

City Commission Summaries – January – April 2009

City Commission Meeting Summary January 7, 2009

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

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

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

Item #	Amendment To:	Nature of Proposed Amendment	Tentative Positions
PCT080114	TEXT AMENDMENT (EAR BASED)	Land Use, Conservation, & Intergovernmental Coordination Elements & Glossary Proposed text amendment pertaining to hazard mitigation	City - Approve as Modified County â€ˆ ^{cc} Approve as Modified
PCT080115	TEXT AMENDMENT (EAR BASED)	Land Use Element Residential Preservation Category Description	City - Approve as Modified County â€ˆ ^{cc} Approve as Modified
PCT080116	TEXT AMENDMENT (EAR BASED)	Parks & Recreation Element Plan horizon update on Open Space	City - Approve County â€ˆ ^{cc} Approve
PCT080117	TEXT AMENDMENT (EAR BASED)	Land Use & Conservation Elements & Glossary Protect quality & quantity of water in the Floridan Aquifer and itâ€™s discharge at Wakulla Springs	City - Approve as Modified County â€ˆ ^{cc} Approve as Modified
Â PCT080118	TEXT AMENDMENT (EAR BASED)	Housing Elements Creation of a joint Housing Element; objectives addressing housing needs, sites for affordable housing & economic solutions to affordable housing.	City - Approve as Modified County â€ˆ ^{cc} Approve as Modified
PCT080119	TEXT AMENDMENT (EAR BASED)	Transportation Element Proposed text amendment creating a Multimodal Transportation District	City - Approve as Modified County â€ˆ ^{cc} Approve as Modified

The following persons appeared before the Commission:

- Mr. Darwin Gamble, 1248 Halifax Court, representing the Greater Brandt Hills Neighborhood Association (proponent of PCT 080115)

- Dr. Pamela Hall, 5051 Quail Valley Road, representing the Leon County Water Resources Committee (proponent of PCT 080117)

The City Commission voted 4-0 (City Commissioner Katz absent) to approve Consent Agenda Text Amendments PCT 080114, 080115, 080116 and 080118 with recommended changes. [The County Commission voted 5-0 (County Commissioners Proctor and Akinyemi absent) on a like motion.]

The City Commission voted 4-0 (City Commissioner Katz absent) to approve Primary Springs Protection Zone (PSPZ) Text Amendment PCT 080117 as modified. [The County Commission voted 5-0 (County Commissioners Proctor and Akinyemi absent) on a like motion.]

The Commissions concurred in directing staff to:

1. bring back some alternative language on the golf course issue relating to environmental restrictions in the PSPZ, and
2. provide some information to further the February 25-26, 2009 Wakulla Springs Symposium discussion on the Responsible Management Entity (RME) on the septic tanks issue such as a process recommendation with information on what needed to be done, how long it might take, who needed to address the issue and a timeline.

The City Commission voted 4-0 (City Commissioner Katz absent) to approve Multimodal Transportation District Text Amendment PCT 080119 as modified. [The County Commission voted 5-0 (County Commissioners Proctor and Akinyemi absent) on a like motion.]

The City Commission voted 4-0 (City Commissioner Katz absent) to adopt Ordinance No. 08-O-69, incorporating approved Cycle 2008-1 Text Amendments PCT 080114, 080115, 080116, 080117, 080118 and 080119 as part of the 2010 Tallahassee-Leon County Comprehensive Plan. (The County Commission voted 5-0 (County Commissioners Proctor and Akinyemi absent) on a like motion to adopt a County Ordinance incorporating approved Cycle 2008-1 Text Amendments as part of the 2010 Tallahassee-Leon County Comprehensive Plan.)

Unagendaed - Mr. William D. Tucker, 2802 Primrose Lane, appeared before the Commission and spoke against locating a biomass power plant near schools due to the potential for unknown impacts.

CTC:RM:ecg:01-09-09

City Commission Meeting Summary January 14, 2009

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

Welcomed the City's new Assistant City Manager for Safety and Neighborhood Services, Mr. Jay Townsend

Item 1 - Recognized and commended Lt. Brad Deanda and Lt. Rusty Roberts for receiving the Liberty Mutual Firemark Award, which recognizes firefighters who go above and beyond the call of duty

Mr. John Belcher and Mr. Mark Walters, of Liberty Mutual, and Fire Chief Dick and members of the Fire Department appeared before the Commission relative to this item.

Item 2 - Commended the City's Water Department staff and joined the staff in accepting the 2008 Plant Operations Excellence Award from the Florida Department of Environmental

Protection (FDEP) in recognition of outstanding treatment plant operation, maintenance and compliance for a Large Community Drinking Water Plant of the Northwest Region

Mr. Van Hoofnagle of the FDEP appeared before the Commission and presented this award to the Water Utilities Department.

Item 3 - Presented a proclamation to Mr. Myron Rolle recognizing him and honoring him for his accomplishments for being awarded the 2008 Rhodes Scholarship from Florida State University

Mr. Rolle's brother and mother appeared with him before the Commission.

Item 4 - Presented a proclamation proclaiming January 14, 2009, to be Arbor Day in the City of Tallahassee, and encouraged citizen participation in the tree planting scheduled to begin at 9:00 a.m. on Saturday morning at Pecan and Trimble Roads

Director of Parks, Recreation and Neighborhood Affairs Dee Crumpler, joined by Superintendent of Parks Dan Farrar and Mr. Mike Cooper of the City Parks Division, appeared before the Commission relative to this item.

Item 4.1 - DELETED FROM THE AGENDA a presentation on the Capital Legacy Project Website (by the Planning Department)

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

Item 5 - Approved modification to the current standard City Commission Meeting Schedule, changing the April 8, 2009 regular City Commission meeting to April 7, 2009 (Option 1 recommended by the Assistant to the City Manager)

Item 6 - Authorized the City Manager to execute a contract for CDBG grant funding, in the amount of \$50,968.20, to assist with the rehabilitation of the Mothers In Crisis House located at 1500 Lake Avenue, meeting the Annual Action Plan goal of providing public facilities for special needs populations (Option 1 recommended by Economic & Community Development [ECD])

Item 7 - Approved Contract Amendment No. 1 to the Barkley Security Agency three-year term contract, to provide guard services at the Hopkins and Purdom power plants, at a cost of \$35,000 for each plant, for a total of \$70,000 per year; and authorized staff to issue the required purchase orders for the services once the infrastructure is in place (Option 1 recommended by Electric Utility)

Item 8 - Approved the standardization of air compressor systems for the Hopkins power plant, and approved the single source purchase of a Kaiser DSD-125 compressor system from Hudson Pump, in an amount not to exceed \$68,665 (Option 1 recommended by Electric Utility)

Item 9 - Approved the award of contract for tank cleaning, inspection and upgrading conversion work to convert three of the City's existing fuel oil storage tanks from storing #6 fuel oil to #2 (diesel) fuel oil (IFB #0026-09-RM-BC) to BIS Frucon, low bidder meeting specifications, in the amount of \$3,460,289; and authorized the City Manager to approve up to \$400,000 in contract amendments if needed (Option 1 recommended by Electric Utility)

Item 10 - Approved an extension of Contract #1196 with Veolia Environmental Services (formerly known as Onyx Industrial Services, Inc.) for power plant brine concentrator and boiler chemical cleaning and hydro blasting services for one two-year period (Option 1 recommended by Electric Utility)

Item 11 - Approved the award of bid for the supply of steel traffic signal poles for the Governors Square Boulevard and Blair Stone Road Intersection Project (IFQ #0020-09-AB-QP) to Graybar Electric Supply, Inc. of Tallahassee, sole bidder meeting specifications, in the amount of \$56,800 (Option 1 recommended by Public Works/Traffic Engineering)

Item 12 - Approved the Federal Transit Administration (FTA) Section 5311 Grant application for federal assistance in the amount of \$298,910 -- actual amount to be determined by the Florida Department of Transportation (FDOT) once all applications are received statewide, providing transportation to those with limited mobility choices in the non-urban area of Leon County; and approved execution of authorizing Resolution No. 09-R-01 and all grant-related documents (Option 1 recommended by StarMetro)

Item 13 - Approved Construction Change Order No. 2 to the contract with Allen's Excavation, Inc., to address unforeseen conditions and the maintenance of traffic necessary for the Concrete Pavement Restoration and Repair for the C. K. Steele Bus Terminal No. 1685 Project, in the amount of \$55,339.72, for a total revised contract amount of \$393,126.21 (Option 1 recommended by StarMetro)

Item 14 - Approved the participation of StarMetro, as the Community Transportation Coordinator (CTC) for Leon County, in the Non-Emergency Transport (NET) Program for transportation disadvantaged (Medicaid) clients, and authorized the City Manager to finalize an agreement with the Florida Commission for the Transportation Disadvantaged (Option 1 recommended by StarMetro)

Item 15 - Approved and authorized staff to execute the third and final one-year extension of Contract #1182, through October 30, 2009, with Mark's Lawn Maintenance for water well and storage tank grounds maintenance (BID #0025-05-RM-BC), for the fixed price of \$28,000 per year (Option 1 recommended by Underground Utilities)

Item 16 - Approved the award of contract for the purchase of liquid chlorine for use at the City's water wells and wastewater treatment plants (IFB #0006-09-TJ-BC) to Allied Universal Corporation, of Miami, Florida, low bidder meeting specifications, in the estimated total annual cost of \$193,252.50, (\$22,435 per year for the City's 26 water wells and \$170,817.50 per year for the two (2) treatment plants)

Item 17 - Adopted Resolution No. 09-R-02, approving Comcast Cablevision's maximum permitted rates for basic tier service, installation service and rental fees for 2009 (Option 1 recommended by Utility Business & Customer Service [UBCS])

Item 18 - The City Treasurer-Clerk formally announced the names of members of the 2009 Charter Review Committee, which was scheduled to hold its first meeting on Monday, January 26, 2009, at 6:00 p.m., in the Tallahassee Room of City Hall

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

- December 3, 2008 Regular Meeting
- December 10, 2008 Regular Meeting

Item 20 - Voted 5-0 to approve the recommendation of the Selection Committee on the ranking of applicant firms to RFQ #0209-08-JAG-RC, to provide professional services for a Community-Wide Human Services Needs Assessment for Leon County and the Community Human Services Partnership (CHSP) Process, under the management and supervision of the CHSP Joint Planning Board; and authorized staff to negotiate, execute and administer a contract with MGT of America, the top-ranked vendor, in an amount not to exceed \$120,000; in the event staff is unable to reach a satisfactory contract with MGT of America, authorized the City to attempt contract negotiations and execution with the second-ranked firm, The Florida Information Technology Center of Excellence (Option 1 as recommended by Economic & Community Development [ECD])

Item 21 - Voted 5-0 to approve the contribution of \$5,000 to the Florida A & M University Marching 100 and \$1,000 to the Tallahassee Boys Choir to assist them with travel expenses to Washington, D.C., where they will represent the City of Tallahassee at the Presidential Inauguration festivities, utilizing funds from the Legislative Reception Fund - and confirmed the Mayor's Office intent to notify past reception sponsors from the private sector of this action, which would leave an available balance of \$8,920.53 for a scaled-down City of Tallahassee annual "Welcome Back Legislators Reception" (brought forward by Mayor Marks)

Item 22 - Voted 5-0 to accept the update from Commissioner Gillum on Fire and Emergency Medical Services (EMS) negotiations and move forward in the direction of those negotiations on an Interlocal Agreement with Leon County for the functionally consolidated provision of Fire-EMS/ALS services and schedule a public hearing for February 25, 2009, on the intent to use the uniform method of levy, collection and enforcement of non-ad valorem assessments for the purposes of adopting a common fire services fee with Leon County (Option 1 as recommended by City Manager Favors Thompson and Commissioner Gillum)

Item 22.1 - Received an update from Mayor Marks on negotiations with Delta Airlines for additional air service to South Florida and voted 5-0 to empower the Mayor to move forward with the negotiations as amended to authorize the Mayor to move forward with a Letter of Commitment of the \$2 Million Guarantee requested by Delta Airlines to be submitted to Delta by January 16, 2009, conditioned on having a commitment to the guarantee of \$1 million from the State and \$500,000 from Leon County

Items 23-25 - By consensus, introduced Ordinances Nos. 09-Z-03, 09-O-05 and 09-O-07, set for public hearings on January 28, 2009, at 6:00 p.m. in the City Hall Commission Chambers, 2nd Floor, 300 South Adams Street, as recommended:

Item 23 was a staff recommendation to introduce Ordinance No. 09-Z-03, which would rezone approximately 0.09 acres located on the east side of North Martin Luther King Jr. Blvd., approximately 205 feet south of 6th Avenue, from the Residential Preservation-2 (RP-2) Zoning District to the Residential Preservation-2 (RP-2) Zoning District with Historic Preservation Overlay (HPO), and add the property to the Local Register of Historic Places (PRZ #080024); and set the ordinance for public hearing on January 28, 2009 (Option 1 as recommended by Planning)

Item 24 was a staff recommendation to introduce Ordinance No. 09-O-05, which would require that users of fire emergency services as a result of

vehicular accidents pay for maintenance and operating costs related to the incident, provide for the types of costs to be covered by the ordinance, authorize the collection of prescribed fees, provide for a designated trust account for fees collected, and authorize expenditures of funds from the designated account to defray the motor vehicle accident fire rescue costs; and set the ordinance for public hearing on January 28, 2009 (Option 1 as recommended by the Fire Chief)

Item 25 was a staff recommendation to introduce Ordinance No. 09-O-07, which would amend the Construction Industry Review Committee (CIRC) Bylaws to shift responsibility for approving journeymen applicants for examinations from the CIRC to the Building Official, and revise the CIRC meetings to an as-needed basis; and set the ordinance for public hearing on January 28, 2009 (Option 1 as recommended by the City Attorney)

Commissioner Katz requested that the City Attorney investigate pursuing a City ordinance banning the use of cell phones while driving a vehicle.

Item 26 - Voted 5-0 to approve the Second Amendment to the Interlocal Agreement Between the City of Tallahassee, Leon County and the Downtown Community Redevelopment Agency of the City of Tallahassee Regarding the Creation and Operations of the Downtown District Community Redevelopment Area and the Expansion of any Community Redevelopment Area, providing a formula for annual tax increment financing (TIF) contributions to the Downtown District and eliminating the requirement for supplemental contributions by the City and the County to the Downtown District Trust Fund (Option 1 as recommended by Economic Development)

Item 27 - Voted 5-0 to authorize the City Manager to execute contracts with the Bethel Community Development Corporation (CDC) for the rehabilitation of up to five (5) owner-occupied homes, for a total amount not to exceed \$195,000, and with Home Rehabilitation and Development Inc. (HRD) for the rehabilitation of up to eight (8) owner-occupied homes, for a total amount not to exceed \$312,000 -- using funding identified in the FY2008-2009 Housing and Urban Development (HUD) Annual Action Plan for funding from Home Investment Partnership, State Housing Initiatives Partnership (SHIP), and Community Development Block Grant (CDBG) for low-income owner-occupied affordable housing rehabilitation (Option 1 as recommended by ECD)

Item 28 - Voted 5-0 to approve a revolving line of credit (LOC) in the amount of \$220,000 for the Tallahassee Lenders' Consortium (TLC) from the Affordable Housing Trust Fund to facilitate the new construction of affordable housing on two lots on Pennlyn off Lonnbladh (Option 1 as recommended by ECD/Housing)

Item 29 - DELETED FROM THE AGENDA a discussion on a StarMetro bus purchase and related financing

Item 30 - Voted 5-0 to approve a Task Order to MWH Constructors (MWHC), the City's Consultant providing Construction Management Services for the Advanced Wastewater Treatment (AWT) Improvements Program, to implement Early Work Package 1A for the AWT Improvements at the Thomas P. Smith (TPS) Water Reclamation Facility, in the amount of \$28,339,000; authorize the City Manager to approve non-scope change orders to the Task Order in an amount not to exceed \$2,833,900 (10%) (Option 1 as recommended by Underground Utilities)

Urged staff to expedite City projects to make jobs available as quickly as possible in view of the current economic downturn

Target Issue Committee Updates -

Environmental and Energy Resources. Commissioner Lightsey gave an update report on activities of the Environmental and Energy Resources Target Issue Committee in reviewing analyses of Florida Legislative House Bills 697, regarding greenhouse gas emissions, and 7135, regarding recycling plastic bags; the City's Demand Side Management (DSM) Programs developed for residential duct repair and commercial rebates, and reporting that the DSM Program Manager contract had been delayed as a result of two protests of the rankings; and the Wakulla Springs Symposium scheduled for February 25-26 at the Antique Car Museum, coordinated by 1000 Friends of Florida, and a weblink provided:
<http://www.1000fof.org/water/wakulla%20Restoration%20workshpasp.asp>.

Long Range Planning. Commissioner Lightsey gave an update report on activities of the Long Range Planning Target Issue Committee, noting that the Committee had received an update on the Providence Neighborhood Community Center, the Downtown Overlay - a project that would eliminate outdated boundaries and consolidate all remaining boundaries into a single set, a review of the Gaines Street design guidelines, Committee sponsorship of a Comprehensive Plan amendment to preserve right-of-ways at the Welaunee Interstate Interchange, and a Planning staff presentation on the Capital Legacy Project to provide a web page with information on all transportation projects and a plan for future transportation projects.

Economic Development. Mayor Marks gave an update report on activities of the Economic Development Target Issue Committee, indicating that the Airport Development of Regional Impact (DRI) was scheduled for amendment and would be brought to the Commission in February 2009.

Commissioner Mustian reported that County Commissioner Desloge had pulled together a group that included representatives of the City, County, School Board, some area counties, FSU and FAMU with a goal of preparing a cohesive request to the federal government for funding an economic stimulus package. He advised that a list of potential "shovel ready" projects to include in the request had been distributed to members of the Commission for review and input.

Unagendaed Speaker

Mr. Bill Tucker, 2802 Primrose Lane, representing Frontiers, Tallahassee, appeared before the Commission and objected to the currently proposed siting of the BG&E biomass plant.

CTC:RM:ecg:01-16-09

City Commission Meeting Summary January 28, 2009

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

Mayor Marks recognized and welcomed those members of Boy Scouts Troop 117 who were in attendance as a requirement to receiving their Citizenship and Community Merit Badge.

Item 1 - Received a presentation, presented by Mr. Stephen Hogge, President of the Council of Neighborhood Associations (CONA), launching the Tallahassee Neighborhood Energy Challenge (brought forward by Environmental Policy & Energy Resources)

Items 2-13 - Voted 4-0 (Commissioner Gillum absent) to approve the staff's recommendations presented in Consent Agenda Items 2-13, taking the following action:

Item 2 - Approved the appointment of Christie Joyner to serve on the Tallahassee-Leon County Board of Adjustment and Appeals to a term expiring June 2011 (recommended by Mayor Marks)

Item 3 - Approved the appointment of Stephen "Scott" Dick to serve on the Downtown Improvement Authority (DIA) to a term expiring June 2011 (recommended by Mayor Marks)

Item 4 - Authorized staff to negotiate and enter into a five-year extension of the Airport News and Gift Concession Lease Agreement between the City and The Paradies Shops, Inc., to be coterminous with the incumbent food and beverage concession agreement so that both agreements would expire January 2014 (Option 1 recommended by Aviation)

Item 5 - Approved the purchase of an additional runway sweeper from Environmental Products of Florida, Inc. and Ward International Trucks, Inc. for \$170,203.49 in accordance with pricing, terms and conditions of City of Tallahassee Contract #1619 and #1285; and an amendment to the Aviation Capital Improvement Budget by moving the acquisition from FY2013 to FY2009 (Option 1 recommended by Aviation)

Item 6 - Authorized the City Manager to accept equipment from the Leon County Sheriff's Office for use by the City of Tallahassee Fire Department to expand the Fire Department's existing building security system, funded from a \$15,000 grant from the Department of Homeland Security and Office of Domestic Preparedness (Option 1 recommended by Fire Chief Dick)

Item 7 - Authorized ISS to extend its contract with Secure Records solutions in one-year increments for the next three years (Option 1 recommended by ISS)

Item 8 - Approved and authorized staff to execute three-year term contracts to Mowrey Elevator, Schindler Elevator, and Otis Elevator, low bidders meeting specifications (Option 1 recommended by the Department of Management & Administration [DMA]/Procurement)

Item 9 - Approved and authorized staff to execute three-year term contracts to Terminix, and Massey Service Inc., low bidders meeting specifications (Option 1 recommended by DMA/Procurement)

Item 10 - Authorized the Department of Public Works to construct roadway and drainage improvements, totaling \$25,081.10, in conjunction with Good News Outreach site development for the Maryland Oaks Crossing Phase V affordable housing project (Option 1 recommended by Public Works/Streets & Drainage)

Item 11 - Approved the purchase of four (4) replacement hook trucks to be used by Solid Waste Services, each with the cab and chassis purchased from Ward International Truck, Inc., under Contract #1285, and the body purchased under from Work Truck LLC, under Contract #1494, for a total price of \$376,307 for the four trucks (Option 1 recommended by Fleet Management and Solid Waste)

Item 12 - Authorized the City Manager to directly negotiate and execute, with concurrence from the City Attorney on an emergency basis, one or more contracts to secure the design and construction of pipeline capacity to fully or partially restore capacity lost in the 36-inch force main damaged by Tropical

Storm Fay; and appropriate \$4 million for the project from the Sewer Fund - Series 2007 CUS Bond Fund Undesignated Balance (Option 1 recommended by Underground Utilities)

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

- January 7, 2009 - Joint City-County Commission public Hearing on Adoption of 2008-1 EAR Based Comprehensive Plan Amendments
- January 14, 2009 - Regular Meeting

Item 14 - Voted 4-0 (Commissioner Gillum absent) to approve the Wakulla Springshed Regional Partnership Memorandum of Understanding (MOU) and authorize Commissioner Lightsey to sign the Agreement on behalf of the City of Tallahassee, and commit to work cooperatively with Leon County and Wakulla County to protect the shared regional Wakulla Springshed water resources (Option 1 recommended by Underground Utilities)

Mr. Charles Pattison, President of 1000 Friends of Florida, appeared before the Commission relative to this item.

Item 15 - Received a staff briefing from DMA Director Raoul Lavin and voted 4-0 (Commissioner Gillum absent) to accept the FY2008 Budgetary Closeout Report as presented - for a revised FY2008 City Operating Budget of \$662,500,305 after transfers, and a FY2008 City Capital Budget of \$480,837,710 (brought forward by the Department of Management & Administration [DMA]/Accounting)

Item 16 - Received a Mid-Year Update on the FY2009 Budget, presented by Mr. Lavin, and voted 4-0 (Commissioner Gillum absent) to approve the following (recommended by DMA/Office of Budget & Policy):

1. De-obligate revenues and expenditures within the General Fund for FY2009 in the amount of \$2.5 million.
2. De-obligate expenses of \$584,000 in the Building Inspection Fund for FY2009 and approve reassignment of five positions to the Energy Services Department, and use of CDBG funding to support three additional positions for enhanced code enforcement (not addressing the total projected deficit but staff will be working with Growth Management to develop additional recommendations).
3. Approve transferring position #0291 from the General Fund to StarMetro to assist in financial management and oversight.

Item 17 - Discussed available options for bylaws of the Community Human Services Partnership (CHSP) Joint Planning Board (JPB); and voted 5-0 (Commissioner Gillum voting telephonically) to approve the City Manager's following recommendation as amended to utilize the Joint Planning Board as advisory for policies set by the Commission pending the completion of the assessment process; and clarified that there would be no appeals for the Joint Planning Board to hear within the next 3-4 months (item was brought forward by Economic & Community Development [ECD]):

Include in the upcoming human services needs assessment an evaluation of the role of the JPB and ask the consultant to make recommendations related to structure and authority of the JPB. These recommendations could include any of the options currently being considered, or any new options the consultant may consider appropriate.

It is anticipated that the assessment will be completed in 6-9 months. We would specifically request the consultant to address the process and structure issues as the first part of their evaluation, assuming a 90-day completion time.

Approve for 90 days (or a time period consistent with the completion of this portion of the report) the existing bylaws as recommended by the JPB. These bylaws would sunset upon completion of the portion of the assessment that makes recommendations on the role and structure of the JPB. These recommendations would be acted upon by each of the funding entities.

Item 17.1 - Voted 5-0 (Commissioner Gillum voting telephonically) to approve an amendment to the Easement Agreement with the McKibbin Hotel Group Inc. to increase the reimbursement amount for the construction of an underground stormwater facility to provide for the development of the entire Floridan Block, increasing the reimbursement amount by \$145,662, to a total not to exceed amount of \$695,662 to cover additional costs incurred due to design modifications required by the City (Option 1 recommended by ECD)

Item 17.2 - Discussed and voted 5-0 (Commissioner Gillum voting telephonically) to approve the issuance of a joint County/City Request for Proposal (RFP) to acquire architectural and engineering design services for the Public Safety Complex using Leon County's Purchasing Division and procedures (Option 1 recommended by Public Works)

Item 18 - Held the first of two public hearings on Ordinance No. 08-O-68, introduced on December 10, 2008, which would establish a mapped Primary Springs Protection Zone (PSPZ) and development standards in the Land Development Code, initiating implementation of Comprehensive Plan Policy 4.2.5:[C], effective with Comprehensive Plan Amendment PCM 080117; the second and final public hearing on the ordinance was scheduled for 6:00 p.m., February 25, 2009, in the City Hall Commission Chambers (Option 1 recommended by Planning)

There were no speakers on this item.

Item 19 - Held a public hearing and voted 5-0 (Commissioner Gillum voting telephonically) to adopt Ordinance No. 08-O-70, introduced on December 3, 2008, changing the general penalty provision in section 1-7 of the City Code to a civil citation, and designating several ordinance violations as civil infractions (Option 1 recommended by the City Attorney)

There were no speakers on this item.

Item 20 - Held a public hearing and voted 5-0 (Commissioner Gillum voting telephonically) to adopt Ordinance No. 08-O-71, introduced on December 3, 2008, amending the City Code to provide specific criminal penalties and deleting redundant ordinances where there is an identical criminal offense in the Florida Statutes (Option 1 recommended by the City Attorney)

There were no speakers on this item.

Item 21 - Held a public hearing and voted 5-0 (Commissioner Gillum voting telephonically) to adopt Ordinance No. 08-O-72AA, introduced on December 10, 2008, regulating the use of fertilizer within the City, as amended to add an additional training option as proposed by staff and deleting the Occasional Applicator exemption (Option 2 recommended by the City Attorney)

The following persons appeared before the Commission in support of this item:

- Mr. Bill Wert, 138 Staghorn Trail

- Ms. Linda Thomas, 1916 Talpeco Road, representing Rex Thomas Pest Control
- Mr. Rex Thomas, 1916 Talpeco Road, representing Rex Thomas Pest Control

Item 22 - Held a public hearing and voted 5-0 (Commissioner Gillum voting telephonically) to adopt Ordinance no. 09-Z-03, introduced on January 14, 2009, rezoning approximately 0.09 acres located on the east side of North Martin Luther King Jr. Blvd., approximately 205 feet south of 6th Avenue, from the Residential Preservation-2 (RP-2) Zoning District to the Residential Preservation-2 (RP-2) Zoning District with Historic Preservation Overlay (HPO), and adding the property to the Local Register of Historic Places (PRZ #080024) (Option 1 recommended by Planning)

There were no speakers on this item.

Item 23 - Held a public hearing and voted 4-1 (Commissioner Gillum voting telephonically and Commissioner Mustian opposed) to adopt Ordinance No. 09-O-05, introduced on January 14, 2009, requiring that users of fire emergency services as a result of vehicular accidents pay for maintenance and operating costs related to the incident, providing for the types of costs to be covered by the ordinance, authorizing the collection of prescribed fees, providing for a designated trust account for fees collected, and authorizing expenditures of funds from the designated account to defray the motor vehicle accident fire rescue costs (Option 1 recommended by the Fire Chief)

Directed staff to bring this ordinance back for review after six months of implementation

The following persons appeared before the Commission in opposition to this item:

- Mr. William Stander, 1786 Vineyard Way, representing himself and Property Casualty Insurers Association of America
- Mr. Dale R. Landry, 1940 Nanticoke Circle, representing the NAACP

Item 24 - Held a public hearing and voted 5-0 (Commissioner Gillum voting telephonically) to adopt Ordinance No. 09-O-07AA, introduced on January 14, 2009, amending the Land Development Code to change the duties and meeting schedule of the Construction Industry Review Committee (CIRC) and to revise the CIRC Bylaws accordingly to shift responsibility for approving journeymen applicants for examinations from the CIRC to the Building Official, and revising the CIRC meetings to an as-needed basis, as amended to provide an exam for mechanical journeyman (Option 1 recommended by the City Attorney)

There were no speakers on this item.

Item 25 - Held the second and final public hearing, the first public hearing was held on December 10, 2008, and voted 5-0 (Commissioner Gillum voting telephonically) to approve the Florida State University (FSU) Development Agreement on the updated FSU Master Plan, modified to reflect a recent decision by BG&E to relocate its biomass plant away from Tallahassee and Leon County by including language that initiated the removal of the "renewable energy center" from the FSU Master Plan and including language requiring stormwater studies for development on the Southwest Campus (Option 1 recommended by Planning)

Mr. Bob Fulford, 231 Westridge Drive, appeared before the Commission and questioned if the withdrawal of the BG&E biomass plant would delay scheduled improvements to Lipona Road.

Unagendaed Speakers

The following persons appeared before the Commission and discussed their opposition to locating a biomass power plant in or near the City of Tallahassee:

- Mr. Bill Tucker, 2802 Primrose Lane
- Prof. Pat Tucker, 2802 Primrose Lane
- Mr. Erwin Jackson, 5002 Glenrose Court (presented a video and a written handout -- placed on file in the Office of the City Treasurer-Clerk)
- Dr. Ed Holifield, 4032 Longleaf Road
- Mr. Jim Walker, 705 Okaloosa Street
- Mr. John Hedrick, P. O. Box 6683 (asked that the City disengage from its power purchase contract with BG&E)
- Mr. Larry Hendricks, 406 Alpha Avenue

Mayor Marks requested that Ms. Cynthia Barber provide Mr. Walker with information on what the City was doing in terms of energy efficiencies/green energy.

CTC:RM:ecg:01-29-09

City Commission Meeting Summary February 11, 2009

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

Item 1 - Accepted the presentation of Green City Gold Certification from Ms. Suzanne Cook, Executive Director of the Florida Green Building Coalition (FGBC), and thanked the staff and the community-at-large for their efforts in the City of Tallahassee being the first city in Florida to be awarded this Gold Designation under the FGBC Green City Local Government Standard (brought forward by Environmental Policy & Energy Resources [EPER])

Mayor Marks, Commissioner Lightsey and EPER Director Cynthia Barber accepted this award.

Items 2-3 - Voted 5-0 (Commissioner Mustian voting telephonically) to approve the staff's recommendations presented in Consent Agenda Items 2-3, taking the following action:

Item 2 - Authorized a three-year maintenance agreement expenditure with Ventyx Energy, LLC, pending approval of funds in each budget year, for Wholesale Energy Services (WES) computer-modeling software, "CougerPlus", and authorized the Director of Energy Services to execute the agreement - for a fiscal impact of \$35,813 in FY2009 (Option 1 recommended by Energy Services)

Item 3 - Approved the award of bid for renovations of the Tallahassee Senior Center 2nd floor kitchen to Council Contracting, pursuant to Contract #1813, in the amount of \$64,732, and authorized ECD to execute the contract (Option 1 recommended by Economic and Community Development [ECD])

Item 4 - Voted 5-0 (Commissioner Mustian voting telephonically) to reaffirm the City's commitment to Delta Airlines for intra-Florida and Washington, D.C. air service, committing the City to up a revenue guarantee of \$375,000 for intra-Florida service and \$125,000 for Washington Reagan Service, if needed (recommended by Aviation)

Items 5-8.1 - By consensus, introduced Ordinances Nos. 09-Z-01, 09-Z-02, 09-O-06, 09-Z-09 and 09-O-08, and set the ordinances for public hearings as recommended, starting at 6:00 p.m. in the City Commission Chambers, 2nd Floor of City Hall, 300 South Adams Street:

Item 5 was a staff recommendation to introduce Southeast Community Medical Campus PUD Rezoning Ordinance No. 09-Z-01, which would amend the existing Southeast Community Medical Campus Planned Unit Development (PUD) Concept Plan and reduce the area of the PUD from 31.98 acres to 30.99 acres (PRZ #080022), and set public hearing on the ordinance for February 25, 2009 (Option 1 recommended by Planning).

Item 6 was a staff recommendation to introduce Ox Bottom Meadows PUD Rezoning Ordinance No. 09-Z-02, which would amend the existing Ox Bottom Meadows PUD, totaling 36.36 acres located on the northwest corner of Ox Bottom Road and Thomasville Road (PRZ #080023), and set the ordinance for public hearing on February 25, 2009 (Option 1 recommended by Planning).

Item 7 was a staff recommendation to introduce Ordinance No. 09-O-06, which would amend the Land Development Regulations amending appropriate sections of Chapter 10 to implement Comprehensive Plan Reform changes from Comprehensive Plan Amendments 2005-1-T-35, 2005-2-T-026 and 2006-2-T-09, and set the ordinance for public hearings on February 25 and March 25, 2009 (Option 1 recommended by Planning)

Item 8 was a staff recommendation to introduce Central urban Rezoning Ordinance No. 09-Z-09, which would rezone the CU Central Urban Zoning District to the CU-12, CU-18, CU-26, CU-45 and OS Open Space Zoning Districts (PRZ #080027), and set the ordinance for public hearings on February 25 and March 25, 2009 (Option 1 recommended by Planning)

Item 8.1 was a staff recommendation to introduce Ordinance No. 09-O-08, which would add duties related to Fertilizer Ordinance variances to the authorized duties of the Environmental Code/Variance Board, and set the ordinance for public hearing on February 25, 2009 (Option 1 recommended by Legal)

Item 9 - Voted 5-0 (Commissioner Mustian voting telephonically) to adopt the recommended 2010 Federal Legislative Program (Option 1 recommended by the Office of the Mayor/Intergovernmental Relations)

Item 10 - Voted 5-0 (Commissioner Mustian voting telephonically) to approve the procurement of eight (8) front-end loaders and eight (8) residential garbage side-loader trucks from RDK Municipal Truck Center, Inc., the top-ranked firm, in the amount of \$3,488,992 - replacing 25 vehicles with 16 new vehicles, reducing the Solid Waste Fleet by 9 vehicles and receiving credit for the trade in of existing vehicles at an estimated value of \$500,000--\$600,000, reducing the actual cost to under \$3 million (Option 1 recommended by Solid Waste and Fleet Management)

Item 11 - Voted 5-0 (Commissioner Mustian voting telephonically) to adopt staff recommendations 1, 2, 3, 4, 6 and 7, implementing a Local Economic Emergency Fast Tracking Program for Public Sector Projects, and adopting Ordinance No. 09-O-13, allowing public sector projects to be reviewed under the proposed fast-track process (Option 1 recommended by Legal)

The Commission delayed taking action on Recommendation #5 for two weeks, relating to reducing the fee associated with traffic concurrency for both public and private sectors.

Commissioner Lightsey requested that the staff provide some data on the proposal to cut traffic concurrency requirements on a scale of 50%-75%, and any ability to work with fees for multi-modal kinds of structure as opposed to roadways.

Commissioner Katz requested that the staff consider ways of ensuring that the cost of road projects were reflective of actual costs.

Commissioner Gillum suggested that the staff consider the potential of expanding concurrency free zones, which would be served by multimodal transit.

Unagendaed Speakers -

Mr. John Fleming, 2588 Centerville Court, member of the Chamber of Commerce Board of Directors, appeared before the Commission in support of the Delta Airlines guarantee proposal, Agenda Item 4, and he expressed particular support for the addition of a non-stop flight to Washington, D.C. Additionally, he encouraged the Commission to extend the fast-tracking program to include the private sector.

Mr. Thomas Hickman, 1768 Indian Creek Drive, Birmingham, AL, representing New Horizon Retail Development, appeared before the Commission and discussed the impacts of concurrency regulations on the private sector in driving up the cost of development. He also encouraged the Commission to extend the fast-tracking program to include the private sector.

City Commission Information and Sharing of Ideas -

Mayor Marks discussed his intent to attempt to establish a group of citizens to consider what the City could do to stimulate the local economy.

CTC:RM:ecg:02-17-09

City Commission Meeting Summary February 18, 2009

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

Item 1 - Presented a proclamation to Commissioner Sarah Wescot-Williams, Leader of the Government of St. Maarten, recognizing the ten-year anniversary of the Sister City Relationship between the City of Tallahassee and the Island Government of St. Maarten, Netherlands Antilles

Accepted a proclamation from the Government of St. Maarten recognizing the renewal and continuation of the Sister City Relationship during this 10th anniversary of unity, and recognizing the Tallahassee-St. Maarten Foundation Inc. for its efforts

Invited attendance at a public reception honoring visitors from St. Maarten and the Tallahassee-St. Maarten Foundation, held immediately following this meeting

Item 2 - Received a Power Point presentation on proposed urban design guidelines for the Gaines Street Design Review Districts; concurred with the direction of staff to complete the guidelines and implement their use as a tool for discussing development projects with potential developers and designers in the Gaines Street Design Review Districts (Option 1 recommended by Planning)

Item 3 - Received a Power Point presentation on the status of Gaines Street Redevelopment construction, a detailed construction schedule, and an overview of the measures proposed by staff to help mitigate the negative impacts of construction; and a staff briefing on development and marketing efforts for Gaines Street, progress on permitting issues including the Small Area Stormwater Management Plan, and implementation of the Gaines Street Construction Communication Plan (presented by the Community Redevelopment Agency Director)

Item 4 - Reviewed the Affordable Housing Advisory Committee (AHAC) 2008 Report of Barriers and Recommendations for Implementation, and voted on whether to support or reject each recommendation in the Report as follows (Option 1 recommended by Economic & Community Development):

RECOMMENDATIONS

Short Term Issues

- 1 Create operative definitions of affordable housing and different affordable housing categories to implement into all the City documents. "Affordable housing is housing that costs no more than 30% of the income of a household earning 80% or less of area median income (AMI) adjusted for household size, as defined by the US Department of Housing and Urban Development annually. Extremely low-income households are defined as those earning 30% or less AMI; Very Low-income households are defined as those earning 50% or less AMI; Low-income households are defined as those earning 80% or less AMI; and Moderate income households are defined as those earning 120% or less AMI. " Recognizing that populations in Tallahassee and Leon County are much lower for seniors and those below the federal poverty guideline, a separate definition of affordable rental housing should be developed.

Action: Commission voted 5-0 to support the staff's recommendation to adopt the definition, adding a 60% AMI income limit for rental housing, and changing 30% of household income to 33% in the AHAC's definition.

- 2 Consider homeowner's association fees in addition to principal and interest mortgage payments, taxes and insurance in the financial eligibility of households in the Inclusionary Housing program, and reflect that in Code of Ordinances Section 9-241(1).

Action: Commission voted 5-0 to support the staff's recommendation to adopt clarification of Inclusionary Housing eligibility requirements.

- 3 Correct the following administrative issues within City documents:

- (1) In the Inclusionary Housing City Commission Policy 1103.06(3)(b) add "re-

" before the word "sale" in the first sentence to read, "At the time of re-sale, or at such point in time as is previously established in contract between the seller and the City. . . ." to remove confusion about the rules for selling the inclusionary housing unit after the initial purchase.

- (2) Remove the mention of the Affordable Housing Advisory Committee in the Housing Element of the Comprehensive Plan if the committee is not required by statute and bylaws to participate in the policy or objective. This applies to Policy 1.1.4 and Policy 3.1.7.
- (3) Add language in the Housing Element of the Comprehensive Plan under Objective 2.1[Rental] (3) to emphasize funds from the Affordable Housing Trust Fund would only be used "for eligible projects based on Affordable Housing Trust Fund criteria. "
- (4) In the Housing Element of the Comprehensive Plan under Objective 2.1[Rental] add "tax credits" as a funding source to accomplish the goal of rental unit production.
- (5) Names of City departments should be updated in the documents including the Code of Ordinances, City Commission Policies and other City documents.
- (6) The CDBG City Commission Policy 202 is outdated and should be updated.
- (7) The Tax-exempt Bond City Commission Policy 1102 is outdated and should be updated.

Action: Commission voted 5-0 to support the staff's recommendation to adopt bullets (1), (3), (5), (6) and (7), above. [No action taken on bullets (2) and (4).]

- 4 Add language in the Residential Use section of the Land Use Element under Objective 2.1 to detail the goals of affordable housing, as in the Southern Strategy Area section in Land Use Policy 11.1.1.

Action: Commission voted 5-0 to support the staff's recommendation to not adopt the text amendment to the Land Use Element of the Comprehensive Plan because the goal is expressed in the Housing Element.

- 5 Add specific language to the Future Land Use Map Categories section of the Land Use Element Objective 2.2, emphasizing affordable housing as an allowable use in all residential categories.

Action: Commission voted 5-0 to support the staff's recommendation to not adopt this Comprehensive Plan text amendment because affordable housing is already an allowable use in all residential zoning districts and may be encouraged through other processes.

- 6 Add "affordable housing for extremely low, very low, and low-income households" to the list of allowed uses for Traditional Neighborhood Districts under Land Use Element Policy 10.1.2(B).

Action: Commission voted 5-0 to support the staff's recommendation to not adopt a text amendment to the Comprehensive Plan because affordable housing is already an allowable use in Traditional Neighborhood Districts and may be encouraged through

other processes.

- 7 Review and revise the Conservation Element steep slope policies and the steep slope ordinance, and consider how the policy affects the availability and affordability of land.

Action: Commission voted 5-0 to support the staff's recommendation to review of the Conservation Element steep slope policies and the steep slope ordinance for revision.

- 8 Consider relaxing certain regulations for affordable housing that restrict buildable land, such as storm water, on-site transportation regulations, landscaping requirements, setbacks, minimum lot size, etc. to achieve maximum allowable density, while preserving quality housing development.

Action: Commission voted 5-0 to support the staff's recommendation to support considering relaxing certain regulations for affordable housing that restrict buildable land.

- 9 Develop an ordinance with a package of requirement reductions for affordable housing with the goal of reaching maximum allowable density. The ordinance could include reducing open space requirements, parking requirements, slope requirements, and perhaps other requirements. The ordinance could have a sunset provision of 5 years to review whether the reductions benefited affordable housing developments.

Action: Commission voted 5-0 to support the staff's recommendation to support developing an ordinance package of requirement reductions for affordable housing.

- 10 Add language to the Real Estate City Commission Policy 136 listing affordable housing as a potential use of surplus property, and require the Real Estate Division to annually publish a list of surplus property, giving priority to affordable housing for very low and extremely low-income housing categories.

Action: Commission voted 5-0 to support the staff's recommendation to support adding affordable housing as a use of surplus property in City Commission Policy 136, prioritizing affordable housing as a use, and to making a list of surplus property available to the public on an annual basis.

- 11 Implement language in Goal 2 and Policy 2.1.4 in the Housing Element of the Comprehensive Plan stating that priority for affordable housing resources will be based on an annual needs analysis, and add a stand-alone Policy 1.1.12 to emphasize it.

Action: Commission voted 5-0 to support the staff's recommendation to not adopt the language "will be based on" but to adopt the language "will take into consideration" a needs analysis in the Housing Element of the Comprehensive Plan.

- 12 Pay Inclusionary Housing in-lieu fees to the Affordable Housing Trust Fund and designate funds for low income housing, instead of separating it into an Inclusionary Housing Trust Fund that could only be used for households earning 70% - 100% AMI.

Action: Commission voted 5-0 to support the staff's recommendation to not adopt

changing the use of Inclusionary Housing in-lieu fees.

- 13 Perform an on-going education and awareness program to promote City rehabilitation programs and annually submit a report of activities to the City Commission and Affordable Housing Advisory Committee.

Action: Commission voted 5-0 to support the staff's recommendation to support marketing the City's rehabilitation programs with low-cost advertising options.

- 14 Create a PowerPoint presentation of Housing Division programs (especially rehabilitation programs) to distribute to credit unions, banks or other points of contact. The presentation could educate about programs with graphics.

Action: Commission voted 5-0 to support the staff's recommendation to support creating a Power Point presentation of Housing Division programs to distribute to agencies with direct contact with the public.

- 15 Market the City of Tallahassee Housing Division as a clearinghouse for information about all housing issues.

Action: Commission voted 5-0 to support the staff's recommendation to support marketing the City's Housing Division as a clearinghouse of housing information to an extent, recognizing that there is little money available for a widespread information campaign.

- 16 Create an informal document, such as a brochure, for Certified Affordable Housing Developments, then promote and distribute the information.

Action: Commission voted 5-0 to approve the staff's recommendation to support creating and distributing a brochure for developers about the Certified Affordable Housing Development program with procedures and incentives.

- 17 Promote the option of reserving infrastructure capacity for housing for very-low-income households, low-income households, and moderate-income households.

Action: Commission voted 5-0 to support the staff's recommendation to support reserving infrastructure capacity only for storm water and schools if developments are located proximate to regional storm water facilities or perhaps schools with capacity.

- 18 Promote the construction of accessory dwelling units in areas of the community where they are allowed.

Action: Commission voted 5-0 to support the staff's recommendation to adopt promotion of the construction of ADUs and also to adjust the City's land development regulations to allow both attached and detached ADUs.

- 19 Expedite the plan to expand Star Metro service and accelerate funding to develop planned transportation hubs or super-stops.

Action: Commission voted 5-0 to support the staff's recommendation to support expanding Star Metro service, accelerating funding to develop planned transportation

hubs or super-stops, and providing safe, efficient connections and accessibility to transit infrastructure, such as grid networks and good sidewalks.

- 20 Provide incentives to locate housing near Star Metro transportation hubs.

Action: Commission voted 5-0 to support the staff's recommendation to support working among departments and the Multi-Modal Transportation District (MMTD) to create incentives for locating affordable housing near current and future transit hubs.

- 21 Include in the Land Use Element Policy 13.1.4 in the Welaunee Critical Area Plan, a priority to locate affordable housing near the transit hubs that would be developed as per Policy 13.1.4(1) (B) and (1)(G).

Action: Commission voted 5-0 to support the staff's recommendation to not support this recommendation because the intended result can be achieved by means other than amending the Comprehensive Plan, such as through the site plan review process.

- 22 Create a City Commission Policy to limit the use of the Affordable Housing Trust Fund to benefit households earning 80% of area median income or less and prohibit exceptions.

Action: Commission voted 5-0 to support the staff's recommendation to support creation of the City Commission Policy to govern the Affordable Housing Trust Fund but to not support limiting the fund to benefit only households earning 80% AMI.

- 23 Consider reducing the transportation concurrency requirements for affordable housing serving residents at 80% area median income or below.

Action: Commission voted 5-0 to support the staff's recommendation to support considering a reduction in transportation concurrency fees for affordable housing.

- 24 Create a forum for City staff to anonymously suggest improvements to day-to-day processes in housing development, permitting and regulation.

Action: Commission voted 5-0 to support the staff's recommendation to not support this activity because it is not likely to produce results and not likely to improve the implementation of housing assistance programs or encourage affordable housing construction.

- 25 Implement language in the Housing Element Policy 2.1.6 of the Comprehensive Plan stating the City "in conjunction with the Affordable Housing Advisory Committee" shall continue to review existing rules and regulations including land use policies, and will identify the impacts of proposed policies, ordinances, regulations, and plan provisions.

Action: Commission voted 5-0 to support the staff's recommendation to not support this activity because it is an unnecessary extra step in a process mandated by the state.

Long Term Issues

- 1 Examine the Urban Services Area (USA) boundary and consider expanding the boundary where it makes sense.

Action: Commission voted 5-0 to support the staff's recommendation to not support this activity because a recent analysis by the Planning Department indicated that there was sufficient capacity within the USA to accommodate the population growth.

- 2 Consider focusing affordable housing efforts on redevelopment.

Action: Commission voted 5-0 to support the staff's recommendation to support focusing efforts on redevelopment.

- 3 Include language in Land Use Element Goal 12 referring to the Central Core Area in which all residential developments receiving a density bonus must build 10% of their units as affordable housing.

Action: Commission concurred to support performing an in-depth analysis of this issue.

- 4 Improve the coordination among different departments with regard to the development process, including synchronizing development philosophies.

Action: Commission voted 5-0 to support the staff's recommendation to support this activity.

- 5 Re-evaluate the procedures regarding citizen objections to developments.

Action: Commission voted 5-0 to support the staff's recommendation to not support this activity.

- 6 Implement a rehabilitation program to buy or sell existing affordable housing inventory.

Action: Commission voted 5-0 to support the staff's recommendation to support this activity.

- 7 The AHAC should receive the Tallahassee Equity Action Ministries (TEAM) recommendations revising the Rental Rehabilitation program and review program procedures before they become final.

Action: Commission voted 5-0 to support the staff's recommendation to support this activity.

- 8 Create an inventory of existing affordable housing units organized by tenure, income range and price range, perhaps in the form of a website, available to the public.

Action: Commission voted 5-0 to support the staff's recommendation to not support this activity because of the funding and staff resources necessary for implementation.

Item 5 - Deferred to the next target issues workshop an update on City Indices (brought forward by the City Auditor)

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

Recognized members of the Tallahassee Electric Utility staff who had worked to help the City of Thomasville restore electricity following a recent tornado

Recognized and commended the community's response to volunteering in the rebuilding of a home for the George and Barbara Kadzis family, featured in the "Extreme Makeover: Home Edition" ABC television series

Item 1 - Mayor Marks presented, and a proclamation to Darian Hands and to Darius Hands, of Lincoln High School, recognizing each of them for receiving one of the Governor's Points of Light Awards for February 2009; he also presented them with a letter from the Governor

Ms. Alicia Joyner, representing the Governor's Points of Light Awards Program, also appeared before the Commission relative to this item.

Item 1.1 - Voted 5-0 to 1) approve a 30-day extension of the 60-day timeframe for the Charter Review Committee (CRC) to bring back a report of its findings [extending the timeframe to the City Commission meeting of April 29, 2009], and 2) approve a linkage of the CRC's website to the City of Tallahassee's homepage website (www.talgov.com) to assist the CRC in informing the citizenry of a Charter Review Public Forum scheduled for noon on Monday, March 9th to receive input from community organizations such as the Council of Neighborhood Associations (CONA) and the Chamber of Commerce, and an open public forum on Monday, March 16th (at 5:30 p.m.), in the City Hall Commission Chambers, to hear from interested citizens

Charter Review Committee Chairman Buddy Streit appeared before the Commission relative to this item.

Items 2-7 - Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 2-7, taking the following action:

Item 2 - Adopted Resolution No. 09-R-04, authorizing application to Florida Department of Transportation for the appropriate permits to close streets for special events in 2009 (Option 1 recommended by the City Attorney)

Item 3 - Approved the award of Hopkins Waste Water Treatment Pond #3 Refurbishment Project (IFB #0057-09-RM-BC) to Comanco Construction Corporation, low bidder meeting specifications, in the amount of \$64,985; and authorized the City Manager to approve contract amendments up to an additional \$20,000 if needed (Option 1 recommended by Electric Utility)

Item 4 - Authorized the City Manager to execute the Woodville Delivery Point and Transmission Services Agreement between Seminole Electric Cooperative, Inc. and the City of Tallahassee with the concurrence of the City Attorney (Option 1 recommended by Electric Utility)

Item 5 - Authorized staff to enter into a three-year zero-percent interest loan with the Oracle Corporation in the amount of \$458,400 (quarterly payments of \$38,200) for license expansion for the PeopleSoft Financials, and approved the additional maintenance cost of \$100,848 associated with the license expansion (Option 1 recommended by the Chief Information Systems Officer)

Item 6 - Approved the award of bid for the cleaning and painting of Elevated Water Tank No. 5 (IFB #0048-09-TJ-BC) to H2O Towers, LLC, of Saline, Michigan, low bidder meeting specifications, at a fixed cost of \$129,900 (Option 1 recommended by Underground Utilities)

Item 7 - Approved the award of the Engineering Consultant contract for the design and initial implementation of the Underground Utilities Asset Management Program (AMP) for Wastewater Plants and Lift Stations to EMA, Inc., the selection committee's top-ranked applicant meeting specifications, in the not to exceed amount of \$600,000; and if an agreement cannot be reached on a satisfactory contract with EMA, Inc., authorized the City Manager/designee to attempt contract negotiations with the second-ranked consulting firm (Option 1 recommended by Underground Utilities)

Item 8 - DELETED FROM THE AGENDA a request by the Leon County Board of County Commissioners to provide input on the issue of making a financial commitment to proposed regional lobbying services (an item brought forward by Mayor Marks)

Item 9 - Voted 5-0 to approve the disbursement of \$49,971 from the proportionate share mitigation funds from the FSU Campus Development Agreement, Fund 300, for an analysis of the potential for designating transit lanes on Tennessee Street between Ocala Road and Monroe Street, and approve the award of a negotiated task assignment to accomplish the analysis with Genesis Group, one of the City's Continuing Engineering Services civil engineers, in the amount of \$49,971 (Option 1 recommended by Public Works)

Item 10 - Received an update on negotiations with Leon County regarding the functional consolidation of Fire and Emergency Medical Services (EMS)/Advanced Life Support (ALS) services, and a report on preliminary information on the proposed rate structure provided by Government Services Group (GSG), the rate consultant to the City and County (brought forward by Department of Management and Administration [DMA])

Voted 5-0 to approve the following recommendations, consistent with comments made by the Commission to look review the scaling on setting the annual rate increase at 5% and finalize the agreement in March (brought forward by City Manager Thompson, Fire Chief Dick and Commissioner Gillum):

- Accept the proposed Interlocal Agreement with Leon county for the functionally consolidated provision of Fire-EMS/ALS services
- Approve the Memorandum of Agreement extending the current agreements with Leon county for fire services ad Advanced Life Support services for an additional three months with a new expiration date of September 30, 2009 and a payment from Leon County of \$1,608,460

Commended everyone involved with negotiating the contract, which exemplified cooperation between the two governments

Item 10.1 - Voted 5-0 to adopt Resolution No. 09-R-03, amending the 2007-2010 Local Housing Assistance Plan (AHAP) and adopt the implementation schedule for other approved AHAP recommendations (Option 1 recommended by ECD)

Item 10.2 - Voted 4-1 (Commissioner Lightsey opposed) to approve the prioritization list of City of Tallahassee capital projects for any project submittals related to federal stimulus funding (Option 1 recommended by DMA)

Mayor Marks also advised that he would provide the Commissioners with copies of a regional projects list for potential stimulus funds, as developed by a regional group, which had been well received by the Governor.

Additionally, the Commission voted 4-1 (Commissioner Lightsey opposed) to give Mayor Marks the flexibility of spending up to \$20,000 to pursue a proposal to acquire professional lobbying services to enhance efforts of the Tallahassee Capital Region to secure federal regional stimulus funding.

Item 10.3 - Concurred with the tentative business recruitment package for attracting a medical device manufacturer to Tallahassee in partnership with the County, Innovation Park, and Sperry and Associates, as presented (brought forward by ECD)

Item 11 - Held a public hearing on a Notice of Proposed Change (NOPC) to the Airport Development of Regional Impact (DRI); and voted 5-0 to determine that the NOPC is not a "substantial deviation" to the Airport DRI and approve the City's Seventh Amendment to the Amended Development Order as presented (Option 1 recommended by Growth Management)

There were no speakers on this item.

Item 12 - Held a public hearing on Ordinance No. 07-Z-43AA, introduced on August 29, 2007, and continued from June 25, August 20 and October 22, 2008, which would rezone a 508-acre parcel located at the southeast corner of the intersection of Fleischman Lane and Centerville Road, in the "Toe" of the Welaunee Plantation property, from CPA (Critical Planning Area) to Canopy Planned Unit Development (PUD) (PRZ #070015) (applicant: CNL Tallahassee I, LLC; agent: Moore Bass Consulting, Inc.); and by consensus, continued the public hearing to August 26, 2009, as requested by the applicant to resolve outstanding issues (Option 1 recommended by Planning)

There were no speakers on this item.

Item 13 - Held the second and final public hearing on Ordinance No. 08-O-68AA, introduced on December 10, 2008; voted 5-0 to adopt the ordinance, establishing a mapped Primary Springs Protection Zone (PSPZ) and development standards in the Land Development Code, and initiating implementation of Comprehensive Plan Policy 4.2.5:[C] effective with Comprehensive Plan Amendment PCM 080117 (Option 1 recommended by Planning) (The first public hearing was held on January 28, 2009.)

There were no speakers on this item.

Item 14 - Held a public hearing on Ordinance No. 09-Z-01, introduced on February 11, 2009, and voted 5-0 to adopt the ordinance, amending the existing Southeast Community Medical Campus Planned Unit Development (PUD) Concept Plan and reducing the area of the PUD from 31.98 acres to 30.99 acres (PRZ #080022), based on the findings and conditions of the Development Review Committee, the Planning Commission, and the information and evidence presented (Option 1 recommended by Planning)

There were no speakers on this item.

Item 15 - Held a public hearing on Ordinance No. 09-Z-02, introduced on February 11, 2009, which would amend the existing Ox Bottom Meadows PUD, totaling 36.36 acres located on the northwest corner of Ox Bottom Road and Thomasville Road (PRZ #080023), based on the findings and conditions of the Development Review Committee, the Planning Commission, and the information and evidence presented; voted 5-0 to close the public hearing and defer action on this ordinance to the next regular Commission meeting scheduled for March 11, 2009, allowing additional time for staff to meet with the developer relative to some alternatives that

might help resolve the citizens' concerns with plans for buffering, density, building orientation, parking and traffic (Option 1 recommended by Planning)

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

- Mr. Greg Jones, 6775 Circle J. Drive (opponent)
- Mr. Charles Wright, 6468 Heartland Circle (opponent)
- Mr. Bruce Meintjies, 6807 Heartland Circle, President of the Moore Pony Homeowners Association (opponent)
- Mr. Ben Boynton, 2735 Miller Landing Road, the developer/owner (proponent)
- Mr. Jay Boynton, 2540 Ox Bottom Road, an owner (proponent)
- Mr. Jake Beard, 6755 Circle J Drive (opponent)
- Mr. Allen Dean, 2252 Gooseberry Court (opponent)

Item 16 - Held a public hearing and voted 0-5 denying a motion to adopt Resolution No. 09-R-05, which would have authorized the use of a uniform method of collecting non-ad valorem special assessments, as the City did not anticipate using this method of collection and the resolution did not need to be adopted (Option 1 recommended by the City Attorney)

There were no speakers on this item.

Item 17 - Held the first of two public hearings on Ordinance No. 09-O-06, introduced on February 11, 2009, which would amend the Land Development Regulations amending appropriate sections of Chapter 10 to implement Comprehensive Plan Reform changes from Comprehensive Plan Amendments 2005-1-T-35, 2005-2-T-026 and 2006-2-T-09; and by consensus, set the second and final public hearing on the ordinance for March 25, 2009 (Option 1 recommended by Planning)

There were no speakers on this item.

Item 18 - Held a public hearing and voted 5-0 to adopt Ordinance No. 09-O-08, introduced on February 11, 2009, adding duties related to Fertilizer Ordinance variances to the authorized duties of the Environmental Code/Variance Board (Option 1 recommended by Legal)

There were no speakers on this item.

Item 19 - Held the first of two public hearings on Central Urban Rezoning Ordinance No. 09-Z-09, which would rezone the CU Central Urban Zoning District to the CU-12, CU-18, CU-26, CU-45 and OS Open Space Zoning Districts (PRZ #080027); by consensus, set the second and final public hearing on the ordinance for March 25, 2009 (Option 1 recommended by Planning)

There were no speakers on this item.

Unagendaed Speakers

The following persons appeared before the Commission and discussed their objections to the proposed site of a cell tower in their Thomasville Road neighborhood:

- Dr. Roger Kaufman and Ms. Jan Kaufman, 1123 Lasswade Drive
- Mr. Sandler Dickson, 729 Kenilworth Road
- Dr. Joseph Cain, 2807 Sterling Drive - presented a petition, with three (3) signatures, requesting a delay in zoning and construction approval of the cell tower by delayed and any approval of this and any other cell tower erection be fully vetted for all

relevant citizen and homeowner consideration (placed on file in the Office of the City Treasurer-Clerk)

The Commission concurred in directing that the staff inform the Development Review Committee of the speakers' concern with the siting this cell tower, and suggesting that Planning staff evaluate the current criteria for locating cell towers to ascertain the need for additional criteria for future locations.

Mr. Stephen N. Martin, 2625 Stonegate Drive, appeared before the Commission and discussed his objections to the Ox Bottom Meadows PUD Amendment (Item 15) and his concern for the preservation of trees.

Mr. Brian Lupiani, 607 McDaniel Street, appeared before the Commission and encouraged the Commission to have the televise Charter Review Committee proceedings televised on WCOT.

Mayor Marks suggested that staff investigate at a minimum televising the CRC's public hearing.

City Commission Information and Sharing of Ideas

Mayor Marks requested that the following individual City Commissioners take the lead and serve as liaison for a period of time with the heads of designated educational institutions as follows, keeping his office informed:

- Commissioner Mustian - Florida State University
- Commissioner Gillum - Florida A & M University
- Commissioner Katz - Tallahassee Community College
- Commissioner Lightsey - Leon County School Board

Commissioner Lightsey advised that the \$5,000 that the City had contributed to the Wakulla Springs Symposium had been very worthwhile as the event had been successful with high attendance and substantive scientific papers delivered. She opined that it would have some good results and she anticipated that there was good potential for acquiring some funding in the future.

Mayor Marks recognized a number of students who were attending this meeting for a class.

CTC:RM:ecg:03-03-09

City Commission Meeting Summary March 11, 2009

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

Mayor Marks recognized and welcomed the attendance of two visitors in the audience, Second Vice President of the Florida League of Cities, Mayor Joy Cooper, and Commissioner Nancy Saunders, of the City of Hallandale Beach, Florida.

Item 1 - Mayor Marks presented a proclamation recognizing and honoring the Tallahassee Downtown Improvement Authority (DIA) and the following businesses in appreciation of their extraordinary efforts to make and keep Tallahassee beautiful by securing funds to maintain the City's downtown flowerbeds:

- 215 Building
- Andrew's Capital Grill and Bar / Andrew's 228

- Capital City Bank
- Ericks Consultants, Inc.
- Florida AIA
- Florida Association of District School Superintendents
- Florida Association of Realtors
- Florida Institute of Certified Public Accountants
- Florida League of Cities
- Florida Retail Federation
- Florida United Business Association
- Floridan Partners, LLC
- Full Press Apparel
- Galley Alley Association
- Greater Tallahassee chamber of Commerce
- Hopping Green & Sam's
- Red Brick Partners and Super-Holdings Investments
- Ron Sachs Communication

Mr. Dave Ericks, Chairman, and Mr. Al Pacini, representatives of the DIA, and members of the local business community who helped sponsor the cause for the City's downtown flowerbeds, appeared before the Commission relative to this item.

Item 1.1 - Mayor Marks presented a proclamation recognizing and honoring the following groups of citizens who took the lead in securing funding to maintain the City's downtown rose beds:

- The Save the Roses Committee
- The Betton Hills Neighborhood Association
- The Tallahassee Civitan Club
- And all of the citizens and groups whose donations helped save the roses

Ms. Lecky Spector and other members of the Save the Roses Committee, and Mr. Andy Fink, President of the Betton Hills Neighborhood Association, appeared before the Commission relative to this item.

Item 2 - Received a presentation presented by Mr. Mike Pate, Program Director for the Knight Foundation, outlining the three-year study and the goals of the "Soul of the Community" telephone survey, conducted by Gallup in Tallahassee and 25 other communities across the United States to gauge citizens' community engagement, loyalty and passion, and commitment to their community, and show the correlation between citizen engagement and economic growth of the community. Mr. Pate reported that in its first year the survey showed the City of Tallahassee being in the middle in terms of citizen involvement, social offers to be most important in terms of weakness and opportunity, and ranked slightly below in local economic and employment conditions. He advised that the complete results of the study could be viewed on the Internet at www.soulofthecommunity.org.

Item 3 - Mayor Marks and Mr. Dee Crumpler, Director of Parks, Recreation and Neighborhood Affairs, recognized and applauded "super volunteers" at the Animal Shelter.

A number of the citizen volunteers appeared before the Commission relative to this item.

Items 4-14 and 17 - Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 4-14 and 17, taking the following action:

Item 4 - Concurred with the Director of Aviation's consent to a tri-party agreement with the following parties for the assignment of Airport Lease Agreements to provide Fixed-Based Operator (FBO) fueling services, and authority for staff to negotiate and execute Amended and Restated Lease Agreements (Option 1 recommended by Aviation):

- Tallahassee Aviation Partners, d/b/a Million Air
- Eagle Aircraft Group, LLC
- Flightline Group, Inc.

Item 5 - Approved the Selection Committee ranking, accepted the DBE goals as submitted and authorized staff to negotiate and enter into an agreement with Clear Channel Interspace Airports to operate the Airport Display Advertising Concession (Option 1 recommended by Aviation)

Item 6 - Approved the award of a four-year term contract for generator inspection, maintenance, testing and repair services and rental services (IFB #0044-09-RM-BC) to Ring Power Corp, low bidder meeting specifications, in the amount of \$175,000 for four years; and authorized staff to enter into a contract for the period of four years following the date the contract is fully executed by the City (Option 1 recommended by Electric Utility)

Item 7 - Adopted Resolution No. 09-R-06, designating the Community Improvement Advisory Council (CIAC) as the Citizen Advisory Task Force for the purpose of the Neighborhood Stabilization Program (NSP) public participation requirement (Option 1 recommended by Economic & Community Development [ECD])

Item 8 - Approved the exceptional purchase of replacement Self-Contained Breathing Apparatus (SCBA) from Ten-8 Fire Equipment, sole source provider, in the amount of \$1,030,169.91 (Option 1 recommended by the Fire Department)

Item 9 - Approved Change Order #3 to the contract with Motorola, Inc., representing a change to the scope of the 800 MHz Project 25 Digital Trunked Radio System at no additional cost, retaining the complete contract price total of \$19,755,132; and authorized the Public Safety Communications Board to have the change order documents signed, processed by all parties, and recorded (Option 1 recommended by the Chief Information Systems Officer [CISO])

Item 10 - Approved the award of a three-year contract for Citywide dumpster rental services (Bid #0066-09-VA-BC) to Marpan Supply Company Incorporated, sole bidder meeting specifications, at an estimated cost of \$342,500 over the life of the contract; and authorized staff to enter into a contract for a period of three years (Option 1 recommended by the Department of Management & Administration [DMA]/Procurement Services)

Item 11 - Approved the submission of a Recreational Trails Program Grant application for \$250,000 from the Florida Communities Trust (FCT) for the renovation of trails at the Lafayette Heritage Trail Park and connection to the J. R. Alford Greenway, and the appropriation of the grant proceeds if the grant is awarded in July 2009 (Option 1 recommended by Parks, Recreation and Neighborhood Affairs [PRNA])

Item 12 - Authorized the Police Department to enter into a new three-year contract with C. Vincent Dix, Ph.D., LLC, to provide stress management and psychological services to eligible Police Department employees (Option 1 recommended by the Police Department)

Item 13 - Approved the Habitat on Highland Replat subdivision plat, containing 2.17 acres bounded on the north, east and west by the Tallahassee Highlands Subdivision, and on the south by Centerville Road, planned for development as single-family residential by the Big Bend Habitat for Humanity and the City of Tallahassee (recommended by Public Works/Engineering)

Item 14 - Approved the award of bid for Community Transportation Carriers to provide para transit service to Tallahassee and Leon County transportation disadvantaged residents (residents who are physically, mentally, or economically unable to provide their own transportation) (IFB #0067-09-BM-0BC) to Big Bend Transit, Inc. and to Sessaly Rose Transit, Inc., based on the proposals received, and authorized staff to develop and execute the agreements (Option 1 recommended by StarMetro)

Item 15 - DELETED FROM THE AGENDA an item regarding the award of contract for pump and lift stations lawn and ground maintenance (brought forward by Underground Utilities/Wastewater Operations) - pulled by the City Manager

Item 16 - PULLED FROM CONSENT FOR A SEPARATE VOTE an item regarding the award of coverage for the property and boiler & machinery insurance program (brought forward by the City Treasurer-Clerk/Risk Manager) - SEE BELOW

Item 17 - Approved the minutes of the January 28, 2009 Regular City Commission Meeting (recommended by the City Treasurer-Clerk/Records Management Officer)

Mayor Marks commended Airport staff on Items 4 and 5.

Item 16 (pulled from Consent) - Voted 4-0 (Commissioner Mustian abstained) to approve the award of coverage for the property and boiler & machinery insurance program for a three-year period effective April 1, 2009, to J. Smith Lanier, sole proposer meeting specifications, for an annual premium of \$2,530,748, as presented (Option 1 recommended by the City Treasurer-Clerk/Risk Manager)

Item 18 - Voted 5-0 to approve a Rental Rehabilitation Loan for Low Income Housing to Mr. Carl Calhoun for the rehabilitation of three affordable housing rental units for low-income residents at 727 Efferson Street, in an amount not to exceed \$60,000, from the Rental Rehab Fund (#104) (Option 1 recommended by ECD)

Item 19 - Voted 5-0 to appropriate \$125,000 from Rental Rehabilitation Fund 104 to set up a work order for enhanced Code Enforcement activities for three time-limited Code Enforcement Officer positions through Fiscal Year 2009 (Option 1 as recommended by ECD)

Commissioner Katz requested that the City Attorney bring back information on ways to address repeat violators of the City Code.

Commissioner Lightsey expressed hope that this was a one-time transfer from these funds and that the future use of this Fund would be for affordable rental rehab loans only.

Item 20 - Voted 5-0 to 1) authorize and approve proposed changes to the StarMetro Fare Structure, effective April 13, 2009; 2) authorize and appropriate receipt of the anticipated service fee of \$22,500 in StarMetro's FY09 budget; 3) approve the supplemental appropriation of \$22,500 to buy SmartCards from StarMetro's FY09 operating budget; and 4) authorize the expenditure of these funds (Option 1 recommended by StarMetro)

Item 21 - Voted 5-0 to approve 1) the submittal of a grant application to the Federal Transit Administration (FTA) for 2009 Transit Stimulus funding in the amount of \$3,453,321, and execution of the grant; and 2) upon receipt of the grant, the purchase of up to nine (9) replacement buses and related equipment from Gillig Bus Corporation at a cost of approximately \$3,453,321, to be funded from the Transit Stimulus grant (Option 1 recommended by StarMetro)

Commissioner Katz suggested that staff work with the State Department of Agriculture regarding the availability of any grants that would potentially lower the expense of acquiring buses that would use alternative fuels.

Item 22 - Voted 5-0 to approve the purchase of up to three (3) replacement buses and related equipment from Gillig Bus Corporation at a cost of approximately \$1.1 million, with funding from approved federal grants (Option 1 recommended by StarMetro)

Item 23 - By consensus, continued to March 25, 2009 action on Ordinance No. 09-Z-02, introduced on February 11, 2009, which would amend the existing Ox Bottom Meadows PUD Concept Plan, totaling 36.36 acres located on the northwest corner of Ox Bottom Road and Thomasville Road, modifying the office and residential components, allowing for changes to the density/intensity within the PUD, and removing the land use buffers (PRZ #080023); a public hearing on the ordinance was held and closed on February 25, 2009; the staff's recommendation was to continue action on the ordinance to March 25, 2009, in order to allow staff to coordinate access issues with the Florida Department of Transportation (Option 1 recommended by Planning)

Commissioner Gillum ascertained that a communication from Mr. Keith Burned relative to this item had not been received in time for appropriate staff review. (A copy of the referenced document, distributed at the meeting, has been placed on file in the Office of the City Treasurer-Clerk.)

Item 24 - Voted 5-0 to approve modification to the current standard City Commission Meeting Schedule, changing the April 29th regular City Commission meeting to April 22nd, moving the May 28th Joint BCC/CC Comp Plan Workshop to May 26th, and moving the October 8th Joint BCC/CC Comp Plan Adoption Hearing to October 13th (Option 1 recommended by the Assistant to the City Manager)

Commissioner Lightsey requested that staff ascertain that none of the scheduled City Commission meetings conflicted with other meetings that a Commissioner was required to attend as a representative of the City Commission.

Target Issue Committee Updates

Environmental and Energy Resources

Commissioner Lightsey gave reported on activities of the Environmental and Energy Resources Target Issue Committee, including working on the development of a list of Committee goals for 2009, continued monitoring of the advanced wastewater treatment project and the issue of wastewater effluent reuse, continuing participation in the Wakulla Springshed Initiative, consideration of an amendment to the Environmental Management Ordinance that would accommodate City Stormwater retrofit projects, continued work on the TMDLs for the Wakulla

Springshed and the Lake Munson Basin, and moving towards "green power initiatives" relating to water issues. She reported that the Committee was monitoring work on a groundwater and Wakulla Springs protection amendment to the Comprehensive Plan, and advised that the Planning Department was working on a plan for performance based septic tanks with the first item being the Responsible Management Entity. Commissioner Lightsey also presented a copy of the executed Wakulla Springs Memorandum of Understanding by Leon County, Wakulla County and the City of Tallahassee (placed on file in the Office of the City Treasurer-Clerk).

Mayor Marks reported that efforts were being made to monitor and understand potential Legislation on carbon penalties that might be imposed on the Electric Generating System, and he reported that staff had been asked to brief the Committee on the Integrated Resource Plan (IRP) process for generating electric energy. He also commended Commissioner Lightsey for her hard work and dedication to the Wakulla Springs protection comprehensive plan.

Additionally, Mayor Marks reported that Environmental Policy and Energy Resources staff was working diligently on Green Cities Regional Partnership initiatives.

Financial Viability of the Government

Commissioner Mustian reported that he and Commissioner Katz, as members of the Financial Viability of the Government Target Issue Committee, had been actively involved in work on the fast tracking of projects, which had been presented at the City Commission Retreat and subsequently adopted by the Commission on February 11th. He reported that the Committee had subsequently received an update on the electric utility rates and bills, and there was some expectation that lower natural gas prices would allow lower utility rates in the next 18 months. He stated that electric sales were down, but that was a positive from the demand side management (DSM) standpoint, and he reported on the potential need for some adjustments to the utility deposits policy, which would be brought to the Commission for consideration. Commissioner Mustian also reported that the Committee was giving additional consideration to the assigned vehicle programs with the intent of bringing some suggestions to the full Commission in the next month, including the potential elimination of all vehicle allowances in the City organization.

Long Range Planning

Commissioner Gillum reported that he and Commissioner Lightsey had reviewed proposed changes to the sign code, sponsored by Commissioner Mustian. Brief discussion ensued and Commissioner Mustian clarified that the sign code changes would be brought to the full Commission at a target issue workshop.

Commissioner Katz requested the status of the fast tracking on permitting of public development projects, and the City Manager responded that the ordinance implementing fast tracking was approved at the second meeting in February.

Commissioner Mustian advised that as the Commission's liaison on City's Welaunee property, he recommended that the City's Comprehensive Plan amendment be pulled to allow more time for preparation.

Unagendaed Business

Voted 5-0 to approve the City Manager's request for authorization to work with Springtime Tallahassee on providing City services for the Springtime Tallahassee Festival.

City Commission Information and Sharing of Ideas

Mayor Marks agreed with a suggestion by Commissioner Lightsey to add the enhancement of rail service to the transportation section of his regional planning group.

By consensus, the Commission agreed with a recommendation by Commissioner Mustian to authorize City Manager Thompson and City Attorney English to put the process on the application for the Lafayette Park Neighborhood Historic Preservation Overlay into abeyance as soon as possible until the process can be revised.

Mayor Marks ascertained that the Commission had no preference on the County's request to reduce City Commission representation on the Tourist Development Council from two City Commissioners to one City Commissioner, and the Commission concurred with the Mayor providing that representation for the City Commission.

Mayor Marks invited attendance to a press conference scheduled for Thursday, March 12, 2009, at noon, to kick off a campaign seeking citizen input on how to foster local job creation and the economy, entitled Home Cooking - Our Jobs, Our Economy, Our Future.

CTC:RM:ecg:03/16/09

City Commission Meeting Summary March 25, 2009

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

Item 1 - Accepted the presentation of the Capital Area Community Action Agency (CACAA) Annual Report and Budget for 2007-2008, and a briefing on the distribution of Federal Economic Stimulus funds, presented by Dot Inman-Johnson

Ms. Inman-Johnson introduced CACAA Board Member Thomas Robert Thompson, of the Thomas Robert Thompson Law Firm, who was present in support of this item, and she distributed a brochure on the CACAA Weatherization Program (on file in the Office of the City Treasurer-Clerk).

Item 2 - Accepted the presentation of the Comprehensive Annual Financial Report (CAFR) for FY2008, including the CAFR and the "Financial and Compliance Audit of Federally Assisted Programs and State Financial Assistance" for the year ending September 30, 2008, presented by Ms. Kathleen Brothers, Chairperson of the Audit Committee (recommended for acceptance by the Department of Management and Administration [DMA]/Accounting Services)

The Commission thanked Ms. Brothers and the other members of the Audit Advisory Committee, Ms. Angela Poole and Mr. James Murdaugh, and Mr. Rick Feldman and other Accounting Services staff members.

Mayor Marks announced that City Auditor Sam McCall had successfully defended his dissertation and received his doctorate, and the Commission commended Dr. McCall on his achievement.

Items 4-5 and 7-8 - Voted 5-0 to approve the staff's recommendations presented in Consent Agenda Items 4-5 and 7-8, taking the following action:

Item 3 - PULLED FOR DISCUSSION an item relating to the transfer of reserved trips to the Tallahassee Regional Airport (brought forward by the City Attorney) - SEE BELOW

Item 4 - Accepted the Tallahassee Community Redevelopment Agency's FY2008 Annual Report for filing (Option 1 recommended by Economic & Community Development)

Item 5 - Adopted Resolution No. 09-R-07, providing for certain issues associated with the Clean Air Interstate Rule (CAIR) authorized account representatives and indemnification (Option 1 recommended by Electric Utility)

Item 6 - PULLED FOR DISCUSSION an item related to the abandonment of a portion of Adams Street and First Avenue in front of the Governor's Mansion (an item brought forward by Public Works/Traffic Engineering) - SEE BELOW

Item 7 - Approved the purchase of 14 replacement vehicles for Public Works Streets and Drainage, for a total price of \$1,513,039.25 (Option 1 recommended by Public Works and Fleet Management)

For total purchases from the vendors as follows:

- \$22,969.00 from Hub City Ford, of Crestview, Florida
- \$131,623.00 from Ring Power, of Tallahassee, Florida
- \$161,732.64 from Flint Equipment Company, of Tallahassee, Florida
- \$767,572.09 from Ward International Trucks, of Tallahassee, Florida
- \$326,340.52 from WorkTrux Truck Bodies, of Dothan, Alabama
- \$102,802.00 from Terex Utilities, of Whitehouse, Tennessee

One (1) 2009 F150 Ford Cab 4x4 Truck for \$22,969.00 from Hub City Ford, pursuant to Florida Sheriffs Contract #08-16-0908

One (1) Lee Boy Low Deck Paver for \$131,623.00 from Ring Power, pursuant to Florida Sheriffs Contract #08-16-0908

One (1) 2009 John Deere Excavator for \$127,337.52 and one (1) 2009 Dynapac Roller for \$34,395.12, totaling \$161,732.64, from Flint Equipment Company, pursuant to Florida Sheriffs Contract #08-16-0908

Five (5) 2010 4400 4x2 Crew Cab International flat bed dump trucks, purchasing the chassis for \$67,528.60 each, totaling \$337,643.00, from Ward International Trucks, pursuant to Contract #1285; and purchasing the bodies for \$11,398.00 each, totaling \$56,990.00, from WorkTrux Truck Bodies, pursuant to Contract #1494; for a cost per truck of \$78,926.60, totaling \$394,633.00 for the five (5) dump trucks

Two (2) 2010 International 7600 Dump Trucks, purchasing the chassis for \$108,563.00 each, totaling \$217,126.00, from Ward International Trucks, pursuant to Contract #1285; and purchasing the bodies for \$12,954.26, totaling \$25,908.52, from WorkTrux Truck Bodies, pursuant to Contract #1494; for a cost per truck of \$121,517.26, totaling \$243,034.52 for the two (2) dump trucks

Two (2) 2010 7300 4x2 Ward International PB Loader Trucks with Asphalt Patch Bodies, purchasing the chassis for \$70,225.68 each, totaling \$140,451.36, from Ward International Trucks, pursuant to Contract #1285; and purchasing the PB loader asphalt patch bodies for \$121,721.00, totaling \$243,442.00, from WorkTrux Truck Bodies, pursuant to Contract #1494; for a cost per truck of \$191,946.68, totaling \$383,893.36 for the two (2) asphalt patch trucks

One (1) 2010 International 7400 Bucket Truck, purchasing the chassis for \$72,351.73 from Ward International Trucks, pursuant to Contract

#1285; and purchasing the body for \$102,802.00 from Terex Utilities, pursuant to Contract #1555; for a total truck cost of \$175,153.73

Item 8 - Approved the minutes of the February 2, 2009 Commission Retreat (recommended by the City Treasurer-Clerk/Records Management Officer)

Item 3 (pulled from Consent) - Voted 5-0 to adopt Resolution No. 09-R-08, transferring reserved trips from Delta Industrial Park to Tallahassee Regional Airport (Option 1 recommended by the City Attorney)

Item 6 (pulled from Consent) - Voted 4-1 (Commissioner Katz opposed) to approve the continued abandonment of Adams Street north of Brevard Street and the westerly 198.8 feet of First Avenue in front of the Governor's Mansion (Option 1 recommended by Public Works/Traffic Engineering)

Commissioner Lightsey expressed interest in seeing the state's security analysis on the continued need for this abandonment.

Item 9 - By consensus, introduced Ordinance No. 09-O-17, which would amend the Land Development Code to suspend certain site plan submittal requirements during any period declared a Local Economic Emergency, and set the ordinance for public hearing on April 22, 2009 (Option 1 as recommended by the City Attorney)

Item 10 - Voted 5-0 to approve a Neighborhood Stabilization Program (NSP) application to the Florida Department of Community Affairs before April 6, 2009, to receive Federal funds in the amount of \$2,945,670 to be used for the rehabilitation of foreclosed properties for rental to households earning 50% of the Area Median Income (Option 1 as recommended by Economic Development)

Commissioner Mustian requested that Director of Economic and Community Development Tom Lewis bring back more specific information on foreclosures and how the NSP and other stimulus funds were creating more jobs in the Tallahassee community.

Commissioner Katz encouraged staff to identify people in this community who had lost their home due to an inability to pay their mortgage and offer assistance to them with their housing situation.

Item 11 - Received a presentation on the proposed Graffiti Abatement Program, presented by Assistant City Manager Jay Townsend (brought forward by the Assistant City Manager for Safety and Neighborhood Services)

Commissioner Gillum expressed strong exception to issuing a citation in cases where voluntary compliance could not be achieved.

Item 12 - Voted 5-0 to approve funding in an amount up to \$125,000 to match the Florida Department of Transportation funding to perform a Corridor Master Plan for a portion of the Woodville Highway (SR 363), from Gaile Avenue to US 98 in Wakulla County (Option 1 recommended by the Capital Regional Transportation Planning Agency [CRTPA])

Item 12.1 - Voted 4-1 (Commissioner Gillum opposed) to approve a task order with Ampirical Solutions, in an amount not to exceed \$885,155 for engineering and site support for the modification of Substation BP4, plus an optional \$311,550 for a site representative for full-time construction monitoring, for a total task order amount of \$1,196,705 (Option 1 recommended by Electric Utility)

Item 12.2 - By consensus, continued action on Ordinance No. 09-Z-02, introduced on February 11, 2009, with the public hearing held on February 25, 2009, which would amend the existing Ox Bottom Meadows PUD, totaling 36.36 acres located on the northwest corner of Ox Bottom Road and Thomasville Road (PRZ #080023), based on the findings and conditions of the Development Review Committee, the Planning Commission, and the information and evidence presented; by consensus, continued action on the ordinance to April 7, 2009 (recommended by Planning)

Item 12.3 - Received an update on the American Recovery & Reinvestment Act (ARRA), including a listing of City stimulus funding received/notified to date, a listing of outside agencies stimulus funding received/notified to date, and a listing of grants identified to date through a monitoring process

By consensus, authorized Commissioner Mustian to work with staff in reviewing the priority of sidewalk projects and in terms of identifying where improvements were most needed, in anticipation of more bike/ped funds coming in

Item 13 - Held the second and final public hearing, and voted 5-0 to adopt Ordinance No. 09-O-06, introduced on February 11, 2009, with the first public hearing held on February 25, 2009, amending sections of Chapter 10 of the Tallahassee Land Development Code to implement Comprehensive Plan Reform changes from Comprehensive Plan Amendments 2005-1-T-35, 2005-2-T-026 and 2006-2-T-09, based on the findings of fact and conclusions of law of the Planning Commission and any evidence presented at the hearing hereon (Option 1 recommended by Planning)

There were no speakers on this item.

Item 14 - Held the second and final public hearing, and voted 5-0 to adopt Ordinance No. 09-Z-09, introduced on February 11, 2009, with the first public hearing held on February 25, 2009, rezoning the Central Urban (CU) Zoning District to the CU-12 (Central Urban 12), CU-18 (Central Urban 18), CU-26 (Central Urban 26), CU-45 (Central Urban 45) and OS (Open Space) Zoning Districts, based on the findings of fact and conclusions of law of the Planning Commission and any evidence presented at the hearing hereon (Option 1 recommended by Planning)

There were no speakers on this item.

Item 15 - Held the first of two public hearings on the Second Amendment to the Development Agreement between the City of Tallahassee and Tallahassee Memorial Hospital (TMH) and its affiliate, Southeast Community Health Services (SECHS); by consensus, set the second and final public hearing on the Second Amendment to the TMH New Facility Development Agreement for April 7, 2009 (Option 1 recommended by the City Attorney).

Ms. Nancy Linnan, 215 South Monroe Street, Suite 215, representing TMH and the SECHS, appeared before the Commission in support of this item.

Unagendaed Speakers

Mr. Richard Dusenbury, 439 West Georgia Street, appeared before the Commission and requested that consideration be given to the Tish Byrd Garden Park in terms of some buffering between homes in the Carolina Oaks Commons and modification of the intended use of the Park to have adult parties.

Ms. Kathi Jaschke, 439 West Georgia Street (did not appear as requested, but distributed a handout on Mr. Dusenbury's presentation [placed on file in the Office of the City Treasurer-Clerk])

The Commission encouraged the neighbors to participate in mediation to resolve their concerns with this issue.

City Commission Information and Sharing of Ideas

Commissioner Mustian briefly discussed his concern with being as the City's representative and unable to attend all of the meetings of the Northwest Florida League of Cities since he had also been appointed to serve as the City's representative on the Florida League of Cities. At the Commission's request, he indicated he would find out whether alternating members of the City Commission could attend those meetings.

Commissioner Lightsey reported that she anticipated a request to turn one of the Pennlyn Drive vacant lots into a small neighborhood park, thereby protecting an existing massive oak tree on the lot.

Brief discussion also focused on scheduling the budget workshop on April 15, 2009, at 1:00 p.m., with only projected revenue information.

CTC:RM:ecg:03-26-09

City Commission Meeting Summary -April 7, 2009

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

Item 1 - Mayor Marks presented a proclamation to the North Florida Christian School Football Team, the Eagles, for their success as the 2008 Class A State Football Champions

Item 2 - Received an update on a new initiative, Community Organizations Active in Disasters (COAD), including the Full Scale Exercise - Hurricane Unison, presented by Mr. Chris Floyd, COAD Coordinator for the American Red Cross (brought forward by Emergency Management)

Items 3-5 and 7 - Voted 4-0 (Commissioner Katz absent) to approve the staff's recommendations presented in Consent Agenda Items 3-5 and 7, taking the following action:

Item 3 - Approved the acceptance and expenditure of a FDLE Project Safe Neighborhood Grant, in the amount of \$14,190, to expand efforts to take guns off the streets; a U.S. Department of Justice grant, in the amount of \$3,886, to purchase bulletproof vests; and the acceptance of up to \$37,767 from Leon County for reimbursement of department operating expenses for Crisis Intervention Team (CIT) training (Option 1 recommended by Tallahassee Police Department [TPD])

Item 4 - Approved the Selection Committee's ranking for a General Planning Consultant (GPC) to provide multimodal transportation planning assistance to StarMetro on a variety of projects, such as the decentralization of the StarMetro route structure, RFQ No. 0053-09-BM-RC, and authorized the City Manager or her designee to execute the related general contracts with the top-ranked firm, Renaissance Planning Group - for an estimated cost of \$100,000 annually over a three-year period (Option 1 recommended by StarMetro)

Item 5 - Approved a StarMetro purchase of 14 Dial-A-Ride replacement vans and related equipment from Transit Plus, Inc., pursuant to State Contract FVPP-08-SC-TP, for a price of \$74,943 each, totaling \$1,049,202, with funds from the 2009 Section 5307 Federal Transit Administration (FTA) grant allocation via (Option 1 recommended by StarMetro)

Item 6 - DELETED FROM THE AGENDA the approval of Resolution No. 09-R-090, authorizing issuance of Capital Improvement Refunding Bonds (an item brought forward by the City Treasurer-Clerk)

Item 7 - Approved the minutes of the February 11, 2009, Regular City Commission Meeting (recommended by the City Treasurer-Clerk/Records Management Officer)

Items 8-14 - By consensus, introduced Ordinances Nos. 09-Z-10, 09-Z-12, 09-Z-14, 09-Z-15, 09-O-16, 09-O-18 and 09-O-21, and set the ordinances for public hearings, as follows:

Item 8 - Introduced 967 Briarcliff Road Rezoning Ordinance No. 09-Z-10, which would rezone 0.64 acres located on the east end of Briarcliff Road at the intersection of East Tennessee Street and Briarcliff Road from OR-1 (Office Residential-1) to OR-1 with Historic Preservation Overlay (HPO), and to add the property to the Local Register of Historic Places (PRZ #090003) (owner/applicant: Joseph Weil); and set the public hearing date on the ordinance for April 22, 2009 (Option 1 recommended by Planning).

Item 9 - Introduced Harmony Oaks PUD Amendment Rezoning Ordinance No. 09-Z-12, which would amend the existing PUD Concept Plan, consisting of 17.32 acres located on the northwest corner of the intersection of Crawfordville Road and Whittaker Road, increasing the acreage in the commercial component from 2.25 to 3.57 acres and adding two new uses to the list of permitted uses; dividing the residential into Residential I, consisting of 6.82 acres, allowing single-family attached and single-family detached uses, and Residential 2, consisting of 2.03 acres, allowing single-family attached, single-family detached and multi-family uses; revising the development standards of the commercial and residential components; and providing two new points of access to the project (PRZ #090004) (applicant: Matt J. Raitz); and set the public hearing date on the ordinance for April 22, 2009 (Option 1 recommended by Planning).

Item 10 - Introduced Ghazvini - Riggins Rezoning Ordinance No. 09-Z-14, which would rezone a 1.1-acre parcel located at 2811 Industrial Plaza Drive from M-1 (Light Industrial) to CP (Commercial Parkway) (applicant: Ghazvini-Riggins Road Partnership; agent: Moore Bass Consulting, Inc.) (PRZ #090005); and set the public hearing date on the ordinance for April 22, 2009 (Option 1 recommended by Planning).

Item 11 - Introduced 117 Henderson Road Rezoning Ordinance No. 09-Z-15, which would rezone 4.65 acres located at 117 Henderson Road from RP-1 (Residential Preservation-1) to RP-2 (Residential Preservation-2) (applicant: Prime Meridian Properties, LLC; agent: Inovia Consulting Group) (PRZ #090006); and set the public hearing date on the ordinance for April 22, 2009 (Option 1 recommended by Planning).

Item 12 - Introduced Alcoholic Beverages Code Amendment Ordinance No. 09-O-16, which would require establishments with special restaurant licenses to close between the hours of 2:30 a.m. and 6:00 a.m., just as other alcoholic

beverage vendors were required to do; and set the public hearing date on the ordinance for April 22, 2009 (Option 1 recommended by the City Attorney).

Item 13 - Introduced Central Urban Code Amendment Ordinance No. 09-O-18, which would update the CU (Central Urban) Zoning Districts, repeal obsolete code sections, and finalize the CU rezoning project (PTX #090003); and set public hearing dates on the ordinance for April 22 and May 27, 2009 (Option 1 recommended by Planning).

Item 14 - Introduced Stormwater Retrofit Code Amendment Ordinance No. 09-O-21, which would amend Chapter 5, Environmental Management, in the Land Development Code to waive some requirements for certain governmental stormwater retrofit projects (streamlining and fast tracking stormwater retrofit projects); and set public hearing on the ordinance for April 22, 2009 (Option 1 recommended by the City Attorney)

Item 15 - Received a Power Point presentation on a City of Tallahassee Carbon Footprint & Carbon Reduction Plan, which would include emissions from Hopkins and Purdom Generating Stations; net electric purchases (purchases minus sales); Fleet vehicles and associated fossil fuel fired equipment; natural gas sales; and water/wastewater treatment operations; and, at a minimum, the Carbon Reduction Action Plan would include the implementation of an Energy Reduction plan and policy for City buildings, an Anti-Idling Policy for the City fleet, enhanced recycling efforts, increased use of alternative fuel vehicles, continued evaluation of biosolids gasification technologies for the Wastewater Treatment Facilities, and targeted education and awareness for staff and citizens (brought forward by Environmental Policy and Energy Resources).

The Commission suggested that the staff bring back a scaled-down brief on available alternatives, an analysis on future needs for power generation, and what assistance could be derived from "Cap and Trade" legislation (auction of emission credits).

The Commission also suggested that information be provided on the impact of the landfill and any other major contributing sources that were not included in the area's carbon footprint; the impact of changing from buses using diesel fuel to a cleaner fuel; a template of alternative renewable or alternative forms of energy available, and information on available grant funds to buy them down, how to satisfy environmental and/or regulatory cost, and what generating units could be taken off line with a renewable substitute; and consideration of an open RFP.

The City Manager indicated that details of recommendations by the Energy Efficiency Task Team would be provided to the Commission.

Item 16 - Voted 5-0 (Commissioner Katz voting telephonically) to approve an exception to the Concurrency Manual and allow the Public Safety Complex Project to move forward with a Limited Partition, separating the Public Safety Complex from the remainder of the Tom Brown Park property before the concurrency analysis is completed - supporting the concept of "fast tracking" public sector projects (Option 1 recommended by Growth Management)

Item 17 - Voted 5-0 (Commissioner Katz voting telephonically) to adopt Ordinance No. 09-Z-02AA, introduced on February 11, 2009, amending the Ox Bottom Meadows Planned Unit Development (PUD) Concept Plan, based on the findings and conditions of the Development Review Committee, the Planning Commission, the information contained in the agenda item, and evidence presented, as amended to include additional conditions -- a public hearing was conducted on February 25, 2009, at which time action was continued and subsequently continued from March 11 and March 25, 2009 (Option 1 recommended by Planning)

Item 18 - Voted 4-0 (Commissioner Katz absent) to approve a Homeowner Rehabilitation Program Loan for an amount not to exceed \$50,000, with the terms described in the agenda item, to be used for the construction of a new home as specified in the proposal from the First Baptist Church of Tallahassee (Option 1 recommended by Economic & Community Development)

The Commission concurred in directing staff to bring to the appropriate Target Issue Committee an initiative that would reconsider the City's policy of not funding housing rebuilds to allow a policy of allowing rebuilds to provide less expensive, more basic shelter, i.e. a safe minimal home, that would help more families.

Item 19 - By consensus, deferred action until passage of pending legislation on a staff recommendation to establish a project in the Airport's Capital Improvement Program for the DRI Substantial Deviation, appropriate \$600,000 to that project from Airport Undesignated RR&I funds, and authorize staff to enter into an agreement with Kimley-Horn and Associates, Inc. for \$298,592 to coordinate the Substantial Deviation (Option 1 recommended by Aviation)

Item 20 - Voted 4-0 (Commissioner Katz absent) to approve application for a FY09 Justice Assistance Grant based on the recommended allocation of funding and schedule a public hearing on April 22, 2009, to meet Federal program requirements (Option 1 recommended by TPD)

Target Issue Committee Updates

Long Range Planning

Commissioner Gillum advised that the Long Range Planning Target Issue Committee had discussed recent gang activity and would like to request an update from the Police Chief on whether any protocol changes were being made in the way TPD was handling late night gatherings.

Chief Jones advised that TPD was re-evaluating its prior practice of not going onto private property to clear a crowd, except for making sure there was egress and ingress, unless requested by the owner. He stated that there were two or three locations where crowds of 25 to 75 people congregated on weekends after the local clubs were closed, and he advised that while TPD would not break any laws, TPD was expecting cooperation by the owners and expected to have their permission to clear crowds. Chief Jones also advised that TPD was monitoring gang members and taking a more aggressive stance on known gang members.

The Commission requested that Chief Jones follow-up with a report on the mix of people in the late night crowds and whether alcohol was being consumed.

Item 21 - DELETED FROM THE AGENDA the second public hearing on the Second Amendment to the Tallahassee Memorial Hospital New Facility Development Agreement (an item brought forward by the City Attorney) - rescheduled to April 22, 2009.

CTC:RM:ecg:04-09-09

City Commission Meeting Summary April 15, 2009

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

Received a staff update and discussed the revised downward revenue estimates and revised projected deficits for FY2009 and FY2010, including:

revised projected deficits of (\$1.8 million) in FY2009 and (\$7.4 million) in FY2010 for the General Fund

revised projected transfers from the Deficiencies Fund requiring an additional amount of \$425,000, for a total of \$2.8 million, for Fire Services; and an additional amount of \$244,244, for a total of \$7.9 million, for StarMetro

revised projected deficits of (\$824,000) in FY2009 for the Building Inspection Fund, and (\$167,481) for the Golf Course Fund

Discussed the actions being taken to address the projected FY2009 General Fund deficit (pages 4-5 of the Agenda Item), and requested additional information on:

a comparison of total overtime to a year earlier,

any unfunded projects that were on the Sales Tax List,

potential impacts of suspending purchases of new vehicles for 18 months,

whether the City's current vehicle replacement policy was conservative or liberal when compared to other agencies of government,

whether the \$400,000 purchase of police cars could be delayed another couple of years,

savings from reduced overtime,

savings and impacts of eliminating all car allowances, and

potential of federal funding through the COPS Program

Voted 5-0 to approve acceptance of the FY2009 Year End Report and approve actions identified for preventing a year-end deficit of (\$1.8 million) in the General Fund, excluding the \$400,000 purchase of police vehicles from Sales Tax and the \$200,000 Red Light Camera Fees Program pending additional information (Option 1 as amended)

Discussed the staff's assumptions for the FY2010 General Fund budget (pages 6-10 of Agenda Item, on file in the Office of the City Treasurer-Clerk), and requested additional information on:

type of personnel or program cut that would be required to achieve some percentage of the projected deficit,

some discussion of the kind of cuts that were anticipated to be ongoing,

more information on a realistic personnel furlough and how it would be implemented,

information on a salary decrease in equitable fashion,

the number of personnel that would need to be cut to solve the deficit,

a form/matrix showing departments and programmatic areas, a simplistic view of their functions, savings from potential cuts

information on OPED (will be included in overall budget proposal)

CTC:RM:ecg:04-16-09

City Commission Meeting Summary -April 22, 2009

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

Item 1 - Mr. Manley Fuller, President of the Florida Wildlife Federation, and Ms. Lisa Garcia, representing Jerry Karnas, Florida Climate Project Director for the Environmental Defense Fund, presented the Climate Award to Commissioner Katz for his leadership in green growth for Tallahassee.

Item 2 - Mayor Marks presented a proclamation, to Environmental Policy and Energy Resources staff, proclaiming the week of April 20-24, 2009, as Tallahassee's Earth Week.

Item 3 - Mayor Marks presented a proclamation proclaiming May 9, 2009, to be "Victory in Europe Day (VE Day)" in Tallahassee in recognition of the sister city relationship with the City of Krasnodar, Russia.

Item 4 - DELETED FROM THE AGENDA a proposed amendment to City Commission Policy 234, Non-Pension Investment Policy (brought forward by the City Treasurer-Clerk) - DEFERRED TO A LATER MEETING

Item 5 - Voted 5-0 to accept the 2009 Charter Review Committee (CRC) Final Report; directed staff to schedule a Commission discussion of the CRC's recommendations in late May, followed by a subsequent public hearing, and another Commission discussion at a subsequent public meeting without additional public input

The Commission thanked the CRC members for their hard work.

CRC Chairman Buddy Streit appeared before the Commission and presented the CRC's Final Report and Recommendations

Items 7-9 - Voted 5-0 to approve the staff's recommendations presented on Consent Agenda Items 7-9, with the exception of Commissioner Mustian's abstention on Item 9, taking the following action:

Item 7 - Authorized the City Manager to sign the Contractual Agreement by and between the State of Florida, Department of Financial Services and the City of Tallahassee for the 2007-2010 State Homeland Security Grant Program (SHSGP) Subrecipient Agreement for Expenditure of Local Government Unit Funding For Florida (Mutual Aid Radio Communications Unit Sustainment and Maintenance) (Option 1 recommended by the Tallahassee Fire Department)

Item 8 - Approved the purchase of six (6) replacement vehicles for Underground Utilities for a total cost of \$137,845.02, as follows (Option 1 recommended by Underground Utilities/Fleet Management):

- Hub City Ford, of Crestview, Florida, pursuant to Florida Sheriffs Contract #08-0908, for \$107,934.00

- WorkTrux Truck Bodies, pursuant to City Contract #1494, for \$29,911.02

Item 9 - With Commissioner Mustian abstaining, adopted Resolution No. 09-R-09, authorizing through a negotiated sale the issuance of not to exceed \$30,000,000 City of Tallahassee, Florida Capital Improvement Refunding Revenue Bonds, Series 2009 (Option 1 recommended by the City Treasurer-Clerk)

Item 6 (pulled from Consent) - Voted 5-0 to approve the reappointment of Richard Wieckowicz and Thomas Kwader to represent the City on the Leon County Science Advisory Committee, to terms expiring March 2011 (recommended by Mayor Marks)

Commissioner Katz suggested the need to set some policy on attendance requirements for members representing the City on various committees and after brief discussion, Mayor Marks requested that his office review attendance records for all boards to determine how widespread the problem of non-attendance is and ask the City Attorney to review the matter.

Item 10 - By consensus, introduced Ordinance No. 09-O-22, which would create a Red Light Camera Safety Program (automated camera enforcement program) in the City of Tallahassee, and set public hearing on the ordinance for May 13, 2009, if appropriate notice can be provided (brought forward by the City Attorney); requested that staff provide additional information on this program prior to the public hearing, including analysis of the financial benefits and review of the collections vendor selection

Item 11 - Deferred to a later meeting the presentation of a Public Safety Update from Police Chief Jones

Item 12 - Discussed a temporary Local Economic Emergency Concurrency Relief Program proposal developed by staff at the direction of the Commission to help stimulate private sector development and job creation in the short term; requested a report on implementing early transparency of program factors such as criteria, number and types of jobs being sought, whether new technology is used and whether there were "green jobs", and deadlines; voted 5-0 to approve Options 1 and 2 as follows (recommended by Growth Management):

- Option 1. Direct staff to reduce the cost per lane mile used in the calculation of concurrency fees from \$10 million to \$7.5 million
- Option 2. Adopt the Temporary Economic Emergency Concurrency Relief Program described in the agenda item (maximum of 50% and 75% reductions)

Item 13 - Discussed options for a proposed Assigned Vehicle Policy for all City assigned vehicles, with the exception of the Police Assigned Vehicle Program and those vehicles assigned to Fire Unionized employees, which were being addressed separately - to be brought back to the Commission as part of the overall discussion related to pay and benefits during the upcoming budget process (brought forward by Human Resources)

Item 14 - Held a public hearing and voted 5-0 to approve the recommendations for allocation of a U. S. Department of Justice's America Recovery Act FY09 Justice Assistance Grant (JAG), and authorize the Tallahassee Police Department (TPD) to expend the U.S. Department of Justice JAG funds and approximately \$8,000 in interest earnings (Option 1 recommended by TPD):

Juvenile Assessment Center - Three-year contract to continue booking services

\$210,000

Enhanced Pretrial Monitoring Program	\$124,000
Leon County Sheriff's Office Law Enforcement Equipment - 56 mobile data computers	\$278,434
TPD Law Enforcement Equipment	\$278,435
Total Allocations	\$890,869

There were no speakers on this item.

Item 15 - Held a public hearing on Ordinance No. 09-Z-10, introduced on April 7, 2009, which would rezone approximately 0.64 acres located at 967 Briarcliff Road from OR-1 (Office Residential) zoning district to OR-1 (Office Residential) zoning district with HPO (Historic Preservation Overlay), and add the property to the Local Register of Historic Places (PRZ090003) (applicant: Joseph J. Weil; agent: Canter Group); by consensus, continued the public hearing to the May 27, 2009, Commission Meeting to allow the applicant to resolve Planning Commission Attorney's concerns regarding the sufficiency of the application (Option 1 recommended by Planning)

There were no speakers on this item.

Item 16 - Held a public hearing on Ordinance No. 09-Z-12AA, introduced on April 7, 2009, which would amend the Harmony Oaks Planned Unit Development (PUD) Concept Plan (On April 7, 2009, the Planning Commission voted 3-1 to recommend approval of the proposed amendment with one condition added to those of the Development Review Committee, which was to reinstate the original sign language located in the development standards of the commercial component.); voted 4-1 (Commissioner Lightsey opposed) to adopt the ordinance, based on the findings and conditions of the Planning Commission and any evidence submitted at the hearing hereon (PRZ 090004) (applicant: Harmony Oaks, LLC; agent: Hargraves Engineering, LLC) (Option 1 recommended by Planning)

There were no speakers on this item; however, Mr. Charles Hargraves, 3201 Shamrock Station S., Suite 101, submitted notice of his availability to provide information on behalf of W. R. Chip Johnson.

Item 17 - Held a public hearing on Ordinance No. 09-Z-14, introduced on April 7, 2009 (On April 7, 2009, the Planning Commission voted 4-0 to recommend denial of this proposed ordinance.); voted 5-0 to adopt the ordinance, thereby rezoning 1.1 acres located at 2811 Industrial Plaza Drive, from the M-1 (Light Industrial) zoning district to CP (Commercial Parkway) zoning district, based upon the findings of fact and conclusions of law set forth in the agenda item and any evidence submitted at the hearing hereon (applicant: Ghazvini-Riggins Road Partnership; agent: Moore Bass Consulting, Inc.) (PRZ 090005) (Option 2 recommended by Planning); also concurring with the staff's recommendation to retain the M-1 Light Industrial zoning district in its current form (Option 3 recommended by Planning)

There were no speakers on this item, although 10 speaker request forms had been submitted in support of this item (on file in the Office of the City Treasurer-Clerk).

Item 18 - Held a public hearing on Ordinance No. 09-Z-15, introduced on April 7, 2009 (On the same date, the Planning Commission voted 4-0 to recommend the adoption of this ordinance.); voted 5-0 to adopt the ordinance, rezoning 4.45 acres of a 4.65 acre parcel located at 117 Henderson Road from RP-1 (Residential Preservation-1) zoning district to the RP-2 (Residential Preservation-2) zoning district, the other portions of the parcel were already

zoned RP-2 (PRZ 090006) (applicant: Prime Meridian Properties, LLC; agent: Inovia Consulting Group) (Option 1 recommended by Planning)

There were no speakers on this item; however, Mr. Russell Large, 930 Thomasville Road, with Inovia Consulting Group, representing Prime Meridian Properties, LLC, indicated his availability to provide additional information.

Item 19 - Held a public hearing on Ordinance No. 09-O-16, introduced on April 7, 2009, which would amend the City Code to require establishments with special restaurant licenses to close between the hours of 2:30 a.m. and 6:00 a.m., the same as other establishments selling alcoholic beverages; by consensus, closed the public hearing and deferred taking action on the ordinance until May 13, 2009, pending additional information on the police data and whether this was an enforcement issue (brought forward by the City Attorney)

Ms. Maggie Shultz, 119 S. Monroe Street, Suite 202, representing the Baja Beach Club, appeared before the Commission and discussed two clubs' maintenance of requirements to operate, indicating that the kitchens were open and staffed to serve food until closing. She also described their use of at least two off-duty police officers at all times until after the departure of all patrons.

Item 20 - Held a public hearing on Ordinance 09-O-17, introduced on March 25, 2009; voted 5-0 to adopt the ordinance, amending the Land Development Code to waive certain site plan application requirements for governmental capital projects during any period declared a Local Economic Emergency (Option 1 recommended by the City Attorney)

There were no speakers on this item.

Item 21 - Held the first of two public hearings on Ordinance No. 09-O-18, introduced on April 7, 2009, which would amend the Land Development code to update the CU (Central Urban) zoning districts, repeal obsolete code sections, and finalize the CU rezoning project (PTX090003) (On the same date, the Planning Commission voted 4-0 to recommend approval of the proposed ordinance.); announced the second and final public hearing scheduled for May 27, 2009 (Option 1 recommended by Planning)

There were no speakers on this item.

Item 22 - Held a public hearing on Ordinance 09-O-21, introduced on April 7, 2009; voted 5-0 to adopt the ordinance, amending the Land Development Code to waive requirements for certain government stormwater retrofit projects and clarifying how the Land Development Code requirements will be applied to stormwater retrofit projects during the current local economic emergency, as part of the fast tracking program for public sector capital projects approved by the City Commission on February 11, 2009 (Option 1 recommended by the City Attorney)

There were no speakers on this item.

Item 23 - Held the second and final public hearing on the Second Amendment to the Tallahassee Memorial Hospital (TMH) Development Agreement -- the first public hearing was held on March 25, 2009 -- and approval of a Modification to the Current Lease Between TMH and the City of Tallahassee, i.e., the First Modification to Third Amended and Restated Lease Agreement; voted 5-0 to approve the Second Amendment to the TMH Development Agreement, and the First Modification to the Third Amended and Restated Lease Agreement; and authorize the City Manager to execute the lease and any documents necessary to implement the development agreement and the lease (Option 1 recommended by the City Attorney)

Mr. Ed Williams, 1205 Hawthorne Street, appeared before the Commission and expressed concern about potential impacts to the roads in his neighborhood from this expansion. He stated that it was difficult to find out what was taking place.

Mayor Marks requested that Assistant City Manager Fernandez provide Mr. Williams with information and a review of the expansion changes planned by TMH.

Mr. Tom O'Steen, 805 N. Gadsden Street, and Ms. Nancy Linnan, 215 S. Monroe Street, submitted speaker forms indicating their availability to provide additional information on behalf of TMH/Southeast Community Health Services.

CTC:RM:ecg:04-28-09