illegally using the Mayor's City-issued credit card. Mr. Schreiber also commented on Mr. Jackson's participation in public hearings related to the rooming house ordinance, enacted in 2000, where Mr. Jackson publicly stated, in a Tallahassee Democrat article, support for the ordinance but was also organizing students to stage rallies in opposition of the ordinance.

City Commission Meeting Summary - August 18, 2010

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

Item 1 - Ms. Marion Missy McGee, Northwest Florida Team Leader, U.S. Census Bureau, presented Mayor Marks, the Communications Department and Mr. Edward Young, Research Supervisor, Tallahassee-Leon County Planning Department, with a 2010 Census Appreciation Plaque.

Item 2 - Ms. Laura Lee Corbett, Ms. Tiffany Baker and Mr. Michael Wing from the Tallahassee Trust for Historic Preservation presented the letter from First Lady Michelle Obama designating the City of Tallahassee as a "Preserve America Community."

Mayor Marks stated that it was an honor for the community to be recognized by First Lady Michelle Obama and to receive designation as a Preserve America Community. Mayor Marks also noted that only 29 cities within the United States received this recognition. Mayor Marks also recognized Dr. Bonnie G. McEwan Executive Director, Mission San Luis.

Item 3 - Presented a proclamation recognizing the Leadership Tallahassee participants, and Mr. John M. Hogan as the 2010 Lifetime Leadership recipient, also recognized the finalists for the 2010 Distinguished Leadership Awards in the following categories:

- Leader of the Year: Ms. Jane Barron, Ms. Terrie Brooks, Mr. Marvin Mayer, Mr. William G. "Geri" Eaton, Ms. Chris L. Jensen, Ms. Liz Joyner, and Ms. Kelly T. Otte
- Leadership Pacesetter: Ms. R. Jai Gillum, Mr. Dean Inserra, Ms. Theresa "Cissy" Proctor, Mr. Julius J. Wiggins, and Ms. Opal McKinney-Williams
- Servant Leadership: Ms. Kristine E. Knab, Mr. Sean A. Pittman, Dr. Carolyn J. Ryals, Mr. Mark Schlackman, and Dr. Joseph L. Webster, Sr.

Item 4 - (Deleted from the Agenda) Presentation of Proclamation recognizing Poverty Solutions Week. (Recommended by the Mayor's Office)

Item 5 - Presentation of the Florida Department of Community Affairs Planning Excellence Award for recognition of the Tallahassee-Leon County Planning Department's work on the Multimodal Transportation District to the City Commission by Mr. Wayne Tedder, Director, Tallahassee-Leon County Planning Department. Mr. Tedder recognized Ms. Cheri Horne and Mr. Fred Goodrow. (Recommended by the Planning Department)

Mayor Marks accepted the award on behalf of the City Commission with thanks, and presented the award back to the Tallahassee-Leon County Planning Department for display in their office, and expressed his appreciation for their hard work.

Item 6 – (Deleted from the Agenda) Presentation of StarMetro Summer Mechanics Apprentice Program Certificates. (Recommended by StarMetro)

Item 6.1 - Presented a proclamation to Mr. Tavoris Cloud, Light Heavyweight Champion, recognizing him for giving back to the community and proclaiming August 18, 2010, as Tavoris Cloud Day in the City of Tallahassee. (Recommended by the Mayor's Office)

Mr. Cloud expressed his appreciation and accepted the proclamation with thanks.

Items 7 and 9-18 and Item 20 - Voted 5-0 to approve staff's recommendation presented on Consent Agenda items 7 and 9-18, and 20, taking the following action:

Item 7 - Reappointed Mr. Jorge Chamizo to serve on the Tallahassee-Leon County Board of Adjustment and Appeals. Term to expire June 2013. (Recommended by the Mayor's office)

Item 8 - (Pulled from Consent) Approval of agreement with BluePrint 2000 to perform flood mitigation improvements on Franklin Boulevard. (Recommended by the Economic & Community Development)

Item 9 - Approved the single source pricing agreement with Schweitzer Engineering Laboratories, Inc., at the negotiated quantity discounted price, for a five-year period estimated at \$2,000,000. The actual amount spent per year will depend on project scheduling and may vary during the five-year period. Individual quantities may be in excess of \$100,000. Funding will be provided by approved capital projects at the time of ordering. (Recommended by Electric Utility)

Item 10 - Authorized staff to execute one-year term contracts to Step-One, Remedy Intelligent Staffing and Cochhbha Enterprises, with the option to renew for two additional years if deemed necessary. (IFB No. 0113-09-VA-BC) (Recommended by Management and Administration)

Item 11 - Approved the Selection Committee's ranking and recommendation of the following five firms for electrical contractor services and authorized staff to execute a three-year contract with each firm. (RFQ No. 0086-10-VA-RC) (Recommended by Procurement Services)

- Anytime Electric, Inc.
- Florida Electric, Inc.
- Morgan Electric Company, Inc.
- Gemini Electrical Services
- Lawson & Lawson Electric Company, Inc.

Item 12 - Approved the Partnership Agreement and authorized the Tallahassee-Leon County Planning Department to participate as a partner in the submittal of the Sustainable Communities Regional Planning Grant application. (Recommended by the Planning Department)

Item 13 - Approved Resolution No. 10-R-03 requesting an easement from the Florida Department of Environmental Protection for the purpose of operating and maintaining a sewer line across State property from Langford Green to Lake Bradford Road. (Recommended by the Property Management Division)

Item 14 - Approved the purchase of one (1) Knuckle-boom tree debris loader for the Public Works Division for a total cost of \$212,803.99. (Recommended by the Public Works Department)

Item 15 - Approved the Local Agency Program (LAP) Agreement Amendment with the Florida Department of Transportation to reduce the LAP agreement amount to the low bid plus Construction Engineering Inspection amounts for the Lake Bradford Road Sidewalk Project funded through the American Recovery and Reinvestment Act of 2009 (ARRA) and authorized the Mayor to execute the LAP Agreement Amendment. (Recommended by the Public Works Department)

Item 16 - Awarded a supplemental agreement in the amount of \$385,712.19 to Genesis Group Inc., LLC (GGI), for consulting engineering services for the FAMU Way Extension project. These services will supplement staff's efforts during the final design, permitting and right-of-way acquisition phase of the project. (Recommended by the Public Works Department)

Item 17 - Approved rankings for RFP #0067-10-KR-RC and awarded the continuing services contract at the negotiated unit prices, for the base period of one (1) year with the capability to extend the contract annually for a period of up to four (4) additional years; a total period of five (5) years to Rowe Well Drilling Company, Inc., and authorized staff to enter into a contract for the period August 1, 2010 through July 31, 2015. (Recommended by Underground Utilities)

Item 18 - Approved award of equipment and chemicals for collection system odor and corrosion control (RFP NO. 0076-10-JAG-RC) to Siemens in the amount of \$385,750.25. Also authorized staff to proceed with the final development and execution of the contract documents. (Recommended by Underground Utilities)

Item 19 - (Pulled from Consent) Approval of Resolution No. 10-R-20 Authorizing Issuance of Not to Exceed \$170,000,000 City of Tallahassee, Florida Consolidated Utility System Revenue Bonds, Series 2010B.

Item 20 - Approved the minutes of the following City Commission Meetings:

- April 28, 2010 Regular Commission Meeting
- May 12, 2010 Regular Commission Meeting
- August 19, 2009 Regular Commission Meeting
- August 26, 2009 Regular Commission Meeting

Item 19 - Voted 4-0 (Commissioner Mustian abstained) to authorize, through a negotiated sale led by JP Morgan, the issuance of fixed-rate bonds to finance several Consolidated Utility Systems projects by adopting Resolution No. 10-R-20 authorizing the issuance of not to exceed \$170,000,000, City of Tallahassee, Florida Consolidated Utility Systems Revenue Bonds, Series 2010B, delegating certain responsibilities to the Mayor and City Treasurer-Clerk, delegating to the Mayor the authority to approve the final official statement with respect to the Series 2010 Bonds, delegating to the City Treasurer-Clerk the authority to determine the Reserve Fund Requirement for the Series 2010 Bonds, appointing a registrar and paying agent, providing certain other covenants and agreements in connection therewith, and providing an effective date. (Recommended by the Office of the Treasurer Clerk)

Item 21 - Introduced Ordinance No. 10-O-34 revising criteria for variances considered by the Board of Adjustment and Appeals and set the public hearing for August 25, 2010. (Recommended by the Legal Department)

Item 8 - Voted 5-0 to approve an appropriation of \$4,912,546 to receive the Disaster Recovery Grant proceeds and approved an agreement with BluePrint 2000 for an amount not to exceed \$4,200,000 for the design and construction of flood mitigation improvements to Franklin Blvd. (Recommended by Economic & Community Development)

Item 22 - Voted 5-0 to approve the proposed sale terms of 420 W. Georgia Street in the Carolina Oaks development, and authorized a deferred subordinate mortgage for an amount not to exceed \$45,000 at 0% interest to the eligible homebuyer. (Recommended by Economic & Community Development)

Item 23 - Received a power point presentation on the current status of the Greenways Master Plan, specifically the status of efforts to connect various elements of the system. A study to determine critical connections and to analyze how the connections can be established "on the ground" is underway. Three projects, the Pedestrian Bridge at Lafayette Heritage Trail Park (LHT Park), the Fern

Trail connector project underneath Capital Circle NE just below Mahan and the Goose Pond (Weems Road) connector project are in progress. Presented by Ms. Cherie Horne, Planning Department and Ms. Susan Tanski, Parks, Recreation & Neighborhood Affairs. (Recommended by Parks, Recreation & Neighborhood Affairs)

Item 24 - Voted 5-0 to approve the application for Temporary Economic Emergency Concurrency Relief for the Noah Ark Christian Academy located at 2011 South Monroe Street, reducing the amount of transportation concurrency mitigation dollars to be collected by \$3,206.50 (from \$12,826.00 to \$9,619.50). (Recommended by Growth Management)

Item 25 - Received an update on the business recruitment effort related to Project Rock. Staff from the City, Leon County, and the Tallahassee/Leon County Economic Development Council (EDC) has been working with a company that is evaluating Tallahassee as a location to develop components for a magnetâ€based propulsion system. The company has an agreement with NASA to construct the propulsion system, which is slated for testing in 2015. The EDC has requested that the identity of the company be kept confidential at this time and has labeled the recruitment effort as "Project Rock". A major component of the system is based on super conducting materials. Because of Tallahassee's growing prominence in magnetic technologies, the company is considering Tallahassee for its new facility.

Staff and the EDC are evaluating resources to assist in this recruitment effort including funding from Space Florida, which is a new State initiative to attract space based industries to Florida. Some level of City financial participation will be requested and a proposal is expected to be brought back to the Commission for consideration in the next 45 days. Presented by Mr. Michael Parker, Assistant Director, Economic and Community Development. (Recommended by Economic and Community Development)

Item 26 - Voted 5-0 to approve the amended Memorandum of Understanding with Leon County and the Leon County Schools for Palmer Munroe Restorative Justice and Youth Activities Center. The amendment consists of an understanding that no County funds and/or contributions will be used to pay for a City lease charge to any organization using the Palmer Munroe facility. Several minor amendments to the agreement were also made that include language stating that the Executive Committee would operate in accordance with applicable Sunshine Laws, that County participation would be contingent on Board appropriation as well as a statement that the City Manager would approve the lease rate to a Community Based Organization (CBO) occupying the facility. Presented by Mr. Jay Townsend, Assistant City Manager. (Recommended by Parks, Recreation and Neighborhood Affairs)

Commissioner Gillum announced the grand opening of the facility on Friday, August 27, 2010, and encouraged the Commissioners and public to attend.

Unagendaed Speakers

Mr. Ken Franklin, President & CEO of the Capital Region YMCA, 2001 Apalachee Parkway, appeared before the Commission to introduce himself and to highlight YMCA activities within the City of Tallahassee.

Mr. Wilson Barnes, 1949 Setting Sun Trail. Mr. Barnes, a 30 year Military Veteran, stated the was not sponsored by any organization or any politician. Mr. Barnes appeared before the Commission to commend the Commission along with Mayor Marks for doing a great job. Mr. Barnes stated that he, along with other veterans, supports Mayor Marks in the up coming election on August 24, 2010 and presented Mayor Marks with a baseball cap from the Buffalo Soldiers Museum in Houston Texas honoring his service as a veteran of the U.S. Military and his outstanding service as Mayor of the City of Tallahassee.

Mayor Marks accepted the cap with thanks and expressed his appreciation.

Sharing of Ideas

Mayor Marks stated the City received a broadband grant for \$1.5 - \$1.6 million for improvements to the Apalachee Ridge Technology Learning Center, Digital Harmony and other broadband projects in low-income areas. Mayor Marks stated that he would be working with Florida Representative Alan Williams, who was present in the audience, to get more grants.

City Commission Meeting Summary - August 25, 2010

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

Mayor Marks took a moment to thank citizens who exercised their right to vote in the municipal primary election held on August 24, 2010. Mayor Marks expressed his desire to work with all segments of the community and that he would like to move forward for the betterment of the community. Mayor Marks also thanked those who voted in his favor.

Commissioner Ziffer thanked citizens that voted for him and indicated that he learned a lot during the campaign and stated that he looked forward to serving the community for the next four years.

Commissioner Mustian congratulated Mayor Marks and Commissioner Ziffer on winning the elections.

Item 1 - Mr. Bob Inzer, President, Florida Center for Performing Arts and Education presented an update on fundraising efforts and other activities. Mr. Inzer requested that the Commission amend the Option Agreement for Sale and Purchase with the Florida Center for Performing Arts and Education Inc. that would extend the terms of the agreement for two years in order to reach the fundraising milestones required in the agreement. Requested that the dates be amended to read as follows:

By July 1, 2012, documentation showing the Purchaser having raised in cash or binding commitments or equivalents, 5 million dollars, 25% for the fundraising goal of 20 million dollars; and

By July 1, 2014, documentation showing the Purchaser having raised in cash or binding commitments or equivalents, 10 million dollars, 50% of the fundraising goal of 20 million dollars.

Item 2 - Summer Youth Presentations (Recommended by the Public Works Department and Parks, Recreation & Neighborhood Affairs)

Mr. Gabe Menendez, Director of the Public Works Department recognized participants of the City of Tallahassee Parks, Recreation and Neighborhood Affairs, and the Public Works Department, Summer Youth Employment Program. The Summer Youth Employment Program provided nine (9) weeks of full-time employment for at risk youth. Participants were at least 16 years old and worked 40 hours per week. Mr. Menendez also recognized the staff that served as mentors and crew leaders.

Ms. Ashley Edwards, Assistant Director, Parks, Recreation and Neighborhood Affairs, spoke on behalf of Mr. Dee Crumpler, Director, and indicated that staff had a wonderful experience working with the youth and looked forward to the program again next year.

Item 2.1 - Presentation of resolution endorsing and the need and goals of building an Education Center at the Vietnam Veterans Memorial Wall in Washington, D.C. (Recommended by the Mayor's Office)

Mayor Marks asked the audience to stand as he read aloud the names of the 26 Tallahasseeans killed-in-action in Vietnam and presented the resolution to Post Commander Mark Alvarez, Veteran's of Foreign Wars Post 3308, Tallahassee.

Commander Alvarez expressed his appreciation and accepted the resolution with thanks.

Items 3-8 - Voted 5-0 to approve staff's recommendation presented on Consent Agenda Items 3-8, taking the following action: ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Item 3 - Reappointed the following citizens to serve on the Downtown Improvement Authority. Terms will expire June 2013. (Recommended by the Mayor's Office)

- Mr. David Ericks
- Mr. L. Collins Proctor, Sr.
- Ms. Cynthia Tunnickliff

Item 4 - Approved establishing an Airport Safety Management System project with a budget of \$315,000 (Federal 95%/Local 5%), authorized staff to apply for, accept and execute an FAA grant for the SMS Implementation Study and authorized staff to negotiate and enter into an engineering task agreement with Kimley-Horn and Associates, Inc. (Continuing Services Agreement No. 1277) of \$300,000 for engineering consulting services in managing the Airport Safety Management System Implementation Study. (Recommended by Aviation)

Item 5 - Authorized staff to reallocate \$30,000 in State Housing Initiatives Partnership (SHIP) funds from: Project #900215 (\$10,000); Project #1000274 (\$6,000); and Project #1000291 (\$14,000) to be used for the in-house Emergency Home Repair Program (EHRP) Project #1000268. (Recommended by Economic & Community Development)

Item 6 - Authorized a supplemental appropriation of \$395,000 for Project 07149, Substation BP-21 from available Future Bond funds. (Recommended by the Electric Utility Department)

Item 7 - Authorized the City Manager to sign the Contractual Agreement by and between the State of Florida, Department of Financial Services and the City of Tallahassee in the amount of \$249,644 for Tallahassee Fire Department's Hazardous Materials (Hazmat) and Urban Search and Rescue (USAR) special operations teams and the Mutual Aid Radio Communications (MARC) unit. (Recommended by the Tallahassee Fire Department)

Item 8 - Approved the minutes from the May 26, 2010 Regular Commission Meeting (Recommended by the Office of the Treasurer-Clerk)

Item 9 - Voted 5-0 to approve an amendment to the Option Agreement for Sale and Purchase with the Florida Center for Performing Arts and Education Inc. (Center) which (1) extends the term of the agreement to July 1, 2014; (2) provides that by July 1, 2012, the purchaser must provide documentation demonstrating that the Center has raised in cash or binding commitments or equivalents, \$5 million; (3) by July 1, 2014, provide documentation demonstrating that the Center has raised in cash or binding commitment or equivalents, \$10 million; and (4) provide language that if the purchaser fails to meet any of these performance deadlines, the City, at its sole discretion, may terminate the Option Agreement. (Recommended by Economic & Community Development)

Item 10 - Voted 5-0 to authorize staff to negotiate and execute a second amendment to the Site B (Hondajet) agreement with Flightline Development Corporation to complete a 12,000 square-foot hangar and provide \$800,000 of Florida Department Of Transportation (FDOT) matching funds, subject to FDOT's approval of the Amendment. (Recommended by Aviation)

Item 11 - Voted 5-0 to approve a grant for \$150,000 to Good News Outreach, Inc. for completion of the infrastructure for the Westgate Affordable Housing Project subject to the terms and conditions as presented. (Recommended by Economic & Community Development)

Item 12 - Voted 5-0 to adopt Resolution No. 10-R-21, rescinding the Tallahassee Regional Airport DRI development order. (Recommended by the Legal Department)

Item 13 - Accepted the status report on Incentive Rebates. Voted 5-0 to appropriate an additional \$1.3 million (which includes a \$300,000 supplement approved by the City Manager) to the FY2010 budget for Residential Energy Conservation project #10074, increasing the total appropriation to \$6.07 million. Authorized DMA to transfer \$1.25 million into fund #403 "Energy Conservation - Residential Loans" from fund #413 "Energy Conservation - Commercial Loans." (Recommended by Energy Services)

Commissioner Gillum expressed concern with the extent of the program and whether the program will be demand driven, and suggested that the Commission discuss how far to extend the rebate program and the impact on the local economy.

Directed staff to present the item to the Environmental and Energy Resources Target Issue Committee and bring back a report relating to the impact of the rebate program on the local economy. Also directed staff to send surveys to local businesses that may be impacted by the rebate program in order to determine the percentage increase of sales for the past year.

Item 14 - Voted 5-0 to approve the 2030 Water Master Plan update, which is an update to the 2004 Master Plan and will serve as a guide for implementation of capacity and operational improvements to the City's water distribution system. The plan includes a complete GIS-based water system computer model; an evaluation of future needs based on five-year increments from 2010 through 2030, an assessment of fire flow capabilities, and a 20-year Capital Improvement Plan (CIP). (Recommended by Underground Utilities)

Commissioner Lightsey announced the Animal Service Center (ASC) adoption challenge and noted that the Tallahassee-Leon Community Animal Service Center was one of fifty agencies selected to participate in the adoption challenge, which runs from August 1 to October 31, 2010. Commissioner Lightsey stated that the American Society for the Prevention of Cruelty to Animals (ASPCA) sponsors this event. The goal is to have the most cats and dogs adopted during the 3-month period. Commissioner Lightsey stated that the winner of the Challenge will win \$100,000 and an additional \$25,000 will be awarded to the animal shelter with the best community engagement throughout the contest. Commissioner Lightsey stated that more information was available on Talgov.com/animals and also encouraged the public to view WCOT throughout the contest for pictures and clips of animals in the Tallahassee area.

Item 15 - Held the first and final public hearing of collection of special assessments on Tax Bill/adoption of Resolution No. 10-R-22 to adopt the 2010 Non-Ad Valorem Assessment Roll, and voted 5-0 to adopt Resolution No. 10-R-22 certifying the 2010 Non-Ad Valorem assessment roll. (Recommended by the Revenue Division)

There were no speakers on this item.

Item 16 - Held the second and final public hearing on Ordinance No. 10-Z-25, proposed amendment to the official zoning map changing the zoning classification from the Residential Preservation-2 (RP-2) to the Residential Preservation-1 (RP-1) zoning district for the Settlers Springs Subdivision (PRZ 100010). Voted 5-0 to adopt Ordinance No. 10-Z-25. (Recommended by the Tallahassee-Leon County Planning Department)

There were no speakers on this item.

Item 17 - Held the first and only public hearing on Ordinance No. 10-Z-31, proposed addition of 822 South Martin Luther King Jr. Boulevard to the Local Register of Historic Places and amendment of the Official Zoning Map to change the zoning classification from the All Saints Neighborhood-A (ASN-A) zoning district to the All Saints Neighborhood-A (ASN-A) zoning district with Historic Preservation

Overlay (HPO) (PRZ 100014). Voted 5-0 to adopt Ordinance No.10-Z-31. (Recommended by the Tallahassee-Leon County Planning Department)

There were no speakers on this item.

Item 18 - Held the first and only public hearing on Ordinance No. 10-Z-32, proposed amendment to the Official Zoning Map to change the zoning classification from the Manufactured Home Park (MH) to the Urban Residential (R-4) Zoning District for the Countryside Mobile Home Park located at 2636 Mission Road (PRZ 100015). Voted 5-0 to adopt Ordinance No. 10-Z-32. (Recommended by the Tallahassee-Leon County Planning Department)

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

- Mr. Glen Lang, 1122 Linwood Drive, appeared before the Commission to express opposition to Item 18. Mr. Lang expressed concern with the R-4 classification zoning that would permit 10,000 square feet of commercial use and indicated that he did not favor a large development with a single entrance and exit onto Mission Road. Mr. Lang recommended that the Commission not approve the R-4 classification and expressed his belief that a classification of R-3 would be more appropriate for this parcel.
- Ms. Mary Jean Yarborough, Senior Planner, Tallahassee-Leon County Planning Department clarified that the proposed R-4 classification does not permit commercial land uses but did permit 10,000 square feet of non-residential use that would include uses such as a community facility, religious facility, library, or a small school.

Commissioner Lightsey commented that this agenda item was only for the zoning issue and that other issues related to development on this site would be handled later during the site design, transportation and currency phases.

Commissioner Mustian commented on density issues and the location's close proximity to Tallahassee Community College and the desire of the Commission to locate these types of developments close to the college campuses. Commissioner Mustian offered his apologies to Mr. Lang but voiced his support of the proposal.

Item 19 - Held the first and only public hearing on Ordinance No. 10-Z-33, proposed addition of 222 Osceola Street to the Local Register of Historic Places and amendment of the Official Zoning Map to change the zoning classification from the Residential Preservation-2 (RP-2) Zoning District to the Residential Preservation-2 (RP-2) Zoning District with Historic Preservation Overlay (HPO) (PRZ 100016). Voted 5-0 to adopt Ordinance No. 10-Z-33. (Recommended by the Tallahassee-Leon County Planning Department)

There were no speakers on this item.

Item 20 - Held the first and only public hearing of Ordinance No. 10-O-34, revising criteria for variances considered by the Board of Adjustment and Appeals. Voted 5-0 to adopt Ordinance No. 10-O-34. (Recommended by the Legal Department)

There were no speakers on this item.

Unagendaed Business/Speakers

Mr. Curtis Baynes, 1323 E. Tennessee Street, appeared before the Commission and congratulated Mayor Marks and Commissioner Ziffer on their successful election campaigns and expressed his best wishes to them and the entire Commission for the duration of their terms. Mr. Baynes commented about promises made by candidates during the campaign. Mr. Baynes expressed concern with utility rates and the premiums assigned to water and electric bills of customers residing outside the City

limits. Mr. Baynes also expressed concerns about the performing arts center and the potential cost and the potential future tax revenue, also commented about basic city services.

Sharing of Ideas

Commissioner Mustian commented about the utilities and stated that an abundance of misinformation about the utility system was distributed during the election season.Â Â Commissioner Mustian stated that the City imposes a surcharge on water, sewer and electric customers that live outside of the City limits and has done so for years. Commissioner Mustian also stated that this issue was litigated in the 1980s and the City was found to be lawful to charge the surcharge.

Commissioner Lightsey commented about the City's utility rates and indicated that the City of Tallahassee does not have the highest rates in the state of Florida. Commissioner Lightsey noted that the City's utility rates are below the state average and that the operational costs of the City's utility are lower than most others. Commissioner Lightsey commented on several prior failed attempts to diversify the City's fuel base in an attempt to reduce utility rates.

Commissioner Gillum commented on people's ability to afford to pay for utilities and basic living expenses. Commissioner Gillum also commented on the uniqueness of the City's rebate program. Commissioner Gillum also commented on the various benefits, opportunities and liabilities of owning and operating a citizen-owned utility.

Commissioner Ziffer stated that the issue with utilities was used as a political weapon on the campaign trail. Commissioner Ziffer suggested giving citizens the opportunity to express their problems and discuss resolutions.

Commissioner Lightsey stated that the Commission invites constructive dialogue, but received a lot of misinformation regarding utilities during the campaign and stated that the Commission needed to diversify the fuel base and engage in discussions that are factual and rational.

Mayor Marks commented about the use of utility rates as a convenient campaign platform and noted that Gov. Charlie Christ was elected based upon an anti-utility platform. Mayor Marks concurred that the City runs an efficient utility operation, but noted that the City's rates are dependant upon the cost of natural gas.

Commissioner Mustian commented about the funding of the performing arts facility and indicated that he recognizes the fact that there are taxpayers who do not wish to fund a performing arts center. Commissioner Mustian stated that the one-cent tourist tax would not support the performing arts center debt service and that the tax was not intended for that purpose. Commissioner Mustian stated that there would have to be sales taxes pledged to the debt service, otherwise there would not be enough money to construct the facility. Commissioner Mustian stated that the tourist tax would likely be used for the operating costs. Commissioner Mustian stated that if the center was going to be constructed, it would be put to a referendum and the community would get an opportunity to vote.