

City Commission Meeting Summary - September 10, 2008

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

Commissioner Gillum introduced and welcomed a colleague from Gainesville, Mr. Travis Edmunds, now a freshman at FSU.

The Commission recognized and welcomed members of Youth Leadership in Tallahassee who were in attendance, including Keri Cornman, Brandy Diekman, Warda Jaber, Tiffany Kim, Marie Moyle, Jared Romero, Jasmyn Sanders, Reid Scarboro and Chase Watkins.

Item 1 - Mayor Marks presented a proclamation proclaiming the week of October 5 - 11, 2008, to be Fire Prevention Week 2008 in the City of Tallahassee.

Item 2 - Fire-Emergency Management Coordinator Robby Powers gave a Power Point presentation on the City's response to Tropical Storm Fay and an overview of the impacts to City operations and services.

Item 2.1 - Mayor Marks presented proclamations recognizing the following 2008 Distinguished Leadership Award Finalists, and the 2008 Lifetime Leadership Award Recipient:

Finalists for the 2008 Distinguished Leadership Awards,

- Leadership Pacesetter: Jeanne Curtin, Sammie Dixon, Dr. Ken Fowler, Jr., Lucas Hewitt, Kim Moore, and Jaimi Wacksman
- Leader of the Year: Raslean Allen, Dr. James Ammons, Pat Dorsey, Kristin Dozier, and Mike Phillips
- Servant Leadership: Carmen Cummings, Walt McNeil, Dr. Jim Stockwell, Steve Uhlfelder, and Roosevelt Wilson
- The 2008 Lifetime Leadership Award Recipient: The Honorable Marjorie Turnbull

Items 4-10 and 12-19 - Voted 5-0 (Commissioner Katz voting by telephone) to approve the staff's recommendations presented in Consent Agenda Items 4-10 and 12-19, taking the following action:

Item 3 - DELETED FROM THE AGENDA a proposed Conditional Concurrency Development Agreement with WP South Acquisition, LLC for the Stadium West Urban Planned Unit Development (PUD), for the development of a site bordered by Pensacola Street, Lovelace Drive, Lipona Road and Belle Vue Way (brought forward by the City Attorney)

Item 4 - Approved the purchase of "standardized" protective relays for use on transmission and distribution lines in the City's Electric Utility System from Schweitzer Engineering Laboratories, Inc. (SEL), sole source provider, on an "as required" basis at the negotiated quantity discounted price in the amount of approximately \$572,153.50 per year for FY09 and FY10, for a two-year total price not to exceed \$1,144,307 (Option 1 as recommended by the Electric Utility)

Item 5 - Approved the purchase of ten (10) 600-amp breakers for the Hopkins Unit 2 480 Volt Station Service Upgrade Project (Quote #0181-08-RM-QP) from Graybar Electric, low bidder meeting specifications, in the amount of \$94,100 (Option 1 as recommended by the Electric Utility)

Item 6 - Ratified the City Manager's emergency purchase of materials for reconductoring Transmission Line 3C from the 3M Company, sole source provider, in the amount of \$65,681.57 (Option 1 as recommended by the Electric Utility)

Item 7 - Approved a contract amendment, in the amount of \$887,928, to the current contract with C. A. Lindman, Inc. for the Kleman Plaza Garage waterproofing and repairs, including a 5% contingency, for a total revised contract amount of \$962,683 (Option 1 as recommended by the City Manager's Office)

Item 8 - Authorized the City Manager to sign a contractual agreement with the State Department of Financial Services/Division of State Fire Marshall for 2007-2010 State Homeland Security Grant Program funding for Florida Urban Search and Rescue Task Force 7, in the amount of \$161,315 (Option 1 as recommended by the Tallahassee Fire Department [TFD])

Item 9 - Authorized the establishment of a work order with an appropriation of \$9,000 from the Animal Shelter Donations Account #366005 and a work order in the amount of \$12,000 from the Forfeited spay/neuter Deposits Account #346410, for a total of \$21,000 for the purpose of supporting animal shelter operational needs (Option 1 as recommended by Parks, Recreation & Neighborhood Affairs [PRNA])

Item 10 - Authorized the purchase of 25 Panasonic TB-30 laptop computers and other associated equipment (0203-08-JAG-QP) from Insight Public Sector, Inc., low bidder meeting specifications, at a cost of \$98,618.75 (Option 1 as recommended by the Tallahassee Police Department [TPD])

Item 11 - DELETED FROM THE AGENDA the award of consulting real estate appraisal services contracts (brought forward by the City Manager's Office/Property Management)

Item 12 - Approved an award of bid for the installation of a six-foot ornamental fence and automatic gate at Southside Cemetery on Capital Circle Southwest (IFB #0089-08-TJK-BC) to B & T Fencing, low bidder meeting specifications, in the amount of \$73,750; and authorized staff to execute a contract (Option 1 as recommended by the City Manager's Office/Property Management)

Item 13 - Authorized the City Manager, or her designee, to execute a two-year contract extension with Recycled Fibers for the processing and marketing of recyclable materials, based on the projected recycling tonnage of 11,000 for FY2008, which was projected to result in revenues of \$650,000 and avoid landfill costs of approximately \$400,000 for the current fiscal year (Option 1 as recommended by Solid Waste Services)

Item 14 - Approved a transfer of funds, in the amount of \$420,000, from C. K. Steele Plaza Rehabilitation Project #0100757 to a new project for transit planning activities in FY2009 and FY2010, of which \$150,000 would be used to fund the 10-Year Transportation Development Plan (TDP) (Option 1 as recommended by StarMetro)

Item 15 - Approved an award of contract for consulting engineering services for the development of the Water Master Plan Update for the years 2010 through 2030 (RFP #0111-08-VA-RC) to Malcom Pirnie, Inc., the selection

committee's top-ranked recommendation based on cost and qualifications; authorized the City Manager to negotiate and enter into a contract with Malcom Pirnie, Inc., in an amount not to exceed \$350,000; if unable to reach agreement on a satisfactory contract with Malcom Pirnie, Inc., authorized the City Manager to negotiate and enter into a contract with Corollo Engineers, the second-ranked firm; and authorized the City Manager to approve non-scope change orders to the consulting contract in an amount not to exceed \$50,000 (Option 1 as recommended by Underground Utilities)

Item 16 - Approved an award of bid to furnish and install an odor control unit at Capital Circle and Blair Stone Road (Bid #0171-08-2008-VA) to Allen's Excavation, Inc., low bidder meeting specifications, in the amount of \$57,690 (Option 1 as recommended by Underground Utilities)

Item 17 - Approved an engineering design services task order for the Wastewater Force Main and Reuse Transmission Main Project with PBSJ, pursuant to Engineering Continuing Services Contract #1049, in the amount of \$144,842, plus \$30,158 for contingency and engineering overhead, for a total of \$175,000 (Option 1 as recommended by Underground Utilities)

Item 18 - Ratified emergency purchase orders totaling \$550,000 in response to emergency storm activity resulting from Tropical Storm Fay (Option 1 as recommended by Underground Utilities)

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

- April 10, 2008 Special Meeting (Wakulla Springs Joint Workshop)
- May 8, 2008 Special Meeting (Comp Plan Cycle 2008-1 Amendments Joint Public Hearing)
- June 4, 2008 Special Meeting (Comp Plan Cycle 2008-1 Amendments City Commission Workshop)
- August 19, 2008 Budget Workshop

Items 20-21 - By consensus, introduced Ordinances Nos. 08-O-59 and 08-O-62, and set the ordinances for public hearing as recommended:

Item 20 was a staff recommendation to introduce Ordinance No. 08-O-59, which would amend the City Code to utilize the negotiated additional 1% in pension funding to reduce individual firefighter's annual pension contributions beginning in FY2009, and set the ordinance for public hearing on September 24, 2008 (Option 1 as recommended by the City Treasurer-Clerk/Retirement Administration).

Item 21 was a staff recommendation to introduce Ordinance No. 08-O-62, which would adopt the 2008 Annual Capital Improvements Element (CIE) Update to the Comprehensive Plan, and set the ordinance for public hearing on September 24, 2008, at 6:00 p.m., in the City Commission Chambers, City Hall (Option 1 as recommended by the City Attorney).

Item 22 - Voted 5-0 (Commissioner Katz voting by telephone) to approve a proposed 0% interest loan from the Housing Trust Fund to Rainbow Rehab, in the amount of \$78,000, for the acquisition and rehabilitation of 303 Putnam Drive as a single family affordable housing unit, with a loan maturity date that was the earlier of (1) the sale of the unit or (2) one year from the date of the note (Option 1 as recommended by Economic & Community Development/Housing Division)

Item 23 - Voted 5-0 (Commissioner Katz voting by telephone to approve supplemental appropriations to the fuel and purchased power operation expense accounts for Electric and Gas Utilities, in the amounts of \$31.8 million in the Electric Fund and \$1 million in the Gas Fund, enabling the City to meet projected shortfalls in the energy and fuel cost budgetary requirements of the City's retail and wholesale customers for the remainder of the current fiscal year (also reflected as a total increase of \$32.8 million in Energy Services Department's Fund) (Option 1 as recommended by Energy Services)

Item 24 - Voted 5-0 (Commissioner Katz voting by telephone) to approve funding in the amount of \$307,420 and authorize Hatch Mott MacDonald to proceed with Phase II of the Sewer Master Plan, to prepare a Future Conditions Model and recommend collection systems improvements, including a \$12,500 allowance for workshops and presentations, and exceeding the fee negotiated in 2004 by \$61,680 for scope changes (Option 1 as recommended by Underground Utilities)

Item 25 - Voted 5-0 (Commissioner Katz voting by telephone) to approve the award of bid for the Northeast Drainage Ditch at Lonbladh Road Stormwater Improvements (IFB #0184-08-ER-BC) to Allen's Excavation, Inc. of Tallahassee, Florida, low bidder meeting specifications, in the amount of \$492,636 (Option 1 as recommended by Underground Utilities)

Item 26 - Voted 5-0 (Commissioner Katz voting by telephone) to authorize the implementation of the proposed 2009 Health Care Rate Structure for the 2009 Plan Year, reflecting an increase in the co-payment from \$50 to \$100 for outpatient surgery for CHP Plan participants, and a total increase in rate of 5.03% of which 68% would be picked up by the City and 32% by employees (Option 1 as recommended by Human Services)

The Commission concurred to give further consideration to this issue in connection with the employees' salary package and requested that the staff provide a profile on the impacts of the proposed health insurance costs to employees.

Item 27 - Voted 5-0 (Commissioner Katz voting by telephone) to rescind the current "No Layoff Policy", dated April 1996, and approve a proposed "Layoff Policy", effective September 11, 2008, as presented (Option 1 as recommended by Human Resources)

Item 28 - Voted 5-0 (Commissioner Katz voting by telephone) to approve a supplementation appropriation in the amount of \$50,000 from the Sales Tax 1989 funds, and fund the opening of a litigation construction capital project, which will be used to cover all litigation expenses incurred in FY2008 from the City Attorney's Office's general fund budget and all future litigation expenses to prepare for and try through the trial's conclusion on a breach of contract suit filed against the City by Peavy and Sons Construction Co., Inc. on this litigation matter relating to the Caliark Street and California Street Road Improvement Construction Project (Option 1 as recommended by the City Attorney)

Target Issue Updates:

Commissioner Gillum reported on activities of the Health and Human Services Target Issue Committee, comprised of himself and Commissioner Katz, including the Community Human Services Program (CHSP) needs assessment and evaluation process.

Mayor Marks commended the personnel and operations of the Trauma Center.

Item 29 - Received a brief overview of proposed adjustments to the Proposed FY2009 Budget, as presented in the agenda item; announced this was the first of two required budget public hearings, the next public hearing being scheduled for September 24, 2008, at 6:00 p.m.

1. City Attorney English read into the record: "The proposed millage rate for Fiscal Year 2009 is 3.2115 for the City of Tallahassee and 1.000 for the Downtown Improvement Authority, which is less than the aggregate rolled back rate of 3.3395 by 3.2%. This decrease will result in the reduction of general government services throughout the City." (Resolution No. 08-R-41 was provided to state the percentage that the tentative millage rate is below the rolled-back rate.]
2. Allowed public input on the City's proposed millage rate (In compliance with Florida Statute 200.065, this hearing was advertised per the TRIM notice, which was mailed to all property owners by the County Property Appraiser.)
3. Allowed public input on the City's Proposed Budget

The following persons appeared before the Commission:

- Mr. Miguel Jimenez, representing the Minority Business Enterprise (MBE) Advisory Committee (opponent of MBE budget cut)
- Mr. Travis Oaks, representing the Tallahassee Professional Firefighters (opponent of Fire Department budget cut)
- Mr. Jason Roth, 1547 Spruce Wood Trail (opponent of Fire Department budget cut)
- Mr. Mike Bellamy, 9301 Buck Haven Trail (opponent of Fire Department budget cut)
- Mr. Jarvis Bedford, 2035 Owenby Drive (opponent of Fire Department budget cut)
- Ms. Movia Miller, 1060 Longstreet Drive (discussed need for regular maintenance of a holding pond on Idlewild Drive or a holding wall to prevent flooding of her home)
- Ms. Gayle Muenchow, 1209 Camellia Drive (discussed ideas for cost savings)
- Mr. Tom Morgan, 2996 Fenwick Court East, President of the Foxcroft Neighborhood Association (opponent of Neighborhood Affairs budget cut)
- Mr. Stephen Hogge, 410 East 9th Avenue, President of the Council of Neighborhood Associations (CONA), and resident member of Mid-Town Neighborhood Association (opponent of Neighborhood Affairs budget cut)
- Mr. Sandler Dickson, 729 Kenilworth Road, representing the Waverly Hills Neighborhood Association (opponent of Neighborhood Affairs budget cut)
- Ms. Jennifer Naff, 10389 Belgrand Drive, representing Springtime Tallahassee, Inc. (opponent of proposed cost sharing charge of \$22,000 for City services for the Springtime Tallahassee Festival)
- Mr. Erwin Jackson, 5002 Glen Rose (opponent of taxing differential between homestead property owners and commercial/rental properties)

The City Manager directed staff to meet with Ms. Miller regarding her concern.

Mayor Marks requested that Ms. Muenchow discuss her ideas with Mr. Reginald Ofuani, the City's Director of Solid Waste.

Mayor Marks requested that Ms. Naff provide him with a copy of a study that she had referenced on the economic impacts of the Springtime Tallahassee Festival to the Tallahassee community.

4. Allowed public input on the DIA's proposed millage rate (In compliance with Florida Statute 200.065, this hearing was advertised per the TRIM notice, which was mailed to all property owners by the County Property Appraiser.)
5. Allowed public input on the DIA's proposed budget
6. Voted 4-0 (Commissioner Katz absent) to approve adjustments to the City's proposed budget as recommended by staff and outlined in the agenda item

Commissioner Mustian left the meeting at 6:43 p.m.

7. Voted 3-0 (Commissioners Katz and Mustian absent) to approve the City's tentative millage rate of 3.2115 mills, Resolution No. 08-R-41 (Attachment 1 to the agenda item)

City Attorney English publicly announced: "The proposed aggregate millage rate is less than the rolled back rate by 3.2%. This decrease will result in the reduction of general government services throughout the organization." (If the Commission should decide to amend and recomputed the tentative millage rate, Florida Statute 200.065(2)c requires that the Commission publicly state the City's amended tentative millage rate and the percentage increase above the rolled-back rate, and offset the cost of notifying property owners of the change.)

8. Voted 3-0 (Commissioners Katz and Mustian absent) to approve the City's tentative budget, as amended

By consensus, the Commission directed staff to bring back a modified proposed severance package for laying off employees in filled positions that were cut from the budget, as discussed.

Clarified the Commission's hope that the Fire Department budget cut was temporary.

Commissioner Gillum requested an individual briefing from the Fire Chief on the impacts of the Fire Department budget cut on the service level.

Commissioner Gillum confirmed with the City Manager that a committee was working on incentives for vehicle parking alternatives, which would be brought to the Commission.

Mayor Marks expressed hope that some alternative could be found to charging a \$10 after school program fee at the community centers. He also suggested that based on a positive impact of \$5 million to the community, the downtown merchants and businesses would benefit from finding a way to provide the \$22,000 cost sharing for the Springtime Festival.

9. Voted 3-0 (Commissioners Katz and Mustian absent) to approve the DIA's tentative millage rate of 1.000 mill, Resolution No. 08-R-41 (Attachment 1 to the agenda item)
10. Voted 3-0 (Commissioners Katz and Mustian absent) to approve the DIA's tentative budget (Attachment 21 to the agenda item)
11. City Attorney English read the title of Ordinance No. 08-O-60 into the record.

By consensus, the Commission introduced Appropriations Ordinance No. 08-O-60 (Attachment 2 to the agenda item). (Contingent upon Commission action, the ordinance and required budget summary advertisement will be adjusted accordingly for all issues resolved as part of this item, as well as items approved during the September 10, 2008, Commission meeting that may affect the FY 2009 Budget.)

(The proposed Appropriation Ordinance No. 08-O-60 reflects all changes to the proposed budget that were approved by the Commission at the budget workshop on August 19, 2008, and subsequent adjustments for changes in State revenues, updating of employee salary and benefits, and similar items recommended by staff. Further actions taken by the Commission will be adjusted for the final public hearing on September 24, 2008.)

Unagendaed Speakers - None

City Commission Information and Sharing of Ideas

Mayor Marks advised that he would be meeting with the Governor and his staff relative to providing some assistance with bringing more airline service to Tallahassee.

CTC:RM:ecg:09-11-08

City Commission Meeting Summary - September 24, 2008

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

Item 1 - Sitting as the Pension Plan Board of Trustees, with Police Lieutenant Joni Chase joining the City Commissioners, the Board voted 6-0 to accept and implement the reports on the 2007 Actuarial Valuations of the City of Tallahassee's Defined Benefit Plan and Matched Annuity Pension Program, prepared by Buck Consultants (Option 1 as recommended by the City Treasurer-Clerk/Retirement Administrator)

Mr. Andrew C. Stratton, Principal, Consulting Actuary, Buck Consultants, of Atlanta, GA, appeared before the Pension Board and gave a positive overview of these actuarial valuations.

Items 2-18 - Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 2-18, taking the following action:

Item 2 - Approved the reappointment of Terry Barineau to the Construction Industry Review Committee, to a term expiring September 2011 (as recommended by Mayor Marks)

Item 3 - Approved the award of a construction contract for the Tallahassee Regional Airport Terminal Building Emergency Power Upgrades Project (Bid #0144-08-KR-BC) to MetroPower, Inc., of Albany, GA, low bidder, in the amount of \$1,771,672, and waived the Disadvantaged Business Enterprise (DBE) goal for this project (Option 1 as recommended by Aviation)

Item 4 - Approved the 2009 City Commission meeting schedule as proposed (as recommended by the City Manager's Office)

Item 5 - Approved the award of bid for the Economic Development Assistance (EDA) Grant Project for the Frenchtown Infrastructure Improvement, Phase II (IFB #0035-08-JAG-BC) to MetroPower, Inc., low bidder meeting specifications, in the amount of \$734,724, and authorized staff to proceed with a contract (Option 1 as recommended by ECD)

Item 6 - Approved a supplemental appropriation of \$4 million and authorized General Electric to make required repairs to Hopkins Power Plant HC3 and HC4, with determination of the final liability following the root cause failure analysis on HC4 (Option 1 as recommended by Electric Utility)

Item 7 - Approved the award of a construction contract for the overhead segments of the Eastern Transmission Line (ETL), Phase I and associated work on existing Lines 15A and 15C to MasTec North America, Inc., low bidder meeting specifications, in the amount of \$7,623,510; authorized the City Manager or her designee to execute a contract with the selected firm in accordance with IFB #0174-08-RM-BC and to approve contract amendments in an amount not to exceed 25% of the initial contract value; and authorized the Electric Utility to transfer both the expenses and funds from all previous projects into one project (Option 1 as recommended by Electric Utility)

Item 8 - Approved an increase to a task order with R. W. Beck to complete the development of Open Access Transmission Tariff (OATT) Rates & Charges (Option 1 as recommended by Electric Utility)

Item 9 - Authorized Environmental Consulting and Technology, Inc. (ECT) to conduct a Copper Translator Study at Hopkins Power Plant, in the amount of \$75,258; also, authorized an additional amount of \$50,000 to cover potential increase in the scope of the study (as recommended by Environmental Policy and Energy Services [EPES])

Item 10 - Approved the selection committee's ranking and recommendation of the following six highest-scored firms for General Contractor Construction Services (RFQ #0088-08-ER-RC), and authorized staff to execute a three-year contract with each firm (Option 1 as recommended by Procurement Services):

- Council Contracting, Inc. (Certified Minority Business Enterprise [MBE])
- Bass Construction Co., Inc.
- Cook Brothers, Inc.
- Warren Building Co., Inc.
- Garrison Design & Construction, Inc.
- Watts Mechanical, Inc. (Certified MBE)

Item 11 - Approved the award of three-year contracts for Fencing Services (IFB #0102-08-JAG-BC) to Perimeter Fence and to B & T Fencing, the two overall lowest bidders meeting specifications, and authorized staff to enter into contracts for the period of September 1, 2008 through August 31, 2011 (Option 1 as recommended by DMA/Procurement Services)

Item 12 - Approved the purchase of an Animal Crematorium (IFB #0187-08-ER-BC) from Crawford Industrial Group, low bidder meeting specifications, in the amount of \$83,590 (Option 1 as recommended by Parks, Recreation and Neighborhood Affairs [PRNA])

Item 13 - Adopted Resolution No. 08-R-36, requesting an electric easement from the Florida Department of Environmental Protection (FDEP) for a traffic control cabinet located adjacent to Florida State University Parking Garage #4 at the corner of Tennessee Street and Macomb Street (Option 1 as recommended by the City Manager's Office/Property Management)

Item 14 - Approved the award of three-year contracts for Consulting Real Estate Appraisal Services (RFP #0139A-TJ-RC) to the following seven (7) highest ranked firms (Option 1 as recommended by the City Manager's Office/Property Management):

- Appraisal Group of Tallahassee
- Boutin Valuation Services
- Brown Bevis Real Estate Appraisers
- Cureton-Johnson and Associates
- Diskin Property Research
- Ketchum Appraisal Group, Inc.
- Weigel-Veasey Appraisers, Inc.

Item 15 - Approved the Varnum Subdivision Plat, containing 1.63 acres bounded on the north and west by unplatted land and on the south by U.S.

Interstate No. 10 (S.R. 8), planned for development as commercial office by Elliott Varnum, the owner (as recommended by Public Works/Engineering)

Item 16 - Approved the amended 2008 Transit Development Plan Minor Update, which includes the required fare box recovery report (Option 1 as recommended by StarMetro)

Item 17 - Approved the award of a three-year contract for the period October 1, 2008 through September 30, 2011, for Risk Management Contractual Services (RFP #0185-08-KR-RC) to each of the seven service providers responding to the RFP, and authorized staff to begin contract negotiations; additionally, authorized staff to extend the term of the contracts for up to two (2) additional one-year periods if service is deemed acceptable (Option 1 as recommended by the City Treasurer-Clerk/Risk Management):

- American Investigations Management
- Business Decisions Information, Inc.
- Case by Case Investigations, Inc.
- Global Options Fraud & SIU Services
- ICS Merrill EMSI Investigative Services
- SIU Central
- State Information Bureau

Item 18 - Approved the minutes of the following City Commission meetings:

- June 17, 2008 - Joint City-County Commission Workshop on Cycle 2008-1 Amendments to the Comprehensive Plan
- July 2, 2008 - Joint City-County Commission Public Hearing on Cycle 2008-1 Amendments to the Comprehensive Plan
- August 20, 2008 - Regular Meeting

Item 19 - Voted 5-0 to accept the human services funding recommendations made by the 12 Citizens Review Teams and the Community Improvement Advisory Council; and authorize staff to negotiate and execute contracts for the amounts listed in the FY 2008/09 Grant Funding Summary (Option 1 as recommended by Economic & Community Development [ECD]/Human Services)

The following citizen volunteers appeared before the Commission on behalf of the City's Community Improvement Advisory Council and the CHSP Citizens Review Teams:

- Allen Franklin, of Peter R. Brown Construction
- Kaleema Muhammad, of the Agency for Health Care Administration
- Charles J. (Joe) F. Schreiber, Jr., of McConnaughay, Duffy, Coonrod, Pope & Weaver, P.A.

Additionally, Mr. Franklin introduced the following citizen volunteers supporting the CHSP Program:

- Jan Smitherman, Capital Health Plan
- Kara Palmer, Economic Development Council of Tallahassee/Leon Co.
- Audrey Heffron, FSU Center for Disaster Risk Policy & Florida Public Affairs Center
- Lewis Johnson, Tallahassee Police Department
- D. M. Gabrielle, Gabrielle Consulting

- Anika Fields, TCC
- Shelley Lewis, Boys Scouts of America
- Nancy Hillger, Boys Scouts of America
- Gwendolyn Fillyau, FAMU School of Pharmacy
- Sue Griner, Boy Scouts of America, Learning for Life
- Renee McNeill, Premier Bank
- Cindy Dick, Tallahassee Fire Department
- Tim Naddy, Elayaway
- Paul Watts, Electronet
- Ben Harris, City, Economic Development
- Beulah Striggles, State of Florida
- James Moran, FAMU School of Pharmacy
- Judie Miller, Kids Incorporated
- Brant Copeland, First Presbyterian Church
- Phyllis Bush, City Parks and Recreation
- Helen Michel, American Red Cross
- Kathy Grobe, Municipal Code Corporation
- Jennifer Wolf, WFSU
- Cecka Coreen, Florida Housing Finance Corporation
- Sharon Daugherty, YMCA
- Michael Lindert, City, Water Utility

Item 20 - Voted 5-0 to authorize acceptance and expenditure of the \$4,000 grant awarded by the American Heart Association (AHA) to Cardiac Science for purchasing four automated electronic defibrillators (AEDs) (Option 1 as recommended by the Tallahassee Police Department [TPD])

Item 21 - Voted 5-0 to adopt Resolution No. 08-R-42 implementing the solid waste collection service level and rate changes, effective October 1, 2008 (Option 1 as recommended by Solid Waste)

Item 22 - Held a public hearing on the adoption of the final millage rate and Fiscal Year 2009 Budget for the City of Tallahassee and the Downtown Improvement Authority (DIA) (brought forward by the Department of Management & Administration [DMA]):

1. City Attorney English read into the record: "The proposed millage rate for Fiscal Year 2009 is 3.2115 for the City of Tallahassee and 1.000 for the Downtown Improvement Authority, which is less than the aggregate rolled back rate of 3.3395 by 3.2%. This decrease will result in the reduction of general government services throughout the City." (Resolution No. 08-R-41 was provided to state the percentage that the tentative millage rate is below the rolled-back rate.)
2. Allowed public input on the City's final millage.

There were no speakers on this issue.

1. Allowed public input on the City's Final Budget:

Joseph Kennedy, II, 560 Miccosukee Road, representing City of Tallahassee general employees, appeared before the Commission and spoke against increasing employee parking fees.

1. Allowed public input on the DIA's final millage.

There were no speakers on this issue.

1. Allowed public input on the DIA's final budget.

There were no speakers on this issue.

1. Voted 5-0 to approve adjustments to the City's final budget as recommended in the agenda item.
2. Voted 5-0 to approve the City's final millage rate of 3.2115 mills, Resolution No. 08-R-41AA.

City Attorney English publicly announced: "The proposed aggregate millage rate is less than the rolled back rate by 3.2%. This decrease will result in the reduction of general government services throughout the organization." (If the Commission should decide to amend and recomputed the tentative millage rate, Florida Statute 200.065(2)c requires that the Commission publicly state the City's amended tentative millage rate and the percentage increase above the rolled-back rate, and offset the cost of notifying property owners of the change.)

1. Voted 5-0 to approve the City's final budget, as amended

Discussed the potential need for mid-year budget amendments and further reductions in the 2010 budget year.

1. Voted 5-0 to approve the DIA's final millage rate of 1.000 mill, Resolution No. 08-R-41AA (Attachment 1 to the agenda item).
2. Voted 5-0 to approve the DIA's final budget (Attachment 18 to the agenda item)
3. City Attorney English read the title of Ordinance No. 08-O-60AA into the record.

Voted 5-0 to adopt Appropriations Ordinance No. 08-O-60AA (Attachment 2 to the agenda item) (Appropriation Ordinance No. 08-O-60AA reflects all changes to the tentative budget adopted by the City Commission on September 10, 2008.)

Item 23 - Held a public hearing on Pension Ordinance No. 08-O-59, introduced on September 10, 2008, and voted 5-0 to adopt the ordinance, amending the City Code to include a negotiated pension enhancement to the Firefighters' Pension Plan (Option 1 as recommended by the City Treasurer-Clerk/Retirement)

There were no speakers on this item.

Item 24 - Held the first and only public hearing on Ordinance No. 08-O-62, introduced on September 10, 2008, and voted 5-0 to adopt the ordinance, adopting the 2008 Annual Capital Improvements Element (CIE) Update to the Comprehensive Plan (Option 1 as recommended by Planning)

There were no speakers on this item.

City Commission Information and Sharing of Ideas

Commissioner Mustian disclosed for the record that his law firm had held some discussions with representatives of Tallahassee Memorial Hospital (TMH) regarding some potential future refinancing and he stated that before being elected to the City Commission, he had served as Bond Counsel for the City of Tallahassee to TMH.

Unagendaed Speakers:

Mr. Joe Schreiber, 566 Beverly Court, member of a United Way Big Bend/City of Tallahassee project, in coordination with the Internal Revenue Service (IRS), announced an event scheduled for October 2, 2008, from 10:00 a.m. to 1:00 p.m., at the Smith-Williams Neighborhood Service Center, 2295 Pasco Street, in Tallahassee, to help people claim their Economic Stimulus Payment if they have not already done so (with a deadline of October 15, 2008, to file a claim for a payment).

Additionally, Mr. Schreiber commended the City Commission on not increasing taxes.

Mr. Ron Sachs, 114 S. Duval Street, representing the Tallahassee Chamber of Commerce, appeared before the Commission and expressed support for expanding the City's recycling program to include businesses at no additional cost.

CTC:RM:ecg:09-26-08

City Commission Meeting Summary - October 7, 2008

The City Commission met in regular session and took the following action (with Commissioner Lightsey absent):

Item 1 - Mayor Marks presented a proclamation proclaiming the week of October 5-11, 2008, to be the 22nd Annual Public Power Week in the City of Tallahassee

Items 2-15 - Voted 4-0 (Commissioner Lightsey absent) to approve the staff's recommendations presented in Consent Agenda Items 2-15, taking the following action:

Item 2 - Approved the proposed settlement of a construction case titled Peavy & Son Construction Co. Inc. v. City of Tallahassee, related to the Caliark Street and California Street Road Improvement Project (Option 1 as recommended by the City Attorney)

Item 3 - Authorized staff to award an engineering task assignment to Reynolds, Smith and Hills, Inc. (RS&H), as the Airport General Engineering Consultant under Contract 1276, and enter into an agreement with RS&H for the design of the Airport Water Intrusion Project #07125, in the amount of \$188,579 (Option 1 as recommended by Aviation)

Item 4 - Approved the award of bid for the finish painting of Hopkins Unit 2 Repowering (HP2A) (RFP #0198-08-RM-RC) to Mansfield Industrial, Inc., the top-ranked applicant proposal, in an amount not to exceed \$450,000 for the base and unit pricing work (Option 1 as recommended by Electric Utility)

Item 5 - Approved the award of contract for the Hopkins Unit 2 Repowering Project's steam turbine low pressure section modifications to Siemens, the original equipment manufacturer (OEM), in an amount not to exceed \$515,360 for the base and unit pricing work; and authorize the City Manager to approve up to an additional \$100,000 if needed (Option 1 as recommended by Electric Utility)

Item 6 - Approved the award of bid for a six-year electric utility line clearance contract (IFB #0182-08-RM-BC) to the following low bidders meeting specifications (Option 1 as recommended by Electric Utility):

- Asplundh Tree Expert Co. for firm price circuit maintenance trimming
- Wolf Tree Inc. for labor, equipment and material work

Item 7 - Approved the selection committee ranking and authorized staff to negotiate continuing services agreements (CSAs) for Electric Planning Services (RFP #0126-08-RM-RC) with the following top four ranked firms, and authorized the City Manager to execute a CSA with each firm following the negotiations approval by the City Attorney (Option 1 as recommended by Electric Utility):

- Pace Global Energy Services
- R. W. Beck
- Burns & McDonnell
- ICF Resources

Item 8 - Authorized payment of the final invoice for the Hopkins Unit 2 steam turbine/generator (STG) voltage regulator repairs by increasing the value of Purchase Order #0001028520 to \$87,592.52 (Option 1 as recommended by Electric Utility)

Item 9 - a) authorized the City Manager to execute the Florida Transmission Capability Determination Group (FTCDG) Participants Agreement, subject to concurrence by the City Attorney; b) authorized the City Manager to execute agreements with Open Access Technologies International, Inc. (OATi) and the Florida Electric Power Coordinating Group, Inc. (FCG) to facilitate the calculation and posting of Available Transfer Capability (ATC) on behalf of the members of the FTCDG subject to concurrence by the City Attorney; c) approved funding of up to \$25,000 associated with the software package to be developed by OATi; and d) approved funding of up to \$15,000 per year associated with maintenance support services for the OATi software package (Option 1 as recommended by Electric Utility)

Item 10 - Authorized the City Manager to sign a Subrecipient Agreement by and between the State of Florida Department of Financial Services and the City of Tallahassee, for State Homeland Security Grant Program funding managed by the State Fire Marshal's Office, in the amount of \$170,885, enabling staff to expend the grant monies allocations for the Florida Hazmat Region 2 Team as presented (Option 1 as recommended by the Tallahassee Fire Department)

Item 11 - Approved and authorized staff to execute a three-year contract for recycled and non-recycled content paper printing services (IFB #0165-08-TJ-BC) with Garvin Management Company d/b/a Insty-Prints of Tallahassee, sole bidder meeting specifications, in the estimated amount of \$250,000 over the term of the contract (Option 1 as recommended by Procurement Services)

Item 12 - Authorized the City Manager or designee to execute the Think About Personal Pollution (TAPP) Phase III grant funding agreement with the Florida Department of Environmental Protection (FDEP) upon receipt, for the TAPP Phase III Funding Request of \$498,325 from FDEP plus a 44% City match of \$384,587, totaling \$882,912; and authorized contracts with vendors as presented in the agenda item (Attachment 3) (Option 1 as recommended by Underground Utilities/Water Resources)

Item 13 - Approved the selection and ranking of a construction contract for water infrastructure services (RFP #0170-08-VA-RC), and authorized the City Manager to negotiate and enter into a three-year contract with RAW Construction, LLC, first-ranked applicant firm; in the event a satisfactory contract cannot be negotiated, authorized the City Manager to attempt

contract negotiations with the second-ranked applicant firm, Sandco Inc. (Option 1 as recommended by Underground Utilities/Water Engineering)

Item 14 - Approved the award of contract for biosolids storage improvements at the TP Smith Wastewater Treatment Facility (IFB #0200-08-TJ-BC) to Concrete Services, Inc. of Quincy, Florida, low bidder meeting specifications, in the amount of \$133,779 (Option 1 as recommended by Underground Utilities)

Item 15 - Approved the minutes of the September 10, 2008 Regular City Commission Meeting (as recommended by the City Treasurer-Clerk/Records Management Officer)

Items 16-24 - By consensus, introduced Ordinances Nos. 08-O-13, 08-Z-32, 08-Z-55, 08-Z-56, 08-Z-57, 08-Z-58, 08-Z-61, 08-O-63 and 08-O-65, as recommended:

Item 16 - Introduced Public School Concurrency and Facility Planning Ordinance No. 08-O-13, which would implement the provisions of the Interlocal Agreement for School Concurrency and Facility Planning, and the School Facilities Element of the Comprehensive Plan; and set October 22, 2008, as the public hearing date (Option 1 as recommended by Planning)

Item 17 - Introduced Central Urban Northeast and Northwest Site Specific Zoning Ordinance No. 08-Z-32, which would rezone all currently zoned Central Urban properties located in the northern portion of the City to site-specific Central Urban zoning districts CU-18, CU-26, CU-45 and OS zoning districts, and set the ordinance for public hearings on October 22 and November 25, 2008 (Option 1 as recommended by Planning)

Item 18 - Introduced James D. Shealey, etal. Rezoning Ordinance No. 08-Z-55, which would rezone 5.4 acres at the northwest corner of Mahan Drive and Dempsey Mayo Road (owned by James Shealey, of Cottondale, Florida, and Yogshri, LLC) from Residential Preservation 2 to MRCN Mahan Residential Corridor Node, implementing Large Scale Comprehensive Plan Map Amendment PCM 080101 (PRZ080015); and set the ordinance for public hearing on October 28, 2008, at 6:00 p.m., in the Leon County Courthouse (Option 1 as recommended by Planning)

Item 19 - Introduced PPS Auto Properties, LLC Rezoning Ordinance No. 08-Z-56, which would rezone 7.7 acres at the northwest corner of Tennessee Street and Dixie Drive (owned by PPS Auto Equities, LLC, of Pompano Beach, Florida) from Commercial Parkway to University Transition, implementing Large Scale Comprehensive Plan Map Amendment PCM 080105 (PRZ080016); and set the ordinance for public hearing on October 28, 2008, at 6:00 p.m., in the Leon County Courthouse (Option 1 as recommended by Planning)

Item 20 - Introduced City of Tallahassee Rezoning Ordinance No. 08-Z-57, which would rezone 1 acre at the northeast corner of Orange Avenue and Pasco Street (owned by the City of Tallahassee) from Urban Pedestrian 2 to OS Open Space District, implementing Large Scale Comprehensive Plan Map Amendment PCM 080108 (PRZ 080017); and set the ordinance for public hearing on October 28, 2008, at 6:00 p.m., in the Leon County Courthouse (Option 1 as recommended by Planning)

Item 21 - Introduced Dwellington Rezoning Ordinance No. 08-Z-58, which would rezone five parcels totaling 1.97 acres at the west side of North Bronough Street directly across from West 5th Avenue and at the northeast

corner of the intersection of North Bronough Street and West 5th Avenue from CU (Central Urban) to the CU-26 and CU-45 zoning districts, as requested by the applicant, Pete Rosen, and the agent, Paradigm Engineers & Consultants (PRZ 080020); and set the ordinance for public hearing on October 22, 2008 (Option 1 as recommended by Planning)

Item 22 - Introduced Fountain Auto Repair Expansion Rezoning Ordinance No. 08-Z-61, which would rezone two parcels on the west side of Vogue Drive approximately 260 feet south of Apalachee Parkway from RP-MH (Residential Preservation Mobile Home Single-Family) to CP (Commercial Parkway), as requested by the applicants, Wallace T and B. L. Fountain, and the agent, GPI Southeast, Inc. (PRZ 080021); and set the ordinance for public hearing on October 22, 2008 (Option 1 as recommended by Planning)

Item 23 - Introduced Revision of Definitions of Flood, Floodplain and Floodway Ordinance No. 08-O-63, which would revise definitions of flood or flooding, floodplain, and floodway in the Land Development Code to be consistent with the same definitions in the Comprehensive Plan (Text Amendment PCT 080110) and the National Flood Insurance Program; and set the ordinance for public hearing during the joint public hearing on the adoption of the Cycle 2008-1 Amendments to the Comprehensive Plan, scheduled for October 28, 2008, at the Leon County Courthouse (Option 1 as recommended by the City Attorney)

Item 24 - Introduced Adoption of Cycle 2008-1 Amendments to the Comprehensive Plan Ordinance No. 08-O-65, which would adopt the approved Cycle 2008-1 Amendments as part of the Comprehensive Plan; and set the ordinance for public hearing during the joint public hearing on the adoption of the Cycle 2008-1 Amendments to the Comprehensive Plan, scheduled for October 28, 2008, at 6:00 p.m., in the County Commission Chambers in the Leon County Courthouse (Option 1 as recommended by the City Attorney)

Item 25 - Voted 4-0 (Commissioner Lightsey absent) to authorize the City Manager to execute a proposed Option Agreement with Artspace, Inc. and the Council on Culture and Arts (COCA) on a four-acre site owned by the City on Railroad Avenue immediately north of the Amtrak Station for the development of a mixed-use "Arts Exchange" project, consisting of a 50-unit affordable live/work residential component and a 75,000 square-foot "arts incubator" - including a two-year term and specific performance requirements (Option 1 as recommended by Economic & Community Development [ECD])

Item 26 - Voted 4-0 (Commissioner Lightsey absent) to hold in abeyance the distribution of the remaining balance of \$1.2 million in the City's deferred revenue account, which had been received from Southern Wholesale Energy in a refund settlement of reactive power charges overpaid between 1990 and 1999, allowing staff to bring back an alternate recommendation within 30 days on using the funds to help customers needing it the most (brought forward by Utility Business & Customer Service [UBCS])

Item 27 - Received a staff update on the City's Energy Smart Plus (e+) initiatives and customer communication; signed up for Smart Billing (paperless billing) available to all customers (information available at www.talgov.com) (brought forward by UBCS)

Recognized the following individuals:

- Ms. Cynthia Valencic, Director Family Support Service for Capital Area Community Action Agency
- Mr. Rob Renzi, Director of Big Bend Care

- Ms. Dotti Hinkle, Director of Elder Care Services

Item 28 - Received a Power Point presentation from staff updating the Commission on the infrastructure installation schedule for the Gaines Street Project (brought forward by ECD/Community Redevelopment Agency)

Item 29 - Voted 4-0 (Commissioner Lightsey absent) to approve a Linear Infrastructure Variance requested by Blueprint 2000 for the construction of Capital Cascade Trail Segment 2, necessary because the project would impact altered and unaltered floodplains, altered watercourses, and wetlands; and direct the applicant to obtain Federal Emergency Management Agency (FEMA) approval of the Letter of Map Revision (LOMR)/Conditional Letter of map Revision (CLOMR) for this project, and subsequently request a variance to Chapters 5 and 6 of the Environmental Management Ordinance (EMO) through the Environmental Variance Board (Option 1 as recommended by Growth Management)

Target Issue Committee Updates

Long Range Planning

Commissioner Gillum reported that the Committee was making progress with the Florida Department of Transportation (FDOT) on removing two lanes from the six-lane Tennessee Street segment between Monroe Street and Ocala Road, lying along the edge of the Florida State University (FSU) campus, to allow a more pedestrian-oriented corridor in the short term and the long-term as appropriate for a multi-modal district. He stated that this could potentially be used as a template for other major transportation corridors, and advised that staff would bring this issue and notice requirements to the Commission.

Additionally, Commissioner Gillum reported that the staff planned to bring an item to the Commission regarding a proposed language change in the EMO to give Growth Management more authority on tree protections, and he advised that an update on the Tallahassee Transit Renaissance Plan would be presented to the Commission in the near future.

Economic Development

Mayor Marks reported that the Committee had held some discussions relative to interest in pursuing the development of a convention hotel on the O'Connell parcel in conjunction with the redevelopment of Gaines Street. Brief discussion ensued relative to the challenge of selling the Gaines Street properties during the current economic environment.

Financial Viability

Commissioner Mustian reported that the Committee had discussed the City's prepaid gas deal with Lehman Brothers in light of the current gas market; and had looked at the possibility of enhancing incentives for people to opt out of the City's health care system, but had concluded that it was not worth pursuing. He also reported that the Committee had discussed City indices, brought up at the last Commission Retreat, and a work plan for 2009, to include such issues as fuel hedging, funding for OPEB, the pension system, and the take home vehicle policy.

Environmental and Energy Resources

Mayor Marks reported that the Committee had discussed efforts underway for the next Wakulla Springs Symposium; and efforts being made to get developers to include backflow prevention more unobtrusively. He also reported that the advanced wastewater treatment program was moving forward expeditiously.

Unagendaed Speaker

Mr. Joe Schreiber, 566 Beverly Court, appeared before the Commission and commended the e+ initiative and the placement of larger culverts under Lafayette, presented in Item 29. He also commended Ms. Glenda Thornton on being named President of the Tallahassee Regional Chamber of Commerce.

City Commission Information and Sharing of Ideas

Mayor Marks introduced Ms. Allie Steele, a new intern in his office, currently a graduate student in the FSU School of Public Administration and formerly from the University of Florida.

Mayor Marks advised that he had asked the City Manager to try to find a creative way to address some of the Special Events funding issues, which had been cut in the City's Budget. Commissioner Gillum stated his support for that direction.

Mayor Marks also discussed ongoing efforts to obtain more airline services to Tallahassee.

Commissioner Gillum acknowledged the City of Tallahassee's Digital Harmony Project winning the award for Excellence in Bridging the Digital Divide at the previous day's ITFlorida Awards Gala held in Orlando, and he thanked the City's Chief Information Services Officer, Don DeLoach, and his staff for their efforts on that project.

CTC:RM:ecg:10-07-08

City Commission Meeting Summary - October 22, 2008

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

Mayor Marks recognized this as the last meeting that would be attended by Tallahassee Democrat Reporter Mr. Julian Pecquet, who had covered City of Tallahassee news over the past three years. The Commissioner wished Mr. Pecquet well in his upcoming move to Washington, D.C., and welcomed his successor, Mr. John Crawford.

Item 1 - Mayor Marks presented a proclamation proclaiming the month of October 2008 to be Community Planning Month in the City of Tallahassee, and recognized Tallahassee-Leon County Planning Department staff, including:

Wayne Tedder, Planning Director; Dan Lucas, Comprehensive Planner; Zack Galloway, Land use Planner; Cherie Horne, Planner Manager; Steven Hodges, Environmental Planner; Gordon Hansen, Senior Planner; Mary Jean Yarborough, Land Use Planner; Russell Snyder, Interim Division Manager for Land Use Planning; Mr. Fred Goodrow, Chief of Comprehensive Planning (absent); Deepika Andavarapu, Land Use Planner

Item 2 - Commissioner Andrew Gillum presented R. Frank Nims Middle School Principal Kay Collins and Mr. Christopher Small, Nims Academic Coach, with the IT Florida award recognizing the Nims Digital Harmony Pilot Project as the "Best Digital Divide Project in the State".

Item 3 - Received a brief presentation reporting on a position statement adopted by the United Way of the Big Bend Board of Directors related to transparency on funding decisions; accepted the report and suggested that the report be taken to the Joint Planning Board for consideration as well, with any suggested changes to be brought back to the Commission

Mr. Dave Ramsay, United Way Board Chair, and Mr. Ken Armstrong, United Way President, appeared before the Commission relative to this item.

Items 4-20 - Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 4-20, taking the following action:

Item 4 - Approved the reappointment of W.E. "Bill" Johnson to serve a second term on the Joint City-County School Coordinating Committee, to a term expiring November 2012 (recommended by Mayor Marks)

Item 5 - Approved the purchase of one E-ONE P712 Aircraft Rescue and Firefighting (ARFF) replacement vehicle from Hall-Mark/E-One Fire Apparatus Inc., pursuant to City Contract #1274, and the appropriation of an additional \$250,000 to ARFF Vehicle Replacement Project #08122, from the Passenger Facility Charge Funds (Option 1 as recommended by Aviation/Airport Operations)

Item 6 - Approved modification of the City Commission Meeting Schedule, changing the Target Issue Workshops from monthly to quarterly workshops, to be held in November 2008, February 2009, May 2009 and October 2009 (Option 1 as recommended by the Assistant to the City Manager)

Item 7 - Approved the award of bid for the rewind and refurbishment of the Hopkins Unit 2 circulating water pump motor (IFQ #0202-08-RM-QP) to Tampa Armature Works, Inc., low bidder meeting specifications, in the amount of \$59,400 (Option 1 as recommended by Electric Utility)

Item 8 - Approved the award of purchase of two cooling tower gearboxes and motor assemblies for the Hopkins Unit 2 (IFQ #0199-08-RM-QP) to SPX Cooling Technologies, Inc., low bidder meeting specifications, in the amount of \$158,719.90 (Option 1 as recommended by Electric Utility)

Item 9 - Approved the execution of a new maintenance agreement with Spectrum Systems, Inc., of Pensacola, Florida, for continuous emission monitoring systems (CEMS) on seven of the City's power generating units, for the period January 1, 2009 through December 31, 2014, at a cost of \$180,525 for FY2009 and \$1,122,080 over the term of the contract (Option 1 as recommended by Electric Utility)

Item 10 - Approved the award of a three-year contract for security guard services at City Hall, the Renaissance Building, and StarMetro C. K. Steele Plaza (IFB #0048-08-ER-RC) to Barkley Security Agency, Inc., incumbent firm and low bidder meeting specifications, for estimated annual costs of \$268,657 and \$805,971 over the term of the contract (Option 1 as recommended by the Assistant to the City Manager/Facilities Management)

Item 11 - Ratified a change order, in the amount of \$22,360, to Purchase Order #0001027914 with Berigan Painting Contractors, to address additional repairs to the City Hall North Wall Façade, increasing the purchase order from \$68,980 to \$91,340 (Option 1 as recommended by the Assistant to the City Manager/Facilities Management)

Item 12 - Approved a change order to the existing construction contract for the Traffic Signal Upgrade for Hi Lo Way/Mahan Drive (Bid #0125-08-ER-BC) with Ingram Signalization, Inc., for a similar traffic signal upgrade to the Blair

Stone Road/Phillips Road intersection, in the amount of \$153,390 (Option 1 as recommended by Public Works/Engineering)

Item 13 - Approved the award of a contract for the repair/replacement of pond liners at Thomas P. Smith Water Reclamation Facility Ponds Nos. 1 and 6 (IFB #0154-08-VA-BC) to ERC General Contracting Services, Inc., of Winter Garden, Florida, low bidder meeting specifications, in the amount of \$385,551 (Option 1 as recommended by Underground Utilities)

Item 14 - Approved the award of bid for construction of the Ford Street Drainage Improvement Project (Bid #0204-08-TJ-BC) to Allen's Excavation, Inc., of Tallahassee, Florida, low bidder meeting specifications, in the amount of \$824,308 (Option 1 as recommended by Underground Utilities/Stormwater)

Item 15 - Approved the Selection Committee's ranking of applicant firms for Consulting Engineering Services contracts for water resources engineering (RFQ #0196-08-TJ-RC), and authorized the City Manager to execute three-year contracts with the six top-ranked firms, including CDM, Capital Engineering & Surveying, Inc., Chastain Skillman, Hatch Mott MacDonald, Malcolm Pirnie, and PBW&J (Option 1 as recommended by Underground Utilities/Water Resources Engineering)

Item 16 - Approved the Selection Committee's ranking of applicant consulting firms for the Stormwater Infrastructure Inventory and Mapping, Phase II Project (RFQ #0085-08-ER-RC), and authorized the City Manager or her designee to negotiate and execute a contract for the proposed work with the top-ranked firm, Woolpert LLP; and, if a satisfactory agreement cannot be reached, then authorized contract negotiations with the second-ranked firm, Dyer, Riddle, Mills and Precourt, Inc. (Option 1 as recommended by Underground Utilities/Water Resources Engineering)

Item 17 - Approved the purchase of two vertical turbine pumps for the Southeast Farm Sprayfield from Thornton and Company, of Eagle Lake, Florida, sole source provider, in the amount of \$140,920 (Option 1 as recommended by Underground Utilities/Wastewater Operations)

Item 18 - Approved the award of contract for the purchase of six surface aerators for the Thomas P. Smith Water Reclamation Facility Treatment Train No. 3 aeration basins (IFB #0188-08-VA-BC) to Siemens, of Roscoe, Illinois, low bidder meeting specifications, in the amount of \$181,815 (Option 1 as recommended by Underground Utilities/Advanced Wastewater Treatment [AWT] Project)

Item 19 - Adopted Resolution No. 08-R-43, providing for a Communications Services Tax (CST) rate adjustment from 5.49 to 6.10 percent, effective January 1, 2009 (Option 1 as recommended by the City Treasurer-Clerk/Revenues Division and the Department of Management & Administration [DMA])

Item 20 - Approved the minutes of the September 24, 2008, Regular City Commission Meeting (as recommended by the City Treasurer-Clerk/Records Administrator)

Item 21 - Received a staff briefing on the Taylor Energy Center Final Closeout Report, for a final cost of \$2.7 million to the City of Tallahassee, including credits totaling \$234,904 and an

overpayment of \$217,859.39 deposited in the City's account as of September 19, 2008 (brought forward by Electric Utility)

Discussed a motion to pursue the recovery of a \$400,000 expenditure made at the direction of the other partners of the TEC without the consent of the City of Tallahassee, but there was no second to the motion

Item 22 - Voted 5-0 to authorize payment of the final invoice to North Florida Asphalt for emergency roadway repairs to Capital Circle due to Tropical Storm Fay by increasing the value of Purchase Order #0001038855 an additional \$193,492, to a total of \$543,492 (Option 1 as recommended by Underground Utilities)

Item 23 - Received a Power Point presentation, presented by Planning staff, and discussed the Significant Benefit Memorandum of Agreement between Leon County, the City of Tallahassee, and the Florida Department of Transportation (FDOT) for the expenditure of proportionate share funds; revisions to the Concurrency Management System Policies and Procedures Manual implementing proportionate share and flexible payment alternatives; and an update on the Countywide Impact Fee Study

Voted 5-0 to approve Options 1, 3 and 5, as discussed (as recommended by the Growth Management Department and the Planning Department):

Option 1 Approve the Memorandum of Agreement and authorize the mayor to sign the Agreement on behalf of the City Commission

Option 3 Adopt amendments to the Concurrency Management System Policies and Procedures Manual to implement proportionate share on a Citywide basis and establish provisions for a flexible payment alternative when certain conditions can be met, and to allow for the calculation of mitigation costs at 60% for FY2009 and increases of 10% per year until 100% is recovered in FY2013

Option 5 Schedule a joint meeting with the Leon County Board of County Commissioners to discuss the Countywide impact fee currently in development, on January 7, 2009, from 4:00 p.m. to 5:30 p.m.

Requested that the staff provide a graphic showing congested roads with overburdened schools

Item 24 - Held the first and only public hearing on Public School Concurrency and Facility Planning Ordinance No. 08-O-13AA, introduced on October 7, 2008

Voted 3-0 (Commissioners Katz and Lightsey absent) to adopt Ordinance No. 08-O-13AA, amending the Land Development Code implementing the requirements for school concurrency (Option 1 as recommended by Planning)

There were no speakers on this item.

Item 25 - Held the second and final public hearing on Central Urban Southeast and Central Urban Southwest Rezoning Ordinance No. 08-Z-31AA, introduced on May 28, 2008, and continued and rescheduled from July 9, 2008; the first public hearing was held on August 20, 2008 (brought forward by Planning)

Voted 5-0 to adopt Ordinance No. 08-Z-31AA, providing for the application of site-specific Central Urban zoning districts to properties located in the southern

portion of the City, south of Gaines Street, currently zoned Central Urban (CU), rezoning the parcels from the CU zoning district to the CU-18 (Central Urban 18), CU-26 (Central Urban 26), CU-45 (Central Urban 45) and OS (Open Space) zoning districts (PRZ #080006)

Ms. Jolillian A. Hunter, 1323 S. Bronough Street, representing the Allen Subdivision/South Bronough Street Neighborhood Association, appeared before the Commission in opposition to this item

Item 26 - Held the first of two public hearings on Central Urban Northeast and Northwest Site Specific Rezoning Ordinance No. 08-Z-32, introduced on October 7, 2008, which would rezone all currently zoned Central Urban properties located in the northern portion of the City to site-specific Central Urban zoning districts CU-18, CU-26, CU-45 and OS zoning districts

Set the second and final public hearing on Ordinance No. 08-Z-32 for November 25, 2008 (Option 1 as recommended by Planning)

Directed staff to bring back information on 1) how the properties were currently developed, and 2) potential impacts to the Smokey Hollow residential area

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

- Mr. Calvin Sherman, 740 White Drive #6 (opponent; submitted written comments for the record - placed on file in the Office of the City Treasurer-Clerk)
- Mr. Curtis Baynes, Owner/Manager of Myers Park Lane LLC, 1323 East Tennessee Street (opponent; submitted written comments for the record- placed on file in the Office of the City Treasurer-Clerk)
- Mr. Eric Hagerman, 1240 N. Bronough Street (proponent)
- Mr. Robbie Brunger, 1118 N. Bronough Street (opponent)
- Mr. Charles F. Dolcater, 2003 Myers Park Lane (opponent)
- Mr. Richard Cooper, 1007 Myers Park Lane (opponent)
- Ms. Mamie Thomas, 1007 Myers Park Lane (opponent)

Item 27 - Held the second and final public hearing on Land Development Code Amendment for Central Urban Zoning District Ordinance No. 08-O-42AA, introduced on July 2, 2008; the first public hearing was held on August 20, 2008; this ordinance would amend the allowed uses and development standards in the CU 18 Central Urban, CU-26 Central Urban, and CU-45 Central Urban zoning districts (brought forward by Planning)

Continued the public hearing on Ordinance No. 08-O-42AA to November 25, 2008, to allow further staff review of concerns relating to buffering requirements

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

- Mr. Eric Hagerman, 1240 N. Bronough Street (opponent)
- Mr. Robbie Brunger, 1118 N. Bronough Street (opponent)

Item 28 - Held the first and only public hearing on Canopy PUD Rezoning Ordinance No. 07-Z-43AA, introduced on August 29, 2007, and continued from June 25 and August 20, 2008, which would rezone a 508-acre parcel located at the southeast corner of the intersection of Fleischman Lane and Centerville Road, in the "Toe" of the Welaunee Plantation property, from CPA (Critical Planning Area) to Canopy Planned Unit Development (PUD) (PRZ #070015) (applicant: CNL Tallahassee I, LLC; agent: Moore Bass Consulting, Inc.)

Continued the public hearing on Ordinance No. 07-Z-43AA to February 25, 2009, as requested by the applicant (Option 1 as recommended by Planning)

Mr. Stephen N. Martin, 2625 Stonegate Drive, appeared before the Commission in opposition to this item (submitted written comments for the record - on file in the Office of the City Treasurer-Clerk).

Item 29 - Held the second and final public hearing on Land Development Code Amendment for Commercial Parkway Zoning District Ordinance No. 08-O-43AA, introduced on July 2, 2008; the first public hearing was held on August 20, 2008

Voted 5-0 to adopt Ordinance No. 08-O-43AA, amending the Intent, Building Restrictions, and Access Requirements of the Commercial Parkway Zoning District consistent with changes approved in Comprehensive Plan Amendment 2006-2-T-009 (Option 1 as recommended by Planning)

Mr. Wade Pitt, of Moore Bass Consulting, 805 N. Gadsden Street, representing Mr. Harold Palmer and Mr. Robert Dean, indicated his availability to answer questions in support of this item.

Item 30 - Voted 5-0 to adopt Mission Road Abandonment Ordinance No. 08-O-53, introduced on July 9, 2008, abandoning a portion of the Mission Road right-of-way, approximately 145 feet east of Yonview Drive to approximately 185 feet west of Ocala Road (agent: Wilson Miller) (Option 1 as recommended by Planning) (The first and only public hearing on this ordinance was held and closed on August 20, 2008.)

Directed staff to provide a traffic circulation plan subsequent to this road right-of-way abandonment

Item 31 - Voted 0-5 to adopt Otis Street Abandonment Ordinance No. 08-O-54AA, introduced on July 9, 2008, denying the abandonment of a portion of the Otis Street right-of-way, located approximately 350 feet east of Chapel Drive to the west corner of Otis Street and Conradi Street (applicant: FSU Conradi; agent: Holland & Knight LLP) (brought forward by Planning) (The first and only public hearing on this ordinance was held and closed on August 20, 2008, and the applicant subsequently withdrew the application for abandonment.)

Item 32 - Held the first and only public hearing on Dwellington Rezoning Ordinance No. 08-Z-58, introduced on October 7, 2008, which would rezone five parcels totaling 1.97 acres at the west side of North Bronough Street directly across from West 5th Avenue and at the northeast corner of the intersection of North Bronough Street and West 5th Avenue from CU (Central Urban) to the CU-26 and CU-45 zoning districts, based upon the findings of the Planning Commission, which had voted 6-1 on September 2, 2008, to recommend approval of this application (applicant: Pete Rosen; agent: Paradigm Engineers & Consultants) (PRZ 080020) (brought forward by Planning)

Voted 4-1 (Commissioner Lightsey opposed) to adopt the ordinance as amended (Ordinance No. 08-Z-58AA), amended to rezone the property to CU-26 on the east side of Bronough Street and to CU-18 on the west side of Bronough Street to be consistent with the adjoining parcels

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

- Mr. Eric Hagerman, 1240 N. Bronough Street (opponent)

- Mr. Mark Schuster, representing Paradigm Engineers, 2424 Millcreek Court, Suite 3, on behalf of Mr. Jason Gold (proponent as amended to CU-18 to be consistent with adjoining parcels)

Item 33 - Held the first and only public hearing on Fountain Auto Repair Expansion Rezoning Ordinance No. 08-Z-61, introduced on October 7, 2008

Voted 3-2 (Commissioners Lightsey and Mustian opposed) to adopt the ordinance, rezoning 0.43 acres (two parcels) on the west side of Vogue Drive approximately 260 feet south of Apalachee Parkway from RP-MH (Residential Preservation Mobile Home Single-Family) to CP (Commercial Parkway) (applicants: Wallace T and B. L. Fountain; agent: GPI Southeast, Inc.) (PRZ 080021) (Option 2 as recommended by the Planning Department) (The Planning Commission had voted 5-2 on October 7, 2008, to recommend denial of the proposed rezoning.)

Strongly suggested that the owners provide an opaque buffer and vegetation

Directed the staff to evaluate potentially changing the Suburban Future Land Use Map designation so that there would be no inconsistency with the existing RP-MH zoning district

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

- Mr. Richard Stevens, 1401 Rita Road (opponent)
- Mr. Luis Serna, 3559 Timberlane School Road, representing the applicants (proponent): representing applicants
- Ms. B. L. (Bo) Fountain, representing herself and Mr. Terry Fountain, 1346 Vogue Drive (proponent)

Unagendaed Speakers:

The following persons appeared before the Commission and stated their objection to the establishment of a \$10 per week recreation fee for children attending after school programs at the City's recreation service centers:

- County Commissioner Bill Proctor, 301 S. Monroe Street, representing his constituents (also requested that consideration be given to using some Community Redevelopment Agency [CRA] funds to provide snacks and food in areas demarcated by hunger; invited the City Commission to attend a town hall meeting on this matter, which would be jointly hosted by School Board Member Lewis-Butler and himself, on Monday, October 27, 2008, at 7:00 p.m., at the Walker Ford Community Center)
- School Board Member Maggie Lewis-Butler, 419 Mercury Drive, representing Leon County School District 3
- Ms. Caprice Jones, 4536 Deslin Drive, representing MENT Coalition Mentor Program
- Ms. Danielle Alexander, 368 Chastain Lane, representing MENT Coalition Mentor Program
- Ms. Belysia Walker, 2915 Sharer Road #1613, representing MENT Coalition Mentor Program
- Mr. Andrew Allen, 600 Eugenia Street #125, representing MENT Coalition Mentor Program
- Mr. Kenneth Collins, 600 Eugenia Street, representing MENT Coalition Mentor Program
- Ms. Ashley Finney, 1327 High Road, representing MENT Coalition Mentor Program
- Mr. Eddie Kilpatrick, Jr., 2200 Bourgogne Drive (objected to the children needing to confess to being poor before receiving help)

- Mr. Michael Jefferson, 4056 Buster Road (referenced a letter stating that children would be escorted off the property if not registered - letter not available)

The Commission confirmed with Tallahassee Parks, Recreation and Neighborhood Affairs Director Dee Crumpler that no child was being turned away and that the staff of the community service centers provided fee waivers as needed.

Mr. Crumpler provided a copy of his notification letter (placed on file in the Office of the City Treasurer-Clerk).

Mr. Joe Thomas, Director of the Walker-Ford Community Center, clarified that there appeared to be some public misunderstanding that children not paying a fee would not be allowed on the facilities.

Commissioner Gillum acknowledged those students who mentored these children in the after school programs and thanked them for their advocacy. He suggested that the Center Directors use this as an opportunity to get the parents involved to some degree.

Mayor Marks indicated that he welcomed the idea of an annual fundraiser, as suggested by Ms. Ashley Finney. He also challenged the Leon County Board of Commissioners and Leon County School Board to provide some funding assistance with these after school programs.

CTC:RM:ecg:10-24-08

City Commission Meeting Summary - October 28, 2008

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

Item 3 - Held a joint City-County Commission public hearing on the adoption of non-EAR based Cycle 2008-1 Comprehensive Plan Amendments, summarized as follows:

PROPOSED NON-EAR BASED CYCLE 2008-1 AMENDMENTS TO THE TALLAHASSEE-LEON COUNTY JOINT COMPREHENSIVE PLAN

Item #	Amendment To:	Nature of Proposed Amendment	City and County Commission Positions
PCM080101	FUTURE LAND USE MAP (Northwest corner of Mahan Drive & Dempsey Mayo Road)	From: Residential Corridor To: Residential Corridor Node 5.44 Ac.	City - Approve County - Approve
PCM080102	FUTURE LAND USE MAP (North side of Mahan Drive, 235 feet west of Thornton Road.)	From: Residential Corridor To: Residential Corridor Node 21 Ac. (expanded to include a total of 6 properties at intersection of Thornton Rd. & Mahan Dr.)	City - Approve as modified County - Approve as modified
PCM080104	FUTURE LAND USE MAP (South side of Mahan Drive, approximately 3/10 mile east of its intersection	From: Rural To: Urban Fringe 509.23 Ac.	WITHDRAWN

with Wadesboro Road)

PCM080105	FUTURE LAND USE MAP (West Tennessee Street and Dixie Drive)	From: Suburban To: University Transition 7.7 Ac.	WITHDRAWN
PCM080106	FUTURE LAND USE MAP (East side of Spring Hill Road, the south side of Mill Street and lying 216 feet north of Orange Avenue)	From: Central Urban To: Recreation/Open Space 4.44 Ac.	PREVIOUSLY ADOPTED AS A SMALL-SCALE AMENDMENT
PCM080108	FUTURE LAND USE MAP (North side Orange Avenue between Wahnish Way & Pasco Street)	From: Residential Preservation To: Suburban & Government Operational 1.84 acres	City - Approve (rezone Government/Operational properties to OS Open Space) County - Approve
PCM080109	FUTURE LAND USE MAP (Villas Court Subdivision - East side of Dellwood Drive)	From: Residential Preservation To: Urban Residential 5.51 acres	PREVIOUSLY ADOPTED AS A SMALL-SCALE AMENDMENT
PCT080110	TEXT AMENDMENT	Glossary Changes to definition of Floodway/Floodplain	City - Approve County - Approve
PCT080111	TEXT AMENDMENT	Transportation Element Update Roadway Functional Classification Maps (changing function of several roadways within and adjacent to Cascades Park)	City - Approve County - Approve
PCT080112	TEXT AMENDMENT	Land Use Element Deletes intersection with Capital Circle from Southeast Section Plan Capital Circle Access Points Map	City - Approve as modified County - Approve as modified
PCT080113	TEXT AMENDMENT	Capital Improvements Element Annual Update	WITHDRAWN

The following persons appeared before the Joint Commission:

- Ms. Edwina Stephens, 608 Famcee Avenue, College Terrace Subdivision (opponent of Map Amendment 080108)
- Ms. Shirley Gooding-Butler, 3978 Calle De Santos Road (proponent of Map Amendment 080108 and the adoption of rezoning Ordinance No. 08-Z-57)
- Mr. Darwin Gamble, 1248 Halifax Court, representing the Greater Brandt Hills Neighborhood Association (opponent of Map Amendment PCM080108)

The City Commission voted 4-0 (Commissioner Mustian absent) to pull Map Amendment PCM080108 from Consent; subsequently, the City Commission

voted 3-1 (City Commissioner Katz opposed; City Commissioner Mustian absent) to maintain the City's previous position and approve PCM 080108.

The City Commission voted 4-0 (Commissioner Mustian absent) to approve the Consent Agenda with the exception of Map Amendment PCM080108.

The County Commission voted 6-0 (County Commissioner Proctor absent) to approve the amendments on the Consent Agenda with the exception of PCM080108.

The County Commission voted 5-2 (County Commissioners Rackleff and Thaeil opposed) to accept the staff's recommendation and approve PCM080108; this followed an earlier County Commission vote of 2-4 (County Commissioners Sauls, Desloge, DePuy and Dailey opposed, and County Commissioner Proctor absent) to deny the amendment as amended with a modification to Government Operational on the west end only of the property

The City Commission voted 4-0 (City Commissioner Mustian absent) to adopt Ordinance No. 08-O-65AA, introduced on October 7, 2008, incorporating Cycle 2008-1 Map Amendments PCM 080101, 080102, 070206, 080108, and Text Amendments PCT 080110, 080111 and 080112 as part of the 2010 Tallahassee-Leon County Comprehensive Plan.

The County Commission voted 7-0 to approve the adoption of a similar County ordinance, incorporating Cycle 2008-1 Map Amendments PCM 080101, 080102, 070206, 080108, and Text Amendments PCT 080110, 080111 and 080112 as part of the 2010 T

Item 4.A - Held a City Commission public hearing and voted 4-0 (City Commissioner Mustian absent) to adopt Ordinance No. 08-Z-55, introduced on October 7, 2008, rezoning 5.4 acres at the northwest corner of Mahan Drive and Dempsey Mayo Road (owned by James Shealey, of Cottondale, Florida, and Yogshri, LLC) from Residential Preservation 2 to MRCN Mahan Residential Corridor Node, implementing Large Scale Comprehensive Plan Map Amendment PCM 080101 (PRZ080015) (Option 1 as recommended by Planning)

There were no speakers on this item.

Item 4.C - Held a City Commission public hearing and voted 4-0 (City Commissioner Mustian absent) to adopt Ordinance No. 08-Z-57, introduced on October 7, 2008, rezoning one (1) acre at the northeast corner of Orange Avenue and Pasco Street (owned by the City of Tallahassee) from Urban Pedestrian 2 to OS Open Space District, implementing Large Scale Comprehensive Plan Map Amendment PCM 080108 (PRZ 080017) (Option 1 as recommended by Planning)

There were no speakers on this item.

Item 4.D - Held a City Commission public hearing and voted 4-0 (City Commissioner Mustian absent) to adopt Ordinance No. 08-O-63, introduced on October 7, 2008, revising definitions of flood or flooding, floodplain, and floodway in the Tallahassee Land Development Code to be consistent with the same definitions in the Comprehensive Plan (Text Amendment PCT 080110) and the National Flood Insurance Program (Option 1 as recommended by Planning) (Staff distributed copies of the corrected ordinance, placed on file in the Office of the City Treasurer-Clerk.)

There were no speakers on this item.

Item 5.A - Held the first of two quasi-judicial County Commission public hearings on a proposed County ordinance, which would rezone 29.79 acres located at the intersection of Mahan Drive and Thornton Road from Residential Corridor to Residential Corridor Node, and would implement Comprehensive Plan Map Amendment PCM 080102

There were no speakers on this item.

Item 5.B - Held a County Commission public hearing on a proposed County rezoning ordinance, which would have implemented the withdrawn Comprehensive Plan Map Amendment PCM080104

There were no speakers on this item.

Item 6 - Jointly discussed staff proposals for City Commission and County Commission action on Comprehensive Plan Amendments process changes, including:

- limiting the number of cycles to one per year,
- changing the review process for small scale amendments to allow these to occur four times a year, and
- changes in the text amendment submittal process.

The Joint Commission accepted public input on this issue from the following speakers:

- Dr. Pamela Hall, 5051 Quail Valley Road
- Mr. George Lewis, 203 N. Gadsden Street #6
- Mr. Alfredo Cruz, 3425 Laura Street, representing the Council of Neighborhood Associations (CONA) Board
- Ms. Becky Subrahmanyam, 1257 Cornerstone Lane
- Mr. Darwin Gamble, 1248 Halifax Court, representative of the Greater Brandt Hills Neighborhood Association

The City Commission voted 4-0 (City Commissioner Mustian absent) to approve conducting one Comprehensive Plan amendment cycle per year.

The City Commission voted 4-0 (City Commissioner Mustian absent) to approve routing Comprehensive Plan text amendments through the City Commission, while requiring a positive vote from two Commissioners to process an amendment

City Commissioner Gillum requested that more attention be given to the policy and the process by which amendments were brought before the Commission for consideration.

The County Commission voted 7-0 to approve conducting one Comprehensive Plan amendment cycle per year, processing small-scale amendments twice a year and increasing public hearings from one to two, and routing Comprehensive Plan text amendments through the County Commission and requiring a vote from three of the seven County Commissioners to process an amendment.

CTC:RM:ecg

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

Congratulated Commissioner Mustian on winning the re-election to his Commission Seat, and welcomed him and Commissioner Gillum to another term on the Commission

Recognized and thanked Ms. Kathleen Brothers, Chair of the Audit Committee, and City Auditor Sam McCall for their service

Recognized and welcomed members of Eagle Scouts Troop 16

Welcomed Ms. Beckye Simpson, the City's new Budget Director, and acknowledged Ms. Simpson's prior experience with the City

Item 1 - Presented a proclamation proclaiming the week of November 2-8, 2008, as Animal Shelter Appreciation Week in the City of Tallahassee

Mayor Marks, assisted by Director of Parks and Recreation, and Neighborhood Affairs Dee Crumpler, recognized and welcomed Ms. Stephanie Sikorski, Acting Director of the Animal Service Center; Ms. Kate McFall, founder and President of the Animal Shelter Foundation (ASF); and members of the ASF and employees of the Animal Services Center; and thanked all of the ASC employees and members of the ASF for their help, and the ASF for raising funds to assist with the cost of spaying and neutering dogs and cats in the community.

Mayor Marks introduced Tucker, a three-year old chocolate lab mix, and his foster family -- Denise, Brian and MacKenzie Reeder, and announced that Tucker was ready to be adopted into a permanent home.

Item 2 - Presented a proclamation proclaiming November 19, 2008, as StarMetro Day in the City of Tallahassee to Director of StarMetro Ron Garrison

Recognized and applauded Mr. Mike Johnson on being the recipient of the Florida Public Transportation Association's (FPTA) top award for Mechanic of the Year, and congratulated Mr. Garrison and his staff on StarMetro receiving six (6) state and national awards

Viewed the 80X Northern Extension video commercial, for which StarMetro had received the American Public Transportation Association (APTA) First Place Award in the Electronic Media Category, out of 750 entrees

Items 3-9 - Voted 4-0 (Commissioner Katz absent) to approve the staff's recommendations presented in Consent Agenda Items 3-9, taking the following action:

Item 3 - Approved the 2009 Audit Work Plan as presented (brought forward by the City Auditor)

Item 4 - Approved the award of a three-year contract for uniform rental and cleaning services for use by the various departments on an as-needed basis (IFB #0075-08-ER-BC) to CINTAS Corporation, the incumbent firm, in the total estimated aggregate amount of \$1,200,000 for the term of the contract (Option 1 as recommended by the Department of Management and Administration [DMA]/Procurement Services)

Item 5 - Approved the award of a three-year contract for coffee/tea products and services in City-owned facilities (IFB #0032-08-ER-BC) to Gold Cup Coffee Services, Incorporated, low bidder meeting specifications, in the total estimated amount of \$200,000 for the term of the contract (Option 1 as recommended by DMA/Procurement Services)

Item 6 - Approved a change order, in the amount of not to exceed \$10,000, for certain additional design services related to the underground portion of the Eastern Transmission Line (ETL) (RFP #0254-05-RM-RC) as negotiated with Power Engineers, Inc., for a total contract amount to date of \$687,074; and authorized the City Manager to approve further contract amendments for future anticipated changes in an amount not to exceed \$90,000 (Option 1 as recommended by Electric Utility)

Item 7 - Approved the Southwood Grove Park, Phase 4 S subdivision Plat, containing 120.11 acres, bounded on the north by Southwood Golf Course, on the east by Southwood Unit 2 - Phase 1, on the south by Southwood Unit 16, and on the west by Southwood Unit 22, planned as a recreation open space by the St. Joe Company (as recommended by Public Works/Engineering)

Item 8 - Authorized the City Manager and the City Treasurer-Clerk to execute a Supplemental Joint Participation Agreement (JPA) Number 2 with the Florida Department of Transportation (FDOT) for FDOT to provide an additional amount of \$100,000 to the City's 2009 capital budget for the Southwood Route Expansion (80X), with the required local match to be met through StarMetro's approved operating budget; and adopted authorizing Resolution No. 08-R-44 (Option 1 as recommended by StarMetro)

Item 9 - Approved the minutes of the October 7, 2008, Regular City Commission Meeting (as recommended by the City Treasurer-Clerk/Records Management Officer)

Item 10 - By consensus, introduced Ordinance No. 08-Z-66, which would rezone R-1 (Single-Family Detached Residential), R-2 (Single-Family Detached Residential), R-3 (Single and Two-Family Residential), and M-1 (Light Industrial) to the RP-1 (Residential Preservation 1) Zoning District, implementing Comprehensive Plan Map Amendment 2006-2-M-010 with the rezoning of the properties on the RP-1 Map Series Supplement 1; and set the ordinance for public hearings on November 25 and December 10, 2008 (Option 1 as recommended by Planning)

Item 11 - Voted 4-0 (Commissioner Katz absent) to approve the award of a construction contract for the expansion of Substation BP-12 (Bid #0212-08-RM-BC) to All Florida Electric, Inc., sole bidder meeting specifications, in the amount of \$2.15 million; authorize the City Manager to execute a contract with the selected firm; authorize the City Manager or designee to approve contract amendments in an amount not to exceed 25% of the initial contract value; and approve an additional appropriation of \$1.5 million from the 2005 Bond Issue fund balance for Project 06118, Extension of Substation BP-12, which serves Tallahassee Memorial Hospital and the Tallahassee Police Department, among others (Option 1 as recommended by Electric Utility)

Item 12 - Voted 4-0 (Commissioner Katz absent) increase to the amount set aside from the Electric Rate Stabilization Reserve Fund to the City's New York Mercantile Exchange (NYMEX) Margin Fund by \$10 million, increasing the margin fund to \$30 million to allow the City to overcome fluctuations in the energy market and, potentially, to lock in future energy supplies at lower prices and more effectively deliver energy price stability (hedges) to the City's electric utility customers -- sponsored by the Financial Viability of the Government Target Issue Committee and recommended for approval by the Energy Risk Policy Committee (ERPC) (Option 1 as recommended by Energy Services)

Commissioner Lightsey requested a five-year trend review of gas and oil.

Item 13 - DELETED FROM THE AGENDA a proposed revised City Commission Policy 142 - International and Sister City Policy (brought forward by the Office of the Mayor/Intergovernmental Relations) - MOVED TO NOVEMBER 25, 2008

Item 14 - Voted 4-0 (Commissioner Katz absent) to approve an extension to the existing Professional Services Agreement with Real Estate InSync, LLC (REI) for Welaunee Development Representative Services, Contract #1620, for an additional term of one year in an amount not to exceed \$84,000 plus costs, fees and expenses incurred to render the services to the City, and approve a supplemental appropriation of \$100,000 from the available Electric RR&I Fund Balance for Project #06119 -- on 428 acres of property acquired by the City from Powerhouse, Inc. to facilitate the route for the Eastern Transmission Line (ETL) (Option 1 as recommended by Electric Utility)

The Commission requested estimated cost and schedule information for the Welaunee development activity and concurred with the City Manager's suggestion to schedule a workshop discussion on the proposed development concept.

Commissioner Mustian disclosed for the record that he shared some business interests with Mr. Will Butler, who was a principal of REI.

Target Issue Committee Updates -

Commissioner Gillum reported on the Health and Human Services Target Issue Committee's activities, indicating that the human services funding process and needs evaluation was back on track.

Commissioner Lightsey requested that staff provide her with an overview of how the Human Services Joint Planning Board was constituted and how it had changed, and she reported on the following activities of the Environmental and Energy Resources Target Issue Committee:

the number of energy audits in July and August had increased, using existing staff;

the installation of Smart Meters was scheduled for completion in January 2010, which would be followed by a push to help customers control their energy use;

an update on green building incentives would be brought to the Commission, as well as some signage recognition of green buildings;

staff was working on a response to Total Maximum Daily Loads (TMDLs) for Munson Slough and lake Munson proposed by the U.S. Environmental Protection Agency (EPA) which was due by the end of November; and

staff had been asked to work closely with the fertilizer industry on the Fertilizer Ordinance, which was scheduled for introduction on November 25, 2008, and public hearing on December 10, 2008, to be effective January 1, 2009.

Mayor Marks announced that the City of Tallahassee had received a one-of-a-kind first award from EPA for excellence in site reuse in recognition of the cleanup of Cascades Park. He presented the award to City Attorney English in recognition of his efforts on that project.

City Commission Information and Sharing of Ideas - Mayor Marks announced that the renovation of Burnette Park on Gaines Street was underway and he invited everyone to view the first rotating sculpture placed in the park in partnership with the Council of Cultural Affairs (COCA).

CTC:RM:ecg:11-06-08

City Commission Meeting Summary - November 19, 2008

The City Commission took the following action (with Mayor Marks absent):

Item 1 - Deferred the installation of Commissioners and election of Mayor Pro Tem to the next regular City Commission meeting on November 25, 2008

Item 2 - Received a staff update on the Tallahassee Transit Renaissance Plan (brought forward by StarMetro, with a Power Point presentation that has been placed on file in the Office of the City Treasurer-Clerk)

Confirmed that staff was working on accelerating the provision of transit points requiring no transfer at the downtown transit plaza; encouraged staff to move up some satellite transfer facilities as well as park-and-ride and/or super stop transit facilities along Tennessee Street

Clarified that staff would address requests from developers for transit services to their developments outside of the City limits by working with County staff on a funding agreement to facilitate providing those services

Requested more information on the idea of establishing a street car to provide service on a continuous loop

Suggested that priority be given to providing transit facilities on Highway 90 and routes from Wakulla County based on the significant impacts they had on the local roadway system

Congratulated staff on the progress being made on the Transit Renaissance Plan and expressed appreciation for the staff's inclusion of transit services in land use planning

CTC:RM:ecg

City Commission Meeting Summary - November 25, 2008

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

Item 1 - Conducted a swearing-in ceremony installing newly re-elected Commissioners Mustian (Seat 1) and Gillum (Seat 2) to four-year terms on the City Commission, and voted 4-0 (Commissioner Katz absent) to elect Commissioner Andrew Gillum to serve as Mayor Pro Tem until November 2009

Items 2-7, 10-15 and 17 - Voted 4-0 (Commissioner Katz absent) to approve the staff's recommendations presented in Consent Agenda Items 2-7, 10-15 and 17, taking the following action:

Item 2 - Approved the appointment of Ms. Wilma Clark to serve on the Municipal Code Enforcement Board to a term expiring June 2011, filling the expired term of Ms. Regina Davis (as recommended by Mayor Marks)

Item 3 - Approved the reappointment of Mr. W. E. "Bill" Johnson to serve a second term on the Joint City-County School Coordinating Committee to a term expiring November 2012 (as recommended by Mayor Marks)

Item 4 - Approved the appointment of Ms. Linda Chaisson to serve on the Environmental Code Enforcement Board, filling the expired term of Ms. J. Suzanne Boyd-Harris, and the reappointment of Mr. Joshua Doyle to serve a second term, both terms expiring November 2011 (as recommended by Mayor Marks)

Item 5 - Approved and authorized staff to execute a three-year contract for the purchase of sod (IFB #0004-09-VA-BC) with Tallahassee Turf and Straw, low bidder meeting specifications, for an estimated expenditure of approximately \$120,300 over the life of the contract (Option 1 as recommended by the Department of Management and Administration [DMA]/Procurement Services)

Item 6 - Approved the acceptance of donations received from Walmart, Inc., in the amount of \$1,250, to purchase equipment for the Rape Aggression Defense (RAD) self-defense program; a chemical detection kit valued at \$39,935 from the U.S. Department of Homeland Security's Commercial Equipment Direct Assistance program (CEDAP); and overtime reimbursements and supplemental funding to support Tallahassee Police Department (TPD) operations in an amount not to exceed \$82,100 through interagency agreements with the U.S. Marshal Service, the U.S. Drug Enforcement Administration, the U.S. Bureau of Alcohol, Tobacco and Firearms, and the Florida Department of Law Enforcement (Option 1 as recommended by TPD)

Item 7 - Approved City of Tallahassee and Republic Parking System, Inc. long-term parking license agreements with Ausley & McMullen and Hopping, Green & Sams law firms for leased parking spaces at Eastside Parking Garage, increasing parking revenues by approximately \$58,000 per year (Option 1 as recommended by the Assistant to the City Manager/Property Management)

Item 8 - PULLED FROM CONSENT FOR DISCUSSION an item requesting approval of a change order to the contract with Allen's Excavation, Inc. for the Ford Street Drainage Improvements Construction Project (brought forward by Public Works/Underground Utilities - Stormwater Capital Projects) - SEE BELOW

Item 9 - PULLED FROM CONSENT FOR DISCUSSION an item requesting approval of a task assignment with H. W. Lochner, Inc., one of the City's Neighborhood Infrastructure Enhancement Program (NIEP) civil engineers, for five Providence Neighborhood street reconstruction projects (brought forward by Public Works/Project Management) - SEE BELOW

Item 10 - Approved the recommended ranking submitted by the Selection committee and authorized the City Manager or her designee to negotiate and execute a contract for the purchase of refuse vehicles, equipment and associated services with RDK Municipal Truck Center, Inc., Tampa, FL, top-ranked firm; and if an agreement cannot be reached on a satisfactory contract with RDK Municipal Truck Center, then the Commission authorized the City Manager or her designee to attempt contract negotiations with the second-

ranked firm, Action Truck Center, Inc. (Option 1 as recommended by Solid Waste, and Fleet Management)

Item 11 - Approved a survey and environmental services task order with Post, Buckley, Schuh & Jernigan, Inc., pursuant to Engineering Continuing Services Contract #1049, for a feasible route for a Parallel Effluent Transmission Main from the Thomas P. Smith Water Reclamation Plant to the City's Southeast Farm on Tram Road, in the amount of \$200,277 (Option 1 as recommended by Underground Utilities)

Item 12 - Approved an engineering services task order with Hatch Mott MacDonald Florida LLC, pursuant to Stormwater Engineering Continuing Service Contract No. 1051, for the designing, permitting and construction services for a new Water Well No. 35 to be located east of Capital Circle along Old St. Augustine Road, in the amount of \$184,040 (Option 1 as recommended by Underground Utilities)

Item 13 - Approved an engineering services task order with URS Corporation, pursuant to Stormwater Engineering Continuing Service Contract No. 867, for the final design and permitting of the Upper Lake Lafayette Nutrient Reduction Facility, in the amount of \$299,334 (Option 1 as recommended by Underground Utilities)

Item 14 - Approved the as needed purchase of sodium hypochlorite for the City's wastewater treatment facilities during FY2009 from Odyssey Manufacturing Company, pursuant to the pricing provisions of the vendor's existing contract with the City of Mulberry, Florida, at a price of \$0.85 per gallon (Option 1 as recommended by Underground Utilities/Wastewater Treatment)

Item 15 - Adopted Resolution No. 08-R-45, adopting interim pool drain cover safety standards, effective December 19, 2008 (Option 1 as recommended by the City Attorney)

Item 16 - PULLED FROM CONSENT FOR A SEPARATE VOTE an item related to the adoption of a resolution authorizing the issuance of fixed-rate bonds to refund certain Sunshine State Governmental Financing Commission (SSGFC) debt (brought forward by the City Treasurer-Clerk) - SEE BELOW

Item 17 - Approved the minutes of the Regular City Commission Meeting held October 22, 2008 (as recommended by the City Treasurer-Clerk/Records Management Officer)

Items 8, 9 and 16 (pulled from Consent) - Voted 4-0 (Commissioner Katz absent) to approve the staff's recommendations presented in Items 8 and 9, and 3-0 (Commissioner Mustian abstained; Commissioner Katz absent) to approve the staff's recommendation presented in Item 16, taking the following action:

Item 8 - Approved Change Order No. 1, in the amount of \$135,849.50, to the contract with Allen's Excavation, Inc. for the construction of Ford Street Drainage Improvements, necessary for scheduling construction of the Frenchtown Village Marketplace infrastructure (Option 1 as recommended by Public Works/Underground Utilities - Stormwater Capital Projects)

Item 9 - Approved the award of a task assignment to H. W. Lochner, Inc., one of the City's Neighborhood Infrastructure Enhancement Program (NIEP) civil

engineers (Contract No. 802), in the amount of \$482,106.93, including the following Providence Neighborhood street reconstruction projects (Option 1 as recommended by Public Works/Project Management):

1. McCaskill Avenue from Iamonia Street to Lake Bradford Road
2. Lake Avenue from Iamonia Street to Lake Bradford Road
3. Highland Street from Levy Avenue to Stuckey Street
4. Holmes Street from Levy Avenue to Stuckey Avenue
5. Stuckey Avenue from Iamonia Street to Lake Bradford Road

Item 16 - Adopted Resolution No. 08-R-46, authorizing through a negotiated sale the issuance of fixed-rate bonds to refund certain Sunshine State Governmental Financing Commission (SSGFC) debt in a not to exceed amount of \$10 million City of Tallahassee, Florida Bonds, Series 2008, delegating certain responsibilities to the Mayor and City Treasurer-Clerk, appointing a registrar and paying agent, providing certain other covenants and agreements in connection therewith, and providing an effective date (Option 1 as recommended by the City Treasurer-Clerk)

Item 18 - Received a Power Point presentation from staff and voted 4-0 (Commissioner Katz absent) to authorize the use of \$1.2 million from the 1999 Southern Wholesale Energy refund to establish the 2009 Good Neighbor Program beginning in December 2008, to provide assistance to customers having the greatest need, structured to include bill assistance, weatherization and efficiency measures, and home repair and rehabilitation (Option 1 as recommended by Utility Business & Customer Services)

Confirmed that the funding for this program totaled approximately \$2 million; thanked Ms. Inman-Johnson, of the Capital Area Community Action Agency, for agreeing to be the administrator of this program, and recognized and thanked the community partners involved in this program, i.e., American Red Cross, Tallahassee Senior Center, Catholic Charities, ECHO Ministries, Elder Care, Salvation Army, Tallahassee Urban League, and Big Bend Cares; and commended staff on this proposal

Additionally, clarified with staff for the benefit of the public how the reduction in market gas prices were passed on to the City's utility customers, and thanked the Energy Services staff for doing a good job of buying ahead and saving on natural gas costs

Item 19 - Discussed proposed revised City Commission Policy 142 - International and Sister Cities Policy (brought forward by the Office of the Mayor), and concurred in requesting that the item be brought back with information on setting a potential cap on the number of such relationships, criteria for removing or adding relationships such as economic/cultural/educational, and require reports on activities and the current status of each program

Item 20 - Concurred to begin the process of identifying City electors who would be available to serve on the 2009 Charter Review Committee so that appointments could be formally announced at the January 14, 2009, Commission meeting (brought forward by the City Attorney and the City Treasurer-Clerk)

Commissioner Gillum requested that the first Committee meeting date be scheduled later than January 20, 2009.

Item 21 - DELETED FROM THE AGENDA a public hearing on the Development Agreement between the Florida State University (FSU) and the City of Tallahassee (brought forward by

Planning) - RESCHEDULED FOR PUBLIC HEARINGS SET FOR DECEMBER 10, 2008, AND JANUARY 28, 2009

Item 22 - Held the second and final public hearing on Ordinance No. 08-Z-32AA, introduced on October 7, 2008, and voted 4-0 (Commissioner Katz absent) to adopt the ordinance, rezoning all currently zoned Central Urban properties located in the northern portion of the City to site-specific CU-18, CU-26, CU-45 and OS Zoning Districts with the change of CU-26 on the east side of Bronough Street between Fourth and Tenth Avenues (Option 2 as recommended by Planning). (On October 7, 2008, the Planning Commission voted 5-1 to recommend approval of the ordinance, with one abstention. The Commission held its first public hearing on the ordinance on October 22, 2008.)

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

- Mr. Eric Hagerman, 1240 North Bronough Street (opponent)
- Mr. Curtis Baynes, 1323 East Tennessee Street, representing Myers Park Lane LLC (opponent; submitted written comments)

Item 23 - Held a public hearing on Ordinance No. 08-O-42AA, introduced on July 2, 2008, and voted 4-0 (Commissioner Katz absent) to adopt the ordinance, amending the allowed uses and development standards in the CU 18 Central Urban, CU-26 Central Urban, and CU-45 Central Urban Zoning Districts (Option 1 as recommended by Planning). (On August 5, 2008, the Planning Commission voted to recommend approval of the proposed Zoning District revisions; and the City Commission held its first public hearing on the ordinance on August 20, 2008, and a second continued public hearing on October 22, 2008.)

- Mr. Eric Hagerman, 1240 North Bronough Street, appeared before the Commission in opposition to this item.

Item 24 - Held the first of two public hearings on Ordinance No. 08-Z-66, introduced on November 5, 2008, which would rezone R-1 (Single-Family Detached Residential), R-2 (Single-Family Detached Residential), R-3 (Single and Two-Family Residential), and M-1 (Light Industrial) to the RP-1 (Residential Preservation 1) Zoning District, implementing Comprehensive Plan Map Amendment 2006-2-M-010 with the rezoning of the properties on the RP-1 Map Series Supplement 1; and announced the second and final adoption hearing set for December 10, 2008 (Option 1 as recommended by Planning)

There were no speakers on this item.

Unagendaed Speakers

The following persons appeared before the Commission and objected to the Frenchtown CDC's plans for the Tish Byrd Park in the Carolina Oaks Neighborhood:

- Ms. Annie S. Harris, 436 West Georgia Street
- Mr. Richard Dusenbury, 439 West Georgia Street
- Ms. Kathi Jaschke, 439 West Georgia Street
- Ms. Valerie Scoon, 432 West Carolina Street
- Mr. Donald Gray, Jr., 438 West Carolina Street

The Commission requested that City Legal staff meet with Carolina Oaks Neighborhood representatives and the Frenchtown CDC representatives to facilitate mediation of their differences.

The following persons appeared before the Commission and objected to Florida State University plans to locate a BG&E biomass energy plant on its Southwest Campus:

- Mr. Bob Fulford, 231 Westridge Drive
- Mr. Jim Walker, 705 Okaloosa Street
- Mr. Huey Shoun, 6401 West Tennessee Street
- Mr. Erwin Jackson, 1341 Jackson Bluff Road
- Ms. Stefanie Jackson, 5002 Glenrose Court, representing the Jackson Bluff Coalition for Fairness

CTC:RM:ecg:11-26-08

City Commission Meeting Summary - December 3, 2008

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

Item 1 - Recognized Senior Plans Examiner Maurice Majszak of the Tallahassee Fire Department for receiving the Florida's Fire Inspector of the Year Award by the Florida Fire Marshals and Inspectors Association (FFMIA) (brought forward by the Mayor)

Item 2 - Presented a proclamation to StarMetro Director Ron Garrison in support of the Florida Public Interest Research Group's Public Transportation Pledge (brought forward by the Mayor)

Item 3 - Presented a proclamation to the City of Tallahassee Water Department recognizing and proclaiming the 100th anniversary of the Water Utility and commending its employees for their dedication and outstanding contributions to maintaining a safe and dependable drinking water supply for the community (brought forward by the Mayor)

Item 3.1 - Presented a proclamation to the coaches and football players honoring the Chaires Capitola Cougars Football Team for their Sunshine State Classic Championship win (brought forward by the Mayor)

Items 4-5 and 7 - Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 4-5 and 7, taking the following action:

Item 4 - Approved the purchase of maintenance agreements associated with the operation of City Information Systems for FY2009, in the amount of \$3,502,085, as presented (Option 1 as recommended by the Chief Information Systems Officer)

Item 5 - Approved and authorized staff to execute multiple three-year contracts with each of the following bidders (Option 1 as recommended by Public Works/Streets & Drainage):

- AAA Tree Experts, Inc., of Tallahassee
- Bartlett Tree Expert Company of Tallahassee
- Gibbs and Culpepper Tree Service of Tallahassee
- Bridges Tree Service of Tallahassee

Item 6 - DELETED FROM THE AGENDA an item relating to the approval of a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) and authorizing Resolution No. 08-R-47 (brought forward by StarMetro)

Item 7 - Approved the minutes of the following City Commission meetings (as recommended by the City Treasurer-Clerk/Records Management Officer):

- October 28, 2008 Joint Comprehensive Plan Public Hearing, Adoption of Cycle 2008-1 Amendments
- November 5, 2008 Regular Meeting
- November 19, 2008 Regular Target Issue Workshop

Items 8-9 - By consensus, the introduced Ordinances Nos. 08-O-70 and 08-O-71, and set public hearings on the ordinances as recommended:

Item 8 - Introduced Ordinance No. 08-O-70, which would amend the Code of General Ordinances relating to general penalties and providing specific civil penalties, and set the ordinance for public hearing on January 28, 2009 (Option 1 as recommended by the City Attorney)

Item 9 - Introduced Ordinance No. 08-O-71, which would amend the Code of General Ordinances providing specific criminal penalties, and set the ordinance for public hearing on January 28, 2009 (Option 1 as recommended by the City Attorney).

Item 10 - Received a short demonstration by the canine handlers and voted 5-0 to approve acceptance of Sergeant Mark Peavy's donation of three police dogs to the City of Tallahassee and recognized Sergeant Peavy for his contribution (Option 1 as recommended by the Police Chief)

Item 11 - Received a Power Point presentation and voted 5-0 to approve Consulting Engineering/Architecture Services contracts for the duration of the five-year Demand Side Management (DSM) Plan (through FY2012) with options for two one-year extensions (RFP #0114-08-VA-RC) with the following three low bidders meeting specifications, for total estimated expenditures of approximately \$400,000 over the next five years (Option 1 as recommended by Energy Services):

- MACTEC Engineering and consulting, Inc.
- MED-HVAC, Inc.
- TLC Engineering for Architecture, Inc.

Item 12 - DELETED FROM THE AGENDA a discussion of an airline service proposal from Delta -- Mayor Marks advised that he anticipated bringing back a progress report on discussions in the near future.

Item 13 - Commissioner Katz gave an update report on the Community Human Services Partnership (CHSP) process and the Joint Planning Council, and advised that more information would be brought to the Commission on January 12, 2009.

TARGET ISSUE UPDATES -

Environmental and Energy Resources

Commissioner Lightsey gave an update report on activities of the Environmental and Energy Resources Target Issue Committee in reviewing the 2008 Green Initiatives Annual Report, the impact of House Bill 7135, the smart metering program, the fertilizer ordinance, and the Wakulla Symposium - scheduled for February 26, 2009. She noted that Tallahassee was a "Gold Certified Green City", the city with the lowest Carbon Footprint in the State of Florida, and was on track towards meeting its goal of saving 59MW by the year 2012. Commissioner Lightsey reported that the staff had been asked to host an organizational meeting to train

fertilizer applicators in the community, and stated that the regional partnership was moving forward with the issue of advanced septic tanks and wastewater systems. Brief discussion focused on the distribution of CFL bulbs and reusable shopping bags.

Long Range Planning

Commissioner Gillum gave an update report on activities of the Long Range Planning Target Issue Committee, including consideration of the Providence Community Center, a review of the Affordable Housing Advisory Committee (AHAC) 2008 Report of Recommendations, the proposed increase in the cost of permits for downtown special events, reorganization of the Construction Industry Review Committee (CIRC), approval by the Florida Department of Transportation (FDOT) of the staff's recommendation to install a crosswalk on Thomasville Road at the southerly leg of Fifth Avenue to enhance pedestrian circulation of an area under redevelopment as an urban center.

Unagendaed - None

CTC:RM:ecg:12-05-08

City Commission Meeting Summary - December 10, 2008

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

Items 1-10 - Voted 5-0 (Commissioner Katz voting telephonically) to approve the staff's recommendations presented in Consent Agenda Items 1-10, taking the action shown:

Item 1 - Approved revisions to City Commission Policy 106, regulating the closure of downtown streets for special events, including Adams Street and Gallie Alley, and street vendors and outdoor food service on downtown sidewalks and Kleman Plaza; and adopted Resolution No. 08-R-37, extending the areas in which the vending of food and beverages may be permitted, as presented (Option 1 recommended by the City Attorney)

Item 2 - Approved a task order to PBS&J for the development of a Stormwater Facilities Master Plan, Geotechnical Report, and Sinkhole Risk Assessment for the Welaunee Property, in an amount not to exceed \$269,779.67; and approved a supplemental appropriation in the amount of \$100,000 from available RR&I Fund Balance to Project #06119, to support this work (Option 1 recommended by Electric Utility)

Item 3 - Noticed the public that the City is beginning its consideration of five new Public Utility Regulatory Policies Act (PURPA) Standards in the Energy Independence and Security Act of 2007, including standards on net metering, fossil fuel generation efficiency, fuel diversity, time based metering and communications, and interconnection requirements for distributed resources (presented by Electric Utility)

Item 4 - Approved the purchase of a 300 KVA mobile generator from Ring Power Systems, pursuant to Florida Sheriff's Association Bid #08-16-0908, in the amount of \$120,000 (Option 1 recommended by Electric Utility)

Item 5 - Approved Change Order No. 1 to the purchase order issued to Tampa Armature Works, Inc. for the rewind and refurbishment of a Hopkins Unit 2 spare circulating water pump motor, allowing a complete restacking of the

motor iron core at a cost of \$48,500, for a total revised purchase order total of \$107,900 for the project (Option 1 recommended by Electric Utility)

Item 6 - Approved the award of contract for the construction of the Winthrop Park Comfort Station (IFB #0032-09-ER-BC) to Albritton Williams, Inc., low bidder, in the base bid amount of \$176,500, plus a contingency in the amount of \$31,770 (Option 1 recommended by the Executive Department/Facilities Management)

Item 7 - Authorized Information Systems Services (ISS) to complete a Public-to-Public Partnership with the Northwest Regional Data Center (NWRDC) for NWRDC to be the City government's disaster recovery host, and authorized ISS to acquire the hardware, software and services needed to implement this Business Continuity Rapid Recovery Project at a cost not-to-exceed \$804,646 (Option 1 recommended by the Chief Information Systems Officer)

Item 8 - Approved the disbursement of \$50,000 from FSU Campus Development Agreement Fund 300 for City crews to construct a sidewalk on the west side of Lorene Street between West Pensacola Street and West Jefferson Street (Option 1 recommended by Public Works/Traffic Engineering)

Item 9 - Approved the purchase a replacement Vactor truck with maintenance packages, as follows, with Environmental Products of Florida guaranteeing to buy back the trucks for \$152,000 each, or \$304,000 for both trucks at the end of the agreement (Option 1 recommended by Underground Utilities/Wastewater Operations):

from Ward International Trucks, pursuant to Contract #1285 -

one cab and chassis - \$108,790.81

from Environmental Products of Florida, Inc., pursuant to Contract #1619 -

one Vactor truck body - \$238,617.89

with five-year body maintenance package - 39,000.00

one 54-month maintenance agreement for a recently-purchased Vactor truck - 35,100.00

Total Cost - \$421,508.70

Item 10 - Approved the minutes of the November 25, 2008 Regular City Commission Meeting (recommended by the City Treasurer-Clerk/Records Management)

Item 11 - Received a report from Mayor Marks on continuing efforts to increase intrastate airline service in Tallahassee in time for the January 2009 State Legislative Session, and a conceptual proposal from Delta Airlines to consider providing some air service to Ft. Lauderdale, Tampa and Orlando, contingent on the provision of a revenue guarantee of approximately \$2 million for one year to cover Delta's risk

Discussed the concept of a consortium participating in funding Delta's proposed revenue guarantee and requested some analysis on a projected end of year true up; suggested that the City would need to fund a lesser share

based on its past funding; and suggested the potential need for some discussion with the County Commission relative to adding this cost to the Tourist Tax

Items 12-14 - By consensus, introduced Ordinances Nos. 08-O-68, 08-O-69 and 08-O-70, and set public hearings on the ordinances, as recommended:

Item 12. Introduced Ordinance No. 08-O-68, which would amend the Land Development Code by establishing a Primary Springs Protection Zone (PSPZ) and development standards, initiating the implementation of Comprehensive Plan Policy 4.2.5: [C], and set the first public hearing for January 28, 2009 (Option 1 recommended by Planning)

Item 13. Introduced Ordinance No. 08-O-69, which would adopt Cycle 2009's Amendments to the Comprehensive Plan implementing the Evaluation and Appraisal Report (EAR), and set the public hearing on the ordinance for the joint meeting of the City Commission and the Leon County Board of County Commissioners scheduled for January 7, 2009, at 6:00 p.m., in the City Hall Commission Chambers (Option 1 recommended by the City Attorney)

Item 14. Introduced Ordinance No. 08-O-72, which would regulate the application of fertilizer and require training and certification of commercial and institutional fertilizer applicators, and set the public hearing on the ordinance for January 28, 2009, at 6:00 p.m., in the City Hall Commission Chambers (Option 1 recommended by the City Attorney)

Item 14.1 - Received a briefing from the City Attorney apprising the Commission of the intent to grant an additional extension to the City's purchase power contract provision with BG&E regarding the air permitting timeline for the Biomass Power Plant, extending the deadline to December 31, 2009; clarified with staff that this purchase of power from the BG&E Biomass Plant had not been included for capacity purposes in the City's Integrated Resource Plan (IRP)

Item 15 - Received a presentation from the City's state lobbying team, led by Ron Book, Sean Pittman and Bill Peebles, on the 2009 State Legislative Program; and voted 5-0 (Commissioner Katz voting telephonically) to adopt the recommended program as presented (Option 1 recommended by the Mayor's Office/Intergovernmental Relations)

Item 16 - Voted 5-0 (Commissioner Katz voting telephonically) to approve a Memorandum of Agreement (MOA) for sharing equally in all costs associated with the design and construction of a Public Safety Facility -- consisting of the Tallahassee Leon County Public Safety Communication Center (Joint Dispatch), the City's Regional Traffic Management Center, the Fire and Emergency Medical Services (EMS) Headquarters, and the County Emergency Operations Center - furthering the projected completion of the facility by January 1, 2013; and authorize the Mayor to sign the agreement (Option 1 recommended by Public Works)

Item 17 - Voted 5-0 (Commissioner Katz voting telephonically) to approve the Public Safety Communication Board (PSCB) and Selection Committee's recommendation of URS Corporation as the program management firm for the Tallahassee Leon County Public Safety Communication Center; and direct the staff to proceed with contract negotiations and authorize the City Manager to execute the contract (Option 1 recommended by Public Works)

Item 18 - Voted 5-0 (Commissioner Katz voting telephonically) to accept the Affordable Housing Advisory Committee 2008 Report of Barriers and Recommendations, to comply with the December 31, 2008 deadline set by Florida Statute 420.9076 (Option 1 recommended by Economic & Community Development [ECD])

Requested that the Affordable Housing Advisory Committee examine the Downpayment Assistance Program and provide information on the status of its financing, mortgages that had been provided, and data on the amount of funding expended for home purchases as opposed to rentals; and a plan for committing a percentage of the redevelopment of the Central Urban (CU) zoning district to low income affordable rental units

Commended the Committee on a good report and thanked the members for their work

Item 19 - Voted 5-0 (Commissioner Katz voting telephonically) to approve the final ranking of respondent firms for the building deconstruction of the City of Tallahassee's former Incinerator Building, located in Cascades Park, and potential environmental remediation services (RFQ #0001-09-ER-RC), and authorize the City Manager to negotiate and execute a contract with Environmental Consulting & Technology, Inc., the highest-ranked firm, in the not to exceed amount of \$780,338; and approve the project budget and appropriation of funds totaling \$780,338, as presented (Option 1 recommended by Environmental Policy & Energy Resources [EPER])

Item 20 - Held the second and final public hearing, and voted 4-0 (Commissioner Katz absent) to adopt Ordinance No. 08-Z-66, rezoning properties from the Residential 1 (R-1) (single-family detached residential), R-2 (single-family detached residential), R-3 (single and two-family residential), and M-1 (Light Industrial) zoning districts to the Residential Preservation 1 (RP-1) zoning district, as presented -- implementing Comprehensive Plan Map Amendment 2006-2-M-010 (Option 1 recommended by Planning)

There were no speakers on this item.

Item 21 - Held the first of two public hearings on the FSU Development Agreement, and announced the second and final public hearing scheduled for January 28, 2009, at 6:00 p.m., in the City Hall Commission Chambers (Option 1 recommended by Planning)

Discussed the BG&E Biomass Project included in the FSU Master Plan and addressed by the FSU Development Agreement, and requested that BG&E provide additional information on the project, including:

- a list of property owners and neighborhood representatives who had been provided notification of this project since April 2006
- information on an ongoing mitigation fund to address unanticipated environmental issues
- a breakdown on the exact air emissions and information on some comparables
- the permit standards and how the draft permit was more restrictive than allowed by the law
- information on a BG&E biomass plant in Vermont and how neighborhood issues were addressed
- additional information on what would be burned in the plant
- more in-depth analysis on the Hopkins Power Plant property as the project site including any legal liability that would result

The following persons appeared before the Commission relative to the BG&E Biomass Plant planned for development on Lipona Road and Roberts Avenue:

- Mr. S. Glenn Farris, CEO and President of BG&E (proponent)
- Mr. T. J. Lewis, 2020 Continental Avenue, representing Urban Tallahassee.com (proponent)

- Pastor Stanley B. Sims, Jr., 9217 Miccosukee Road, representing A Shepherd's Hand Resource Center, Inc. (opponent)
- Ms. Glenda Thornton, Chairman of Greater Tallahassee Chamber of Commerce (proponent)
- Mr. Charles Evans, 851 Circle Drive, representing the Tallahassee NAACP (opponent)
- Dr. Ed Holifield, 4032 Longleaf Road (opponent)
- Mr. Tom Harrington, 1905 Fairlane Road (opponent)
- Mr. Walter Dix, Jackson Bluff Road (submitted speaker form but did not appear)
- Mr. Huey Sloan, Tennessee Street (opponent)
- Ms. Ely Rosario, 5433 Calder Drive (opponent)
- Mr. Josh Kasper, 1311 Jackson Bluff Road (opponent)
- Mr. Scott Osborne, 163 Giralda Blvd., St. Petersburg, FL (32704), Project Engineer, representing BG&E (proponent)
- Ms. Lee Flowers, 2706 Ridgeway Street (opponent)
- Mr. Jim Guerry, P. O. Box 515, Monticello, FL (property owner on Jackson Bluff Road and on Pepper Drive) (opponent)
- Ms. Sara Wilson, 3101 Sharer Road (proponent) (submitted speaker form, but did not appear)
- Ms. Wilma Bridges, 1807 Atkamire Drive (opponent)
- Mr. Erwin Jackson, 5002 Glenrose Court (opponent)
- Mr. Dale R. Landry, 1940 Nanticoke Circle, Area Director of the NAACP (opponent)
- Ms. Dot Inman-Johnson, 2121 Trescott Drive (opponent)
- Ms. Anita Franklin, 1503 Coleman Street (opponent)
- Mr. John Hedrick, P. O. Box 6683 (32314), Chair of Panhandle Citizens Coalition (opponent)
- Ms. Rainey Gibson, 1511 Coleman Street (opponent)
- Ms. Cynthia Gardner Williams, 934 Piney Z Plantation Road (opponent)
- Dr. Ron Saff (submitted speaker form but did not appear)
- Mr. Barry Moline, 3436 Welwym Way, representing the Florida Municipal Electric Association (proponent)
- Ms. Rahni Spencer, 1612 Levy Avenue (opponent)
- Ms. Susie Caplome, P. O. Box 1201 (opponent)
- Mr. Adam Kasper, 1311 Jackson Bluff Road (opponent)
- Mr. John Maceluch, 1210 E. Park Avenue (submitted speaker form but did not appear)
- Mr. Ted Thomas, 1469 Euxure Drive (proponent)
- Mr. Michael Dobson, 522 E. Park Avenue, Suite 101 (proponent)
- Dr. Christopher Teaf, 2976 Wellington Circle West, Technical Advisor to Tallahassee Renewable Center, research faculty member at FSU (proponent)
- Mr. Stephen N. Martin, 2625 Stonegate Drive (opponent)
- Mr. Roosevelt Wilson, 5020 Valley Farm Road (opponent)
- Mr. Richard Grage, Director of the FAMU Center for Environmental Equity and Justice (proponent)
- Ms. Linda McCarthy, 2716 Brennor Pass (proponent) (submitted speaker form but did not appear)
- Mr. Steve Urse, 1118 Waverly Road, member of the Big Bend Climate Action Team (proponent)
- Mr. Thomas Ballentine, 1920 Chowkeebin Nene (proponent)
- Mr. John Raulerson, 1517 Ridgeway Street (opponent)
- Mr. Ron Capron, 2420 Garland Court, Chairman of the Big Bend Sierra Club (opponent)
- Ms. Becky Subrahmunyun, 1257 Cornerstone Lane (opponent)
- County Commissioner Bill Proctor, 301 S. Monroe Street, representing the First District of Leon County (opponent)
- Dr. William P. Tucker, 2802 Primrose Lane (opponent) (submitted speaker form but did not appear)

- Mr. Paul Rutkovsky, 3210 Brookforest Drive (opponent)
- Mr. Gerald T. Losey, 3379 Lakeview Drive (opponent)
- Mr. Patrick Detscher, 6717 Visalia Place (proponent)
- Mr. Joseph Yannucci, 325 John Knox Road, Suite L-500, Civil Engineer/Project Land Designer, representing BG&E (proponent)
- Mr. Brian Armstrong, 7025 Lakebasin Road (proponent)
- Ms. Carol Kio-Greene, 4823 Sullivan Road (opponent)
- Ms. Stefanie Jackson, 5002 Glenrose Court (opponent)
- Mr. Moeub Lanh, with his wife and son, 2707 Pottsdamer Street (opponent)
- Mr. Larry Hendricks, 406 Alpha Avenue (opponent)
- Dr. Joseph Cain, 2807 Sterling Drive, representing the Tallahassee Scientific Society (informational)
- Ms. Jacqui Hagan, 4452 Widgeon Way (opponent)
- Mr. Stephen Nicholson, 511 Kissimmee Street (opponent)
- Mr. John Schaller, 2218 Atapha Nene (opponent)
- Mr. Bob Fulford, 231 Westridge Drive (opponent)

City Commission Information & Sharing of Ideas -

Commissioner Gillum suggested that City staff be vigilant in bringing to the attention of the Florida Department of Transportation (FDOT) the graffiti at the overpass on South Monroe and other particularly visible places where such graffiti degraded the appearance of this community.

Commissioner Katz reported that he had received complaints about the unsightly clutter created from solid waste utility customers not moving their empty collection containers back from the curb, and requested that staff provide some information on whether this might be appropriate issue for consideration as an ordinance violation with a civil penalty for "restorative justice" dealing with the cost of addressing such neglect. Staff confirmed that efforts were underway to develop a process for working with neighborhoods to address this issue and would bring back information on this issue.

Commissioner Lightsey requested that all City staff be encouraged to become proactive in reporting City Code violations. She also requested that Code Enforcement staff be directed to routinely conduct scheduled checks on situations where properties were continually in violation of the City Code, and she stressed the importance of Code Enforcement Officer not sharing information on the complainants.

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