

**City Commission Meeting Summary**  
**January 14, 2004**

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

On behalf of the Commission, Mayor Marks welcomed everyone to this first meeting of the City Commission in the New Year. He also recognized the anniversary of Dr. Martin Luther King and urged participation in some of the commemorative celebrations in the community, noting that Commissioner Gillum would be the keynote speaker at the Florida A & M University celebration the following day.

**Item 1** - Presented a proclamation to Ms. Julie Boyd, Area Administrator, and other representatives recognizing the **Florida Baptist Children's Home in honor of its Centennial Anniversary in 2004**

**Item 2** – Received a Committee report from the Chair of the Charter Review Committee (CRC); voted 5-0 to accept the **Committee's Final Report**, and set the date to conduct a public hearing on the Committee's recommendations for January 28, 2004, at 6:00 p.m., in the City Hall Commission Chamber (*brought forward by the City Attorney and City Treasurer-Clerk*)

The Commission concurred not to support the CRC's recommendation on a salary increase for the Mayor and City Commissioners, and encouraged public input on the CRC recommendations to:

- maintain the existing Commission-Manager form of government with a directly elected Leadership Mayor,
- explore the feasibility of transitioning to a strong mayor at such time as the population of the City significantly increases,
- extend the transition period for the installation of a newly elected Mayor and newly elected Commissioner from three days to no longer than 20 days,
- require the Mayor to provide 10 days notice to Commissioners of intended appointment recommendations that were subject to Commission concurrence,
- provide flexibility for the Commission to meet not less than once each month, and
- appoint another Charter Review Committee in October 2008 to provide a report within 60 days of appointment.

On behalf of the Commission, the Mayor recognized and expressed appreciation to CRC members Candice Crawford (Chair), Bryan Deslodge (Vice Chair), Mark Hillis, James Messer, Eric Riley, Raymond Sittig, Henry Hunter, Michael R. Moore, Michael Sheridan and Larry Williams.

**Consent Agenda** -Voted 5-0 to **approve the staff's recommendations presented in Consent Agenda Items 3-4, 6-8, 10-14, 16-21 and 24—30, taking the action shown:**

Item 3 – Approved the Selection Committee ranking and authorize staff to negotiate and enter into an **agreement for Airport marketing, public relations and advertising services with Moore Consulting Group** (*Option 1 recommended by Aviation*)

Item 4 - Adopted **Resolution No. 04-R-02**, approving the execution of a Joint Participation Agreement (JPA) #40428911201 with the

Florida Department of Transportation (FDOT), authorizing staff to negotiate and enter into an agreement between FDOT, Flightline Group, and the City for the establishment, design, construction, and operation of the **FDOT Aviation Test Center** at the Tallahassee Regional Airport with 100% funding by FDOT (*recommended by Aviation/Airport Capital Program Administration*)

*Item 5 – Pulled from Consent an item related to a general engineering consultant agreement for a **feasibility study, concept and preliminary design of an Airport Terminal Rehabilitation Project for an alternative/remote location for the In-Line Baggage Screening and Handling System** (brought forward by Aviation/Airport Capital Program Administration)*

Item 6 – Authorized staff to negotiate and enter into a **Supplemental Agreement with The LPA Group, Inc.**, for the final design of the Airport Terminal Improvement Project, including renovations to the **Airport restrooms and the design of additional restroom facilities on landside** (before security checkpoint), in an amount not to exceed \$68,000 (*recommended by Aviation/Airport Capital Program Administration*)

Item 7 – Approved the award of a **construction contract for the Airport Highway Signage Project to Cornerstone Business, Inc. of Zephyrhills, Florida**, low bidder meeting specifications, in the amount of \$62,455 (*recommended by Aviation/Airport Capital Program Administration*)

Item 8 – Approved a **two-year extension of the Airport’s Continuing Consulting Civil Engineering Services Contract No. 01C0277 with The LPA Group, Inc.** (*Option 1 recommended by Aviation/Airport Capital Program Administration*)

*Item 9 – Pulled from Consent an item related to a contract for the **construction of the Airport Transportation Security Administration (TSA) Offices in the Airport Terminal** (brought forward by Aviation/Airport Capital Program Administration)*

Item 10 – Authorized the **City Manager to execute the Amended and Restated Lease Agreement with Tallahassee Community College (TCC) for the Mary Brogan Museum site on Kleman Plaza**, for a term of 50 years at a cost of one dollar per year, for execution after TCC completes its agreement with the Leon County School Board for ownership of the Brogan Museum (*Option 1 recommended by Economic Development*)

Item 11 – Approved a **Peaking Resource Addition Design Engineering Task Order with Sargent and Lundy** for the balance of the plant design for the peaking resource addition project at Hopkins Electric Generating Station and Substation 12, in an amount not to exceed \$4,740,000 (*Option 1 recommended by Electric Utility/ Production*)

Item 12 – Approved the award of Bid No. 0031-04-RM-TC for the **purchase of sulfuric acid utilized at the power plants for water treatment activities from Sulphuric Acid Trading Company, Inc.**, low bidder meeting specifications, for a period of three years with an option to extend the term of the contract an additional two years with an economic price adjustment to be applied in year four (4) and year five (5), in the estimated amount of \$80,272.50 during the initial three-year period (*Option 1 recommended by Electric Utility/Power Production*)

Item 13 – Approved the Selection Committee **ranking and the award of contract for the Hopkins Unit 1 Turbine/Generator**

**Overhaul to Besco, Inc.**, in accordance with their proposal dated December 3, 2003, in the amount of \$326,655.30, and authorized the City Manager to approve up to \$150,000 in additional work if needed (*Option 1 recommended by Electric Utility/Production*)

Item 14 – Approved the award of a **three-year contract for the maintenance of the City’s microcomputers, printers, and components to DecisionOne Corporation**, low bidder meeting specifications, in the amount of \$132,072 annually (*Option 1 recommended by Chief Information Systems Officer [CISO]/Information Systems Services [ISS]*)

*Item 15 – Pulled for discussion an item related to an expansion of services with the City’s network security vendor (brought forward by CISO/ISS)*

Item 16 – Approved the award of a **three-year lease agreement, on the replacement of hallway copiers in City Hall with four (4) Konica 7165 Digital Copiers, to Lewis Digital, Inc.**, in accordance with the pricing, terms and conditions of State Contract No. 600-340-03-1, in an estimated amount of \$85,000 (*Option 1 recommended by the Department of Management & Administration [DMA]*)

Item 17 – Approved the adoption of **Resolution No. 2004-1, supporting the Apportionment Plan adopted by the Metropolitan Planning Organization (MPO)** on December 4, 2003 (*Option 1 recommended by the Acting Executive Director of the MPO*)

Item 18 – **Ratified the City Manager’s re-appointment of Mr. Theodore R. Lane as Code Magistrate for one successive term of three years**, expiring July 2006 (*Option 1 recommended by Neighborhood & Community Services [NCS]*)

Item 19 – Authorized the **acceptance of 41 Motorola ML900 laptop computers, accessories, and installation services from Motorola, Inc. for the Tallahassee Police Public Systems Integration Project**, replacing 40 MW520 computers and providing one additional MO900 for technical support, at no cost to the City for a total value of equipment and services of \$396,101 (*recommended by Tallahassee Police Department [TPD]*)

Item 20 – Joined in the dedication and approved the **Evergreen Commons subdivision plat**, consisting of 34.26 acres subdivided into four lots, bounded on the north by East Mahan Drive, on the south and east by Meadowbrook Subdivision, and on the west by a replat of Glenwood Estates, planned partially as commercial business and partially multi-family attached for development by George K. Walker (*recommended by Public Works/Engineering*)

Item 21 – Approved the Selection Committee ranking for **Continuing Consulting Civil Engineering Services Contracts for Capital Projects**, RFP No. 0001-04-ER-TC, and authorized the City Manager to execute the related general contracts **with the following top-ranked firms in order until seven (7) firms have executed three-year contracts** (*Option 1 recommended by Public Works/Project Management*):

1. Wilson Miller, Inc.

5. Genesis Group

2. H. W. Lochner, Inc.

6. The LPA Group, Inc.

3. Varnum & Associates, Inc.

7. Hatch Mott MacDonald Florida, LLC

4. Kisinger Campo & Associates, Corp.

*Item 22 – Pulled for discussion an item related to a **deductive change order to the East Park Avenue Phase I construction contract** (brought forward by Public Works/Engineering)*

*Item 23 – Pulled for discussion an item related to a **deductive change order to the Mission Road Area Roadway and Drainage Improvements construction contract** (brought forward by Public Works/Engineering)*

Item 24 – Approved the **purchase acquisition of the following seven residential, flood prone properties** to reduce flood damages through the FEMA-funded Tropical Storm Allison Hazard Mitigation Grant Program, in the estimated amount of \$917,600, with the Florida Department of Community Affairs (FDCA) to reimburse 75% of the cost or \$688,200 and the City’s matching 25% of the cost or \$229,400 designated from the Stormwater Fund Undesignated Balance (*Option 1 recommended by Public Works/Stormwater Management*):

- Betty Tebo, 1209 Waverly Road
- Thelma Gilley, 1007 Tucker Street
- Kevin Condatore, 740 Gwen Street
- Margaret Clark, 1325 Linda Ann Drive
- Janie Hansberry, 426 Dupont Drive
- John & Tera Winters, 1706 Salmon Drive
- John & Sonya Seay, 1605 Laguna Drive

Item 25 – Approved the Evaluation Committee’s ranking and authorized the staff to negotiate a **five-year Solid Waste and Recycling Consulting Services contract with Kessler Consulting, Inc.**, highest ranked vendor by the Evaluation Committee, with an option to extend the contract year to year up to an additional five years, for services priced on an hourly basis as needed and \$50,000 budgeted for the current fiscal year for such consulting services (*Option 1 recommended by Solid Waste Services*)

Item 26 – Adopted authorizing **Resolution No. 04-R-04** and approved the execution of a **FDOT Section 5311 Non-Urbanized Area Grant JPA for rural transportation**, providing an additional \$5,511 in operational assistance **for paratransit transportation services in rural Leon County for the transportation disadvantaged** through physical, mental or economic circumstances (*Option 1 recommended by TalTran*)

Item 27 – Adopted authorizing **Resolution No. 04-R-05** and approved a **FY2004 Federal Transit Administration (FDA) Section 5311 Grant Application** for Federal assistance with rural transportation in the amount of \$100,000, and authorized execution of the resolution and the grant documents (*Option 1 recommended by TalTran*)

Item 28 – Approved the Selection Committee’s recommendation and authorized staff to negotiate and execute a **purchase contract for the manufacture and delivery of a sand filter to the Tram Road Reuse Facility from US Filter-Zimpro, Rothschild, WI**, in accordance with their proposal response to RFP 0213-03-RM-RC, in an amount not to exceed \$279,500 (*Option 1 recommended by Water Utility*)

Item 29 – Approved the award of a **contract Purchase Order to fabricate and deliver 680 linear feet of precast reinforced concrete protection structures for sewer pipe**, for City crews to install over the 36-inch force main transporting treated wastewater effluent from the T. P. Smith Water Reclamation Facility to the Southeast Farm for final disposal, **to Hanson Pipe and Products, Gretna, Florida**, low bidder meeting specifications, in the amount of \$129,200 (*Option 1 recommended by Water Utility/Engineering*)

Item 30 – Approved the **Minutes** of the following City Commission meetings (*recommended by the City Treasurer-Clerk/Records Management*):

September 24,  
2003      Regular Meeting

October 8, 2003      Regular

October 16, 2003      Special (Joint City-County Public Hearing on Cycle 2004-1 Amendments to the Comprehensive Plan)

October 22, 2003      Regular

November 12,  
2003      Special (Retreat)

December 10, Special (Sinking Fund Commission)  
2003

**Item 5 (pulled from Consent)** – Voted 5-0 to grant Aviation staff the authority to negotiate and enter into an **agreement with The LPA Group, Inc.**, the General Engineering Consultant for the Airport, for a **feasibility study, concept and preliminary design of an Airport Terminal Rehabilitation Project for an alternative/remote location for the In-Line Baggage Screening and Handling System**, at a not to exceed amount of \$80,000 -- if feasible and the proposed design meets TSA and Airline approval, the final design would be completed at a later date *(recommended by Aviation/Airport Capital Program Administration)*

Item 9 – Voted 5-0 to approve a contract for the **construction of the Airport Transportation Security Administration (TSA) Offices in the Airport Terminal with Bass Construction Company**, under City Annual Price Agreement Contract #01C228, in the amount of \$233,314 *(Option 1 recommended by Aviation/Airport Capital Program Administration)*

Item 15 – Voted 5-0 to approve an **expansion of services with DynTek, the City's network security vendor**, in the amount of \$155,000, to provide the City with the tools and implementation services to centrally manage internal security *(Option 1 recommended by CISO/ISS)*

Item 22 – Voted 5-0 to approve **deductive Change Order No. 9** commensurate with final quantity adjustments **to the construction contract with M of Tallahassee, Inc. for the East Park Avenue Phase I Project**, for a cost savings credit in the amount of \$210,839.09, for a revised final contract amount of \$10,874,454.60 *(Option 1 recommended by Public Works/Engineering)*

Item 23 – Voted 5-0 to approve a **deductive Change Order No. 7** commensurate with final quantity adjustments **to the construction contract with SANDCO, Inc. for the Mission Road Area Roadway and Drainage Improvements Project**, for a cost savings credit in the amount of \$129,939.39, for a revised final contract amount of \$6,220,152.01 *(Option 1 recommended by Public Works/Engineering)*

**Item 31** – Concurred with the recommended **2004 State Legislative Priorities**, as listed below *(Option 1 recommended by the Mayor's Office/Intergovernmental Relations):*

- **Budget Requests**

- Capital Cascades Greenway/Old St. Augustine Branch Restoration Project (\$3,000,000)
- Capital Circle Northwest (\$5 million)
- Support the Florida State University (FSU) request for funding for the FSU Mag Lab
- Budget Cuts
- Transit Trust Fund
- Medicaid Transportation

- **Bills Filed to Date with Potential Significant Impact to the City**

- SB 452 by Senator Constantine – Local Governments/Annexation (financial incentives/interlocal agreement requirement)
- SB 424 by Senator Geller – Local Governments (surplus lands)

- HB 61/SB 216 by Representative McInvale and Senator Siplin – Economic Development (sales tax revenues/local government convention centers)
- SB 152 by Senator Sounders – 2020 Water Supply Study Commission (water resource protection and use)
- **Other Issues of Concern**
  - Law Enforcement - HB 113A (ordinance enforcement)
  - Utilities - Cell Tower Siting and Federal E911 obligations
  - Utilities – Communications Services Tax (exemptions)
  - Transportation – Regulation of FDOT projects
  - Transportation – Aviation Trust Fund
  - Economic Development – Community Redevelopment Agencies
  - Environmental – TMDL Program (requiring adoption of TMDL calculations/allocation and compliance with a Basin Management Plan)
  - Miscellaneous – Eminent Domain (setting a cap on attorneys fees/costs on condemnation of property for capital projects)
- **Issues for Tracking/Monitoring**
  - All water related legislation
  - Senate Urban Infill & Redevelopment Interim Project
  - Sales and tax use legislation
  - Legislation relating to enterprise zones
  - Electric utility issues relating to renewable energy and energy reliability, open records exemptions, ad valorem taxes on electric or telecommunications property
  - Gas utility issues relating to bundling of services, open records exemptions and related matters

The Mayor’s Senior Aide and Intergovernmental Relations Officer Dinah Hart introduced the City’s new Lobbying Team for 2004, including Mr. Ron Book and two of his associates, Ms. Katie Johnson and Ms. Kelly Malett, joint ventured with Mr. Sean Pittman, and Mr. Bill Peebles focusing on telecommunications and utilities issues.

The Commission discussion included adding to these Legislative priorities the designation of some funds for the cleanup cost on the Capital Cascades, brief discussion of having input on the State Space Needs Proposal, supporting Senator Lawton’s bill to increase the level of funding for water resources in the area, supporting the Florida League of Cities with regard to a potential bill on the Development of Regional Impact (DRI) process, giving some focus to working with others to ensure the Mag Lab was funded, ensuring that the City’s Community Redevelopment Agency (CRA) was not negatively impacted by any forthcoming legislation, and providing a more coordinated effort on federal and other grant funding.

Mr. Ron Book appeared before the Commission relative to this item.

**Item 32 - Introduced Hartsfield Green Condominiums Planned Unit Development (PUD) Ordinance No. 04-Z-01**, which would add a 0.72-acre parcel, zoned R-3, to the existing 4.16-acre PUD located on the south side of Hartsfield Road, approximately 250 feet east of Foster Drive, for a total PUD area of 4.88 acres being developed by Only Green, to amend the PUD and associated Concept Plan to allow additional area for the stormwater pond, six additional residential units, and a reconfiguration of the buffer, and establish the location of the buildings, internal

access facilities, parking facilities and landscape areas; and set the ordinance for public hearing on January 28, 2004 (*Option 1 recommended by Planning*) [On December 8, 2003, the Development Review Committee (DRC) had voted 4-0 to recommend approval, subject to conditions.]

**Item 33 – Introduced R. Bradford Parking Rezoning Ordinance No. 04-Z-03**, which would rezone 3.23 acres, located at the northwest corner of the intersection of West Tharpe Street and Capital Circle Northwest, from Industrial to C-2 General Commercial, implementing Comprehensive Plan Map Amendment 2003-2-M-002, implementing the Mixed Use B future land use category (RZ-394) (owner: Tharpe Corner; applicant: City of Tallahassee); set the ordinance for public hearing on January 28, 2004 (*Option 1 recommended by Planning*)

**Item 34 – Introduced Paul Russell Road Abandonment Ordinance No. 04-O-04**, which would abandon a portion of the Paul Russell Road right-of-way located south of Orange Avenue, an area that was closed as a result of the Blair Stone Road and Paul Russell Road realignments (applicant: City of Tallahassee); set the ordinance for public hearing on January 28, 2004 (*Option 1 recommended by Planning*)

**Item 35 – Introduced Polk Drive Abandonment Ordinance No. 04-O-05**, which would abandon a portion of Polk Drive located north of Orange Avenue, an area no longer needed for right of way as a result of the realignment of the intersection of Polk Drive and Orange Avenue to improve access management along Orange Avenue (applicant: Leon County); set the ordinance for public hearing on January 28, 2004 (*Option 1 recommended by Planning*)

**Item 36 – Introduced Four Points / Ridge Point (Hudson) Rezoning Ordinance No. 04-Z-06**, which would rezone 5.59 acres, located on the west side of Woodville Highway, approximately 400 feet south of Sunday Court and approximately 1,500 feet south of the "Four Points" intersection, from M-1 Light Industrial District to C-2 General Commercial District (RZ-397) (applicant: Four Points Partners, LLC); set the ordinance for public hearing on January 28, 2004 (*Option 1 recommended by Planning*)

**Item 37 – Introduced Buck Lake Road / Money Property Voluntary Annexation Ordinance No. 04-O-07**, which would provide for the annexation of approximately 5.5 acres within the urban services area (USA), located on the north side of Buck Lake Road and west of Pedrick Road, currently undeveloped and in the Residential Preservation Future Land Use Category; set the ordinance for public hearing on January 28, 2004 (*Option 1 recommended by the Office of the Mayor/City Manager's Office*)

**Item 38 – Introduced Land Development Code Amendment Ordinance No. 04-O-12**, which would amend the City of Tallahassee Land Development Code to provide for a Planning Department Director designee to attend and participate in Architectural Review Board meetings; set the ordinance for public hearing on January 28, 2004 (*Option 1 recommended by Planning*)

**Item 39 – Introduced Pension Plans Amendments Ordinance No. 04-O-14**, which would provide clarification of certain sections of the pension plans for General Employees', Police Officers', and Firefighters' with "housekeeping" and compliance amendments, and providing for a new Federal IRS Loan provision in the 457 Plan; set the ordinance for public hearing on January 28, 2004 (*Option 1 recommended by the City Treasurer-Clerk/Retirement Administration*)

**Item 40 – Received a staff report on the third public workshop and input received relative to the route selection for the new Eastern Transmission Line 9A needed to serve new Substation BP-17**, and a Power Point presentation on the six routes selected by the Electric Utility's route consultant



Discussed the consultant's analysis and recommendation of Route N, which was a combination of CSX Railway and a portion of Buck Lake Road and Route F, as the second preferred route, as compared to the Electric Utility's recommendation of Route A, utilizing Mahan Drive

Voted 5-0 to **approve the construction of the new overhead transmission line using Route A along Mahan Drive** (as defined by the Line 9A Transmission Line Routing Study Report dated September 2003), and direct the staff to design and construct the line for the least possible visual impact including but not limited to: (i) the maximum possible visual screening by location of the line and vegetation; (ii) optimization of pole heights and span lengths to minimize visual impacts; (iii) the conversion of distribution lines crossing Mahan Drive to underground; and (iv) underground installation of the distribution feeder circuits out of Substation BP-17 that are on Mahan Drive – for a projected cost of \$5,440,000 (excluding the cost of undergrounding the Mahan Drive distribution lines and Mahan Drive distribution feeder circuits associated with the BP-17 Project), funded from the existing Electric Utility Capital Improvement Projects (CIP) Budget – with an effective date on the motion of January 29, 2004 to allow some time to discuss concerns with the County government (*Option 1 recommended by Electric Utility as amended*).

**Item 41 – Received a staff report and discussed the Community Human Service Partnership (CHSP) funds distribution process and marketing plan for the Tallahassee Equality Action Ministry (TEAM) Program**

Voted 5-0 to approve the CHSP distribution process as discussed to allocate funds secured through the "**Opt In**" utility billing process to fund homeless priorities, and approve the marketing plan to inform the public of this program as presented, with the costs for implementation and marketing to be deducted from donated "Opt In" funds (*Option 1 recommended by NCS/Communications*)

**Item 42 - Discussed a re-evaluation of the Neighborhood Infrastructure Enhancement (NIE) Capital Improvement Plan, and the establishment of a program schedule and funding for associated utility relocations for these NIE projects**

Voted 5-0 to **authorize staff to proceed with all the improvements listed in the Revised NIE Projects Summary Ranking Table** as modified by previous direction, as presented, and authorize staff to fund utility relocations using NIE program funds, and to also evaluate including the Sterns-Mosely Project and a project to move people from Lake Bradford Road to Alumni Village other than by automobile (*Option 1 recommended by Public Works/Project Management as amended*)

Concurred with the staff's intent to evaluate the bond funding options

**Item 43 – Discussed a new negotiated City and County agreement proposal for the Tallahassee Fire Department (TFD) to provide Advanced Life Support (ALS), through December 31, 2008, with the County paying the total salaries and benefits for 35 TFD employees from the MSTU, and requiring extension of the City's MSTU through at least September 30, 2009 and reducing the County's payments under the existing fire services agreement**

Voted 5-0 to **approve the City/County ALS agreement for implementation and introduced MSTU extension implementing Ordinance No. 04-O-21**, set for public hearing on January 28, 2004 (*Option 1 recommended by the City Manager/TFD as amended*)

**Item 44** – Discussed the **acquisition of the Boynton and Spencer properties, comprising Tallahassee Junction**, a project consisting of approximately 19 acres at the intersection of Mill Street and Kissimmee Street, which were selected because that location represented the confluence of the St. Marks Historic Trail and the proposed Georgia, Florida, and Alabama (e.g., GF&A) trail

Voted 5-0 to approve the expenditure of up to \$610,000 in sales-tax reimbursable Greenspace funds to conclude the acquisition of the Tallahassee Junction property, with the Florida Communities Trust (FCT) paying \$237,600 towards this acquisition cost (*Option 1 recommended by Planning*)

**Item 45** – Discussed the acquisition of vacant land located on Call Street containing significant environmental features, including wetlands and significant slopes in a hardwood habitat, necessary for an approved capital project to provide structural flood relief along Call Street and Cadiz Street by the construction of a stormwater facility

Voted 5-0 to approve the **purchase of the 8.65 acres of land on Call Street from Call Street Property, LLC**, in the negotiated purchase price amount of \$1,050,000 and closing costs estimated at \$15,000, for a total expenditure of \$1,065,000, with funding for the acquisition to be split \$325,000 from the Call Street/Cadiz stormwater project and \$740,000 from the Greenspace account, with anticipated reimbursement from FCT in the amount of \$420,000 to be refunded to the Greenspace account (*Option 1 recommended by Public Works/Real Estate*)

**Item 46** – Discussed the proposed text to be placed on the ballot on March 9, 2004 proposing a City Charter Amendment to schedule Fall Municipal Elections for the City of Tallahassee, effective with the elections to be held in 2006

Voted 4-1 (Commissioner Mustian opposed) to adopt **Resolution No. 04-R-03**, containing the following **proposed ballot language for the March 9, 2004 election** (*Option 1 recommended by the City Attorney and City Treasurer-Clerk*):

**TITLE:** Fall Municipal Elections for The City of Tallahassee

Shall the Charter be amended, effective with the elections to be held in 2006, to provide for the holding of the regular municipal election on the first Tuesday after the first Monday in November of each even numbered year (beginning in 2006) and holding the municipal primary election, if necessary, on the same date as the State's first primary election.

**Item 46.1** – Deleted from the agenda an item relating to the potential acquisition of Upper Lake Lafayette (brought forward by Commissioner Katz)

#### **CITY COMMISSION INFORMATION AND SHARING OF IDEAS -**

Commissioner Mustian reported on the status of his meetings with County Commissioner Thael relative to **resolving CRA issues** and indicated their last meeting would be on January 28, 2004.

Commissioner Lightsey requested authorization to send a letter to the County Commission relative to **the potential of having a joint meeting on TMDLs as well as a joint stormwater program**. Mayor Marks appointed Commissioner Lightsey as the Commission point person on this issue

and authorized her to proceed. He also requested the staff to put this issue on the agenda for the next Mayor-Chair meeting.

**UNAGENDAED -**

Mr. Eugene Danaher, 10263 Thousand Oaks Circle, appeared before the Commission and discussed his perception of the "State of the City".

Ms. Jan Hendricks, of DISC Village, 3333 West Pensacola Street, appeared before the Commission and discussed Life Corp Services, a new program to provide intervention services for youth.

Ms. Marsha Antista, of DISC Village, 3333 West Pensacola Street, appeared before the Commission, and discussed the need and ability to continue Center for Assessment and Intervention (CAIC) services for children at risk for substance abuse and mental health problems.

*CTC:RM:ecg:01-16-04*

*CTC:RM:WP:tie:02-05-04*

**City Commission Meeting Summary**

**January 21, 2004**

**TARGET ISSUES WORKSHOP**

The City Commission met in special target issues workshop session and took the following action (Mayor Marks and Commissioner Katz absent):

**Item 1** – Received a staff briefing and Power Point presentation updating the Commission on past, current and future Airport development activities, and after some discussion, ascertained that the Airport Master Plan would be developed in the next 9 to 12 months covering a 20-year period, indicated the area where a hotel would be desirable should be identified, caution should be taken not to adversely impact the environmental areas of the Airport property, and that staff should make every effort to improve the frequency of in-state service (*brought forward by Aviation/Airport Finance Administration*)

**Item 2** – Received a staff briefing on State and Federal Total Maximum Daily Load (TMDL) Regulations for water bodies in the Leon County/Tallahassee area, and the staff's intent to continue working with the Commission's Water Policy Target Issue Committee and the City Attorney's Office on TMDL issues as they evolve; discussed proceeding to the development of actual stormwater pollution reduction projects and an education campaign facing major capital expenditures over the next ten years for the Clean Lakes Program (*brought forward by Public Works/Stormwater Management*).

**Item 3** – Postponed a staff briefing on the Fiscal Year 2003 Transit Development Plan Major Update until January 28, 2004 (*brought forward by TalTran*)

*CTC:RM:ecg:02-03-04*

**City Commission Meeting Summary**  
**January 28, 2004**

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

Commissioner Gillum recognized and the Commission welcomed a large number of guests in attendance from the Florida A & M University (FAMU) AKA Sorority, which was pulling together a political action week.

**Item 1** – Accepted a presentation from Secretary of State Glenda Hood regarding The Capitol Downtown Cultural District and invited the City of Tallahassee to be a partner in this effort, which would involve official designation of the District, support and promotion of the District, distribution of brochures and maps, and providing signage

Concurred in directing the staff to bring back a comprehensive plan and some cost information on **the City's participation in The Capitol Downtown Cultural District** on an expedited basis (*The City Manager confirmed that a staff analysis would be brought back the first City Commission meeting in February 2004.*)

**Item 2** – David Chapman, Assistant Director of Parks and Recreation, and the City's 2003-04 United Way representative, **presented a check from the City of Tallahassee employees to the United Way**, in the amount of \$251,753.08

Mr. Ken Armstrong and Ms. Mollie Fitzgerald, representing the United Way of the Big Bend, accepted the check and commended the City employees for their contribution. They also recognized the Tallahassee Police Department employees for their major United Way fundraising campaign and contribution of the highest amount of any City department as well as the highest number of leadership givers.

**Item 3** – Mayor Marks presented a proclamation recognizing and proclaiming the week of February 23-27, 2004 to be **American Red Cross Disaster Resistant Neighborhood Week** in the City of Tallahassee

Mr. Chris Floyd, Director of Disaster Services, appeared before the Commission and accepted the proclamation.

**Consent Agenda Items 6-11 and 13-21** – Voted 5-0 (with Commissioner Katz abstaining on Item 15) to approve the staff's recommendations presented in Consent Agenda Items 6-11 and 13-21, taking the following action:

*Item 4 – Pulled from Consent for discussion a request for approval of appointees to the Cultural Resource Commission Board of Directors (an item brought forward by the Mayor)*

*Item 5 – Pulled from Consent for discussion a request for approval of a public relations contract award for the Blair Stone Road Northern Extension (an item brought forward by Communications)*

Item 6 – Approved the award of a three-year **contract for the repair of babbitted bearings at Hopkins Generating Station, Purdom Power Plant and Corn Hydro Power Plant to Fusion Babbiting**, low bidder meeting specifications, in the estimated amount of \$150,000 over the three years, with an option to extend the contract for an additional two years (*Option 1 recommended by Electric Utility/Production*)

Item 7 – Approved the issuance of a **task order for electrical interface design engineering support**, in an amount not to exceed \$455,000, **to the design engineering services contract with Sargent and Lundy, LLC** for the Peaking Resource Addition Project (*Option 1 recommended by Electric Utility/Production*)

Item 8 – Approved the **ranking of the Selection Committee for Long-Term Natural Gas Supply** and authorized staff to pursue simultaneous contract negotiations with the five highest ranked proposers; authorized the use of existing fuel accounts in an amount not to exceed \$30,000 to fund the use of independent consultants to assess the value of potential transactions (*Option 1 recommended by Energy Services*)

Item 9 – Approved the award of **purchase of 56 light duty trucks** from the following low bidders meeting specifications, for a total amount of \$1,250,180 (*Option 1 recommended by Fleet Management*):

- Twenty-six (26) replacement vehicles and one (1) additional vehicle, in the amount of \$666,513 from **All American Ford, of Tallahassee, Florida**
- Two (2) replacement vehicles, in the amount of \$137,424, from **Altec Industries, of Birmingham, Alabama**
- Ten (10) replacement and two (2) additional vehicles, in the amount of \$219,898, from **Champion Chevrolet, of Tallahassee, Florida**
- Twelve (12) replacement and three (3) additional vehicles, in the amount of \$226,345, from **Proctor GMC, of Tallahassee, Florida**

Item 10 – Authorized Information Systems Services (ISS) to **purchase from Dell, Software House International (SHI), and Pomeroy the microcomputers, peripherals, software and hardware installation services, delivery and storage services to complete the Microcomputer and Peripheral Upgrade/Replacement Project for FY 2004**, and approve the **donation of 50 surplus computers to the Leon County School Board** (*recommended by the Chief Information Systems Officer [CISO]/ISS*)

Item 11 – Approved the award of a one-year **contract for the maintenance of computer network equipment to WYSIWYG The Computer Center**, low bidder meeting specifications, in the amount of \$106,172.55, with two (2) one-year extensions (*Option 1 recommended by CISO/ISS*)

*Item 12 – Pulled from Consent for discussion a request for approval of the ranking and award of a three-year contract for survey consulting services (an item brought forward by the Department of Management and Administration [DMA]/Budget and Policy)*

Item 13 – Approved a City and County **fifth year contract renewal with Bellwether Solutions for kudzu invasive plant control using grazing sheep** on public properties in Tallahassee and Leon County, at a cost to the City of \$125,000 and a cost to the County of

\$50,000 (*Option 1 recommended by Parks & Recreation/Electric Operations/Urban Forestry*)

Item 14 – **Approved the Southwood Unit 5, Phases 8 & 9 Subdivision Plat**, consisting of 15.42 acres subdivided into nine (9) lots bounded on the north by Southwood Unit 5, Phases 6 & 7, on the south by unplatted land, on the east by Esplanade Way, and on the west by Capital Circle (State Road 261), planned for development as office and commercial use by St. Joe Company, with John Baric as one of its officers (*recommended by Public Works/Engineering*)

Item 15 – With Commissioner Katz abstaining, **joined in the dedication and approved the Bull Run Lot 10, Phase IB Subdivision Plat**, consisting of 1.23 acres planned as a single roadway bounded on the north and west by unplatted land, on the south by Bull Run Lot 10, Phase 1A, and on the east by Thomasville Road, under development by Block Land & Finance Company with Byron Block as its president and General Partner (*recommended by Public Works/Engineering*)

Item 16 – **Joined in the dedication and approved the Grey’s Run Subdivision Plat**, consisting of 15.39 acres, subdivided into 39 lots, bounded on the north partly by Dansby Estates and partly by unplatted land, on the south and west by unplatted land, and on the east by March Road, planned for development as single-family detached by Ralph Allen Weldon (*recommended by Public Works/Engineering*)

Item 17 – Approved the award of a **contract, for the installation of a protective enclosure designed to keep out the wind and rain from the screening system for the Southeast Farm pumping station wastewater effluent** as it is screened from the storage ponds to the irrigation system and the screen debris is conveyed into a single dumpster for final disposal at the landfill, to **Council Contracting, Inc., of Tallahassee, Florida**, low bidder meeting specifications, in the amount of \$59,232 (*Option 1 recommended by Water Utility/Wastewater Treatment Plant*)

Item 18 – Approved the award of a **three-year contract for sewer line cleaning and inspection to Southeast Pipe Survey, Inc., of Patterson, Georgia**, low bidder meeting specifications, in the not to exceed amount of \$66,400 over a three year period, to furnish all labor, materials, equipment and incidentals required to conduct the cleaning and inspection of the sanitary sewer lines in connection with sewer line design projects as per the terms, conditions, and specifications of Bid No. 0027-04-RM-TC (*Option 1 recommended by Water Utility*)

Item 19 – Approved a task order to the **contract with Camp Dresser & McKee (CDM)**, one of the City’s four continuing consulting engineering services firms, **to complete Public Access Reuse Phase III – Distribution System Design Task Order**, in the amount of \$70,000, permitting the consultant to provide bid documents and applicable permits for the public access reuse distribution piping to be located in the Southwood area (*Option 1 recommended by Water Utility*)

Item 20 – Approved the award of a **contract for the construction of an 8-inch Test Water Well No. 28, located off of Capital Circle Southeast, to Rowe Well Drilling, of Tallahassee, Florida**, under Water Well Maintenance and Repair Contract No. 305, an existing annual price agreement, in the amount of \$80,000, to provide information needed to determine if a permanent production well could be placed on the property (*Option 1 recommended by Water Utility/Water Quality*)

Item 21 – Approved the **minutes** of the following City Commission meetings (*recommended by the City Treasurer-Clerk/Records Management*):

November 12, 2003	Regular Meeting
November 19, 2003	Regular Target Issues Workshop

**Items 4** (*pulled from Consent*) – Voted 5-0 to approve the following **City appointments to the Cultural Resource Commission (CRC) Board of Directors** (*recommended by Mayor Marks*):

Practicing Artist:	Longineu Parsons
Heritage:	Jorge Olaves
Business:	Susan Stratton
Volunteer:	Beth Langford
At Large:	Margaret Lewis
At Large:	Margo Bindhart
Finance:	Mark Hillis

Mayor Marks thanked the City appointees for their willingness to serve on this Board and he thanked CRC Director Peggy Brady for her assistance.

Mayor Marks also briefly described the national significance placed on municipal cultural programs in general and he suggested potentially investigating the Artists in Residence Program, which had been established by the City of Baltimore, Maryland. He further advised that he had requested an appointment to the U. S. Committee on Arts and Culture.

**Item 5** (*pulled from Consent*) – Briefly discussed the rationale for not providing this service in-house, and voted 5-0 to approve the **award of a public relations contract on the Blair Stone Road Northern Extension to RB Oppenheim Associates** for a term of up to 15 months, in an amount not to exceed \$30,000

**Item 12** (*pulled from Consent*) – Discussed the priority of the expenditure for **survey consulting services** in view of the City's current budget constraints, and voted 5-0 to **defer the item for the staff to bring back alternatives** for obtaining information on resident and customer opinions regarding city services, programs and policies, to potentially include a less frequent type survey than the annual resident opinion survey, to have City staff bring back more information from attending monthly neighborhood association meetings, and to also include more long-term information (*brought forward by DMA/Budget and Policy*)

**Item 22** – Received a report from Commissioner Mustian on his unsuccessful attempts to negotiate with County Commissioner Grippa some resolution of **the County's concern with the City's Downtown Community Redevelopment Agency (CRA), and his perception that the County Commission had no interest in reaching a compromise or in anything but proceeding with a lawsuit against the City**

Briefly discussed the City's procedural posture, which was for both parties to proceed to mediation, or waive mediation and proceed with litigation, and concurred that the City should continue to move forward expeditiously on the Downtown CRA.

The Commission applauded and thanked Commissioner Mustian for pushing forward in his efforts on this issue on behalf of the City Commission team.

**Item 22.1** – Briefly discussed the **routing of the new eastern transmission line**, which the City Commission had voted on January 14, 2004 to route along Mahan Drive, and voted 5-0 to accept the City Manager's report with the following modifications (*brought forward by the City Manager*):

1. defer the implementation date to March 1, 2004
2. schedule a public hearing on the issue for February 11, 2004 in the City Hall Commission Chamber to start no earlier than 5:30 p.m.
3. have staff continue to participate in neighborhood meetings as requested prior to February 11<sup>th</sup>, to provide information on the proposed project

**Item 23** - By consensus, **delayed until March 31, 2004 action on Ox Bottom Reserve Voluntary Annexation Ordinance No. 03-O-37**, introduced on June 11, 2003, and continued from June 25, August 27, September 24, October 22 and November 25, 2003, at which time the hearing was closed and action was continued. This ordinance would provide for the voluntary annexation of approximately 12.5 acres located north of and adjacent to Ox Bottom Road (Tax ID #1428206090000), zoned Residential 1 (R-1) and planned for the development of a 27-lot subdivision on the property. The development was being approved and permitted through Leon County due to its inclusion in the Bradfordville Study Area and the developer had been working with City Growth Management to address specific development issues prior to annexation. The developer had



advised staff that resolution of the outstanding issues had not yet been achieved and had requested another delay on the annexation.

**Item 24** – Voted 4-0 (Commissioner Katz absent) to approve the **acceptance of approximately 8.5 acres of property donated by the Timms Estate for the Silver Lake Project**, which was to clean up the property surrounding Silver Lake, much of which was already owned by the City and Leon County, and develop a passive recreational area (*Option 1 recommended by Public Works/Real Estate*)

Brief clarifying discussion focused on the need to generate funding for the forthcoming phases of this project, which would be discussed at a future time.

**Item 25** – Received a Power Point presentation by Water Quality Division staff on the proposed study; voted 5-0 to approve and authorize **Joint Funding Agreement #043E0FL207214 between the U. S. Geological Survey (USGS) and the City of Tallahassee for a cooperative three-year Southeast Farm Groundwater Quality Study**, with the City's three-year contribution totaling \$300,000 with \$100,000 budgeted each year, FY04, FY05 and FY06, allowing the City and the USGS to immediately proceed with the study, funded from the Water Utility operating budget (*Option 1 recommended by Water Utility*)

Commissioner Katz suggested that the staff inform the neighborhood residents near the sprayfield of this study on the front end as opposed to after the study, and he ascertained that the impact of the sprayfield could be separated from the impact of area septic tanks.

**Item 26** – Voted 5-0 to approve the submittal of the **FY2003 Transit Development Plan Major Update**, a three-year update required by the Florida Department of Transportation (FDOT) in order for TalTran to receive \$972,000 in FY04 FDOT Block Grant funding (*Option 1 recommended by TalTran*)

Commissioner Lightsey expressed concern with the inaccurate reporting in a recent editorial that implied cuts had been made to the Dial A Ride service.

**Item 27** – Voted 5-0 to **adopt Resolution No. 04-R-06, supporting the Florida League of Cities' legislative priorities for 2004** (*recommended by the Office of the Mayor*)

**Item 28** – Held a public hearing on the **Charter Review Committee Final Report and recommendations**, and voted 5-0 to approve the Committee report as discussed and amended, as follows:

1. Continue the existing form of government (Commission-Manager form with a directly elected Leadership Mayor), with the Mayor retaining the current responsibilities and powers.
2. At the point in time when the population of the City of Tallahassee significantly increases, explore the feasibility of transitioning from a Leadership Mayor to the establishment of a Strong Mayor, with duties more aligned to a Chief Executive Officer.
3. Take no action on the recommendation to increase the salary of the Mayor to equal the lowest salaried Constitutional Officer in Leon County.
4. Take no action on the recommendation to increase the salary of the City Commissioners to 65% of the Mayor's salary.
5. Bring back an ordinance for public hearing that would amend the City Charter to extend the transition period between the final election date and the installation of the Mayor and newly elected Commissioners from three days to no longer than 20 days.

6. Take no action on the CRC providing no recommendation as to the City's election dates, and the CRC's note that a citizen-initiated referendum could require City election dates to coincide with State or Federal elections dates in the fall.
7. Bring back an agenda item to amend Commission Policy 110 (Citizen Advisory Boards Guidelines). Commissioners may advise the Mayor or recommend potential appointees, however, the CRC acknowledged that this issue could potentially be handled by recent staffing changes. This amendment would require the Mayor to provide 10 days notice to Commissioners of his/her intent to formally recommend appointment(s) to Charter, Regulatory and Quasi-Judicial boards that were subject to Commission concurrence at a City Commission meeting.
8. Confirmed action had already been taken on the CRC's recommendation that rather than reduce the number of meetings, amend Part I, Subpart A, Section 17 of the City Charter to provide that the Commission meet not less than once each month to provide more flexibility for meeting schedules
9. Bring back an ordinance to require the appointment of a Charter Review Committee in October 2008 to review the role, duties and functions of the Mayor and City Commissioners, and to make recommendations for any Charter amendments deemed appropriate and necessary by the Committee, allowing appointed Committee members to have 60 days to review and submit a report to the City Commission

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

- Pastor Stanley B. Sims, Sr., Shepherd's Hand Resource Center, Inc., 9217 Miccosukee Road (proponent)
- Mr. Ted Thomas, 1469 Vieux Carre Drive, representing the Northeast Businesses Association (NEBA) and Council of Business Associations (COBA) (opponent of Mayor/Commissioners salary increases; proponent of changing the tie-in to the County Commissioners' salaries and looking to a future strong Mayor)
- Dr. Irwin Jackson, P. O. Box 4008 (proponent of opt-in process for donations to special funding for the homeless; opponent of Mayor/Commissioners salary increases)
- Mr. Dan McDaniel, 1907 Ivan Drive (commended the City staff and City Manager for doing a good job; proponent of CRC recommendations with the exception of salary increases; suggested the recommendation regarding a future strong Mayor needed to be defined and changes to Mayor/Commissioners salaries, terms, and government structure should be decided by the voters)
- Mr. Paul D. Harvill, P. O. Box 38458 (recommended basing the salary of the Mayor/Commissioners on the City population)

**Item 29** - Held a public hearing on **Ordinance No. 03-O-71AA**, introduced on November 25, 2003 and continued from a public hearing on December 10, 2003, and voted 5-0 to adopt the ordinance as amended, **amending the City's Parking Regulations**, clarifying parking violations, adding Saturdays to the parking enforcement exempt period, setting parking fine amounts by resolution after notice and public hearing, increasing the parking meter fines from \$5 to \$10 and going to \$20 and then \$30 if not paid (*recommended by the City Attorney's Office and DMA*)

Directed staff to bring back information on the utilization of hangtags for use on vehicles using loading zones

Requested that the City Attorney provide the Commission with a list of all accumulated excess parking violators and their accumulated amounts

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

- Ms. Susan Stratton, 964 Rosebay Court, representing the Downtown Merchants & Business Association (DMBA) (proponent of reasonable increase in parking meter fines from \$5 to \$10, rather than \$15, and multiple tickets as well as speedy collection; suggested an advisory committee to help fine tune suggestions)
- Mr. Charlie Stratton, 964 Rosebay Court (proponent of setting fine increases by ordinance rather than by resolution so that affected persons could have an opportunity to address the Commission)
- Mr. Eric Covley, 2238 Magnolia Drive (opponent of increase in parking fines and interested in purchasing a permit for daily meter parking) (discussed his previous inability to obtain a hearing on a parking meter fine)
- Ms. Belinda Mizell, 1314 Jackson Street, President of the DMBA (proponent of limiting increase in parking meter fines to \$10, rather than \$15)
- Mr. Jim Scholow, 212 South Monroe Street, Treasurer of DMBA and representative of Nick's Toggery (proponent of limiting increase in parking meter fines to \$10, rather than \$15; requested loading zone permits be issued on transferable hanging tags and that loading zone fines be lowered to \$25 or \$30, the prorating of loading zone permits, proof of need, etc.)
- Mr. Paul D. Harvill, P. O. Box 38458 (opponent of increasing parking meter fines from \$5; proponent of increasing handicapped parking fines and blocking fire hydrant fines to \$250)

City Manager Favors requested that Mr. Covley discuss his request for appeal of a parking meter fine with Assistant City Manager Fernandez.

**Item 30** – Held a public hearing on **Pension Plans Amendments Ordinance No. 04-O-14**, introduced on January 14, 2004; voted 3-0 (Commissioners Katz and Mustian absent) to adopt the ordinance, providing for clarification of certain sections of the pension plans for General Employees', Police Officers', and Firefighters' with "housekeeping" and compliance amendments, and providing for a new Federal IRS Loan provision in the 457 Plan (*Option 1 recommended by the City Treasurer-Clerk's Office/Retirement Administration*)

There were no speakers on this item.

**Item 31** – Held a public hearing on **Buck Lake Road / Money Property Voluntary Annexation Ordinance No. 04-O-07**, introduced on January 14, 2004, which would provide for the annexation of approximately 5.5 acres within the urban services area (USA), located on the north side of Buck Lake Road and west of Pedrick Road, currently undeveloped and in the Residential Preservation Future Land Use Category; by consensus, continued this public hearing to February 25, 2004 (*brought forward by the Office of the Mayor/City Manager's Office*)

Mr. Jim Waddell, P. E., L & W Engineering, Inc., 2840 Remington Green Circle, Suite E, representing Mr. Mike Money, the owner, did not appear before the Commission but indicated his availability to answer questions in support of this item.

**Item 32** – Held a public hearing on **Ordinance No. 04-O-21**, introduced on January 14, 2004; voted 4-0 (Commissioner Mustian absent) to adopt the ordinance, providing for the **City's extension of the Leon County Emergency Medical Services (EMS) Municipal Services Taxing Unit**

**(MSTU) through September 30, 2009** (recommended by the Department of Management and Administration [DMA]/Budget and Policy)

There were no speakers on this item.

**Item 33** – Held a public hearing on **Hartsfield Green Condominiums PUD Rezoning Ordinance No. 04-Z-01**, introduced on January 14, 2004; voted 4-0 (Commissioner Mustian absent) to adopt the ordinance, amending the existing Hartsfield Green Planned Unit Development (PUD) by adding a 0.72-acre parcel, zoned R-3, to the existing 4.16-acre PUD located on the south side of Hartsfield Road, approximately 250 feet east of Foster Drive, for a total PUD area of 4.88 acres being developed by Only Green, Inc. -- amending the PUD and associated Concept Plan to allow additional area for the stormwater pond, six additional residential units, a reconfiguration of the buffer, and establish the location of the buildings, internal access facilities, parking facilities and landscape areas, based on the findings and conditions of the Planning Commission, which had voted 5-0 on January 6, 2004 to recommend approval of this amendment based on the findings and conditions of the Development Review Committee (DRC), as outlined in Attachment 2 to the agenda item (*Option 1 recommended by Planning*)

- Mr. Dan McDaniel, 1907 Ivan Drive, appeared before the Commission relative to this item.
- Mr. Charles Hargraves, P. E., Hargraves Engineering, 2009 Heatherbrook Drive, representing Only Green, Inc., 8511 Bull Headley Road, Suite 200, did not appear before the Commission but indicated his availability to answer questions in support of this item.

**Item 34** – Held a public hearing on **R. Bradford Parker Rezoning Ordinance No. 04-Z-03**; voted 4-0 (Commissioner Mustian absent) to adopt the ordinance, rezoning 3.23 acres located at the northwest corner of the intersection of West Tharpe Street and Capital Circle Northwest from Industrial to C-2 General Commercial, implementing Comprehensive Plan Map Amendment 2003-2-M-002 (applicant: City of Tallahassee; owner: Tharpe Corner; agent: Brad Parker) (*Option 1 recommended by Planning*)

Mr. Brad Parker, 217 John Knox Road, indicated his availability to answer questions in support of this item.

**Item 35** – Held a public hearing on **Paul Russell Road Abandonment Ordinance No. 04-O-04**, introduced on January 14, 2004; voted 5-0 to adopt the ordinance, abandoning a portion of the Paul Russell Road right-of-way located south of Orange Avenue, an area that was closed as a result of the Blair Stone Road and Paul Russell Road realignments (applicant: City of Tallahassee; owner: J. Colin English, Jr. family) (*Option 1 recommended by Planning*)

There were no speakers on this item.

**Item 36** - Held a public hearing on **Polk Drive Abandonment Ordinance No. 04-O-05**, introduced on January 14, 2004; voted 5-0 to adopt the ordinance, abandoning a portion of Polk Drive located north of Orange Avenue, an area no longer needed for right of way as a result of the realignment of the intersection of Polk Drive and Orange Avenue to improve access management along Orange Avenue - subject to the condition that the applicant correct construction details of the segment of Polk Drive to be abandoned to comply with City street construction standards (applicant: Leon County) (Option 1 recommended by Planning)

There were no speakers on this item.

**Item 37** – Held a public hearing on **Four Points/Ridge Point (Hudson) Rezoning Ordinance No. 04-Z-06**, introduced on January 14, 2004; voted

5-0 to adopt the ordinance, rezoning 5.59 acres located on the west side of Woodville Highway, approximately 400 feet south of Sunday Court and approximately 1,500 feet south of the "Four Points" intersection, from M-1 Light Industrial District to C-2 General Commercial District (RZ-397) (applicant: Four Points Partners, LLC) (*Option 1 recommended by Planning*)

There were no speakers on this ordinance.

**Item 38** – Held a public hearing on **Land Development Code Amendment Ordinance No. 04-O-12**, introduced on January 14, 2004; voted 5-0 to adopt the ordinance, amending the City of Tallahassee Land Development Code to provide for a Planning Department Director designee to attend and participate in Architectural Review Board (ARB) meetings, thereby ensuring that a Planning Department representative would be present at all ARB meetings (*Option 1 recommended by Planning*)

There were no speakers on this item.

**Item 39** - Held the second public hearing on **Frenchtown-Springfield Historic District Boundary Rezoning Ordinance No. 03-Z-19**, introduced on July 9, 2003, and continued from the first public hearing held August 27, 2003 and continued from September 24, October 22 and December 10, 2003, which would rezone properties designated on the Frenchtown-Springfield Historic Preservation Overlay District and Rezoning Map from RP-2 Residential Preservation District and CU Central Urban District to RP-2 Residential Preservation District and CU Central Urban District with Historic Preservation Overlay (HPO) subject to the underlying zoning district development standards, and list the properties on the Local Register of Historic Places; by consensus, continued the public hearing on this ordinance until a date to be determined at the February 18, 2004 Target Issues Workshop (*Option 1 recommended by Planning*)

There were no speakers on this item.

#### **UNAGENDAED BUSINESS:**

City Manager Favors announced that Wayne Tedder had been appointed as the new City-County Planning Director effective January 23, 2004.

City Manager Favors also announced that David Byrne had been appointed as the new Energy Services Director.

Brief discussion focused on moving expeditiously to fill the remaining three vacancies in the Planning Department and, hopefully, retain some institutional memory.

City Attorney English reported on the election lawsuit filed against the City (Second Judicial Circuit Court Case No. 2000 CA 000156), and the Commission voted 5-0 to **change the ballot language to the form directed by the Court's ruling and adopt Resolution No. 04-R-08 as distributed for transmittal to the Supervisor of Elections to go forward with the election on March 9, 2004.**

#### **UNAGENDAED SPEAKERS:**

**Waverly Hills Traffic Calming Project**

- Mr. Bill Graham, 1203 Kenilworth Road (proponent of traffic calming on Kenilworth Road)
- Mr. William H. Harper, 1218 Waverly Road (proponent of traffic calming in Waverly Hills)
- Ms. Janice Lyon, 2815 Rebecca Drive (opponent of process used by Traffic Engineering to determine which streets received traffic calming)
- Ms. Lee Ann Everhart, 2906 Ivanhoe Road (opponent of traffic calming in Waverly Hills)
- Mr. Jeff D. Arrowood, 620 Lothian Drive (opponent of traffic calming in Waverly Hills)
- Ms. Adina Simmons, 1106 Waverly Road (proponent of traffic calming in Waverly Hills, particularly on the street in front of her home)
- Ms. Debbie Jamski, 2659 South Hannon Hill Drive, representing Buckhead Homeowners Association (opponent of traffic calming on Gardenview Way)
- Ms. Jean Becker-Powell, 813 Kenilworth Road (proponent of traffic calming in Waverly Hills) – did not appear but requested that her position be noted for the record
- Ms. Meg Bates, 721 Kenilworth Road (proponent of traffic calming in Waverly Hills, on Kenilworth and Coldstream)
- Ms. Roxanne Rehm, 715 Kenilworth Road (proponent of traffic calming in Waverly Hills)

Staff reported traffic calming construction was anticipated to begin in Waverly Hills within the next two weeks.

The Commission discussed the potential need to rewrite the traffic calming policy with regard to obtaining input from homeowners on adjacent streets and ascertained from staff that the Waverly Hills traffic calming project was consistent with the Commission's prior action to reduce funding for this program.

Additionally, the Commission concurred on the need to consider this program from a whole community viewpoint, to re-evaluate whether traffic calming devices were dangerous for the future with the completion of major transportation system improvements and the widening of roadways, and **directed the staff to schedule a presentation at a target issues workshop in April 2004.**

#### **CITY COMMISSION INFORMATION AND SHARING OF IDEAS:**

Commissioner Lightsey **requested that the staff meet with representatives of the Apalachee Audubon Society to ensure that the design of planned improvements are such that the ponds and land are livable and workable for both wildlife and human use.** She noted that the Audubon Society was particularly concerned with the City's plans to change the regional stormwater facility located on the old Elberta Box and Crate site, and with the planned removal of willow trees along the pond at San Luis Park, which was an important bird habitat.

Commissioner Mustian ascertained from staff that an attempt was being made to schedule the **next Commission retreat** for some time in March or April 2004.

*CTC:RM:ecg:02-02-04*

*CTC:RM:WP:tie:02-06-04*

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

Heard from County Commissioner Tony Grippa, who, as local chair of the United Way, thanked the Mayor and City Commissioners for their work on the United Way fundraising campaign. He also **reported on the decision of the Board of Leon County Commissioners (County Commission) to return to the negotiating table over the City's proposed Downtown Community Redevelopment Area (CRA)**, and stated that the County would be sending a payment to the City representing the Frenchtown CRA revenues

**Item .1** – Recognized and welcomed home the following **returning City employees from their stint of active duty in the Military Service**, and presented each of them with a token of appreciation:

- David Pollard, accompanied by his wife Tracy
- Pamela Jackson, standing in for her husband Eddie Jackson
- Chris Williams
- Michael Terhune, accompanied by his mother Mary
- Kim Outlaw, standing in for her husband Steven Outlaw
- Tommy Tharpe, accompanied by his wife Brenda
- Heather Patterson, standing in for William Judd
- Janet Walker, standing in for her husband James Walker
- Andrew Lyons
- Patrick Casserleigh
- Stephanos Tterlikkis
- Joseph Giangrosso
- John Ault
- Curtis Hall
- Michael VonStein
- Cheryl Stewart
- William Porter

**Item 1** - Presented a **proclamation to Danny Burnett, Coach Operator, TalTran**, recognizing Mr. Burnett for his exemplary service during an emergency situation

Mr. Bob Chamberlain, Supervisor, and others with TalTran, also appeared before the Commission with Mr. Burnett.

**Item 1.1** - Presented to the following individuals a **proclamation proclaiming February 20, 2004 as Prymate Day in the City of Tallahassee** and recognizing Theatre Florida State University's award-winning company of actors and artists for mounting the world premiere of *Prymate*, a new play by Mark Medoff, scheduled for February 20-29 on the FSU campus:

- Steve Wallace, Dean of School of Theatre
- Tony Award nominee and Emmy Award winner Andre De Shields

- Tony Award winner and Emmy Award nominee Phyllis Frelich
- Two-time Emmy Award winner Heather Tom
- Three-time Emmy Award nominee Robert Walden
- Tony Award and Obie Award winner, playwright Mark Medoff
- Tony Award nominee Ed Sherin (*not present*)

**Item 1.2** - Presented to the following individuals a **proclamation proclaiming the week of February 16-22, 2004, to be Florida Surveyors Week in the City of Tallahassee:**

Mr. Lanier Mathews, President, and Ms. Marilyn Evers, Executive Director, Northwest Chapter of the Florida Surveying and Mapping Society

**Consent Agenda Items 2-3, 6-8 and 11** – Voted 5-0 to approve the staff’s recommendations presented in Consent Agenda Items 2-3, 6-8 and 11, taking the following action:

Item 2 – Approved the award of a **four-year contract for services to supplement the staff’s installation of Electric System transmission control panels and switchgear relay upgrades (Bid #0219-03-RM-BC) to Powerserve Technologies, Inc.**, low bidder meeting specifications, in an amount not to exceed \$500,000 per year; authorized staff to enter into a contract for the period March 1, 2004 through February 28, 2008; authorized three capital projects, Work Orders #96464, #03034 and #04009, totaling \$1,089,550 as of January 29, 2004, to be combined into a single project, Work Order #04009 "Relay and Communications Systems, with future funding requested as part of the Five Year Capital Improvement Program Budget (*Option 1 recommended by Electric Utility/System Control*)

Item 3 – Authorized the City Manager to execute a Peaking Project **contract for electric generation additions at Substation 12 and the Hopkins Electric Generating Station** (to add 100 MW of peaking capacity in the 2004-2005 timeframe) **with General Electric**, one of two top-ranked vendors, in the amount of \$17,980,517, once final issues are resolved and both the Electric Utility and the City Attorney have concurred that the contract is ready for execution, with funding from Work Order #03027 "Peaking Resource Addition"; **adopted reimbursement Resolution No. 04-R-09**, preserving the ability for bond financing the project (*Option 1 recommended by Electric Utility/Production*)

*Item 4 – Pulled for discussion a request to approve the revised height variance request submitted by BCOM, Inc. (brought forward by Economic Development) (SEE BELOW)*

*Item 5 – DELETED FROM THE AGENDA an item requesting approval of the extension of Ordinance No. 02-O-48, Interim Review Procedures for the All Saints and Civic Center Redevelopment Areas (brought forward by Planning)*

Item 6 – Approved the award of a **Biennial Price Agreement for the purchase of asphalt paving materials from Mitchell Brothers, Inc.**, sole bidder meeting specifications, in the estimated annual usage amount of \$1,300,000 (*Option 1 recommended by Public Works/Streets & Drainage*)



Item 7 – Approved **the sale of two surplus properties**, including the sale of 10.78 acres **in Tallahassee Industrial Park** to Kim Williams for the price of \$442,000, and 41.76 acres **on Paul Russell Road** to Pepper Ghazvini for the price of \$725,000 (*Option 1 recommended by Public Works/Real Estate*)

Item 8 – Joined in the dedication and approved the **Sleepy Hollow Subdivision Plat**, consisting of 77.21 acres subdivided into 30 lots, bounded on the north, south and west by unplatted land and on the east by Ox Bottom Unit 4, planned for development as single family detached by Marshall R. Cassidy, Jr. (*recommended by Public Works/Engineering*)

*Item 9 – Pulled for discussion a request to approve an extension of the contract for **self-insured claims investigative services with Crawford & Company** (brought forward by the City Treasurer-Clerk/Risk Manager) (SEE BELOW)*

*Item 10 – DELETED FROM THE AGENDA a request for approval of a **Third-Party Administrator Contract with Prudential Retirement Services for the Employees' MAP/RSVP Pension Plans** (brought forward by the City Treasurer-Clerk/Retirement Administrator)*

Item 11 – Approved the **minutes** of the following City Commission meetings (*recommended by the City Treasurer-Clerk Records Management Officer*):

- November 13, 2003 Special (Cycle 2004-1 Comp Plan Amendments, City Workshop)
- December 9, 2003 Special (Cycle 2004-1 Comp Plan Amendments, City Workshop)
- December 11, 2003 Special (Cycle 2004-1 Comp Plan Amendments, Joint City-County Workshop)

**Item 4**, pulled from Consent – Voted 5-0 to approve the **revised height variance request submitted by BCOM, Inc.** to permit an increase in height to accommodate the modified building design for the mixed use development on the Southwest Parcel of Kleman Plaza, for a maximum adjusted building height of 235 feet (*Option 1 recommended by Economic Development*).

Mayor Marks ascertained that construction on the BCOM project was expected to begin within 90 to 120 days.

**Item 9**, pulled from Consent – Voted 5-0 to approve a one-year extension to Contract No. 01C0206 for **self-insured claims investigative services with Crawford & Company** to March 31, 2005, and authorized staff to extend the contract for a second optional year if services continue to be acceptable (*Option 1 recommended by the City Treasurer-Clerk/Risk Manager*)

Commissioner Katz determined that this service had not been bid for a three-year contract based on the services being obtained at the bottom price range of \$120,000 to \$130,000 per year, or approximately \$10,000 per month.

**Items 12-19** – By consensus, **introduced the following ordinances as recommended, with public hearings on the ordinances set for February 25, 2004:**

**Item 12 - Ordinance No. 04-O-02**, which would reorganize and reformat the City's existing Environmental Management Ordinance (EMO) in an effort to provide a more user-friendly document providing clarity to the regulations and procedures necessary to achieve

compliance with the EMO (*Option 1 recommended by Growth Management*)

**Item 13 – Ordinance No. 04-Z-15**, which would rezone 0.76 acres located at the southwest corner of Carlton Drive and Old Fort Drive (1101 Old Fort Drive) from RP-1 Residential Preservation-1 District to RP-1 with HPO Residential Preservation-1 with Historical Preservation Overlay District for the Sullivan-West House, and listing of the subject property on the Local Register of Historic Places, as requested by James W and Betty Sue Newman (*Option 1 recommended by Planning*)

**Item 14 – Ordinance No. 04-Z-16**, which would rezone 0.75 acres located on the west side of South Monroe Street approximately 135 feet north of Oakland Avenue East (1212 S. Monroe Street) from CU Central Urban District to CU with HPO Central Urban with Historical Preservation Overlay District for the Green Derby House, and listing of the subject property on the Local Register of Historic Places, as requested by Centerpoint Tallahassee, Inc. (*Option 1 recommended by Planning*)

**Item 15 – Ordinance No. 04-O-17**, which would abandon a portion of the Peacefield Court right-of-way, as requested by Charleston Place Homeowners Association (*Option 1 recommended by Planning*)

**Item 16 – Ordinance No. 04-O-18**, which would abandon the easternmost 284 feet of the Willow Drive right-of-way, as requested by Charles Kovaleski (*Option 1 recommended by Planning*)

**Item 17 – Ordinance No. 04-O-19**, which would abandon a portion of Pasco Street and Tucker Street rights-of-ways, as requested by the Leon County School Board (*Option 1 recommended by Planning*)

**Item 18 – Ordinance No. 04-O-20**, which would provide for the voluntary annexation of approximately 22 acres located on Shelfer Road, the site of Oak Ridge Elementary School, and approximately 1.2 acres fronting on Ross Road and adjacent to the western boundary of the school parcel, the site of a business, Cabinets from Parker (*Option 1 recommended by the Office of the Mayor*)

**Item 19 – Ordinance No. 04-O-24**, which would establish a Charter Review Committee in October 2008 (*Option 1 recommended by the City Attorney*)

**Item 20 – DELETED FROM THE AGENDA** the introduction of **Ordinance No. 04-O-25**, which would extend the transition period between the election date and installation of the Mayor and newly elected Commissioners from three days to no longer than 20 days (*brought forward by the City Attorney*)

**Item 21 – Voted 5-0 to approve the delay of the Belle Vue Road PASS project** (future appropriations of \$3,574,000) in the 1989 Sales Tax Program and approve supplemental appropriations from the 1989 Sales Tax Construction Fund's undesignated balance for three current construction projects, the Maclay Road Realignment (supplemental appropriation of \$1,693,000), East Park Avenue Phase II (supplemental appropriation of \$712,000) and Sutor Road PASS (supplemental appropriation of \$930,000) (*Option 1 recommended by Public Works/Engineering*)

Commissioner Lightsey ascertained that the adopted list of projects could be changed through a public hearing process while delaying one of those projects would not constitute an amendment and would require no public hearing.

**Items 22, 23 and 24** – Voted 5-0 to approve the following recommended actions:

**Item 22** - Approved the **award of a construction contract for the Maclay Road Realignment Project to M of Tallahassee, Inc.**, low bidder meeting specifications, in the amount of \$2,217,185.49; and a non-scope change contingency for these contractual services, in the amount of \$220,000, to be awarded by the City Manager if needed (*Option 1 recommended by Public Works/Engineering*)

**Item 23** - Approved the **award of a construction contract for the East Park Avenue Widening Phase II project to M of Tallahassee, Inc.**, low bidder meeting specifications, in the amount of \$4,446,674.39; a non-scope change contingency for these contractual services, in the amount of \$385,700, to be awarded by the City Manager if needed; and a supplemental appropriation, in the amount of \$16,911, to Work Order #03351 (Water RR&I Fund) for Water construction costs, funded from Work Order #04129 (Water RR&I Fund) (*Option 1 recommended by Public Works/Engineering*)

**Item 24** - Approved the **award of a construction contract for the Sutor Road PASS project to Sandco, Inc.**, low bidder meeting specifications, in the amount of \$1,710,054.20; and a non-scope change contingency for these contractual services, in the amount of \$175,000, to be awarded by the City Manager if needed (*Option 1 recommended by Public Works/Engineering*)

**Item 25** – Voted 5-0 to **appoint City Commissioner Gillum to serve as the City Commission representative on the Advisory Committee of the Southern Strategy Area Economic Development Plan** (*Option 1 recommended by Planning*)

Requested that the staff bring back a report in April or May 2004 on the cost of consultants, the coordination of efforts and how the different sector plans in the southern strategy area would fit together appropriately

**Item 26** – Voted 5-0 to approve the **Parks and Recreation fee increases** as requested by the Parks and Recreation Advisory Board, projected to bring in \$140,362 in current year revenues and over \$175,000 in future years (*Option 1 recommended by Parks and Recreation*)

Commissioner Lightsey pointed out the City was no where near 50% recovery of direct costs and the average taxpayer was continuing to subsidize to a significant degree all of the Parks and Recreation programs, and she stated that for future budget discussions, the City Commissioners needed to understand what the General Fund was subsidizing as opposed to what was fee based.

**Item 27** – Voted 5-0 to direct City staff to finalize the **alignment of the Kerry Forest Extension** and accept the dedication of the right-of-way to preserve the corridor contemplated in the Urban Services Agreement (*Option 1*), and direct City staff to proceed with negotiations for a tri-party agreement with Leon County and Block Land & Finance related to Segment 3 of the Kerry Forest Extension, but not as proposed in Attachment 3 to the agenda item (*Option 2*) (*brought forward by the City Attorney and the Public Works Department/Traffic Engineering*)

Commissioner Lightsey advised that she had **asked that the staff cost out the value of the right-of-way and as well as the land that would accommodate some of the stormwater needs of the development**, and she **requested that the staff also bring back some potential funding sources**. She further requested that the staff **determine if the County would make any contribution to the stormwater facility, and whom the funding partners might be**.

**Item 28** – Voted 5-0 to approve the proposed **City Commission Policy on Best Management Practices for Residential Subdivisions with**

**Significant Grades**, as presented (*recommended by the City Attorney*)

**Item 28.1** – Received a staff report on a well-attended town meeting, which had been called by County Commissioner Bill Proctor, relating to citizen concerns with **the high cost of Electric Utility bills**; staff discussed the City Electric Utility’s dependence on gas powered fuel and the fuel cost being over 50% of the total cost of electricity, and reported on City programs that were in place to assist people with their electric utility bills

Requested that the staff bring back an additional in-depth report in two weeks, including a **natural gas price forecast, demand side alternatives, so that the Commission would have a full review before making any kind of commitment to look at long-term prospects and alternatives for the Electric Utility under the current conditions, and to also set up a schedule of town hall meetings to educate people on some economizing ways of addressing this issue**

**Item 29** - Held a public hearing on the **route selection for Eastern Transmission Line 9A**, and voted 5-0 to delay a decision for no more than four months and during that time explore the alternative **AMG (Mahan/Dempsey Mayo/Micosukee Greenway)** route and alternative underground Mahan Drive route, with flexibility for variations (brought forward by Electric Utility)

Prior to initiating the public hearing, the Commission received a Power Point presentation updating the Commission on a meeting held with neighborhood leaders on February 4, 2004 and a Buck Lake Alliance community meeting held on February 5, 2004, including a report on the route study history, key factors of the staff’s recommendation, the public information process during the route study, public response survey data, what the transmission line would look like, underground option costs, underground construction pictures, community notification of the alternative route options, additional public information subsequent to the December 10, 2003 Commission meeting, new issues raised by the public, a potential alternate AMG route, the Buck Lake Alliance citizens group involved in collaborating Mahan Overhead Mitigation Options and new issues raised by that group, and the posting of a cost estimate report on the City’s web site.

Discussed the higher cost, longer construction time and the extended time required for repairing underground transmission lines, the increased probability for potential power outages on the eastern part of the electric system by extending the length of time for a final decision, and the need for public involvement relating to the proposed **AMG** alternative route.

Requested that the staff bring back a recommendation on a citizens committee of 5-7 people to work with the staff on this issue.

Commissioner Lightsey **requested that the staff map Leon County showing where existing similar transmission lines were located.**

**Staff confirmed that status reports on related discussions with Welaunee would be provided to the Commission on a regular basis**

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

- Mr. Carlos Alvarez, 4550 Chaires Crossroad (opponent of overhead Mahan Drive route)
- Mr. Bill Smith, 5500 Touraine Drive, representing Lafayette (opponent of overhead Mahan Drive route)

- Mr. Ray Moreau, 1895 Vineland Lane, President of Lafayette Estates Homeowners Association (opponent of overhead Mahan Drive route)
- Mr. Gregg B. Patterson, 2770 Thornton Road (opponent of overhead Mahan Drive route)
- Mr. Stephen Moon, 1909 Vineyard Way (opponent of overhead Mahan Drive route)
- Mr. Scott Grant, 1796 Vineyard Way, President of the Vineyard Homeowners Association (opponent of overhead Mahan Drive route)
- Mr. Paul D. Harvill, P. O. Box 38458 (opponent of overhead Mahan Drive route)
- Mr. Jerrel E. Phillips, 5028 Mahan Drive (opponent of overhead Mahan Drive route)
- Mr. Jimmie McDaniel, 2901 Mystic Warrior Trail (objected to the new substation being sited within 100 yards of his house)
- Mr. James L. Quinn, 5703 Verlaine Court (opponent of overhead Mahan Drive route)
- Mr. Richard Long, 2301 Tour Eiffel Drive (opponent of overhead Mahan Drive route)
- Mr. Richard T. Donelan, 1332 Avondale Way (opponent of overhead Mahan Drive route)
- Mr. Jesse W. Burt, 2466 Thornston Road (opponent of overhead Mahan Drive route)
- Mr. Harry Murksten, 1802 Vineyard Way (opponent of overhead Mahan Drive route)
- Dr. Erwin Jackson, 5002 Glen Rose Court (opponent of overhead Mahan Drive route)
- Ms. Roseanne Barker, 409 Tung Hill Drive (opponent of overhead Mahan Drive route and the CSX railroad alternatives)
- Mr. John King, 1279 Redfield Road (opponent of overhead lines)
- Mr. Jim Neill, 409 Tung Hill Drive (opponent of overhead lines)
- Mr. Glenn Woodsum, 2206 Bourgogne Drive (opponent of overhead Mahan Drive route)
- Ms. Marleena Holyfield Huckaba, 5515 Touraine Drive (opponent of overhead Mahan Drive route)
- Mr. Kent Wimmer, 1294 Avondale Way, representing Avondale Homeowners Association (opponent of overhead Mahan Drive route)
- Mr. Jay Liles, 1962 Vineland Drive (opponent of overhead Mahan Drive route)
- Mr. James Graham, 450 Old Dirt Road (opponent of a route taking his property as opposed to large plantation property; recommended that the people who would benefit should pay)
- Mr. Gerald Curington, 2122 La Rocelle Drive (opponent of overhead Mahan Driveroute)
- Ms. Denise Rodenbough, 214 Old Dirt Road (opponent of overhead Mahan Drive route and the CSX routes)

**Item 30** – Received a briefing from Commissioner Gillum on interest expressed by some of the original Lincoln High School graduates in **renaming the Lincoln Neighborhood Center** to put some identity of the Lincoln High School back into the neighborhood, to potentially name the center the Freeman D. Lawrence Lincoln Neighborhood Center, after the only living former principal of the school and the last principal when the doors were closed, or the Gilbert Potter Lincoln Neighborhood Center, after another principal of the school

**Unagendaed Speakers:**

Mr. Eugene Danaher, 10263 Thousand Oaks Circle, appeared before the Commission and distributed copies of a letter he had written alleging the Mayor's illegal acceptance of a \$250 contribution from Capital City Classic for his Mayoral campaign. He requested that the Mayor inform him by letter if his allegation was inaccurate.

Mr. Paul D. Harvill, P. O. Box 38458, appeared before the Commission and discussed plans for a Tallahassee Brown Derby employees reunion.

CTC:RM:ecg:02-13-04

CTC:RM:WP:tie:02-18-04

### **City Commission Meeting Summary February 18, 2004**

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

**Item 1 – Received from Mayor Marks an economic development update focusing on ongoing Legislative lobbying activities and initiatives being taken by various lobbying task forces**, indicating that the Legislators were encouraging the County to work out the CRA issue through the Florida League of Cities (FLC) and he did not expect any significant legislation on CRA in the current Legislative Session, and reporting that City lobbyists were closely monitoring this issue and were also making a pitch for additional funding for Capital Cascades Park and for Capital Circle Northwest

Mayor Marks explained that he had been meeting with the Legislators personally at the suggestion of the City's lobbyist.

**Item 2 - Received the first preliminary update report of the Target Issue Task Force on the Financial Viability of the Government;** voted 5-0 to reaffirm the Target Issue Committee's goals, objectives and policy parameters as presented and request the staff to use these during the development of the FY2005 budget process (*Option 1*); approve the elimination of the Health Care Reserve fund and transfer the available balance of \$2,674,200 to the City's Deficiencies fund for future appropriation as necessary (*Option 2*); and approve the elimination of capital projects as listed on Attachment #1 to the Agenda Item, transfer funding in the amount of \$2,115,877 to the City's Deficiencies fund for future appropriations as necessary, and transfer funding in the amount of \$2,569,639 from sales tax projects and various enterprise funds to each fund's respective fund balance (*Option 3*) (*recommended by the Department of Management & Administration [DMA]/Budget & Policy*)

Determined that the Committee had looked at employee payment mix, TalTran, Fleet and the Capital Budget, and a recommendation was coming back on the Capital Budget as well as several other items

Confirmed that the staff would be bringing back an overview of technology issues and their revenue generation potential, and suggested it would be helpful to have any policy discussion on these early in the budget process

Discussed the proposed deobligation of some of the capital project funds that were Enterprise or designated funds and a few General Fund projects, with those funds to go into the Deficiencies fund to potentially be used to meet the deficit projected for the next two years or for other purposes if needed; clarified with staff that the money from any closed out sales tax projects would go back into the Sales Tax Fund

Determined from staff that some updates on issues already discussed would be brought to the Commission in March

Deferred to a later meeting a staff report on the debt and investments program, following a review by the Target Issue Task Force

Received a brief staff report on the strategic planning for the Electric and Gas Utilities, and the success of the City's long-term contracts and relationships with its large customers

Discussed the Hedging Program established the previous year with a budget of \$20 million; ascertained this fund was used to ameliorate the fluctuation of gas prices by helping to level out the fuel cost; determined from staff that the price of fuel had been adjusted in the Fall of 2003 and the rate had remained the same for the following six months while consumption had changed drastically over the past few months; **requested that the staff provide an analysis projecting what could have happened if the Hedging Program had not been in place**; and ascertained from staff that the Hedging account was evaluated twice a year or on an as needed basis

Received an update on the Energy Risk Management Program as one of the components of the Electric and Gas Utilities strategic plan

Received an update on the staff's focus on ensuring that the City's new marketing and technology initiatives were being done efficiently and effectively, including the Customer Information System (CIS), the new Digital Canopy, the Integration Program, regulatory and Legislative programs, Energy Risk Management, Integrative Resource Planning, system improvement and expansion, and the initiation of customer care

**Requested that every staff recommendation on target issues and the overall upcoming budget have a level of service (LOS) review attached to it**

**Item 3 - Discussed the potential of an Urban Services Area (USA) expansion and the amount of developable land within the USA (*brought forward by Planning*).**

Discussed the work of a community committee that had formed to review the availability and affordability of residential lots within Leon County, identified as the Residential Lot Availability/Affordability Review Committee; determined that the staff would be working with that group to discuss the availability and affordability of housing in the City and in the County as well as the broader discussion of the USA boundary; ascertained that the Committee intended to have a consensus approach and bring those issues back to the City Commission and to the County Commission by June or July

Directed staff to determine when a report would be brought to the Commission concerning the phased infrastructure provision inside the USA, i.e., the whole issue of utility extensions and how that impacted on developable land and densities

Discussed giving priority to setting a strategy of extending the urban services infrastructure as a means of directing future growth as opposed to being demand driven by development, and acknowledged this would put the City in the position of saying which areas of the community would be provided with utility extensions

Pointed out that how aggressively the utilities were extended and the number of new customers to be picked up and the capital cost of doing that would have a major long-term impact on the City's budget

Discussed the City's ability to drive future development with the future utilities expansions, and suggested that the City needed to be more proactive in that regard

Clarified that there must be a joint City-County Commission decision on the USA boundary line as there could only be one USA line

Suggested that the City Commission needed to take a strong position and be a driving force on how the USA line might be redrawn because the City provided all of the utility services associated with future new growth except some provided by Talquin Electric Cooperative to the north.

Discussed the developable land outside of the USA, and **requested that the staff bring to the Commission's attention future Comprehensive Plan amendments that would include substantial developments coming in outside of the USA so that they could be reviewed very carefully, particularly in terms of their use of septic tanks**

Suggested that with the extensive infrastructure for gas and water already in place on the south side, some land swaps and creative thinking could help with the expansion of land on the southern end of the USA boundary

Suggested that any attempt to make a decision on utilities extensions based on socio economic terms, such as some of the south side issue, should also be based on the cost of expansion of the utility and what development could occur without huge expenditures; suggested identifying three or four weighting criteria about where to make those major expansions and where to encourage more intense and dense development, and setting a rational policy about where to allow expansions of the USA as opposed to that being driven by landowners who were ready to develop their properties

Briefly discussed the number of miles north the sewer system extended and pointed out the shorter sewer line extensions required for south side development were more economical

Ascertained from staff that Talquin Electric Cooperative provided some services in the northern area of the community north of Bradfordville Road and confirmed that Talquin owned a secondary treatment plant with a sprayfield in that area, not all of which had been developed but had been vested; noted that the Talquin sprayfield had been permitted by the County with a 50-foot buffer adjacent to Golden Eagle, a residential development

Suggested that the staff attempt to find out if the Talquin wastewater treatment plant was nearing its capacity and the potential of the City eventually being required to try to expand its wastewater service into that area

Ascertained from staff that Talquin's obligation to serve its territory with sewer service was a County permitting issue

Stressed the need to be cognizant of the use of septic tanks and the capacity to treat waste in the northern area of the County

Suggested that the Committee would find it helpful to have on its membership someone with additional expertise in the area of affordable housing as it directly related to growth management, as well as someone with a strong local Community Development Corporation (CDC) background; a suggestion was also made to include on that Committee some realtors and developers from the south



side

*Item 4 – Deferred to a future meeting a discussion of **Inclusionary Housing** pending additional staff analysis (brought forward by Planning)*

**Item 5 - Discussed Purdom Unit 8 Emergency Repairs authorization and supplemental appropriations, resulting from a malfunction with a steam turbine at Purdom Unit 8 and a subsequent fire;** voted 3-0 (Commissioners Katz and Gillum absent) to approve establishing a work order titled "Purdom Unit 8 Emergency Repairs", in an amount not to exceed \$5,000,000; authorize the City Manager to approve the required repairs in excess of \$50,000, including ratification of the \$500,000 emergency authorization that had been provided for the initial General Electric (GE) scope of work and the \$750,000 supplemental funding from the Electric R&I Fund; and authorize emergency bidding for all work not performed by GE under the terms of the long-term service agreement with GE (*Option 1 recommended by Electric Utility/Production*).

Discussed the impacts of this 250 MW capacity generator going off line at a time when Hopkins Unit 1 was also down for planned maintenance, and ascertained that the electric system was holding up well as there was enough capacity to keep up the City's reserve with some capacity being purchased while there would be no significant impact to the overall power cost

Ascertained from staff that there was no per unit maximum to the insurance coverage while there was a tiered aggregate coverage amount for the electric system, and **requested that the staff bring back a report in this regard in the event the damage was significantly higher than anticipated**

Confirmed with staff that although this malfunction and fire damage was a catastrophic event for the generating unit, from a system perspective staff did not expect a reliability impact on customer service or a significant impact on rates presuming there were not other significant adverse events occurring on the electric system

Commended the staff for the electric system being in good shape and able to handle this amount of outage

Received a brief report on the City having access to a 150 MW block of power for Purdom Unit 8 through a pool agreement with some of the other large public power entities to have some protection against catastrophic events

**Requested that the staff provide the Commission with update reports on this issue at least on a weekly basis**

*CTC:RM:ecg:02-23-04*

*CTC:RM:WP:tie:02-24-04*

### **City Commission Meeting Summary February 25, 2004**

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

Recognized the attendance of Commissioner Gillum's mother

**Item .01** - Ms. Sharon Lettman appeared before the Commission and thanked the Commission for the cooperation and assistance provided through the City Manager's Office for the **March on Tallahassee 2004** scheduled for Tuesday, March 2, 2004, commencing at 9:00 a.m. at the steps of the Old Capitol, for the purpose of allowing the people of the State to voice their concerns. She advised that a pre-event was scheduled for Monday, March 1, 2004, at 7:00 p.m. at the Bethel A.M.E. Church where Pastor Jasper Williams, Jr., Senior Pastor at Salem Bible Church in Atlanta, Georgia, would be the keynote speaker, and Commissioner Gillum would also be one of the speakers

**Item .02** – County Commissioner Proctor appeared before the Commission and thanked the City government for hearing the citizens who appeared at a noon rally that at City Hall concerning the City of Tallahassee's electric rates; he advised that he would be hosting a town hall meeting with Commissioner Gillum in late March 2004 to bring information to the community on the requests made by the citizens, and he presented a number of concerns and suggestions

The Commission discussed a proposed audit of the City's utility operations and the need for the City to provide public information so that there were no misperceptions.

**The Commission requested that the staff bring back at the March target issue workshop some recommendation on how to deal with the high electric bills in terms of helping those people who could not pay their utility bills and the lack of diversification in the fuel mix so that the Electric Utility was dependent on the marketplace for the cost of natural gas;** suggested that there be an open discussion about reconsidering the use of clean coal fuel in the generation of electricity

**Item .1** – Convened a meeting of the **Sinking Fund Commission (SFC)**, with SFC Members Carl Munson, Darren Holloman and Bill Hollimon joining the Commissioners at the dais; voted 8-0 to approve a negotiated **five-year contract with Prudential Retirement Services for the Third-Party Administration of Employees' MAP/RSVP Pension Plans**, and asked that the staff attempt to obtain basic information from Prudential on the cost of administrative services (*Option 1 recommended by the City Treasurer-Clerk/Retirement Administrator*)

**Consent Agenda Items 1-6.2** – Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 1-6.2, taking the following action:

Item 1 – Approved the **purchase of the Poolsider water slide and AquaPlay water feature from WhiteWater West Industries**, for the purchase amount of \$145,154, to be installed at the Jack L. McLean Jr. Park Recreation and Aquatic Center under the existing design-build contract with LLT Building Corporation (*Option 1 recommended by Facilities Management*)

Item 2 – Adopted **Resolution No. 04-R-10**, determining the necessity and authorizing application to the Florida Department of Transportation (FDOT) for appropriate permits to close state highways (particularly Monroe Street) for special events in 2004 (*Option 1 recommended by the City Attorney*)

Item 3 – Authorized the City Manager to approve **payment of the 2003 air emissions fees** to the Florida Department of Environmental Protection (FDEP), in an amount totaling \$70,523.35, based on actual air emissions at the City's two fossil fired power plants, Hopkins and Purdom (*Option 1 recommended by Electric/Production*)

Item 4 – Approved the award of **five-year contracts for elevator maintenance and repair services to KONE, In., ThyssenKrupp Elevator and Schindler Elevator Corp.**, low bidders meeting specifications, at an estimated five-year cost of \$100,000 (*Option 1 recommended by Procurement Services*)

Item 5 – Authorized the Tallahassee Police Department (TPD) to accept and expend a **FDOT grant to support the Occupant Protection Program**, in the amount of \$50,300 (*Option 1 recommended by TPD*)

Item 6 – Joined in the dedication and approved the **Oakwood Subdivision Plat**, consisting of 4.99 acres, subdivided into 53 lots, bounded on the north by Lot 956, on the south by the remainder of Lot 957, all of the Plantation of the Florida Pecan Endowment Company, on the west by unplatted land, and on the east by Blountstown Highway, planned for development as single-family attached by Magnolia Investments Company of Tallahassee, Inc., with Steven Daws as its President (*recommended by Public Works/Engineering*)

Item 6.1 – Approved an **amendment to Commission Policy 110** relating to the Mayor's appointments to Charter, Regulatory and Quasi-Judicial Boards (*Option 1 recommended by the City Treasurer-Clerk and City Attorney*)

Item 6.2 – Approved the **minutes** of the following City Commission meetings (*recommended by the City Treasurer-Clerk Records Management Officer*):

- October 24, 2003 Special (Public Safety Communications Workshop)
- November 25, 2003 Regular

**Item 7** – By consensus, introduced Ordinance No. 04-O-26, which would **extend the interim review procedures for the All Saints and Civic Center Districts of the Gaines Street Urban Infill and Redevelopment Area until June 23, 2004** to allow staff to prepare final design standards consistent with the Gaines Street Revitalization Plan and to bring back a final zoning code for public hearing and adoption, and set the ordinance for public hearings on March 31 and April 28, 2004 (*Option 1 recommended by Planning*)

**Item 8** – Voted 5-0 to **approve and endorse the Capitol Downtown Cultural District as proposed by the Florida Department of State** (*Option 1 recommended by Economic Development*), committing the City to:

1. Agree that the objectives of the Cultural District are consistent with the City's goals as articulated in the adopted Cultural Plan, and
2. Agree to include the Cultural District in any future plans and discussions regarding downtown signage

**Item 9** – Voted 5-0 to **conduct a biennial resident opinion survey** and bid services on an as-needed basis, for a savings of approximately \$28,000 in FY 2004 and every other year thereafter – for a two-year cycle of resident opinion surveys, rather than annually, to obtain residents' opinions on services, needs assessments, and planning initiatives, but not to provide feedback on topical issues (*Option 1 recommended by the Department of Management & Administration [DMA]/Budget & Policy*)

Briefly discussed the survey being of help in identifying areas that needed to be worked on and acknowledged that an update on the

City's Communications Plan would be appropriate

**Item 10** – Directed staff to bring back at a target issue committee meeting on neighborhood revitalization and on traffic calming a policy review of the current Comprehensive Plan and Land Development Code **vehicular interconnection requirements between neighborhoods** and well as the implementation practices of the applicable policies (*brought forward by Public Works, and Planning*)

**Item 11 – Convened as the Tallahassee Community Redevelopment Agency (CRA) Board**; voted 5-0 to select Mayor Marks to serve as the Tallahassee CRA Board Chairman and Mayor Pro Tem Katz to serve as Vice-Chairman for 2004, and to subsequently decide the appropriate time each year this issue would be updated annually (*Option 1 recommended by the Tallahassee CRA/Economic Development Department*).

Discussed the need for the Board of Leon County Commissioners to make its two citizen appointments to this group

**Item 12 – DELETED FROM THE AGENDA** an item related to the adoption of the FY 2004 Tallahassee CRA Budget (*brought forward by the Tallahassee CRA/Economic Development Department*)

**Item 13** – The Tallahassee CRA voted 5-0 to **put all the FY 2003 CRA Budget into the streetscape improvements** and devise a method for enhancing economic development in the southern sector area (*brought forward by the Tallahassee CRA/Economic Development Department*)

**Item 14** – The Tallahassee CRA voted 5-0 to **approve the schedule of future CRA Meetings** after moving up the CRA consideration of a citizens advisory committee to a meeting in March 2004 (*Option 1 recommended by the Tallahassee CRA/Economic Development Department*)

Mayor Marks commended Mr. Michael Parker, Director of Economic Development, for his presentation to the Leon County Delegation on the proposed Downtown Community Redevelopment Area, and thanked him for his assistance in drafting a response to an article in the *Capitol Outlook* to help clarify a lot of bad information on the CRA.

**Item 15** – Held a public hearing and voted 5-0 to **adopt Leon County School District / Cabinets from Parker (Southern Triangle) Voluntary Annexation Ordinance No. 04-O-20**, introduced on February 11, 2004, annexing into the City two parcels in the Southern Triangle, including the Leon County School District's Oak Ridge Elementary School property, consisting of approximately 22 acres located on Shelfer Road, and the Cabinets from Parker property, consisting of approximately 1.2 acres fronting on Ross Road and adjacent to the western boundary of the school parcel (*Option 1 recommended by the Office of the Mayor*)

There were no speakers on this item.

**Item 16** – Held a public hearing on the **Buck Lake Road / Money Annexation Ordinance No. 04-O-07**, introduced on January 14, 2004, which would annex into the City approximately 5.5 acres located on the north side of Buck Lake Road and west of Pedrick Road, to March 31, 2004, and by consensus, **continued the public hearing on this ordinance to March 31, 2004**, as requested by the property owner, delaying final action on the annexation (*Option 1 recommended by the Office of the Mayor*)

There were no speakers on this item.

**Item 17** -Held a public hearing and voted 5-0 to **determine the Notification of Proposed Change (NOPC) to the Civic Center Development of Regional Impact (DRI) was not a "substantial deviation" and approve the City's Third Amendment to the ADO** subject to specified conditions, which the applicant had included in the revised ADO as presented (*Option 1 recommended by Growth Management*)

There were no speakers on this item.

**Item 18** - Held a public hearing on **Environmental Management Ordinance (EMO) Rewrite / Reorganization Ordinance No. 04-O-02**, introduced on February 11, 2004, which would reorganize and reformat the City's existing Environmental Management Ordinance (EMO) in an effort to provide a more user-friendly document providing clarity to the regulations and procedures necessary to achieve compliance with the EMO, and with a few select policy enhancements; by consensus **continued the public hearing to March 31, 2004** (*brought forward by Growth Management*)

Directed the staff to bring back some responses to the questions raised by the speakers

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

- Mr. Garland Anderson, Jr., 1767 Hermitage Boulevard, member of Rewrite Committee (proponent)
- Ms. Penny Herman, 1596 Marion Avenue, member of Rewrite Committee (proponent)
- Ms. Ann Bidlingmaier, 1920 Harriet Drive, member of Rewrite Committee (opponent)
- Mr. Laurie Dozier, 2101 East Randolph Circle, member of Rewrite Committee (proponent)
- Mr. George E. Lewis, II, 203 N. Gadsden Street, No. 6 (opponent) (requested legislative type draft for the public and the Commissioners)
- Mr. Everitt Drew, 2523 Pine Ridge Road, representing himself and South Group Equities (opponent)

**Item 19** - Held a public hearing on **Peacefield Court Right-of-Way Abandonment Ordinance No. 04-O-17**, introduced on February 11, 2004, which would abandon a portion of the Peacefield Court right-of-way, as requested by the Charleston Place Homeowners Association; by consensus, **deferred action on this item until March 31, 2004 to allow the staff to work through the issues of preserving the utility easement and providing a bicycle/pedestrian trail** (*brought forward by Planning*)

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

- Ms. Beth Charness, 1325 Peacefield Place, President of the Charleston Place Homeowners Association (proponent) (favored retaining sufficient right-of-way within that portion of Peacefield Court for a multi-use bicycle/pedestrian trail, Option 4)
- Mr. Ted Smith, 1312 Peacefield Place (proponent)
- Mr. Neil Charness, 1325 Peacefield Place (proponent) (urged approval of Option 4)
- Ms. Elaine Ford, 1315 Peacefield Place (proponent)
- Mr. Richard Zyski, 1329 Peacefield Place (proponent)
- Mr. Timothy G. Schoenwalder, 1333 Peacefield Place (opponent)
- Ms. Jane Pruitt-Fletcher, 1308 Peacefield Place (proponent)

- Mr. Robert Dean, 601 Hillcrest Street (proponent)

**Item 20** - Held a public hearing and voted 5-0 to **adopt Willow Drive Abandonment Ordinance No. 04-O-18AA**, introduced on February 11, 2004, abandoning a portion of the easternmost 284 feet of Willow Drive, an unpaved right-of-way, as requested by the applicant, Charles Kovaleski (*Option 1 recommended by Planning*)

There were no speakers on this item.

**Item 21** - Held a public hearing and voted 5-0 to **adopt Pasco Street Abandonment Ordinance No. 04-O-19**, introduced on February 11, 2004, abandoning a portion of the right-of-way located approximately 330 feet east of the intersection of Tucker and Saxon Streets extending eastward to the intersection of Tucker and Pasco Streets, and that portion of Pasco Street extending from the intersection of Tucker and Pasco Streets northward to Campbell Street, as requested by the applicant, the Leon County School Board, subject to those conditions recommended by staff, as presented (*Option 1 recommended by Planning*)

Leon County Schools Superintendent Montford appeared before the Commission and thanked the Commission for all of the City's efforts on the south side of town.

**Item 22** - Held a public hearing and voted 5-0 to **adopt Sullivan West Housing Rezoning Ordinance No. 04-Z-15**, introduced on February 11, 2004, rezoning 0.76 acres located at 1110 Old Fort Drive (Sullivan-West House) from Residential Preservation 1 District to Residential Preservation 1 District with Historical Preservation Overlay, and list the property on the Local Register of Historic Places (RZ-401), as requested by the applicants, Mr. and Mrs. James Newman (*Option 1 recommended by Planning*)

There were no speakers on this item.

**Item 23** - Held a public hearing and voted 5-0 to **adopt Green Derby Rezoning Ordinance No. 04-Z-16**, introduced on February 11, 2004, rezoning 0.75 acres located at 1212 South Monroe Street (Green Derby) from Central Urban District to Central Urban District with Historical Preservation Overlay, and list the property on the Local Register of Historic Places (RZ-402), as requested by the applicants Chuck Ryor/Centerpoint Tallahassee, Inc. (*Option 1 recommended by Planning*)

There were no speakers on this item.

**Item 24** - Held a public hearing on **Charter Review Committee Ordinance No. 04-O-24**, introduced on February 11, 2004, which would provide for the appointment of a Charter Review Committee to be appointed in 2008 with the same composition approved by the City voters in the referendum on October 5, 1996, for the purpose of reviewing the role, duties and functions of the mayor and city commissioners, and make recommendations for any charter amendments deemed appropriate and necessary to the committee, and provide for the appointed committee members to have 60 days to review and submit a report to the City Commission; **deferred action on this item until March 31, 2004** (*Option 1 recommended by the City Attorney*)

There were no speakers on this item.

## **Unagendaed:**

Ms. Lillian Anderson, 1701 W. Pensacola Street, appeared before the Commission and discussed her termination from TalTran on October 29, 2003.

The Commission confirmed with the City Attorney that this was an active pending case.

Mr. Louis Rothman, 1017 Piney Z Plantation Road, representing the Piney Z Homeowners Association, appeared before the Commission and discussed the homeowners' opposition to the CRA plan for downtown development based on lost property taxes and other community needs.

The Reverend William Foutz, Sr., 6504 North Meridian Road, appeared before the Commission and discussed the need for Water Utilities on lots in Paramore Estates.

The Commission confirmed with City Attorney English that the staff was attempting to find a way to provide full utility services to these lots.

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

**Item 25** – Discussed a proposal by Commissioner Mustian that the City, jointly with the County if desired, appoint a citizens task force to help ensure all of the initiatives going on in and around downtown remain in some state of coordination; **concurred to formalize the coordination of these activities by having a key staff person with each project form a small committee for this purpose and give the Commission updates**

Commissioner Mustian reported on discussions with County Commissioner Thael, as a land acquisition subcommittee of the Metropolitan Planning Organization (MPO) on the Gaines Street Project, and **advised that he would bring back at the next Commission meeting a suggestion that the City allocate funds to acquire lands.** He stated that he would ask County Commissioner Thael to do the same with the County Commission, and he **requested that the staff provide ideas on a funding source and how it would fit into the fiscal posture of the City.**

Commissioner Gillum reported on a discussion held with Commissioner Lightsey, County Commission Chairman Thael and County Commissioner Sauls, which had indicated that the County was considering not putting its 10% funding on the proposed Gaines Street extension, and instead putting its money towards the purchase of land along the area of Gaines Street. **The Commission suggested the need to obtain some clarification of the County's intent and its impact on the Gaines Street ownership being transferred to the City from FDOT.**

Commissioner Mustian **requested that the staff bring back information in April 2004 regarding the potential value of acquiring Fallschase property and if it would increase the City's State and Federal Total Maximum Daily Load (TMDL) allotment or benefit the TMDL and stormwater concerns, and the potential of a large stormwater facility in that area.**

Commissioner Katz advised that the **traffic calming issue would be brought back to the Commission in April 2004 with ideas other than just speed humps.**

Commissioner Katz also advised that there was some potential for generating an additional \$250,000 from parking fines, which would be extra funds to be allocated; and Commissioner Lightsey **requested that the staff bring back some options for a more effective way of collecting parking ticket fines.**

**Mayor Marks responded to a prior accusation by Mr. Eugene Danaher regarding an illegal contribution to his campaign from Capital City Classic.** He stated that he had returned that contribution a year earlier after reviewing his campaign reports, and advised that he had not attended a meeting of the Tourist Development Council (TDC) on December 8, 2003, nor was there any mention of the TDC denying a \$5,000 grant because of a misuse of funds for political purposes.

**Commissioner Lightsey reported on a meeting with County Chairman Thael and a large group regarding the TMDL issue,** indicating that the phased implementation plan in this community would become the model for the State.

*CTC:RM:ecg:03-11-04*

*CTC:RM:WP:tie:03-17-04*

### **City Commission Meeting Summary March 10, 2004**

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

Offered condolences and held a moment of silence in respect for the recent death of a relative of Commissioner Katz, and for the tragic death of local Attorney Fred Parker

**Item 1** – Presented a **proclamation proclaiming March 11, 2004, to be Tallahassee Habitat for Humanity Collegiate Challenge Day,** recognizing the achievement of the 6,000<sup>th</sup> Habitat Home in Florida

**Item 2** – Deferred the presentation of a plaque of recognition to the Accounting Services Division, Financial Reporting Unit, for the City's Comprehensive Annual Financial Report

**Consent Agenda Items 3-6 and 8-9** – Voted 4-0 (Commissioner Katz absent) to approve the staff's recommendations presented in Consent Agenda Items 3 6 and 8-9, taking the following action:

Item 3 – Ratified the City Manager's **emergency authorization awarding repairs associated with the Hopkins Unit 1 turbine/generator overhaul to Preferred Machine and Tool Inc.,** recommended through an emergency competitive bidding process, in the amount of \$311,233 plus freight (Option 1 recommended by Electric Utility/Production)

Item 4 – Authorized the Tallahassee Fire Department (TFD) to enter into a contract with the State Department of Health to receive Health Resources and Services Administration (HRSA) **grant funds to sponsor a Regional Medical Assistance Team (RMAT),** for the 13 counties comprising Florida Department of Law Enforcement (FDLE) Region 2, in the amount of \$100,000, and appropriate the



expenditure of funds in accordance with the grant budget (recommended by TFD)

Item 5 – Approved the **award of a construction contract for the Northeast Drainage Ditch at Mahan Drive, Bid No. 0023-04-ER-BC, to Carter’s Contracting Services, Inc.**, low bidder meeting specifications, in the amount of \$499,907.15; and approved a non-scope change contingency, in the amount of \$60,000, to be awarded by the City Manager, if needed, for these contractual services (Option 1 recommended by Public Works/Engineering)

Item 6 – Approved the **award of a construction contract for the Campus Circle Drainage Improvements, Bid No. 0052-04-ER-BC, to Jimmie Crowder Excavating & Land Clearing, Inc.**, low bidder meeting specifications, in the amount of \$1,763,081.60; also, consistent with the City Commission Capital Projects Management Policy, approved a budget transfer in the amount of \$25,000 from Project #04107 to Project #03388 for Sewer construction costs, and a non-scope change contingency, in the amount of \$150,000, to be awarded by the City Manager, if needed, for these contractual services (Option 1 recommended by Public Works/Stormwater Management)

Item 7 – PULLED FROM CONSENT the dedication and approval of the Forest Village Subdivision Plat (brought forward by Public Works/Engineering)

Item 8 – Approved the project scope expansion and **allowed Solomon Construction Company of Quincy, Florida to extend the unit prices of the Crawfordville Road South Water Line, Bid No. 0029-04-RM-BC, to complete the second phase of the roadway project north of Capital Circle**, at a cost of \$505,600; in addition to the water installation, a final adjustment to the 30 sanitary manholes was approved at an estimated cost of \$33,000 (Option 1 recommended by Water Utility/Engineering)

Item 9 – Approved the **minutes** of the following City Commission meeting (recommended by the City Treasurer-Clerk Records Management Officer):

- December 3, 2003 Regular

**Item 7** (pulled from Consent) – Discussed and voted 4-0 (Commissioner Katz absent) to **join in the dedication and approve the Forest Village Subdivision Plat**, consisting of 33.41 acres subdivided into six (6) lots, bounded on the north by Capital Circle South, on the east by Crawfordville Highway, and on the south and west by unplatted land, planned for development as commercial business by Candler Development Company, Equity One (Forest Village), Inc., Equity One (Forest Village Phase II), and Forest Village Associates, Ltd. (recommended by Public Works/Engineering)

**Items 10 and 11** – By consensus, **introduced the following ordinances for public hearing on March 31, 2004:**

Item 10 - **Ordinance No. 04-Z-22**, which would rezone 40.3 acres located on the northwest corner of West Tennessee Street and Bicycle Road, approximately 1,400 feet west of Blountstown Street, from R-5 Manufactured Home and Single Family Detached Residential District and CP Commercial Parkway District to MR-1 Medium Density Residential District (RZ-403), requested by Only Green, Inc., and set the ordinance for public hearing on March 31, 2004 (Option 1 recommended by Planning)

Item 11 – **Ordinance No. 04-O-28**, which would revise procedures for the review of preliminary plats, Type A site plans, Type B site plans, Type C site plans, and Planned Unit Developments, recommended through review with the DRC Task Force, and set the ordinance for public hearing on March 31, 2004 (Option 1 recommended by the City Attorney)

**Item 11.1** – Received a staff presentation and voted 4-0 (Commissioner Katz absent) to approve the staff’s proposed change in the timing of the assessment of the work order processing fee effective April 1, 2004; **deferred discussion of a strategy to address high electric utility bills** to the City Commission’s Target Issues Workshop scheduled for March 17, 2004 (brought forward by Utility Business & Customer Services)

Commissioner Lightsey requested that Electric staff graph out a comparable representation of what the City’s electric bills would have been if the fuel base had been diversified with clean coal fuel

**Item 12** – Deferred an item requesting authorization for the Water Utility to extend its purchase order with Waste Management, Inc., of Campellton, Florida, for the transportation and disposal of wastewater biosolids at WMI’s Springhill Landfill facility in Jackson County, Florida (an item brought forward by Water Utility/Engineering)

**Item 13** – Deferred an item requesting acceptance of the Comprehensive Annual Financial Report (CAFR) (brought forward by Accounting Services)

#### **Unagendaed:**

Mr. Randle Brown, 311 Ross Road, appeared before the Commission and requested the Commission’s help with an environmental concern with the property at 246 East Sixth Avenue.

Mr. Louis Rothman, 1017 Piney Z Plantation Road, appeared before the Commission and discussed his concern with a Downtown Community Redevelopment Area (CRA) and downtown parking.

Mayor Marks requested that the City Attorney review the concern expressed by Mr. Brown.

The Commission also voted 4-0 (Commissioner Katz absent) to **adopt Resolution No. 04-R-13 nominating Commissioner Lightsey as Florida League of Cities (FLC) City Commissioner of the Year**, and directed staff to forward the resolution and supporting materials to the FLC in support of the nomination.

The Mayor presented a **State of the City Address** and invited everyone to attend a reception immediately following the meeting.

*CTC:RM:ecg:03-17-04*

*CTC:RM:WP:tie:03-17-04*

**City Commission Meeting Summary  
March 17, 2004  
Target Issues Workshop**

The City Commission met in special target issues workshop session and took the following action (with Commissioner Mustian absent):

**Item 1** – Voted 4-0 (Commissioner Mustian absent) to accept the **FY 2003 "Comprehensive Annual Financial Report" (CAFR)** and "Financial and Compliance Audit of Federally Assisted Programs", and make it a part of the public record (*recommended by Accounting Services*)

The Commission commended the staff for a good, clean audit.

**Item 2** – Received a staff briefing on the **Energy Risk Management (ERM) Program's new Portfolio Hedge Plan**, a supplement to the Procedures section of the ERM Policy and Procedures as a strategy for the purchase of natural gas (*brought forward by Energy Services*)

Requested information regarding increasing the Electric Utility's transmission capability for purchased power, and asked for a one-page written summary of some of the City's previous efforts to diversify the Electric Utility's energy base and why they failed at the time

**Item 3** – Voted 4-0 (Commissioner Mustian absent) to approve **supplemental funding**, in the amount of \$5 million, for **Purdom Unit 8 emergency repairs** from a malfunction of the steam turbine generator on February 13, 2004, for a total work order appropriation of \$10 million (*Option 1 recommended by Electric Operations/Production*)

Confirmed with staff that Purdom Unit 8 would be back on line by mid-May or early June 2004, and Hopkins Power Plant would be back on line in mid April 2004

**Item 4** – Received a **follow-up report from staff on utility issues**, and voted 4-0 (Commissioner Mustian absent) to use the funds remaining in the original allocation for the Energy Assistance Program (EAP), totaling approximately \$900,000, to expand the low income ceiling insulation, emergency retrofit and customer educational programs; to authorize the development and deployment of an educational campaign, to include: 1) Community Forums - A Report to the Community, 2) Utility Services Academy, 3) expansion of the Water Utility's School Curriculum, 4) dissemination of an Informational brochure, and 5) dissemination of targeted information and other education programs as needed to assure the customers' understanding and involvement in managing their energy costs (*Option 1 recommended by Utility Business & Customer Services*)

Directed staff to bring back additional information to help get the best benefit for the monies expended, information on involving the owners of the renter-occupied housing in retrofitting to help conserve energy, an audit program, information on the projected need for the retrofitting program, and provide updates on this program at regular decision points; suggested that staff begin investigating some long-term programs that could allow customers to gauge their energy uses; and authorized the City Manager to provide community notification on this issue

**Item 5** – Convened as the Board of the Tallahassee Community Redevelopment Agency (CRA) and voted 3-0 (Commissioners Katz and Mustian absent) to approve the **Tallahassee CRA FY 2003 Annual Report** and forward it to the City Commission for filing (*Option 1 recommended by Economic Development*)

Commended the staff on the annual report and received a brief report on the CRA's expenditures.

Staff indicated the intent to bring back a timeframe for some South Monroe Street sector planning and gateway planning.

The Mayor reported the County Commission had not yet appointed two individuals to serve on the CRA.

Brief discussion focused on actions taken by the County that opposed the CRA downtown district and the cost of such actions.

**Unagendaed** – Commissioner Lightsey reported that the County had hired Holland and Knight to fight the City relating to the east side transmission line

*CTC:EM:ecg:03-30-04*

*CTC:WP:tie:03-31-04*

**City Commission Meeting Summary**  
**March 29, 2004**  
**Workshop Retreat**

The City Commission held a workshop retreat, moderated by Dr. Larry Gross, and took the following action:

Discussed characteristics of a high performance government and defining a vision for the government.

Discussed whether any changes might be needed to enable the City's leadership to meet current and future challenges.

Received a short update from Mr. Steve Turner and Ms. Maureen Rodman, of the Ron Casselle Firm, representatives of the City on the case filed by Leon County opposing the establishment of a Community Redevelopment Agency (CRA) Downtown District.

Received an update and discussed intergovernmental relations issues, including federal and State Legislative priorities, and local level issues with the Leon County government

Identified some of the major issues of concern by the County government, including the proposed CRA Downtown District, utilities, eastern transmission line, Fire Services Fee, advanced life support (ALS) services, water quality, neighborhood issues in general, and City annexations

Identified issues on which the City needed to be more proactive in educating the community, including Gaines Street revitalization, Cascades Park and downtown revitalization in general, the whole environmental and water quality effort, the Electric Utility fuel mix issue, the financial viability of the government and how the City could pay for its major projects, and how the CRA functioned

Commissioner Mustian expressed the opinion that information on the TMDL issue needed to be brought out for consideration.

Commissioner Lightsey opined that issues concerning the MPO membership and restructuring of the transportation plan

needed to be resolved.

Concurred on the need for a process for setting parameters and resources on issues and the need for an overall project information plan on "hot issues"

Concurred with the need to be direct in confronting misinformation

Concurred to attempt new dialogue with the County on major issues of concern, beginning with a public letter to the County Commission, raising these issues to a higher level of public consciousness by disseminating truthful and honest information, and providing immediate responses to incorrect statements

Discussed issues of concern to the County and the assignment of Commissioners to serve as point persons on these issues for the purpose of articulating the Commission's position and providing information, identified as follows:

- CRA Downtown District (active): Commissioner Mustian
- TMDL/Stormwater (active): Commissioner Lightsey
- MPO Structure (active): Commissioner Gillum
- Eastern Transmission Line (passive): Commissioner Katz

Discussed the need to settle the restructuring of the MPO to include representation of the adjoining counties

Concurred in authorizing Dr. Gross to work with the staff and bring back some discussion on the City's target issues, the priorities for the government/vision, issues of concern to the County -- downtown and neighborhood revitalization, water resources, the utilities -- with a summarization of this workshop discussion and appropriate assignments before moving forward on any of the issues

By consensus, authorized the City Manager to bring back an item on how to proceed with a communications program on these priority issues

Received updates on the 2003/2004 Target Issues, including:

- Economic Development
- Neighborhood Preservation & Revitalization
- Student Affairs
- Long Range Community Based Planning
- Water Resources/TMDLs for the Community
- Financial Viability of the Government Target Issue

Mayor Marks announced his intent to bring back a discussion on how to better promote the arrival of the Legislators and those people associated with the Legislature.

Mayor Marks expressed distress with an editorial in the *Tallahassee Democrat* on Sunday, March 28, 2004, entitled "Crisis of Complacency", in which the *Democrat* reporters had not recognized the work the City had been doing to revitalize the south side, and had placed the City in the same category as the County by attributing the squabbles, lawsuits, audits and taxpayer-funded ad campaigns to both governments and not recognizing that the City government had not initiated any of that.

CTC:RM:ecg:04-19-04

CTC:RM:WP:tie:04-20-04

### **City Commission Meeting Summary March 31, 2004**

The City Commission met in regular session on March 31, 2004 and took the following action:

Recognized the passing of former City Commissioner/Mayor Neil Sapp

The City Fire Department Honor Guard presented the colors.

**Item 1 – Mayor Marks presented a proclamation to Senator Nancy Argenziano for outstanding service to the Florida Police Chiefs Association and the City of Tallahassee in sponsoring a bill in 2003 for a medal of heroism for public safety workers.**

Additionally, Major George Ainsworth, Legislative Sheriff of the Florida Police Chiefs Association, and Police Chief McNeil appeared before the Commission and presented Senator Argenziano with the Legislative Award for 2003 from the Florida Association of Police Chiefs.

**Item 2 – Mayor Marks presented a Plaque of Recognition to the Accounting Services Division, Financial Reporting Unit for the Comprehensive Annual Financial Report, the 21<sup>st</sup> consecutive year the City of Tallahassee had won this award.**

**Item 3 – Mayor Marks presented a national award from the American Association of Airport Executives to the Aviation Department for 2003 training achievements by the Tallahassee Regional Airport staff.**

**Item 4 – Mayor Marks presented a proclamation to the Tallahassee Fire Department (TFD) Honor Guard, led by Lieutenant Kermit Washington, recognizing them for their recent award.**

**Item 5 – Mayor Marks presented a proclamation recognizing City Electric Utility employees for winning First Place in the Florida Municipal Electric Association's Safety Award competition, for the third consecutive year.**

**Item 5.1 – Mayor Marks presented a proclamation to each member of the Florida A & M University (FAMU) Developmental Research School's 2003-04 Girls' Basketball Team, led by Team Captain Jessica Hall in the state championship game, all named Big Bend Player of the Year for the second year in a row, recognizing them for an outstanding season**

**Item 5.2** – Mayor Marks presented a **proclamation recognizing Rosanna Lawrie, Miss Tallahassee USA, and Sarah Clemmons, Miss Tallahassee Teen USA**, for their hard work and commitment as leading ladies of Tallahassee.

Ms. Rosanna Lawrie appeared before the Commission and accepted the proclamation.

**Item 5.3** – Mayor Marks presented a Service Award for 15 years of service to the City of Tallahassee to Commissioner Debbie Lightsey.

**Items 6, 9-21, 23-24 and 26** – Voted 5-0 to **approve the staff’s recommendations presented in Consent Agenda Items 6, 9-21, 23-24 and 26, taking the actions shown:**

**Item 6 – Adopted Resolution No. 04-R-07**, authorizing the City Attorney to initiate eminent domain action to **acquire the additional properties needed through condemnation that were necessary for Phase I of the Mission Road Improvement Project** *(recommended by the City Attorney)*

*Item 7 – Pulled from Consent a recommendation to approve the award of a construction contract for the Tallahassee Regional Airport Operations Division Relocation Project (brought forward by Aviation/Airport Capital Program Administration) – SEE BELOW*

*Item 8 – DELETED FROM THE AGENDA a recommendation to approve the award of a construction contract for the Tallahassee Regional Airport HVAC Equipment Improvement Project (brought forward by Aviation/Airport Capital Program Administration)*

**Item 9 – Authorized staff to negotiate and execute a five-year extension to the Signatory Airline Use and Lease Agreement** *(recommended by Aviation)*

**Item 10 – Approved the purchase of generator step-up transformers from Trafo Equipamentos Eletricos**, low bidder meeting specifications, in the amount of \$615,000 for two transformers, plus an additional cost of \$220,000 if a third transformer is necessary *(Option 1 recommended by Electric Utility/Power Engineering)*

**Item 11 – Accepted the Tallahassee Community Redevelopment Agency (CRA) FY 2003 Annual Report** for filing *(Option 1 recommended by Economic Development)*

**Item 12 – Approved a Natural Gas Supply Agreement with Buckeye Florida, L.P., of Perry, Florida** *(Option 1 recommended by Energy Services)*

**Item 13 – Approved the purchase of five (5) one-ton extended cab two-wheel drive trucks with service bodies** (replacement vehicles) from Duval Ford, of Jacksonville, Florida, pursuant to State Contract #070-001-04-1, in the amount of \$118,655 *(Option 1 recommended by Fleet Management)*

**Item 14 – Approved the purchase of one (1) class eight 12-yard dump truck from Capital Truck, Inc., of Tallahassee, Florida**, pursuant to IFB #0047-03-KR-BP, in the amount of \$87,100 (a replacement vehicle with upgrading funded by Water Utilities) *(Option*

*I recommended by Fleet Management)*

Item 15 – **Authorized Information Systems Services (ISS) staff to purchase Technology Integration Project hardware for the HUB (Message Server) from Unisys**, sole source provider, in the amount of \$118,632 (*Option 1 recommended by the Chief Information Systems Officer [CISO]/ISS*)

Item 16 – **Approved the award of a three-year contract for laundry, dry cleaning, and alternation/repair of uniforms and plain clothes apparel to Stewardship Ventures, Inc. dba Stewardship Drycleaners**, low bidder meeting specifications of IFB #0007-04-ER-TC, in the estimated amount of \$500,000 for three years

Item 17 – Approved the **award of three-year contracts for electrical contractor services for various City departments to the following highest-ranked firms**, responding to RFQ #0190-03-ER-TC, for an estimated cost of \$1 million over three years (*Option 1 recommended by Procurement*):

- Morgan Electric Company, Inc.
- Florida Electric, Inc.
- Lawson & Lawson Electrical Services, Inc.
- Tarpon Electric, Inc.
- C & R Electric of Tallahassee, Inc.

Item 18 – Approved the award of a **three-year contract for the purchase of industrial gases utilized by the Electric Utility’s generating stations and other departments from Linde Gas LLC**, low bidder meeting specifications, in an estimated amount of \$60,000 for the three-year period (Bid #0035-04-SC-TC); authorized staff to enter into a contract for the period April 1, 2004 through March 31, 2007; and authorized the use of this contract by other City departments as needed (*Option 1 recommended by Procurement*)

Item 19 – Approved the **donation of two (2) parcels of land from Millard Noblin located between A. J. Henry Park and Arbor Hill Subdivision** to be used for access to the park and as a buffer (*Option 1 recommended by Public Works/Real Estate*)

Item 20 – **Approved the City’s participation in the Full Depth Reclamation Contract between Citrus County and Florida Highway Products, Inc., for application of the full depth reclamation of Jackson Bluff Road from Lipona Road to Lake Bradford Road**, for an estimated cost of \$111,092.27 (*Option 1 recommended by Public Works/Streets & Drainage*)

Item 21 – **Approved a five-year Continuing Services Agreement as negotiated between the City of Tallahassee and Kessler Consulting, Inc. for solid waste and recycling consulting services**, with a total of \$50,000 budgeted for the current fiscal year for these services (*Option 1 recommended by Solid Waste*)

*Item 22 – Pulled from Consent a staff recommendation to approve the purchase of nine (9) replacement buses and related equipment (brought forward by TalTran) – SEE BELOW*

Item 23 – Approved the **award of a contract extension for bus cleaning and servicing to Respect of Florida** for one year, at a first



year annual cost of \$187,924.92 (including equipment and cleaning materials); approved two one-year negotiated extensions; and authorized the City Manager to finalize and execute the contract (*Option 1 recommended by TalTran*)

Item 24 – **Authorized the Water Utility to extend Purchase Order No. 0001010247 with Waste Management, Inc., of Campellton, Florida, for the remainder of the fiscal year for the transportation and disposal of wastewater biosolids at Waste Management’s Springhill Landfill facility in Jackson County, Florida,** at an estimated additional cost of \$172,500, allowing for the disposal of stored biosolids and providing a reliable backup to the dryer during its startup period and any extended periods of maintenance (*Option 1 recommended by Water Utility*)

*Item 25 – Pulled from Consent a staff recommendation to authorize staff to move forward with refunding the City of Tallahassee Airport System Revenue Refunding Bonds, Series 1995 (brought forward by the City Treasurer-Clerk) – SEE BELOW*

Item 26 – **Approved the minutes** of the following City Commission meetings (*recommended by the City Treasurer-Clerk/Records Management*):

- December 10, 2003 Regular
- February 10, 2004 Special (Joint City-County Public Hearing on the Transmittal of Cycle 2004-1 Comprehensive Plan Amendments)

**Item 7 (pulled from Consent)** – Voted 5-0 to **approve the award of a construction contract for the Tallahassee Regional Airport Operations Division Relocation Project to Bass Construction, Inc. of Tallahassee, Florida,** low bidder meeting specifications, in the amount of \$934,589 (*recommended by Aviation/Airport Capital Program Administration*)

Discussed the Airport security and agreed with the need to bring back a future agenda item related to providing additional space for police officers at the Airport

**Item 22 (pulled form Consent)** – Voted 5-0 to **approve the purchase of nine (9) replacement buses and related equipment from the Gillig Corporation,** under the terms and conditions of the Florida Transit Association (FTA) Pooled Bus Procurement process; authorized the City Manager to finalize and award the contract, in an amount not to exceed \$2,500,000 to the Gillig Corporation, and authorized payment of a transaction fee to the FTA Financial Corporation (*Option 1 recommended by TalTran*)

Discussed holding some of the 1992 buses for potential future uses, rather than selling them; commended Acting Director of TalTran Marlon Brown for improved morale in TalTran operations

**Item 25 (pulled from Consent)** – Voted 4-0 (Commissioner Mustian abstained) to **authorize staff to move forward with refunding the City of Tallahassee Airport System Revenue Refunding Bonds, Series 1995, and appoint RBC Dain Raucher, formerly William R. Hough & Co., as senior manager,** generating a gross savings over the life of the issue of approximately \$715,000 and a net present value savings of approximately \$600,000, and reducing the annual debt service payments by approximately \$65,000 (*Option 1 recommended by the City Treasurer-Clerk*)

Acknowledged this was a big savings to the City government; commended City Treasurer-Clerk Herndon for bringing this item forward

***Item 27 - Moved a discussion of CRA issues to follow Item 36.1 as a CRA Board item***

**Item 27.1 (moved from Item 44)** – Voted 5-0 to **introduce Ordinance No. 04-O-25**, which would amend the City Charter to extend the transition period between the final election date and the installation of the Mayor and new-elected Commissioners from three (3) days to 17 days, **and set the ordinance for public hearing on April 28, 2004** (*Option 1 recommended by the City Attorney*)

**Item 28 (taken up first on the agenda)** – Voted 4-0 (Commissioner Mustian abstained) to **authorize the Department of Neighborhood & Community Services (NCS) to provide a \$100,000 grant to the Goodbread Hills development, formerly Ebony Gardens**, located in the Frenchtown area at 1010 North Macomb Street, with the grant to be funded from unallocated State Housing Initiatives Program (SHIP) funds – assisting in a proposal of the Pinnacle Housing Group in partnership with the Tallahassee Housing Authority to demolish the old buildings and construct 86 units of new housing for low-income residents, which would include 70 one- and two-bedroom units for the elderly and 16 single-family duplexes, plus nine (9) additional units for homeownership (*Option 1 recommended by NCS*)

**Item 29** – Voted 4-0 (Commissioner Gillum absent) to **adopt Resolution No. 04-R-11**, allowing the City to be reimbursed from the proceeds of a planned future bond sale for certain Neighborhood Infrastructure project costs that might reasonably be expected to be incurred prior to the bond sale (*Option 1 recommended by the City Treasurer-Clerk*)

**Item 30** – Voted 3-0 (Mayor Marks abstained; Commissioner Gillum absent) to **authorize the Department of Neighborhood & Community Services to enter into an agreement with the Gregory and Jennifer Donald, dba Metropolitan Design and Consulting Group, Inc., owners of the Shephard Street Apartments, for a loan** in an amount up to \$131,000 for renovations at the one-bedroom apartment complex for homeless women participating in a transitional housing program organized by Abundant Life and Restoration Ministries, Inc. (ALARM), with funding from the City's Affordable Housing Trust Fund (*Option 1 recommended by NCS*)

**Items 31 and 32** – Voted 5-0 to **extend the Campus Development Agreement between the Florida Board of Education, on behalf of Florida A & M University (FAMU), and the City** to December 31, 2004, as presented in the proposed amendment to the agreement (*Item 31, Option 1 recommended by Planning*); and to **extend the Campus Development Agreement between the Florida Board of Regents on behalf of Florida State University (FSU) and the City** to December 31, 2004, as presented in the proposed amendment to the agreement (*Item 32, Option 1 recommended by Planning*)

**Item 33** – Voted 5-0 to **approve the expanded policy of voluntary purchase of residences at fair market value lying within 100 feet from the back of the curb of the Blair Stone Road Northern Extension roadway**, involving the possible purchase of three (3) residences at a cost of \$500,000 to \$600,000 with the residences to be sold upon opening the Blair Stone Road Northern Extension to traffic (*Option 1 recommended by Public Works/Engineering*)

**Item 34** – Voted 5-0 to **approve the Cascades Park Settlement Agreement** for the clean up of the Cascades Park properties as negotiated between the City and the State of Florida, by providing for the conveyance of these properties to the City, some funding by the State for the clean

up, and agreements to cooperate in seeking additional funds from State and federal sources, with the City effecting the clean up remedies on the property to be coordinated with Blueprint 2000 activities (*Option 1 recommended by the City Attorney*)

The Commission commended City Attorney English for keeping this item active and Mayor Marks for joining in getting this project moving.

The Commission also recognized others involved in this project, including

- Kent Perez, Director of Cabinet Affairs - Governors Office
- Mike Sole, Director Division of Waste Management - Florida Department of Environmental Protection
- Bill Simon, Secretary - Department of Management Services
- Robert Hosay, Deputy Secretary - Department of Management Services
- Sam Morley, Assistant General Counsel - Department of Management Services
- Koren Taylor, Aquifer Protection Coordinator
- Bill Leseman, former City Water Quality Supervisor
- Rick Fernandez, Assistant City Manager for Utility Services
- Ralph Demeo, Special Counsel - Hopping Green & Sams

**Item 35** – Voted 3-0 (Commissioner Katz and Commissioner Gillum absent) to **initiate Comprehensive Plan changes to the Intergovernmental Coordination Element** by authorizing the submittal of a proposed annexation amendment for consideration and adoption during the Cycle 2004-02 amendments cycle (*Option 1 recommended by the City Attorney*)

**Item 36** – Voted 4-0 (Commissioner Gillum absent) to **establish the reported median for each appointed official from their annual salary review** as that official's annual merit increase effective September 20, 2003 (*recommended by Human Resources*)

Directed staff to conduct a comparison study on how appointed officials were paid in similar positions around the state and provide that information before the next annual evaluation was due

**Item 36.1** – Voted 4-0 (Commissioner Gillum absent) to **join in the dedication and approve the Foxwood Subdivision Plat**, consisting of 19.45 acres subdivided into 40 lots, bounded on the north by Old Bainbridge Road, on the south and west by Huntington Estates, and on the east partially by Bainbridge Estates and partially by unplatted land, being developed as single-family detached by Linderand, with Jack Green as President (*recommended by Public Works/Engineering*)

(Mr. Jack M. Green, II, P. O. Box 14435, representing Linderand, indicated his availability to answer questions on this item.)

**The Commission convened as the Community Redevelopment Agency (CRA) Board with all members present:**

**Item 27** - Received an **update from Mayor Marks on a request by County Commissioner Grippa for a three-week abeyance on all issues related to the Downtown Community Redevelopment Area (CRA) litigation with the intent of using that period of time as an opportunity to try to reach some agreement on the Downtown CRA district; the CRA Board indicated good faith**

**concurrence with this request while clarifying that this would not stop the Planning Commission's review in May 2004 or prohibit the City from getting a Court hearing date**

**Item 37** – By CRA Board consensus, delayed action to April 14, 2004 on accepting the proposed Bylaws of the Tallahassee Community Redevelopment Area (CRA) Citizens Advisory Committee, **and authorization for the CRA staff to begin a formal dialogue with the various groups and coordinate the bylaws with the CRA Citizens Advisory Committee** (*recommended by the Tallahassee CRA/Economic Development Department*)

The CRA Board expressed some concerns with the representation of CRA district residents on this Committee.

**Item 38** – The CRA Board voted 5-0 to approve the draft **Downtown Community Redevelopment Plan** and submit the Plan to the Tallahassee/Leon County Planning Commission for review (*Option 1 recommended by Economic Development*)

Commissioner Lightsey noted that the City Commission continued to invite the County Commission to make appointments to the CRA Board.

The CRA Board meeting adjourned at 8:30 p.m. and the regular Commission meeting was reconvened.

**Item 39** – Held a public hearing and voted 5-0 to adopt **Environmental Management Ordinance (EMO) Rewrite / Reorganization Ordinance No. 04-O-02**, introduced on February 11, 2004 and continued from the public hearing held on February 25, 2004, reorganizing and reformatting the City's existing Environmental Management Ordinance (EMO) in an effort to provide a more user-friendly document providing clarity to the regulations and procedures necessary to achieve compliance with the EMO, and with a few select policy enhancements, as amended on a 5-0 vote to allow the subdivision of property with a minimum acreage threshold of five (5) acres with a conservation easement (*brought forward by Growth Management*)

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

- Ms. Ann Bidlingmaier, 1920 Harriet Drive (opponent of some clauses)
- Mr. Roger Wynn, 805 N. Gadsden Street (proponent)
- Ms. Zoe Kulakowski, 1320 Blockford Court West (proponent)

**Item 40** – Held a public hearing on the **Buck Lake Road / Money Annexation Ordinance No. 04-O-07**, introduced on January 14, 2004, and continued from the public hearing held on February 25, 2004, which would provide for the annexation of approximately 5.5 acres, located on the north side of Buck Lake Road and west of Pedrick Road; by consensus, **closed the public hearing and directed the staff to re-agenda the item at such time as the City is notified that the petitioner, Mike Money, is ready to proceed with the annexation of this parcel** (*Option 1 recommended by the Office of the Mayor*)

There were no speakers on this item.

**Item 41** - Held a public hearing on **Peacefield Court Right-of-Way Abandonment Ordinance No. 04-O-17**, introduced on February 11, 2004

and continued from the public hearing held on February 25, 2004, which would abandon a portion of the Peacefield Court right-of-way, as requested by the Charleston Place Homeowners Association; by consensus, **closed the public hearing and delayed action on the item until April 14, 2004 to allow the staff to work through the issues of preserving the utility easement and providing a bicycle/pedestrian trail** (*brought forward by Planning*)

There were no speakers on this item.

**Item 42** – Held a public hearing and voted 4-1 (Commissioner Gillum opposed) to **adopt Aster Lakes Redevelopment Rezoning Ordinance No. 04-Z-22AA**, introduced on March 10, 2004, rezoning 40.3 acres located on the northwest corner of West Tennessee Street and Bicycle Road, approximately 1,400 feet west of Blountstown Street, from R-5 Manufactured Home and Single Family Detached Residential District and CP Commercial Parkway District to MR-1 Medium Density Residential District (RZ-403), and amend the ordinance to remove all reference to the CP (Commercial Parkway) portion of the request, requested by Only Green, Inc. (*Option 1 recommended by Planning*)

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

- Mr. Augusta Sarge Carter, 2176 Plantation Forest Drive, on behalf of Ms. Ruby Kelly, resident of Aster Lakes Estate (requested additional funding for her expenses to relocate her mobile home from Aster Lakes)
- Ms. Renee Maples, 3250 W. Tennessee Street #72 (requested help with relocation of her mobile home from Aster Estates)
- Mr. Charles Hargraves, representing Hargraves Engineering, 1798 Thomasville Road, on behalf of Only Green, Inc. (did not appear, but indicated his availability to answer questions)

City Manager Favors requested that Mr. Carter meet with Assistant City Manager Coe outside of the meeting to give him more detail on his request.

Directed staff to investigate the availability of any emergency housing assistance funds that might be appropriate for these people being forced to relocate from Aster Estates

Directed Planning staff to map out an inventory of mobile home sites in the community and throughout the County

**Item 43** – Held a public hearing and voted 5-0 to **adopt Charter Review Committee Ordinance No. 04-O-24**, introduced on February 11, 2004 and continued from February 25, 2004, which would provide for the appointment of a Charter Review Committee to be appointed in January 2009 with the same composition approved by the City voters in the referendum on November 5, 1996, for the purpose of reviewing the role, duties and functions of the mayor and city commissioners, and making recommendations for any charter amendments deemed appropriate and necessary to the committee, and providing for the appointed committee members to have 60 days to review and submit a report to the City Commission (*Option 1 recommended by the City Attorney*)

There were no speakers on this item.

**Item 44** – *This item was moved to Item 27.1 under Introduction of Ordinances.*

**Item 45** – Held the first of two public hearings on **All Saints/Civic Center Zoning Districts Ordinance No. 04-O-26**, introduced on February 25, 2004, which would extend the interim review procedures for the All Saints and Civic Center Districts of the Gaines Street Urban Infill and Redevelopment Area until June 23, 2004, to allow staff to prepare final design standards consistent with the Gaines Street Revitalization Plan and to bring back a final zoning code for public hearing and adoption; **continued the item to the second public hearing scheduled for April 28, 2004** (*Option 1 recommended by Planning*)

Mr. Corri Byrne, 423 All Saints Street, representing property owners in the All Saints area, appeared before the Commission relative to this item (opponent).

**Item 46** – Held a public hearing and voted 4-0 (Commissioner Katz absent) to **adopt Development Review Procedures Ordinance No. 04-O-28**, introduced on March 10, 2004, revising procedures for the review of preliminary plats, Type A site plans, Type B site plans, Type C site plans, and Planned Unit Developments, recommended through review with the DRC Task Force (*Option 1 recommended by the City Attorney*)

Directed the staff to investigate the notification process for the post application process meeting

**Item 47** – Held a public hearing on **Ox Bottom Reserve Voluntary Annexation Ordinance No. 03-O-37**, introduced on June 11, 2003, and continued from June 25, August 27, September 24, October 22 and November 25, 2003, and January 28, 2004, which would provide for the voluntary annexation of approximately 12.5 acres located north of and adjacent to Ox Bottom Road (Tax ID #1428206090000), zoned Residential 1 (R-1) and planned for the development of a 27-lot subdivision on the property; by consensus, **the Commission delayed action on this ordinance until the City was notified that improvements were complete and annexation could proceed** (The development was being approved and permitted through Leon County due to its inclusion in the Bradfordville Study Area and the developer had been working with City Growth Management to address specific development issues prior to annexation. The developer had advised staff that resolution of the outstanding issues had not yet been achieved and had requested another delay on the annexation.) (*Option 1 recommended by the Office of the Mayor*)

There were no speakers on this item.

#### **Unagendaed Speakers:**

Mr. Louis Rothman, 1017 Piney Z Plantation, appeared before the Commission relative to the City's weatherization program designed to assist in mitigating high electric bills.

Ms. Tiffany Parker, 2833 S. Adams Street, appeared before the Commission and discussed concerns with high electric bills. (She distributed a written report on a town hall meeting held February 10, 2004.)

Ms. Rikkla Rellferd, 400 Putnam Drive, University Gardens, appeared before the Commission and discussed her concern with Commissioner responses to the concerns of FAMU student regarding high electric bills.

The Commission discussed continuing efforts to mitigate the high electric bills for the City Electric Utility's customers.

Mr. Curt Craig, P. O. Box 11358, representing the VFW Leon County Post 3308, appeared before the Commission and invited

participation in the National Guard Welcome Home dinner for the troops and their families following the Spring Time Tallahassee Parade on Saturday, April 3, 2004, in which they will lead the parade. (He distributed written information on this event.)

(Ms. Regina Davis, 710 Dewey Street, submitted a speaker form but did not appear.)

Mr. Lee Nunn, 1288 Fernhill Court, appeared before the Commission and discussed his opposition to the revised Environmental Management Ordinance (EMO), adopted under Item 39. He recommended that it be made more user friendly.

County Commissioner Proctor, 301 S. Monroe Street, appeared before the Commission and discussed his purpose in encouraging his students to have an active role in the community and local politics.

Commissioner Gillum discussed his concerns with the approach taken by County Commissioner Proctor in addressing issues with the City.

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

Commissioner Katz requested that information be distributed on a move by FSU to gain a larger role in the Civic Center prior to the Mayor sending a letter of support to the City's Legislative Delegation

Commissioner Mustian requested that the staff investigate the lack of an adequate process for ensuring homeowners were aware of historic overlay guidelines/regulations and being subject to Architectural Review Board fines for non compliance.

Commissioner Lightsey discussed her concern that people should lead responsibly and not lead students into situations with misinformation.

Mayor Marks wished Assistant City Attorney Michael Spellman well in his new position, noting that this was his last day with the City.

Mayor Marks also announced the City had been asked to participate in a ceremony to honor Dr. Norman Thagard on May 15, 2004, in Tallahassee in recognition of Dr. Thagard being inducted into the Hall of Fame for Astronauts on April 30-May 1 at the Space Center.

*CTC:RM:ecg:03-31-04*

*CTC:RM:WP:tie:04-07-04*

### **City Commission Meeting Summary April 14, 2004**

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

Announced that Commissioner Debbie Lightsey had been selected one of the top four nominees as the Florida League of Cities' Commission

Member of the Year

**Item 1** – ~~DELETED FROM THE AGENDA~~ the Mayor's recognition of the Spring Neighborhood Leadership Academy participants

**Item 2** – Presented a proclamation proclaiming April 2004 as Tallahassee Alcohol Awareness Month, with a specific focus on underage alcohol consumption

Dr. Mary Coburn, Vice President for Student Affairs at Florida State University (FSU); Andy Hindman, State Executive Director, MADD Florida; and Lt. Jim Russell, Chairperson, Leon County Multi-Agency DUI Strike Force, and others involved with the Strike Force, appeared before the Commission relative to this item.

**Item 3** – Presented a proclamation recognizing the Joey Bergsma Retinoblastoma Awareness Foundation

Ms. Pamela Bergsma, grandmother of Joey Bergsma, appeared before the Commission relative to this issue.

**Item 4** – Received a special presentation by John Thomas, Director of the Soap Box Derby, relative to efforts to starting a Local Derby Program and the need for a site

**Items 4.1-15** – Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 4.1-15, taking the action shown:

Item 4.1 – Reappointed Ms. Judy Etemadi to the Tallahassee-Leon County Architectural Review Board, to a term expiring June 2006 (*recommended by the Mayor*)

Item 5 – Ratified the City Manager's emergency authorization awarding the purchase of 25 Cooper Power Systems' complete power system capacitors, needed for Purdom Unit 8 repairs, to Hughes Supply, Inc., in the amount of \$114,400 (*Option 1 recommended by Electric Utility/Power Engineering*)

Item 6 – Approved the award of a four-year contract for the purchase of caustic soda, used by the electric power generating systems for their water treatment process, from Brenntag Mid-South, Inc., low bidder meeting specifications, in the estimated amount of \$300,000 over four years, and authorized staff to enter into a contract for a period of four years with an option to extend the contract for an additional one-year period (*Option 1 recommended by Electric Utility/Production*)

Item 7 – Approved the purchase of continuing maintenance support agreements for operational equipment and software applications from PeopleSoft, Oracle, Storage Tek, PrintTrak/Motorola, Unisys, and SunGard Recovery, associated with the operation of City Information Systems for FY 2004, totaling \$940,000 (*Option 1 recommended by the Chief Information Systems Officer [CISO]*)

Item 8 - Authorized Information Systems Services (ISS) to terminate the existing lease with Xerox for two Docuprint 92C printers and begin a new lease with Xerox for two Docuprint DP90 printers including hardware, software, training and other support services, from the State of Florida Contract No. 250-050-97-1, for a 60-month lease rate total of \$10,647.99 per month (*Option 1 recommended by CISO*)



Item 9 – Approved the bid award and purchase of fence and backstops for four ball fields, needed to upgrade the sports facilities at the Meridian Youth Sports Complex, from Nations Fence, Inc., of Jacksonville, Florida, low bidder meeting specifications, in the amount of \$96,152 (*Option 1 recommended by Parks & Recreation/Parks Division*)

Item 10 – Approved the initiation of zoning changes from County Residential Preservation to Residential Preservation 1 and 2 Districts for properties located in Buckwood Subdivision and three properties at the intersection of Mahan Drive and Dempsey Mayo Road, as provided in Attachments #1 and #2 (*Option 1 recommended by Planning*)

Item 11 – Authorized staff to apply for grant funds from the Florida Communities Trust for the Magnolia Ravines and Timberlane Ravine, Phase II projects (*Option 1 recommended by Planning*)

Item 12 – Approved the award of a construction contract for Line 31 Access Road Repair (Bid No. 0038-04-ER-BC) to Duggar Excavating, Inc., low bidder meeting specifications, in the amount of \$347,258 (*Option 1 recommended by Public Works/Engineering*)

Item 13 – Approved the Road Right-of-Way Maintenance Agreement with FDOT for the period July 1, 2004 through June 30, 2005, providing for an annual reimbursement to the City of Tallahassee of \$601,345.95 to be reimbursed on a quarterly basis, and authorized the City Manager to execute the agreement (*Option 1 recommended by Public Works/Streets & Drainage*)

Item 14 – Approved the sole-source replacement purchase of a Gas Chromatograph/Mass Spectrometer (GC/MS) for the Water Quality Laboratory from Agilent Technologies, Charlotte, North Carolina, at an installed cost of \$64,174.50 (*Option 1 recommended by Water Utility*)

Item 15 – Approved the minutes of the following City Commission meetings as distributed (*recommended by the City Treasurer-Clerk/Records Management*):

- January 14, 2004 Regular
- January 21, 2004 Regular Target Issues Workshop

**Item 15.1** – Received a briefing from Commissioner Gillum updating the Commission on the Gaines Street Project and the Gable Street Extension, which was being changed to FAMU Way Extension as a perimeter road to help connect Florida A & M University to the Capital Cascades Greenway, and reporting that this had been endorsed by FAMU

**Items 16 and 17** – By consensus, introduced Ordinances Nos. 04-O-35 and 04-O-38, as follows:

**Item 16** – Ordinance No. 04-O-35 would adopt Cycle 2004-1 Amendments as part of the Comprehensive Plan. Public hearing on the ordinance was scheduled for a joint meeting of the City Commission and Leon County Board of County Commissioners on May 11, 2004, at 6:00 p.m., in the County Commission Chamber (*Option 1 recommended by the City Attorney's Office*)

**Item 17** – Ordinance No. 04-O-38 would provide for the voluntary annexation of seven acres on the southwest corner of West Tennessee Street and Capital Circle Northwest, the site of the Courtesy Nissan Oldsmobile Volvo Dealership. Public hearing on the

ordinance was scheduled for April 28, 2004 (*Option 1 recommended by the Mayor's Office*)

**Item 18** – Discussed the City's park facilities proposed for the Elberta Crate Regional Stormwater Facility; continued this item for two weeks until Mayor Marks could meet with the FSU President relative to the Commission's concerns related to maintenance cost sharing and the staff could bring back a report on some issues such as lighting and the cost of the Audubon Society's modified proposal (*brought forward by Planning*)

**Item 19** – Voted 5-0 to adopt Ordinance No. 04-O-17AA, introduced on February 11, 2004, and continued from public hearings on February 25 and March 31, 2004, abandoning Peacefield Court, an unpaved right-of-way within the boundaries of the Charleston Place Subdivision, but retaining right-of-way for utilities, drainage, and a bicycle and/or pedestrian pathway (*Option 2 developed by Planning to address the Commission's concerns*)

**Items 20 and 21** – Voted 4-0 (Commissioner Gillum absent) to approve the staff's recommendations, as follows:

**Item 20** – Approved Change Order No. 6, in the amount of \$225,957.97, to the contract with M of Tallahassee, Inc. for the Northeast Area Roadway/Drainage Improvements Project, Contract No. 276, with this change order addressing quantity modifications, design modifications, and plan errors, for a total contract amount of \$17,386,082.19 (*Option 1 recommended by Public Works/Engineering*)

**Item 21** – Approved Change Order No. 7, in the amount of \$92,532.63, to the contract with GLF Construction Corporation, for the Blair Stone Road Northern Extension, Phase I Project, Contract No. 01C0323, with this change order addressing quantity adjustments, signalization modifications and earthwork adjustments, for a total contract amount of \$19,437,359 (*Option 1 recommended by Public Works/Engineering*)

**Item 22** – Voted 3-2 (Mayor Marks and Commissioner Gillum opposed) to approve the Selection Committee's ranking for Consulting Civil Engineering Services for Neighborhood Infrastructure Enhancements (RFP No. 0071-04-ER-TC), and authorize the City Manager to execute the related contracts with the top-ranked firms, in order, until seven (7) firms have executed contracts, and permit staff to bring back a recommendation to add additional firms it staff believed they would enhance the success of the project (*Option 1 recommended by Public Works/Project Management as amended*)

Discussed the lack of minority participation in the recommended firms, clarified these consultant ranking were for the design of the projects, directed the staff to bring back a policy discussion on a method for spreading the award of City projects around among qualified firms, and providing project management

**Item 23** – ~~DELETED FROM THE AGENDA~~ a discussion of the 2025 Long Range Transportation Plan Joint Participation Agreement (JPA) with the Florida Department of Transportation for the Tallahassee-Leon County Metropolitan Planning Organization (MPO) (*brought forward by the MPO Executive Director*) – moved to April 28, 2004

**Item 23.1** – Voted 5-0 to join in the dedication and approve the amended Forest Village Subdivision Plat, consisting of 33.41 acres, subdivided into six (6) lots, bounded on the north by Capital Circle South, on the east by Crawfordville Highway, and on the south and west by unplatted land, planned for development as commercial business by Candler Development Company; Equity One (Forest Village), Inc.; Equity One (Forest Village

Phase II); and Forest Village Associates, Ltd. (*recommended by Public Works/Engineering*)

**Item 23.2** – Voted 5-0 to approve the terms in the proposed Downtown Community Redevelopment Agency (CRA) District – Equal Investment Plan, and authorize staff to develop an interlocal agreement incorporating these terms, with the City to contribute \$13 million to the Downtown CRA District Trust Fund (*Option 1 recommended by Economic Development*)

Discussed some remaining concerns of Commissioners including the makeup of the Project Review Committee, the rent subsidies issue, the prohibition of charter amendments related to the CRA expiring at the end of 2004 and the FAMU Way Extension, and acknowledged that further details would be taken up in the interlocal agreement negotiations.

#### **Unagendaed –**

Mr. Louis Rothman, 1017 Piney Z Plantation, appeared before the Commission and discussed the City's negotiations to acquire Capital Cascades property.

Ms. Jeannette Martin, 1007 Mosley Street, and Reverend William Foutz, 6504 N. Meridian Road, appeared before the Commission and discussed the connection of her property on Mosley Street to City sewer.

The Commission requested that the staff investigate Ms. Martin's situation and stay on top of the situation until her concerns were resolved.

Mr. Peter Okonkwo, 365 S. Magnolia Drive, representing Spectra Engineering, appeared before the Commission and discussed the inclusion of MBE firms in the award of contracts for the Neighborhood Infrastructure Enhancements (Item 20).

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

Commissioner Katz suggested that presentations be agendaed only once a month at a time when no public hearings were scheduled, and Commissioner Lightsey expressed concern that the meeting with public hearings was getting too long. Mayor Marks indicated he would attempt to spread out the proclamations more and possibly present them elsewhere when feasible.

Commissioner Mustian advised that due to some changes at his law firm, he would need to travel more and he asked if the target issues workshop could be moved to the first week of the month instead of the third week. Mayor Marks asked City Manager Favors to poll the Commissioners to determine if that could be accomplished.

Commissioner Gillum discussed a recent audit report on gas revenues and requested that the Commissioners read through the report, giving particular attention to the one-page analysis, and schedule the item for discussion at the next target issues workshop, on April 21, 2004. He stated that he would be out of town when the next regular meeting was held on April 28, 2004.

*CTC:RM:ecg:04-19-04*

*CTC:RM:WP:tie:04-20-04*

**City Commission Meeting Summary**  
**April 21, 2004**

The City Commission met in regular target issues workshop session and took the following action (with Commissioner Gillum absent):

**Item 1** – Received a staff presentation providing an **overview of Growth Management’s development review and permitting system, and summarizing the results of a comparative survey of development review timelines** (*on file in the Office of the City Treasurer-Clerk*) in Gainesville, Pensacola, Ocala and St. John’s County, Florida, based on project type, indicating that the City of Tallahassee had the longest average review time for all project types, possibly due to Tallahassee having complex stormwater models that add up to 60 days to the review process, requiring that infrastructure be installed prior to the issuance of building permits adding up to 180 days to the review process, and requiring a separate Environmental Management Permit adding up to 60 days to the review process (*presented by Growth Management*)

Voted 4-0 (Commissioner Gillum absent) to agree to:

1. not issue temporary Certificates of Occupancy
2. indicate support for providing additional staff in the Growth Management permitting process
3. indicated support for hiring an ombudsman to facilitate the actual permitting process
4. direct staff to bring back a plan for concurrent issuance of permits with safeguards, and to address reorganizing and streamlining the permitting process
5. stop developing and enforcing rules based on worst case scenarios and find a way to build into the permitting process some way of recognizing those developers who acted appropriately
6. ask that the staff provide information on where the staff once had discretion and no longer had it
7. ask staff to bring back information on changing regulations to achieve urban density patterns
8. direct the staff to comment on the feasibility of a community-wide environmental inventory
9. ask for some analysis of the 40% green area requirement in the Environmental Management Ordinance (EMO)

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

- Mr. Kim Williams, President of Marpan Supply, and former Chairman of the Tallahassee Chamber of Commerce (*distributed copies of a "Pilot Site Planning Process" previously implemented by City staff and then abandoned*)
- Mr. Harold Palmer, representing Cliff Lamb & Associates
- Mr. Steve Leoni
- Mr. Dean Minardi, representing Mr. Leoni
- Ms. Henree Martin, developer
- Mr. Laurie Dozier, representing Mad Dog Construction
- Mr. Pepper Ghazvini, residential developer

**Item 2** – Deferred to a later meeting a discussion of the implementation of an inclusionary housing strategy (*an item brought forward by Planning*)

**Item 3** – Deferred to a later meeting a staff update and analysis of current sector planning efforts (*an item brought forward by Planning*)

**Item 4** - Received a status report from staff relative to **Purdum Unit 8 repairs**, and voted 4-0 (Commissioner Gillum absent) to **contract with Alstom Power Rentals for 50 MW of rental electric gas turbine generation capacity** with a first right of refusal option for an additional 50 MW to be sited at the Hopkins plant (Alternative B as presented), and authorize the City Manager to exercise an option on the additional rental generation if necessary based on customer demand and available resources – at a rental cost for the first block of 50 MW of \$6,789,000 plus \$250,000 for installation and permitting, for a total cost for the initial 50 MW of \$7,103,000, and a rental cost of \$4,964,000 for the second block of 50 MW (Option 1 recommended by Electric Utility)

CTC:RM:ecg:04-30-04

### **City Commission Meeting Summary April 22, 2004**

#### **Joint City-County Commission Public Hearing on the Proposed Cycle 2004-2 Amendments to the 2010 Tallahassee-Leon County Comprehensive Plan**

The City Commission met in special joint session with the Board of Leon County Commissioners (County Commission) and conducted a joint public hearing on Proposed Cycle 2004-2 Amendments to the Comprehensive Plan (with County Commissioner Proctor absent).

The following persons appeared before the Joint Commission relative to the specified amendments:

#### **AMENDMENT #2004-2-M-001. WITHDRAWN BY APPLICANT**

**AMENDMENT #2004-2-M-002.** Proposed map amendment change from Residential Preservation to Neighborhood Boundary for 9.29 acres located on Park Avenue between Belmont Road and Ferndale Drive (M. B. Adelson) [Staff: Kristen Andersen].

- Mr. Jerry Edwards, 1603 Valley Road, President of the Inglewood Neighborhood Association (opponent) (*Letters from Mr. Jerry Edwards and from Mr. Bryan Edwards, summarizing the objections of 300 residents and members of the Inglewood Neighborhood Association, were submitted -- on file in the Office of the City Treasurer-Clerk*)
- Mr. Darryl K. Stewart, 1608 Sequoia Drive (opponent)
- Mr. John Koelemij, 1006 Gardenia Drive (opponent)
- Ms. Brenda Pierce, 1529 Belmont Trace (opponent)
- Mr. James Elsner, 114 Ferndale Drive (opponent)
- Mr. Ian Elsner (a student) (opponent)
- Mr. Frank Reeves, 1535 Belmont Trace (opponent)
- Ms. Theresa Walsh, 132 Ferndale Drive (opponent)
- Mr. Joe Carroll, 115 Ferndale Drive (opponent)
- Mr. Pete Steuer, 305 Chestnut Drive (opponent)

- Ms. Carole Bullock, 120 Reece Park Lane (opponent)
- Mr. John Taylor, resident of 3024 Brookmont Drive and owner of property at 132 Belmont (opponent)
- Mr. Warren Merrell, 127 Willaura Circle (opponent)
- Mr. Kent Hutchinson, 911 San Luis Road, representing the Council of Neighborhoods Association (CONA) (opponent)
- Mr. Dan Owens, 1718 Ferndale Place (opponent)
- Ms. Sylvia C. Greeley, 1606 E. Park Avenue (proponent)
- Mr. James H. Bailey, 1536 E. Park Avenue (proponent)
- Mayor Marks stated that the City would conduct a traffic count for that area.
- Mr. Jeff Saulich, 421 Margaret Court (opponent)
- Mr. David Luke, 1603 Valley Road (opponent) *(also submitted a letter, on file in the Office of the City Treasurer-Clerk)*
- Ms. Pamela Hall, 5051 Quail Valley Road (opponent)
- Ms. Martina Schmid, 307 Birch Lane (opponent)
- Mr. M. B. Adelson, 3387 E. Lakeshore Drive, legal representative for the 9 individual property owners/applicants (proponent)
- Ms. Danielle Owens, 1718 Ferndale Place (opponent)
- Ms. Jacqueline Pembroke, 111 Reece Park Lane (opponent)
- Mr. Howard G. Knight, 108 Ferndale Drive (opponent)
- Mr. Greg Patterson, Past President of CONA (opponent) *(also submitted a letter, on file in the Office of the City Treasurer-Clerk)*
- *(Mr. Aaron Eagle, 412 Chestnut Drive, and Ms. Christie Moore, 110 Gerndale Drive, submitted speaker request forms, but did not appear.)*
- *(Letters opposing this amendment were submitted from Mr. Chris Duclos, 1608 Glenway Drive, and Ms. A. June Vickers, 2125 Charter Oak Drive -- on file in the Office of the City Treasurer-Clerk)*

County Commissioner Rackleff **asked that the staff 1) review all changes to RP from another use in the past 10 years and add up the number of housing units that had been eliminated as a result, 2) add to that data the appraised values of those houses before the amendment was passed, 3) provide information on enhancements the City had paid for on East Park Avenue so it would not adversely effect the residential quality of life.**

City Commissioner Lightsey **asked that the staff 1) bring back the history of the requests for rezoning on this property, 2) bring back information on the most intense development that could be built on this property if it was aggregated under a single development proposal, and 3) suggested that Neighborhood Boundary ought not to be approved with this amendment if the Commissions could not accept the most intense development it would allow, and in that case the staff should probably bring back some additional restrictions for a Neighborhood Boundary area with an underlying zoning code, so that individual parcels could be converted while requiring more than one parcel brought in as a single development proposal to be brought in as a PUD.**

Mayor Marks **concurred with City Commissioner Lightsey's request for the staff to explore the matter and asked that the staff confirm whether the intent had been to apply to individual houses being converted into office space or something other than a single family dwelling.** He also **directed the staff to make every effort to appropriately notice these speakers of the next meeting on this issue.**

**AMENDMENT #2004-2-M-003.** Proposed map amendment change from Urban Fringe to Mixed Use A, as well as an extension of the Urban Service Area (USA) line to include two parcels totaling approximately 97 acres located south of Old St. Augustine Road and east and south of

Calle de Santos, near W. W. Kelley Road (Johnny and Katrina Petrandis) [Staff: Russell Snyder].

- Mr. Luis Serna, Varnum & Associates, 3559 Timberlane School Road, representing Johnny Petrandis, the applicant (proponent)
- Ms. Jean Stimel, 3945 Calle de Santos (opponent)
- Mr. Robert Scanlon, Chair of the Leon County Water Resources Committee (opponent)
- Mr. Brenda DeVolentine, 3921 Calle de Santos (opponent) (*submitted a petition signed by 60 citizens in the Calle de Santos Neighborhood who were opposed to Amendment -003 and any rezoning of the 97 acres fronting the south side of Old St. Augustine Road, located 352 feet east of the intersection of Calle de Santos, from Urban Fringe to Mixed Use A -- on file in the Office of the City Treasurer-Clerk*)
- Mr. David A. Crowley, 2494 Augustine Court (opponent)
- Mr. Pleasant Grant Vause, 4012 Calle de Santos (opponent)
- Ms. Carol Laymanse, Lot 5, Block C, Louvinia Lakes (opponent)
- Mr. Paul Johnson, 537 Hickory Wood Drive, representing the Save Wakulla Springs Organization (opponent)
- Mr. Greg Kearney, 8365 Caplock Road (opponent)
- Ms. Sarah Godwin, 4013 Camino Real (opponent)
- Mr. Mark A. Mahoney, 8733 Palencia Court (opponent)
- Mr. Johnny Petrandis, 4178 Apalachee Parkway (applicant/developer) (proponent)

City Commissioner Lightsey **asked the staff to 1) provide the Commissioners with a more comprehensive map prior to the next workshop that would demonstrate how the subject area related to the body of the USA, 2) bring back information on why there had been septic tank failures in the area in the past, whether because of the soil or a high groundwater table, and 3) when the Talquin service to the area from a package treatment plant had been established.**

County Commissioner Rackleff **asked the staff to provide the Commissioners with some information on the environmental violation history of the Talquin package treatment plant.**

County Commissioner Thael **asked the staff to bring back the 1,000-foot rule issue for consideration at an appropriate time so as to provide consistency between the Future Land Use Map and the Comp Plan.**

**AMENDMENT #2004-2-M-004.** Proposed map amendment change from Residential Preservation to Mixed Use A on 9.72 acres located immediately south of I-10, north of Portland Avenue, and west of Old Bainbridge Road (Pepper Ghazvini) [Staff: Dan Lucas].

- Mr. Robert Wallace, 2114 W. Dellview (opponent)
- Mr. John Koelemij, 1006 Gardenia Drive (opponent)
- Ms. Nancy Linnan, Carlton Fields, 215 S. Monroe Street, representing the applicant/developer (proponent)
- Pastor Joseph Brown, Pastor of a church located at 2640 Old Bainbridge Road (proponent)

**AMENDMENT #2004-2-M-005.** Proposed map amendment change from Rural to Urban Fringe on 1,622 acres located along the Wakulla County line, south of Natural Bridge Road and southeast of Gerrell Road, and mostly southwest of the intersection of Old Plank Road and Natural Bridge Road (Emmett Mitchell) [Staff: Dan Lucas].

- Mr. Manley Fuller, a resident of Wakulla County and President of the Florida Wildlife Federation, 2545 Blair Stone Pines Drive (opponent)
- Ms. Virginia Brock, 311 Old Magnolia Road (opponent)
- Mr. Robert Scanlon, representing the Leon County Water Resources Committee (opponent)
- Ms. Pamela Hall, 5057 Quail Valley Road (opponent)
- Mr. Paul Johnson, 537 Hickory Wood Drive, Crawfordville, FL (32327), representing Save Wakulla Springs (opponent)
- An unidentified citizen in the audience, inquired as to how this amendment had reached this point and why the community was faced with this amendment that had no merit.

County Commissioner Thaeil announced that Mr. Gary Yordon, a citizen representing this developer, had asked him to convey that he could not stay but would contact each Commissioner independently to address concerns with this amendment.

County Commissioner Winchester **suggested that someone talk to the representative and suggest that this amendment be withdrawn.**

**AMENDMENT #2004-2-M-006.** Proposed map amendment change from Mixed Use C to University Transition for 49 parcels totaling approximately 54.75 acres located south of West Tennessee Street and west of Stadium Drive/Murphy Street (Tallahassee Leon County Planning Department) [Staff: Kristen Andersen].

There were no speakers on Amendment –006.

**AMENDMENT #2004-2-M-007.** Proposed map amendment change from RP to Mixed Use A on two parcels totaling approximately 2.11 acres located at 825 and 835 W. Tharpe Street, east of Old Bainbridge Road (Mary M. Harris, Irrevocable Charitable Remainder Unitrust) [Staff: Russell Snyder].

- Mr. Kee Elwell, 3007 Brookmont Drive (proponent)
- Ms. Mary Moody, 2101 Joyner Drive, of the Park Side and Park Terrace Neighborhoods (seeking information)
- Mr. Harold Martindale, 830 Abbiegail Drive (seeking information)

City Commissioner Lightsey **asked that the staff 1) provide her with information on the required buffering between those incompatible land uses of UP1 and RP, and provide clarification in regard to the amendment referencing both 200,000 sq. ft. and 20,000 sq. ft. commercial.**

**AMENDMENT #2004-2-M-008.** Proposed map amendment change from Rural to Mixed Use A on approximately 79 acres located on Tower Road west of Cypress Circle. The amendment request also proposes to move the Urban Service Area (USA) line to encompass the parcel in its entirety. (Leon County Board of County Commissioners) [Staff: Russell Snyder].

There were no speakers on Amendment –008.

**AMENDMENT #2004-2-T-009.** This amendment proposes to amend the deadline date included within Conservation Element Policy 2.1.7 (City only) by which the City shall adopt policies into the Comprehensive Plan that reflect specific stormwater retrofit objectives including consideration of costs, methodology and the community’s willingness to financially support implementation. The amendment proposes to change the date by which policies are to be adopted into the Comprehensive Plan from 2004 to 2005, extending this deadline by one year. (City Stormwater



Management Division) [Staff: Kristen Andersen].

(See Amendment –010 speakers.)

**AMENDMENT #2004-2-T-010.** This amendment proposes to amend the date included within Utilities Element Policy 1.4.2 (City only) by which existing developed sites that do not achieve the level of stormwater treatment required by the Comprehensive Plan shall be required to have a retrofit plan in accordance with the adopted retrofit portion of the stormwater management plan. The amendment proposes to change the date by which policies are to be adopted into the Comprehensive Plan from 2005 to 2006, extending this deadline by one year (City Stormwater Management Division) [Staff: Kristen Andersen].

- Mr. Paul Johnson, representing Save Wakulla Springs (opponent of both Amendments –009 and –010)

City Commissioner Lightsey, as water resource commissioner, offered to discuss this matter in more detail with Mr. Johnson.

**AMENDMENT #2004-2-T-011.** The proposed text amendment would amend the text description of the University Transition land use category to include an expanded area of applicability that would include the rectangle of land within the Florida State University main campus, Florida A & M University, Tallahassee Community College (TCC) / Lively Technical Institute campuses and Innovation Park -- specifically, lands lying west of South Adams Street, south of West Tennessee Street, north of Orange Avenue, and adjoining Innovation Park and TCC to the east, excluding the Gains Street Revitalization Plan study area (Tallahassee-Leon County Planning Department) [Staff: Kristen Andersen].

There were no speakers on Amendment –011.

**AMENDMENT #2004-2-T-012.** Proposed update of two sections of the Functional Classification Maps series in the Transportation Element to recognize the existence of recently constructed roadways (Tallahassee-Leon County Planning Department) [Staff: Dan Lucas].

There were no speakers on Amendment –012.

**AMENDMENT #2004-2-T-013.** The proposed text amendment would ensure stricter compliance with Chapter 171, Florida Statutes, for all future annexations provide the Leon County Board of County Commissioners with additional information to consider prior to the Board's review of future annexation requests and would specifically require that the comments from the County will be received by the City Manager prior to the public hearing on the annexation ordinance (Leon County Board of County Commissioners) [Staff: Russell Snyder].

There were no speakers on Amendment –013.

*CTC:RM:ecg:06-24-04*

*CTC:RM:WP:tie:06-29-04*

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

Recognized the birthdays of Commissioner Lightsey and Mayor Pro Tem Katz

Presented a proclamation to Maestro David Hoose, of the Tallahassee Symphony Orchestra, proclaiming the week of April 26-May 2 as "Maestro David Hoose Week"

**Items 1-15** – Voted 4-0 (Commissioner Mustian absent) to approve the staff's recommendations presented in Consent Agenda Items 1-15, taking the actions shown:

**Item 1** - DELETED FROM THE AGENDA the award of a term contract for coffee services, Bid No. 0012-04-SB-TC (*an item brought forward by the Department of Management & Administration [DMA]*) – moved to May 12, 2004

**Item 2** - Ratified the City Manager's appointment of Mrs. Patti Ketcham to fill Mr. Ketcham's unexpired term as Code Magistrate ending in July 2004 (*Option 1 recommended by Neighborhood & Community Services [NCS]*)

**Item 3** - Authorized acceptance of a Florida Department of Community Affairs (FDCA) Residential Construction Mitigation Program (RCMP) grant, in the amount of \$50,000, to be administered by the American Red Cross in providing hazard reduction improvements to income-eligible homeowners in the Greater Frenchtown Front Porch Community and augmenting the existing hazard mitigation work currently under contract with the City (*Option 1 recommended by NCS*)

**Item 4** - Approved the award of bid for an Annual Price Agreement (APA) for the City's Advanced Transportation Management System (TATMS) System Sensor Installation Contract (Bid No. 0088-04-KR-TC) to provide traffic signal loop installation services for and authorize staff to enter into a three-year contract with Ingram Signalization, Inc., of Pensacola, Florida, low bidder meeting specifications, at an estimated annual cost of \$100,000 per year (*Option 1 recommended by Public Works/Traffic Engineering*)

**Item 5** - Approved the award of bid for a firm fixed unit price term contract for the purchase of assorted field equipment for TATMS (Bid No. 0153-03-BP-TC), and authorized staff to enter into a three-year contract with Control Technologies of Central Florida, Inc., of Sanford, Florida (Group 2); Honeywell Video Solutions, of Lancaster, Ohio (Group 4); and Rexel Southern, of Tallahassee, Florida (Group 5) (*Option 1 recommended by Public Works/Traffic Engineering*)

**Item 6** - Approved adding the collection of supplemental water quality data to provide water quality sampling within the Lake Lafayette watershed to help establish whether adjustments are warranted to the Total Maximum Daily Load (TMDL) allocation for the Northeast Drainage Ditch, at a cost of \$69,968, as an additional service to the existing contract with Ecology and Environment, Inc. (Agreement No. 422), which had been established to collect samples for the stormwater National Pollutant Discharge Elimination System (NPDES), for a total contract amount of \$212,235 (*Option 1 recommended by Public Works/Stormwater Management*)

**Item 7** - Approved a JPA with the FDOT to enable FDOT to fund \$52,250 of construction costs for drainage improvements to be constructed by the City within FDOT's right-of-way, and authorize the City Manager to execute the JPA (*Option 1 recommended by Public Works/Stormwater Management*)

**Item 8** - Approved the Bull Run Unit 1, Phase 1 Subdivision Plat, consisting of 24.19 acres subdivided into four (4) lots, bounded on the north by Millstone Plantation Road, on the south partially by Bull Run Lot 10, Phase 1A and partially by unplatted land, on the east partially by Thomasville Road and partially by Bull Run Lot 10, Phase 1A and on the west by unplatted land, planned for development as commercial use by Block Land & Finance Company (*recommended by Public Works/Engineering*)

**Item 9** - Approved the FY2004-05 Florida Commission for the Transportation Disadvantaged Trip & Equipment Grant, to provide \$385,083 for non-sponsored citizens travel for Leon County (*Option 1 recommended by TalTran*)

**Item 10** - Approve a JPA with Leon County to include the water and sewer relocation work with the Orange Avenue roadway improvement project, including signing the agreement forms and supplemental appropriations, for a total estimated cost of \$1.43 million, thereby providing timely and efficient relocation of City water and sewer facilities in coordination with the County roadway project (*Option 1 recommended by Water Utility/Engineering*)

**Item 11** - Approved the award of a contract for the replacement of the existing pumping station with a new submersible pumping station and install 1,500 l.f. of 10-inch lined ductile iron pipe along the west side of Shelfer Road to Capital Circle -- the Shelfer Road Pump Station No. 8 Replacement Project, Bid No. 0083-04-RM-BCI – to Blankenship Contracting, Inc., of Tallahassee, Florida, low bidder meeting specifications, in the amount of \$286,164.67 (*Option 1 recommended by Water Utility/Engineering*)

**Item 12** - Approved a supplemental appropriation of additional funds provided by Leon County to complete the work and award the construction contract to install a 0.5 MGD submersible pumping station, 4,800 l.f. of 8-inch gravity sewer, and 690 l.f. of 6-inch force main to serve parcels along Gum Road from Aenon Church Road to Capital Circle – the Gum Road Sanitary Sewer Extension Project, Bid No. 0082-04-RM-BCI – to Blankenship Contracting, Inc., low bidder meeting specifications, in the amount of \$648,899.41, thereby providing City sewer service to the Gum Road Transfer Station Planning Area as designated by the Leon County Commission (*Option 1 recommended by Water Utility/Engineering*)

**Item 13** - Ratified Emergency Purchase Order No. 1012528 issued to U.S. Filter Southstates Carbon, of Houston, Texas, low bidder meeting specifications and providing the lowest vessel height of approximately 18 feet, in the amount of \$228,495, for the purchase of a granular activated carbon (GAC) treatment system to be utilized at Water Well No. 6 on Fourth Avenue -- to remove the contaminant tetra(per)chloroethylene from the raw groundwater in conformance with Florida Department of Environmental Protection (FDEP) standards (*Option 1 recommended by Water Utility/Water Quality*)

**Item 14** - Approved the proposed settlement in a personal injury matter styled Althea Lewis v. City of Tallahassee, resolving the plaintiff's claim against the City for the net sum of \$75,000, to be paid from Risk Management funds (*Option 1 recommended by the City Attorney's Office*)

**Item 14.1** - Approved the proposed settlement of the case known as Sheryl D. Allen and George F. Allen v. City of Tallahassee, Case No. 02-CA-2477, currently pending in Leon County Circuit Court, resolving the plaintiffs' claim against the City for the sum of \$975,000 -- subject to the Legislature passing a claims bill for an additional \$775,000 above the \$200,000 sovereign immunity (*Option 1 recommended by the City Attorney's Office*)

**Item 15** - Approved the minutes of the following City Commission meetings (*recommended by the Office of the City Treasurer-Clerk/Records Management*):

- January 28, 2004 Regular Meeting
- February 11, 2004 Regular Meeting
- February 18, 2004 Regular Target Issues Workshop

**Item 16** - Voted 4-0 (Commissioner Mustian absent) to 1) accept a Report on Programs to Address Reduction of Utility Use, as presented, authorizing the development and implementation of the proposed programs to address reduction of utility use; 2) approve the use of Energy Assistance Program funds for any increased temporary or time-limited staffing needs to meet the workload demands of these programs; and 3) approve the funding of \$20,000 for energy conservation packages, from the Energy Assistance Program funds (*Option 1 recommended by Energy Services*)

Noted that the City was departing from past practices by extending these renter and owner-occupied energy assistance programs to manufactured or mobile homes for certain kinds of repairs or improvements

Encouraged the energy auditors to also inform customers of the reason for the high cost of utility bills and provide the customers with a written explanatory document, and address misinformation disseminated to the public by helping the customers understand how the electric utility was dependent on gas – as opposed to having a diversified fuel base -- to fuel the electric power generators as decided by the community a number of years earlier and that the cost of gas was projected to continue going up in the foreseeable future

Clarified that going to the use of coal as a fuel for electric generation would require an affirmative vote by the community

Stressed the importance of the contractors working expeditiously in a cost effective manner on these energy savings programs

**Item 17** – Voted 4-0 (Commissioner Mustian absent) to Approve the purchase of 2.25 acres located at the northwest corner of Gaines Street and Railroad Avenue, for the Gaines Street Revitalization Project and as a strategic redevelopment site in the draft Downtown Community Redevelopment Plan, at a cost of \$1,400,000 plus estimated associated closing costs of \$15,000, for a total estimated acquisition cost of \$1,415,000 (*Option 1 recommended by Economic Development*)

**Item 18** - Voted 4-0 (Commissioner Mustian absent) to adopt Resolution No. 04-R-15, initiating the transfer of Gaines Street and Madison Street from FDOT to the City of Tallahassee (*Option 1*) and direct staff to prepare a Roadway Transfer Agreement and authorize the City Manager to execute the agreement (*Option 2*) (*recommended by Planning*) as amended by adding a clause to make the City's acceptance of this roadway contingent on acknowledgement by the County Commission that the \$10 million previously committed by the County Commission for the Gaines Street Project would be so dedicated

**Item 19** – Voted 3-0 (Commissioners Katz and Mustian absent) to direct the staff to include the Commission's recommended items on the agenda for the First Annual Joint Meeting of the City Commission, the County Commission, and the School Board -- scheduled for June 29, 2004 at 6:00 p.m. in the City Commission Chamber, City Hall (*Option 1 recommended by Planning*)

Concurred with the City Manager's suggestion to send this information to the City's Leadership Team so that each department with impact on these issues could provide some input for Commission review

Expressed interest in some general exchange of information with the School Board such as where the School Board projected the school populations to be located, school sitings and transportation planning for the students, and City standards for development and infrastructure needs

**Item 20** – Discussed and by consensus, accepted a Community Assessment status report on the Southern Strategy Area, submitted by AngelouEconomics, consultants hired by Leon County and the City of Tallahassee to perform the Economic Development Plan for the Southern Strategy Area (*Option 1 recommended by Planning*)

Mr. Sean Garretson, representing AngelouEconomics, appeared before the Commission relative to this item.

Requested information on parcels that could be aggregated on the south side in the absence of a university park plan

**Item 21** – Voted 4-0 (Commissioner Mustian absent) to **1) adopt Resolution No. 04-R-16, approving the State Housing Assistance Program (SHIP) Local Housing Assistance Plan (LHAP) for fiscal years 2004-05, 2005-06 and 2006-07; 2) adopt Resolution No. 04-R-17, revising the purchase price and value limits for new and existing homes** in accordance with U.S. Treasury Department Revenue Proclamation 2004-18, and authorizing the Mayor to execute needed documents and certifications; and 3) direct staff to submit the new LHAP and signed resolutions to the State of Florida Housing Finance Corporation (*Option 1 recommended by NCS*)

Requested a map and fact sheet on existing affordable housing

**Item 22** – DELETED FROM THE AGENDA the discussion of a permanent location for the offices of the NAACP in Frenchtown (*an item brought forward by NCS*) – **moved to May 12, 2004**

**Item 23** – Held the second and final public hearing on **Extension of Interim Review Procedures for the All Saints and Civic Center Redevelopment Areas Ordinance No. 04-O-26**, introduced on February 25, 2004 and continued from the first public hearing on March 31, 2004

Voted 4-0 (Commissioner Mustian absent) to adopt Ordinance No. 04-O-26, extending the interim review procedures for the All Saints and Civic Center Districts of the Gaines Street Urban Infill and Redevelopment Area until June 23, 2004, to allow staff to prepare final design standards consistent with the Gaines Street Revitalization Plan and to bring back a final zoning code for public hearing and adoption (*Option 1 recommended by Planning*)

There were no speakers on this item.

**Item 24** - Held a public hearing on **West Tennessee Street/Capital Circle Northwest Voluntary Annexation Ordinance No. 04-O-38**, introduced on April 14, 2004

Voted 4-0 (Commissioner Mustian absent) to adopt Ordinance No. 03-O-38, providing for the voluntary annexation of seven acres on

the southwest corner of West Tennessee Street and Capital Circle Northwest, the site of the Courtesy Nissan Oldsmobile Volvo Dealership; initiate the rezoning of this parcel from RP to RP-1, and authorize staff to proceed with the rezoning (*Option 1 recommended by the Mayor's Office*)

There were no speakers on this item.

**Item 25 - Held a public hearing on Ordinance No.04-O-25, introduced on March 31, 2004, regarding an extension of the transition period between the election date and the installation of the Mayor and Commissioners**

Voted 4-0 (Commissioner Mustian absent) to adopt Ordinance No. 04-O-25, amending the City Charter to extend the transition period between the final election date and the installation of the Mayor and new-elected Commissioners from three (3) days to 17 days (*Option 1 recommended by the City Attorney*)

There were no speakers on this item.

**CITY COMMISSION INFORMATION AND SHARING OF IDEAS:**

Mayor Marks reported on discussions with the FSU President regarding the amenities and maintenance associated with the Elberta Crate Regional Stormwater Facility and the bus transportation system, and stated that they had also discussed the Civic Center and the Civic Center Hotel Project.

The Commission discussed the remodeling of the TalTran Bus System to better serve the community, to be completed over the next year.

Commissioner Lightsey reported on discussions regarding water resources and the stormwater Total Maximum Daily Load (TMDL) issue, and reported that data was being collected to help with the renewal of the City Water and Sewer agreement expiring in 2005.

Mayor Marks announced the Cascades Park issue would be before the Governor and Cabinet for approval the following day at 9:30 a.m.

Mayor Marks applauded the City's Legislative Team for success with State and Federal Legislation. He also commended his Chief Aide, Ms. Dinah Hart, for her hard work on the Legislative initiative.

*CTC:RM:ecg:05-04-04*

*CTC:RM:PW:tie:05-04-05*